



MULLEN
COUGHLIN_{LLC}
ATTORNEYS AT LAW

RECEIVED

JUN 09 2022

CONSUMER PROTECTION

Angelina W. Freind
Office: (267) 930-4782
Fax: (267) 930-4771
Email: afreind@mullen.law

426 W. Lancaster Avenue, Suite 200
Devon, PA 19333

June 3, 2022

VIA U.S. MAIL

Office of the New Hampshire Attorney General
Computer Crime Section
202 North Ninth Street
Richmond, VA 23219

Re: Notice of Data Event

Dear Sir or Madam:

We represent Varsity Tutors LLC ("Varsity Tutors") located at 101 South Hanley Rd, Suite 300, St. Louis, MO 63105, and are writing to notify your office of an incident that may affect the privacy of certain personal information consisting of government-issued photo identification relating to thirty-two (32) New Hampshire Residents. This notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Varsity Tutors does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

Nature of the Data Event

In late October 2021, Varsity Tutors received information from an independent cyber researcher that an Amazon Web Services ("AWS") S3 storage bucket containing Varsity Tutors information may have been internally misconfigured and certain information contained therein may have been publicly accessible. The misconfiguration was promptly remediated. Varsity Tutors also promptly commenced an investigation and took steps to evaluate the permissions within the storage bucket. Working with cybersecurity specialists, despite analyzing all available evidence, the investigation was unable to definitively rule out unauthorized access or acquisition to certain files stored within the storage bucket between November 1st and November 6th, 2021. As part of its response to this event, Varsity Tutors undertook a thorough and time-intensive review of the data stored within the potentially impacted S3 bucket to determine the specific information that may have been accessible or acquired during the timeframe outlined above. On or about May 11, 2022, Varsity Tutors completed this comprehensive review. The information that could have been subject to unauthorized access was government-issued photo identification.

Notice to New Hampshire Residents

On or about June 3, 2022, Varsity Tutors provided written notice of this incident to thirty-two (32) New Hampshire Residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon discovering the event, Varsity Tutors moved quickly to remediate the misconfiguration, investigate and respond to the incident, and identify potentially affected individuals. Despite a lack of confirmation that any information was accessed or misused, out of an abundance of caution Varsity Tutors is providing access to credit monitoring services for twelve (12) months through Equifax, to individuals whose personal information was present within the S3 bucket, at no cost to these individuals.

Additionally, Varsity Tutors is providing impacted individuals with guidance on how to better protect against identity theft and fraud. Varsity Tutors is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

Varsity Tutors is also providing written notice of this incident to additional relevant state regulators, as necessary, and to the three major credit reporting agencies, Equifax, Experian, and TransUnion.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4782.

Very truly yours,

Angelina W. Freind of
MULLEN COUGHLIN LLC

AWF/rmm
Enclosure

EXHIBIT A



Return Mail Processing Center
P.O. Box 6336
Portland, OR 97228-6336

<<Mail ID>>
<<Name 1>>
<<Name 2>>
<<Address 1>>
<<Address 2>>
<<Address 3>>
<<Address 4>>
<<Address 5>>
<<City>><<State>><<Zip>>
<<Country>>

<<Date>>

NOTICE OF DATA <<Variable Header>>

Dear <<Name 1>>:

Varsity Tutors LLC ("Varsity Tutors") is writing to notify you of an incident that may impact the privacy of certain personal information associated with your interest in becoming a tutor on the Varsity Tutors platform or becoming a tutor on the platform. While we currently have no evidence that your personal information (in the form of the government-issued photo identification you provided) has been misused, this letter provides you with information about what we understand happened, our response to what we understand happened, and potential steps you may take to better protect your personal information, should you feel it is appropriate to do so.

What Happened? In late October 2021, Varsity Tutors received information from an independent cyber researcher that an Amazon Web Services ("AWS") S3 storage bucket containing Varsity Tutors information may have been internally misconfigured and certain information contained therein may have been publicly accessible. The misconfiguration was promptly remediated. Varsity Tutors also promptly commenced an investigation and took steps to evaluate the permissions within the storage bucket. Working with cybersecurity specialists, despite analyzing all available evidence, the investigation was unable to definitively rule out unauthorized access or acquisition to certain files stored within the storage bucket between November 1st and November 6th, 2021. As part of its response to this event, Varsity Tutors undertook a thorough and time-intensive review of the data stored within the potentially impacted S3 bucket, to determine the specific information that may have been accessible or acquired during the timeframe outlined above. On or about May 11, 2022, Varsity Tutors completed this comprehensive review and determined that your personal information - in the form of the government issued photo identification that was uploaded - may have been impacted by this event.

