

ALSTON & BIRD

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Lawrence R. Sommerfeld

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April 16, 2021

CONFIDENTIAL
VIA EMAIL

DOJ-CPB@DOJ.NH.GOV

Re: Notice of Security Incident

To the Office of the Attorney General:

I am writing on behalf of Acclivity Financial, LLC, a subsidiary of our client Citizens Bank, a Tennessee banking corporation, to inform you of a potential security incident that may have involved access to the personal information of 5 potentially affected New Hampshire residents. Acclivity Financial provides lending solutions to small business owners and has offices located at 6350 Lake Oconee Parkway, Suite 100 PMB 141, Greensboro, Georgia 30642.

Acclivity Financial was the victim of a phishing attack in which an unauthorized party used compromised credentials to temporarily access the email accounts of two employees of Acclivity Financial on October 2, October 15, and October 16, 2020. An investigation determined that the unauthorized party may have had access to personal information contained within the email accounts that included Social Security number, financial account information, driver's license or other government identification numbers, and credit reports on those dates. We are unaware of any misuse of information in connection with this incident at this time. At no time were the systems and networks operated by Citizens Bank to process customer accounts compromised.

In response to this Incident, Citizens Bank has arranged to provide two (2) years of complimentary credit monitoring, identity theft protection, and Dark Web monitoring services to the affected individuals. Acclivity Financial and Citizens Bank are also taking steps to enhance the security of employee email accounts and remain vigilant for similar types of attacks. Acclivity Financial has also reported this potential security incident to law enforcement.

A copy of the notification being sent to the potentially affected residents by first class mail is attached to this letter. The notification will be sent on April 16, 2021.

If you have any questions regarding this incident or if you desire further information or assistance, please email me at Larry.Sommerfeld@alston.com or call my direct line at 404-881-7455.

Sincerely,

A handwritten signature in cursive script that reads "Lawrence R. Sommerfeld". The signature is written in dark ink and has a fluid, connected style.

Lawrence R. Sommerfeld

[DATE]

[INDIVIDUAL NAME]
[STREET ADDRESS]
[CITY, STATE AND POSTAL CODE]

NOTICE OF [SECURITY INCIDENT]

Dear [Parent or Guardian of] [INDIVIDUAL NAME]:

We value your business and respect the privacy of personal information, which is why, as a precautionary measure, we are writing to let you know about a data security incident that may involve [your] [your dependent's] personal information. This letter explains what happened, what measures we are taking to address this issue, and what steps you can take to protect against potential identity theft.

What Happened

Acclivity Financial, LLC, a subsidiary of Citizens Bank, a Tennessee banking corporation, was the victim of a phishing attack in which an unauthorized party used compromised credentials to temporarily access the email accounts of two employees of Acclivity Financial, LLC, on October 2, October 15, and October 16, 2020, and may have had access to some personal information contained within the accounts on those dates. We are unaware of any misuse of information in connection with this incident at this time. At no time were the systems and networks operated by the bank to process customer accounts compromised.

What Information Was Involved

The information that may have been potentially accessed included: [insert data elements].

What We Are Doing

Citizens Bank immediately took steps preventing further access and securing the employee email accounts as soon as we learned of the incident, and promptly launched an investigation led by counsel, including engaging a leading digital forensics firm to assist with the investigation. Acclivity Financial, LLC and Citizens Bank have implemented additional security measures designed to prevent a recurrence of such an event and to further protect the privacy of our valued customers. We remain vigilant for similar types of attacks.

What You Can Do

We encourage you to remain vigilant in reviewing financial statements and credit reports over the next 12 to 24 months. You should promptly report any suspicious activity or suspected identity theft to us and to proper law enforcement authorities, including your local law enforcement agency or your state's attorney general.

To further assist you, we have arranged to provide you with the services of IDX to provide identity monitoring at no cost to you or your child for two years. IDX identity protection services

include: two years of CyberScan monitoring, credit monitoring for adults over the age of 18 with valid US credit files, a \$1,000,000 insurance reimbursement policy, and fully managed identity theft recovery services.” If you wish to receive this service, please refer to the instructions below on how to enroll.

1. Website and Enrollment. Go to [\[https://response.idx.us/customending / https://app.idx.us/account-creation/protect\]](https://response.idx.us/customending) and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.

