



MULLEN  
COUGHLIN<sup>LLC</sup>  
ATTORNEYS AT LAW

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

December 14, 2023

**VIA E-MAIL**

Office of the New Hampshire Attorney General  
Consumer Protection & Antitrust Bureau  
33 Capitol Street  
Concord, NH 03301  
E-mail: DOJ-CPB@doj.nh.gov

**Re: Notice of Data Event**

To Whom It May Concern:

We represent AMCP Payments Intermediate Company LLC d/b/a Talus Pay (“Talus Pay”) located at 12712 Park Central Drive, Street 350, Dallas, TX 75251, and write to notify your office of an incident that may affect the security of certain personal information relating to eight (8) New Hampshire residents. The investigation into this matter is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Talus Pay 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**

On or about May 16, 2023, Talus Pay became aware of suspicious activity relating to six employee email accounts. Talus Pay immediately took steps to secure the email accounts and launched an investigation to determine the nature and scope of the activity. Talus Pay’s investigation determined that there was unauthorized access to the email accounts. In an abundance of caution, Talus Pay reviewed the contents of the email accounts to determine what information was impacted and to whom the information relates. After this review was complete, Talus Pay undertook an internal review of its files to locate address information for purposes of providing notice.

The information that could have been subject to unauthorized access includes

### **Notice to New Hampshire Residents**

On or about December 14, 2023, Talus Pay provided written notice of this incident to eight (8) 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, Talus Pay moved quickly to investigate and respond to the incident, assess the security of Talus Pay systems, and identify potentially affected individuals. Talus Pay is also working to implement additional safeguards and training to its employees. Talus Pay is providing access to credit monitoring services for \_\_\_\_\_, through TransUnion, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Talus Pay is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. Talus Pay is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, the 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.

Talus Pay is also providing written notice of this incident to 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 \_\_\_\_\_.

Very truly yours,

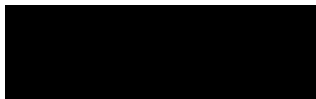
Richard Aponte-Boyd of  
MULLEN COUGHLIN LLC

RAB/mf1  
Enclosure

# **EXHIBIT A**



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December 14, 2023

## NOTICE OF SECURITY INCIDENT

Dear [REDACTED]:

AMCP Payments Intermediate Company, LLC d/b/a Talus Pay (“Talus Pay”) writes to inform you of a recent event that may affect the security of your personal information. While there is no evidence of actual or attempted misuse of your information, in an abundance of caution, we are providing you with information about this event, our response, and the steps you may take to further protect your information against identity theft and fraud, should you feel it necessary to do so.

**What Happened.** On May 16, 2023, Talus Pay discovered suspicious activity related to an employee’s email account. In response, we immediately took steps to secure our email tenant and launched an investigation to determine the nature and scope of the incident. This investigation recently concluded, and determined that between May 2, 2023, and May 16, 2023, an unknown, unauthorized actor gained access to certain employee email accounts and potentially accessed and/or acquired certain information stored within that account.

**What Information Was Involved?** Talus Pay quickly began a thorough investigation of the relevant emails and files to identify individuals with personal information that was potentially impacted. On September 28, 2023, we determined that your [REDACTED] were potentially accessed and/or acquired by an unknown, unauthorized actor as a result of this incident.

**What We Are Doing.** Talus Pay takes this incident and the security of information within our care seriously. Upon discovery of this incident, we immediately launched an in-depth investigation to determine the full nature and scope of this incident and moved quickly to assess the security of our email accounts and notify potentially affected individuals. As part of our ongoing commitment to the privacy of information within our care, we are working to implement additional security measures to further protect against similar incidents in the future. We also notified state regulators, as required.

As an added precaution, we would like to offer you with access to **Single Bureau Credit Monitoring/Single Bureau Credit Report/Single Bureau Credit Score** services at no charge. These services provide you with alerts for 12 months from the date of enrollment when changes occur to your credit file. This notification is sent to you the same day that the change or update takes place with the bureau. Finally, we are providing you with proactive fraud assistance to help with any questions that you might have or in event that you become a victim of fraud. These services will be provided by Cyberscout through Identity Force, a TransUnion company specializing in fraud assistance and remediation services. If you wish to receive these services, you must enroll by following the enclosed enrollment instructions under *Steps You Can Take to Help Protect Your Personal Information*, as we are unable to activate these services on your behalf.

