



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

RECEIVED

FEB 27 2023

CONSUMER PROTECTION

75 S. Clinton Avenue, Suite 510
Rochester, NY 14604

February 21, 2023

VIA U.S. MAIL

Consumer Protection Bureau
Office of the New Hampshire Attorney General
33 Capitol Street
Concord, NH 03301

Re: Notice of Data Event

To Whom It May Concern:

We represent the American Guild of Musical Artists (“AGMA”) located at 305 Seventh Avenue, Suite 2A New York, New York 10001, and are writing to notify your office of an incident that may affect the security of certain personal information relating to one (1) New Hampshire resident. This notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, AGMA 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 17, 2022, AGMA observed suspicious activity related to an employee’s email account. Upon discovering the suspicious activity, AGMA moved quickly to reset the email account password and take steps to secure its email tenant. With the assistance of third-party forensic specialists, AGMA also launched an investigation into the nature and scope of the activity. The investigation determined that between April 21, 2022, and May 17, 2022, an unknown individual gained unauthorized access to the email account in question. While the investigation was able to confirm access to the account, the investigation was unable to rule out access to any emails or attachments within the account.

As a result, AGMA quickly began a thorough and time intensive review of the contents of the email account to determine if personal data was potentially impacted. AGMA also reviewed its records to identify any individuals who may have been affected, along with contact information for those individuals. That review concluded on December 20, 2022.

The information that could have been subject to unauthorized access includes

Notice to New Hampshire Resident

On or about February 21, 2023, AGMA provided written notice of this incident to one (1) New Hampshire resident. 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, AGMA moved quickly to investigate and respond to the incident, assess the security of AGMA's email tenant, and identify potentially affected individuals. AGMA is also working to implement additional safeguards and training to its employees. AGMA is providing access to credit monitoring services for twelve (12) months, through Kroll, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, AGMA 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. AGMA 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. AGMA is providing written notice of this incident to relevant state regulators, as necessary.

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,

Michele Veltri of
MULLEN COUGHLIN LLC

MTV/jlm
Enclosure

EXHIBIT A

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

<<first_name>> <<middle_name>> <<last_name>> <<suffix>>
<<address_1>>
<<address_2>>
<<city>>, <<state_province>> <<postal_code>>
<<country>>

<<b2b_text_1 (NOTICE OF DATA BREACH)>>

Dear <<first_name>> <<middle_name>> <<last_name>> <<suffix>>:

The American Guild of Musical Artists (“AGMA”) is writing to inform you of a recent event that may impact the privacy of some of your information. We are unaware of any attempted or actual misuse of your information at this time, but we are providing you this letter as a precaution, to inform you of the event, our response, and steps you may take to protect your information, should you feel it necessary to do so.

What Happened?

On or about May 17, 2022, AGMA observed suspicious activity related to an employee’s email account. Upon discovering the suspicious activity, we moved quickly to reset the email account password and take steps to secure our email tenant. With the assistance of third-party forensic specialists, we also launched an investigation into the nature and scope of the activity. The investigation determined that between April 21, 2022, and May 17, 2022, an unknown individual gained unauthorized access to the email account in question. While our investigation was able to confirm access to the account, the investigation was unable to rule out access to any emails or attachments within the account.

As a result, AGMA quickly began a thorough and time intensive review of the contents of the email account to determine if personal data was potentially impacted. We also reviewed our records to identify any individuals who may have been affected, along with contact information for those individuals. That review concluded on December 20, 2022.

What Information Was Involved?

At this time, there is no indication that any of your information has been used inappropriately. Nevertheless, we are writing to you because your <<b2b_text_2 (“name” and data elements)>> were contained within the accessed email account.

What We Are Doing.

AGMA takes this event and the privacy of information seriously. Upon learning of the event, we moved quickly to reset the email account password, ensure the security of our email tenant, and investigate the nature and scope of the event. AGMA is also reviewing our existing policies and procedures to further protect against similar events like this in the future.

As an added precaution, AGMA is also offering you 12 months of complimentary identity monitoring through Kroll. Activation instructions can be found in the attached *Steps You Can Take to Help Further Protect Your Information*. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration.

Please note, you must activate these complimentary services yourself as AGMA is unable to do so on your behalf.

What You Can Do.

We encourage you 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 over the next 12 to 24 months. Please review the enclosed *Steps You Can Take to Help Further Protect Your Information*, which includes additional information on what you can do to better protect your personal information against misuse, should you feel it appropriate to do so. AGMA also encourages you to enroll in the complimentary credit monitoring we are offering.

For More Information.

AGMA understands that you may have questions about this event that are not addressed in this letter. If you have additional questions, please call (866) 674-3240, Monday through Friday from 8:00 a.m. to 5:30 p.m. Central Time, excluding major U.S. holidays. Please have your membership number ready.

You may also write to AGMA at 305 Seventh Avenue, Suite 2A, New York, NY 10001.

We sincerely apologize for any inconvenience this may cause.

Sincerely,

AGMA

STEPS YOU CAN TAKE TO HELP FURTHER PROTECT YOUR INFORMATION

TAKE ADVANTAGE OF YOUR IDENTITY MONITORING SERVICES

Visit <https://enroll.krollmonitoring.com> to activate and take advantage of your identity monitoring services.

You have until <<b2b_text_6 (activation date)>> to activate your identity monitoring services.

Membership Number: <<Membership Number s_n>>

For more information about Kroll and your Identity Monitoring services, you can visit info.krollmonitoring.com.

KROLL

You have been provided with access to the following services from Kroll:

Single Bureau Credit Monitoring

You will receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.

Fraud Consultation

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

Identity Theft Restoration

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.

Kroll's activation website is only compatible with the current version or one version earlier of Chrome, Firefox, Safari and Edge.

To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.

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
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

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, D.C. 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 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.