2. Activate the credit monitoring provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.

For More Information

We value your privacy and deeply regret that this incident occurred. More information on how you can protect against unauthorized use of personal information can be found in the Reference Guide. If you have any questions regarding this incident, please call [] toll-free Monday through Friday from 9 am – 9 pm Eastern (excluding major U.S. holidays).

Sincerely,



Gregg Sherrington
Executive VP, COO, Acclivity Financial



C. Scott Greer
Executive VP, CFO & COO, Citizens Bank

REFERENCE GUIDE

Order Your Free Credit Report

To order your free annual credit report, visit www.annualcreditreport.com, call toll-free at (877) 322-8228, or complete the Annual Credit Report Request Form on the U.S. Federal Trade Commission's ("FTC") website at www.ftc.gov and mail it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. The three credit bureaus (Equifax, Experian, and TransUnion) provide free annual credit reports only through the website, toll-free number or request form.

Upon receiving your credit report, review it carefully. Errors may be a warning sign of possible identity theft. Here are a few tips of what to look for:

- Look for accounts you did not open.
- Look in the "inquiries" section for names of creditors from whom you have not requested credit. Some companies bill under names other than their store or commercial names; the credit bureau will be able to tell if this is the case.
- Look in the "personal information" section for any inaccuracies in information (such as home address and Social Security Number).

If you see anything you do not understand, call the credit bureau at the telephone number on the report. Errors may be a warning sign of possible identity theft. You should notify the credit bureaus of any inaccuracies in your report, whether due to error or fraud, as soon as possible so the information can be investigated and, if found to be in error, corrected. If there are accounts or charges you did not authorize, immediately notify the appropriate credit bureau by telephone and in writing. Information that cannot be explained should also be reported to your local police or sheriff's office because it may signal criminal activity.

Contact the U.S. Federal Trade Commission

If you detect any unauthorized transactions in any of your financial accounts, promptly notify the appropriate payment card company or financial institution. If you detect any incidents of identity theft or fraud, promptly report the matter to your local law enforcement authorities, state Attorney General and the FTC.

You can contact the FTC to learn more about how to protect yourself from becoming a victim of identity theft by using the contact information below:

Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue, NW
Washington, DC 20580
1-877-IDTHEFT (438-4338)
www.ftc.gov/idtheft/

Place a Fraud Alert on Your Credit File

To protect yourself from possible identity theft, you have the right to place a fraud alert on your credit file for one year at no cost. A fraud alert helps protect against the possibility of an identity thief opening new credit accounts in your name. When a credit grantor checks the credit history of someone applying for credit, the credit grantor gets a notice that the applicant may be the victim of identity theft. The alert notifies the credit grantor to take steps to verify the applicant's identity. You can place a fraud alert on your credit report by calling any of the toll-free fraud numbers provided below. You will reach an automated telephone system that allows flagging of your file with a fraud alert at all three credit bureaus.

Equifax

P.O. Box 105069
Atlanta, GA 30348
800-525-6285
www.equifax.com

Experian

P.O. Box 2002
Allen, TX 75013
888-397-3742
www.experian.com

TransUnion

P.O. Box 2000
Chester, PA 19016
800-680-7289
www.transunion.com

Security Freezes

You have the right to request a credit freeze from a consumer reporting agency, free of charge, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate a freeze. A security freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a security freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a security freeze may delay your ability to obtain credit.

Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit bureau. To place a security freeze on your credit report you must contact the credit reporting agency by phone, mail, or secure electronic means and provide proper identification of your identity. 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 five 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, display your name and current mailing address, and the date of issue.

Below, please find relevant contact information for the three consumer reporting agencies:

Equifax Security Freeze

P.O. Box 105788
Atlanta, GA 30348
800-208-0045
www.equifax.com

Experian Security Freeze

P.O. Box 9554
Allen, TX 75013
888-397-3742
www.experian.com

TransUnion

P.O. Box 2000
Chester, PA 19016
888-909-8872
www.transunion.com

Once you have submitted your request, the credit reporting agency must place the security freeze no later than one (1) business day after receiving a request by phone or secure electronic means, and no later than three (3) business days after receiving a request by mail. No later than five (5) business days after placing the security freeze, the credit reporting agency will send you confirmation and information on how you can remove the freeze in the future.

