



MULLEN
COUGHLIN_{LLC}
ATTORNEYS AT LAW

RECEIVED

SEP 30 2021

CONSUMER PROTECTION

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1266 E. Main Street, Soundview Plaza
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September 27, 2021

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

Dear Sir or Madam:

We represent American Pool Enterprises Inc., (“American Pool”), located at 11155 Dolfield Blvd Suite 216, Owings, MD, 21117, and are writing to notify your Office of an incident that may affect the security of some personal information relating to thirty-five (35) 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, American Pool 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 August 1, 2021, American Pool discovered that its network had been infected with malware which prevented access to files on certain servers. Upon discovery, American Pool immediately notified law enforcement and began an investigation with the assistance of third-party computer forensic specialists. This investigation determined that certain American Pool files were subject to unauthorized access between July 31, 2021 and August 1, 2021. American Pool then took steps to identify the individuals whose information was impacted, and determine contact information for those individuals. That process completed on September 3, 2021.

The information related to New Hampshire residents that could have been subject to unauthorized access were name, address, and Social Security number.

Notice to New Hampshire Residents

On or about September 27, 2021, American Pool began providing written notice of this incident to affected individuals, which includes approximately thirty-five (35) 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, American Pool moved quickly to investigate and respond to the incident, assess the security of American Pool systems, and notify potentially affected individuals. American Pool implemented additional security measures along with reviewing and enhancing existing policies and procedures to reduce the likelihood of a similar future event. American Pool is providing access to credit monitoring services for one year, through Kroll, to individuals whose information was potentially affected by this incident, at no cost to these individuals.

Additionally, American Pool is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including information on how to place a fraud alert and security freeze on one's credit file, information on protecting against tax fraud, 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.

Contact Information

Should you have any questions regarding this notification or event, or wish to discuss this matter further, please contact us at 267-930-1509.

Very truly yours,



Gregory J. Bautista of
MULLEN COUGHLIN LLC

EXHIBIT A



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

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

Re: Notice of Security Incident

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

American Pool Enterprises Inc. (“American Pool”) is writing to inform you about an incident which may impact the security of some of your information. The confidentiality, privacy, and security of information in American Pool’s care is one of our highest priorities. We are providing you with information about the event, our response, and steps you may take to better protect your information, should you feel it is appropriate to do so.

What Happened? On August 1, 2021, American Pool discovered that it could not access files on certain servers. American Pool immediately launched an investigation into the incident, with the assistance of third-party computer forensic specialists. That investigation is ongoing, but determined that certain files within the American Pool network were subject to unauthorized access. As a result, we took steps to identify what information was contained within the impacted files, and to whom that information belonged. American Pool then took steps to identify contact information for the impacted individuals. That process completed on August 25, 2021. We are notifying those individuals whose information was impacted by the incident.

What information was involved? The impacted information relating to you includes name, address, and Social Security number. At this time, there is no indication that your information has been subject to actual or attempted misuse.

What Are We Doing? American Pool takes the confidentiality and security of information very seriously. We promptly investigated this incident and took steps to secure our systems. We also implemented additional security measures and are reviewing and enhancing existing policies and procedures to reduce the likelihood of a similar future event. As an added precaution, we are providing you with access to complimentary identity monitoring services through Kroll for one year.

What Can You Do? We encourage you to remain vigilant against incidents of identity theft and fraud and to review your account statements and free credit reports for suspicious activity and to detect errors. We also encourage you to review the “Steps You Can Take to Help Protect Your Information” section of this letter.

For More Information. We understand you may have additional questions not addressed by this letter. If you have questions, please call our dedicated assistance line at 1-???-???-???? during 8:00 am to 5:30 pm Central Time, Monday through Friday.

We regret any inconvenience or concern caused by this incident.

Sincerely,

Adam Chen
CIO

STEPS YOU CAN TAKE TO HELP PROTECT YOUR INFORMATION

Activate Identity Monitoring

To help relieve concerns and restore confidence following this incident, we have secured the services of Kroll to provide identity monitoring at no cost to you for one year. Kroll is a global leader in risk mitigation and response, and their team has extensive experience helping people who have sustained an unintentional exposure of confidential data. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration.

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

*You have until **December 28, 2021** to activate your identity monitoring services.*

Membership Number: <<Membership Number s_n>>

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
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.

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-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.

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 [#] Rhode Island residents impacted by this incident.