

DEC 03 2021**CONSUMER PROTECTION**

November 29, 2021

VIA CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Attorney General John M. Formella
Office of the Attorney General
Department of Justice
33 Capitol Street
Concord, NH 03301

RE: Data Incident Notification

Dear Attorney General Formella:

Our firm represents Triopsy Medical, Inc. ("Triopsy"). Triopsy hereby formally submits notification of a recent data incident pursuant to NH Rev Stat § 359-C:20 (2015). Triopsy reserves the right to supplement this notice with any significant details learned subsequent to this submission. By providing this notice, Triopsy does not waive any rights or defenses regarding the applicability of New Hampshire law, including the applicability of NH Rev Stat § 359-C:20 (2015), the applicability of any other laws of this or any other state, or the existence of personal jurisdiction over Triopsy.

On September 13, 2021, Triopsy became aware of unusual activity relating to an employee's email account (the "Incident"). Immediately upon learning of the Incident, Triopsy retained forensic specialists and counsel, both of whom specialize in data security incidents, and immediately began investigating. Triopsy determined that an unauthorized third party had access to the employee's email account sometime in early 2021. On November 2, 2021, Triopsy determined that personal information was present in the account. Importantly, Triopsy does not have any evidence of misuse of personal information or any fraud or identity theft.

In light of the foregoing, and out of an abundance of caution, Triopsy has decided to notify your office (via this letter) and the one (1) New Hampshire resident potentially affected by this Incident during the week of November 29, 2021. A sample notification letter to the affected resident is attached hereto as Exhibit A.

Triopsy takes the security of personal information seriously and has already implemented additional security measures designed to prevent any similar attack in the future, including implementing additional safeguards for its email accounts, and otherwise reviewing its security measures. In addition, Triopsy has retained Experian to provide credit monitoring to impacted individuals. Please do not hesitate to contact me if you have any questions regarding this matter.

Attorney General John Formella
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Sincerely,

GODFREY & KAHN, S.C.

A handwritten signature in blue ink, appearing to read "K. Campbell", is written over the printed name.

Katharine Campbell

KHC

EXHIBIT A

Sample Notification Letter



<<MemberFirstName>> <<MemberLastName>>

<<Date>> (Format: Month Day, Year)

<<Address1>>

<<Address2>>

<<City>>, <<State>> <<Zip Code>>

Notice of Data Breach

Dear <<MemberFirstName>> <<MemberLastName>>:

We are writing to notify you, as a precautionary measure, of a recent cybersecurity incident experienced by Triopsy Medical, Inc. ("Triopsy", "we", "us", or "our"), that may have involved your personal information. Out of an abundance of caution, we are contacting you to provide details about the nature of the incident because Triopsy values the security and privacy of your personal information, is committed to ensuring you understand what happened, and wants to provide you with the tools to assist you with securing and protecting your personal information if you have ongoing concerns.

What happened?

On September 13, 2021, Triopsy became aware of unusual activity relating to an employee's email account. Immediately upon learning of the incident, Triopsy retained forensic specialists and counsel, both of whom specialize in data security incidents, and immediately began investigating. Triopsy determined an unauthorized third party had access to the employee's email account sometime in early 2021. On November 2, 2021, Triopsy determined that some personal information, including your personal information, was present in the account. Importantly, Triopsy does not have any evidence of misuse of your personal information or any fraud or identity theft. Nonetheless, we are informing you of this incident because we greatly value the security of your personal information and take this matter seriously.

What information was involved?

The personal information impacted includes the following personal information: [categories of personal information].

What we are doing.

The privacy and security of information is of the utmost importance to Triopsy. In addition to fully investigating this incident and providing notice to you through this letter, we have deployed additional safeguards for our email accounts, and are otherwise reviewing our security measures.

To help protect your identity, we are offering a complimentary 12-month membership of Experian's® IdentityWorksSM. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- Ensure that you **enroll by: 02/18/2022** (Your code will not work after this date.)
- Visit the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bcredit>
- Provide your **activation code: [activation code]**

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 1-877-288-8057 by **02/18/2022**. Be prepared to provide engagement number _____ as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks.