For Residents of the District of Columbia

You may contact the D.C. Attorney General's Office to obtain information about steps to take to avoid identity theft:

D.C. Attorney General's Office, Office of Consumer Protection, 400 6th Street, NW, Washington DC 20001, 1-202-442-9828, www.oag.dc.gov.

For Residents of Iowa

You may contact law enforcement or the Iowa Attorney General's office to report suspected incidents of identity theft. The Iowa Attorney General's Office can be reached at:

Iowa Attorney General's Office, Director of Consumer Protection Division, 1305 E. Walnut Street, Des Moines, IA 50319, 1-515-281-5926, www.iowaattorneygeneral.gov.

For Residents of Maryland

You may also obtain information about preventing and avoiding identity theft from the Maryland Office of the Attorney General:

Maryland Office of the Attorney General, Consumer Protection Division
200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023, <http://www.marylandattorneygeneral.gov/>

For Residents of New Mexico

New Mexico Consumers Have the Right to Obtain a Security Freeze or Submit a Declaration of Removal.

You may obtain a security freeze on your credit report to protect your privacy and ensure that credit is not granted in your name without your knowledge. You may submit a declaration of removal to remove information placed in your credit report as a result of being a victim of identity theft. You have a right to place a security freeze on your credit report or submit a declaration of removal pursuant to the Fair Credit Reporting and Identity Security Act.

The security freeze will prohibit a consumer reporting agency from releasing any information in your credit report without your express authorization or approval.

The security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. When you place a security freeze on your credit report, you will be provided with a personal identification number, password or similar device to use if you choose to remove the freeze on your credit report or to temporarily authorize the release of your credit report to a specific party or parties or for a specific period of time after the freeze is in place. To remove the freeze or to provide authorization for the temporary release of your credit report, you must contact the consumer reporting agency and provide all of the following:

- (1) the unique personal identification number, password or similar device provided by the consumer reporting agency;
- (2) proper identification to verify your identity;
- (3) information regarding the third party or parties who are to receive the credit report or the period of time for which the credit report may be released to users of the credit report; and

A consumer reporting agency that receives a request from a consumer to lift temporarily a freeze on a credit report shall comply with the request no later than three business days after receiving the request. As of September 1, 2008, a consumer reporting agency shall comply with the request within fifteen minutes of receiving the request by a secure electronic method or by telephone.

A security freeze does not apply in all circumstances, such as where you have an existing account relationship and a copy of your credit report is requested by your existing creditor or its agents for certain types of account review, collection, fraud control or similar activities; for use in setting or adjusting an insurance rate or claim or insurance underwriting; for certain governmental purposes; and for purposes of prescreening as defined in the federal Fair Credit Reporting Act.

If you are actively seeking a new credit, loan, utility, telephone or insurance account, you should understand that the procedures involved in lifting a security freeze may slow your own applications for

credit. You should plan ahead and lift a freeze, either completely if you are shopping around or specifically for a certain creditor, with enough advance notice before you apply for new credit for the lifting to take effect. You should contact a consumer reporting agency and request it to lift the freeze at least three business days before applying. As of September 1, 2008, if you contact a consumer reporting agency by a secure electronic method or by telephone, the consumer reporting agency should lift the freeze within fifteen minutes. You have a right to bring a civil action against a consumer reporting agency that violates your rights under the Fair Credit Reporting and Identity Security Act.

For Residents of New York

You can obtain information from the New York State Office of the Attorney General about how to protect yourself from identity theft and tips on how to protect your online privacy. You can contact the New York State Office of the attorney General at:

Office of the Attorney General
The Capitol
Albany NY 1222-0341
1-800-771-7755
1-800-788-9898
<https://ag.ny.gov/>

Bureau of Internet and Technology (BIT)
28 Liberty Street
New York, NY 10005
Phone: 212-416-8433
<https://ag.ny.gov/internet/resource-center>

For Residents of North Carolina

You may also obtain information about preventing and avoiding identity theft from the North Carolina Attorney General's Office:

North Carolina Attorney General's Office, Consumer Protection Division
9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-5-NO-SCAM, www.ncdoj.gov

For Residents of Oregon

State laws advise you to report any suspected identity theft to law enforcement, as well as the Federal Trade Commission. Contact information for the Oregon Department of Justice is as follows:

Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301, 1-503-378-4320,
www.doj.state.or.us