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**What You Can Do.** We encourage you to remain vigilant against incidents of identity theft and fraud and to review your accounts statements and credit reports to detect errors or suspicious activity. You can find more information about obtaining a free copy of your credit report, protecting against potential identity theft and fraud, and other resources available to you in the enclosed *Steps You Can Take to Help Protect Your Personal Information*. You may also enroll in the complimentary credit monitoring services available to you; detailed instructions for enrolling in these services are enclosed.

**For More Information.** We understand that you may have questions that are not addressed in this letter. Representatives are available for 90 days from the date of this letter, to assist you with questions regarding this incident, between the hours of 8:00 a.m. to 8:00 p.m. Eastern time, Monday through Friday, excluding holidays. Please call the help line at 1-844-406-6354 and supply the fraud specialist with your unique code listed below. Also, you can write to us at Talus Pay, 12712 Park Central Drive, Street 350, Dallas, TX 75251.

Sincerely,

Talus Pay

## STEPS YOU CAN TAKE TO HELP PROTECT YOUR PERSONAL INFORMATION

### **Enroll in Credit Monitoring Services**

To enroll in Cyber Monitoring services at no charge, please log on to <https://secure.identityforce.com/benefit/taluspay> and follow the instructions provided. When prompted please provide the following unique code to receive services: [REDACTED]

Once you have enrolled yourself, click on your name in the top right of your dashboard and select “Manage Family Protection” then “Add Family Member” to enroll your child. In order for you to receive the monitoring services described above, you must enroll within 90 days from the date of this letter. The enrollment requires an internet connection and an email account and will require enrollment by parent or guardian first. Please note that when signing up for monitoring services, you may be asked to verify personal information for your own protection to confirm your identity.

### **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 a free credit report, visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call, toll-free, 1-877-322-8228. Consumers may also directly contact the three major credit reporting bureaus listed below to request a free copy of their 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 consumers are the victim of identity theft, they are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should consumers wish to place a fraud alert, please contact any 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 a consumer’s name without consent. However, consumers should be aware that using a credit freeze to take control over who gets access to the personal and financial information in their credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application they make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, consumers cannot be charged to place or lift a credit freeze on their credit report. To request a credit freeze, individuals may need to provide some or all of 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 they are a victim of identity theft.

Should consumers wish to place a credit freeze or fraud alert, please contact the three major credit reporting bureaus listed below:

<b>Equifax</b>	<b>Experian</b>	<b>TransUnion</b>
<a href="https://www.equifax.com/personal/credit-report-services/">https://www.equifax.com/personal/credit-report-services/</a>	<a href="https://www.experian.com/help/">https://www.experian.com/help/</a>	<a href="https://www.transunion.com/credit-help">https://www.transunion.com/credit-help</a>
1-888-298-0045	1-888-397-3742	1-800-916-8800
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**

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 20580; [www.identitytheft.gov](http://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. Consumers can obtain further information on how to file such a complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, consumers will likely need to provide some proof that they have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and the relevant 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, D.C. 20001; 202-727-3400; and [oag.dc.gov](http://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 <https://www.marylandattorneygeneral.gov/>.

*For New Mexico residents*, consumers have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in their credit file has been used against them, the right to know what is in their credit file, the right to ask for their 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 consumers' files is limited; consumers must give consent for credit reports to be provided to employers; consumers may limit "prescreened" offers of credit and insurance based on information in their credit report; and consumers may seek damages from violators. Consumers 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 consumers to review their rights pursuant to the Fair Credit Reporting Act by visiting [www.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.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](http://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](http://www.riag.ri.gov); and 1-401-274-4400. Under Rhode Island law, individuals have the right to obtain any police report filed in regard to this event. There are approximately 2 Rhode Island residents that may be impacted by this event.