What Information Was Involved? The investigation determined that an image of government-issued identification relating to you was contained within the S3 bucket. Varsity Tutors has no evidence that any of your information was misused, and we are notifying you of this incident out of an abundance of caution. Specifically, there have been no known communications to Varsity Tutors seeking to sell back the information at issue or seeking payments not to sell such information. There has also been no known reporting of the specific information that was subject to potential unauthorized access or acquisition resulting in identity theft.

What We Are Doing. Information security is one of Varsity Tutors' highest priorities, and we have security measures in place to protect information in our care. We responded promptly to the incident by taking steps to evaluate the security of the S3 bucket at issue and files stored within the storage bucket, remediated the vulnerability, and commenced a comprehensive investigation, working with cybersecurity specialists. Despite a lack of evidence that any of the personal information was misused, and as an added precaution, Varsity Tutors is offering you access to <<CM Length>> months of credit monitoring and identity protection services through Epiq at no cost to you.

What You Can Do. While Varsity Tutors is unaware of any actual or attempted misuse of information, you are encouraged to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your free credit reports for suspicious activity and to detect errors. Please review the attached "*Steps You Can Take To Help Protect Personal Information*" for additional information on protecting your personal information. You will also find information on how to enroll in the credit monitoring services offered.

For More Information. We understand that you may have questions that are not addressed in this notice. If you have additional questions or concerns, please call 877-794-1518 between 9am and 9 pm Eastern, Monday through Friday (excluding major U.S. holidays). Please note that the preceding number is for a hosted call-center that should be able to address questions or concerns regarding the incident, and if you contact Varsity Tutors via telephone, email, or by other means, you will be directed to the same call-center telephone number as listed in this paragraph. If you contact Varsity Tutors directly, as opposed to the call-center, you will not be provided any additional information.

Sincerely,

Varsity Tutors LLC
Corporate & Legal Division
101 S. Hanley Rd, Suite 300
St. Louis, MO | 63105-3406

STEPS YOU CAN TAKE TO HELP PROTECT PERSONAL INFORMATION

Enroll in Credit Monitoring



Enter your Activation Code: <<Enrollment Code>>
Enrollment Deadline: <<Enrollment Deadline>>

Equifax Credit Watch™ Gold

*Note: You must be over age 18 with a credit file to take advantage of the product

Key Features

- Credit monitoring with email notifications of key changes to your Equifax credit report
- Daily access to your Equifax credit report
- WebScan notifications¹ when your personal information, such as Social Security Number, credit/debit card or bank account numbers are found on fraudulent Internet trading sites
- Automatic fraud alerts², which encourages potential lenders to take extra steps to verify your identity before extending credit, plus blocked inquiry alerts and Equifax credit report lock³
- Identity Restoration to help restore your identity should you become a victim of identity theft, and a dedicated Identity Restoration Specialist to work on your behalf
- Up to \$1,000,000 of identity theft insurance coverage for certain out of pocket expenses resulting from identity theft⁴

Enrollment Instructions

Go to www.equifax.com/activate

Enter your unique Activation Code of <<Enrollment Code>> then click "Submit" and follow these 4 steps:

1. **Register:**
Complete the form with your contact information and click "Continue".
If you already have a myEquifax account, click the 'Sign in here' link under the "Let's get started" header.
Once you have successfully signed in, you will skip to the Checkout Page in Step 4
2. **Create Account:**
Enter your email address, create a password, and accept the terms of use.
3. **Verify Identity:**
To enroll in your product, we will ask you to complete our identity verification process.
4. **Checkout:**
Upon successful verification of your identity, you will see the Checkout Page.
Click 'Sign Me Up' to finish enrolling.
You're done!
The confirmation page shows your completed enrollment.
Click "View My Product" to access the product features.

Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your credit report.

Consumers have the right to place an initial or extended "fraud alert" on a credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a "credit freeze" on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer's express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a credit freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

Pursuant to federal law, you cannot be charged to place or lift a credit freeze on your credit report. To request a security freeze, you will need to provide the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver's license or ID card, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if you are a victim of identity theft.

Should you wish to place a credit freeze, please contact the three major credit reporting bureaus listed below:

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
888-298-0045	1-888-397-3742	833-395-6938
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement.

For District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, DC 20001; 202-727-3400; and oag@dc.gov.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and www.oag.state.md.us. Varsity Tutors is located at 101 South Hanley Rd, Suite 300, St. Louis, MO 63105.

For New Mexico residents, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to your file is limited; you must give your consent for credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you get based on information in your credit report; and you may seek damages from violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fera.pdf, or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

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

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; www.riag.ri.gov; and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are <<RI Count>> Rhode Island residents impacted by this incident.

NH DEPT OF JUSTICE
JUN 9 2022 PM 1:23