You can contact Experian **immediately** regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at 1-877-288-8057. If, after discussing your situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that this Identity Restoration support is available to you for 12 months from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration. You will also find self-help tips and information about identity protection at this site.

What you can do.

In addition to signing up for Experian Identity Works, please refer to the "Additional Resources" section included with this letter for additional steps you can take to protect your information. That section includes recommendations by the Federal Trade Commission regarding identity theft protection and details on how to place a fraud alert or a security freeze on your credit file.

For more information.

Protecting your information is important to us. While we trust that the services we are offering to you demonstrate our continued commitment to your security and satisfaction, we also sincerely apologize for any inconvenience and concern this incident may cause you.

If you have questions, please call 1-800-290-6186 and select option #3, Monday through Friday from 8:00 a.m. to 5:30 p.m. Central Time.

Sincerely,

Todd J. Anderson
Chief Financial Officer
Triopsy Medical, Inc.

ADDITIONAL RESOURCES

Contact information for the three nationwide credit reporting agencies:

Equifax, PO Box 740241, Atlanta, GA 30374, www.equifax.com, 1-800-685-1111

Experian, PO Box 2104, Allen, TX 75013, www.experian.com, 1-888-397-3742

TransUnion, PO Box 2000, Chester, PA 19016, www.transunion.com, 1-800-888-4213

Free Credit Report. It is recommended that you remain vigilant by reviewing account statements and monitoring your credit report for unauthorized activity, especially activity that may indicate fraud and identity theft. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting agencies.

To order your annual free credit report please visit www.annualcreditreport.com or call toll free at 1-877-322-8228.

You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available from the U.S. Federal Trade Commission's ("FTC") website at www.consumer.ftc.gov) to:

Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281.

For Colorado, Georgia, Maine, Maryland, Massachusetts, New Jersey, Puerto Rico, and Vermont residents: You may obtain one or more (depending on the state) additional copies of your credit report, free of charge. You must contact each of the credit reporting agencies directly to obtain such additional report(s).

Fraud Alerts. There are two types of fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for at least one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft and you have the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. You can place a fraud alert on your credit report by contacting any of the three national credit reporting agencies.

Security Freeze. You have the ability to place a security freeze, also known as a credit freeze, on your credit report free of charge.

A security freeze is intended to prevent credit, loans and services from being approved in your name without your consent. To place a security freeze on your credit report, you may use an online process, an automated telephone line, or submit a written request to any of the three credit reporting agencies listed above. The following information must be included when requesting a security freeze (note that, if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past 5 years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, and display your name, current mailing address, and the date of issue.

Federal Trade Commission and State Attorneys General Offices. If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your home state. You may also contact these agencies for information on how to prevent or minimize the risks of identity theft.

You may contact the **Federal Trade Commission**, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20580, www.ftc.gov/bcp/edu/microsites/idtheft/, 1-877-IDTHEFT (438-4338).

For Maryland residents: You may contact the Maryland Office of the Attorney General, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, www.oag.state.md.us, 1-888-743-0023.

For North Carolina residents: You may contact the North Carolina Office of the Attorney General, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001, www.ncdoj.gov, 1-877-566-7226.

For New York residents: The Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; <https://ag.ny.gov/>.

For Connecticut residents: You may contact the Connecticut Office of the Attorney General, 165 Capitol Avenue, Hartford, CT 06106, 1-860-808-5318, www.ct.gov/ag.

For Massachusetts residents: You may contact the Office of the Massachusetts Attorney General, 1 Ashburton Place, Boston, MA 02108, 1-617-727-8400, www.mass.gov/ago/contact-us.html

For California Residents: You may also wish to review the information provided by the California Attorney General at <https://oag.ca.gov/idtheft>.

Reporting of identity theft and obtaining a police report.

For Iowa residents: You are advised to report any suspected identity theft to law enforcement or to the Iowa Attorney General at consumer@ag.iowa.gov, by calling (515) 281-5926, or writing to 1305 E. Walnut Street Des Moines, Iowa 50319-0106.

For Massachusetts residents: You have the right to obtain a police report if you are a victim of identity theft.

For Oregon residents: You are advised to report any suspected identity theft to law enforcement, the Federal Trade Commission, and the Oregon Attorney General at <https://doj.state.or.us>, by calling (877) 877-9392, or writing to Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096.