



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

RECEIVED
AUG 14 2020
CONSUMER PROTECTION

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

August 7, 2020

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 the American Seating Company (“American Seating”) located at 401 American Seating Center, Grand Rapids, MI 49504, and are writing to notify your office of an incident that may affect the security of some personal information relating to three (3) 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 Seating 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 January 29, 2020 American Seating became aware of suspicious activity relating to certain American Seating employee email accounts. In response, American Seating worked with third party forensic specialists to investigate the nature and scope of the activity. American Seating determined that two American Seating email accounts were accessed without authorization. The period of unauthorized access varied for each account at issue. Every potentially accessible email and attachment within the impacted accounts was reviewed to determine what information may have been accessible to the unauthorized actor. On April 28, 2020 American Seating determined the total potentially affected population of this event. Since that time, American Seating worked to find contact information for impacted individuals to ensure those impacted individuals received notice of this event. On July 6, 2020, American Seating determined that information relating to three (3) New Hampshire residents was impacted. The information that could have been subject to unauthorized access includes name and Social Security number.

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Notice to New Hampshire Residents

On or about August 7, 2020, American Seating began providing written notice of this incident to affected individuals. 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 Seating moved quickly to investigate and respond to the incident, assess the security of American Seating systems, and notify potentially affected individuals. In response to this event, American Seating reviewed and updated its firewall policies, and the implemented new industry standard antivirus protection. American Seating is also working to implement additional safeguards and training to its employees. American Seating is providing access to credit monitoring services for one (1) year, through TransUnion to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, American Seating 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. American Seating is providing individuals with 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 other aspects of the data security event, please contact us at (267) 930-4842.

Very truly yours,



Vincent F. Regan of
MULLEN COUGHLIN LLC

VFR/eeb
Enclosure

EXHIBIT A



Matter - 7004
PO BOX 44
MINNEAPOLIS MN 55440-0044

American Seating Company
401 American Seating Center
Grand Rapids, MI 49504



<<Name 1>>
<<Name 2>>
<<Name 3>>
<<Name 4>>
<<Address 1>>
<<Address 2>>
<<City>> <<State>> <<Zip 10>>
<<CountryName>>

August 5, 2020

Re: Notice of Data Breach

Dear <<Name 1>>:

The American Seating Company (“American Seating”) is writing to notify you of a recent incident that may have impacted the security of your personal information. We want to provide you with information about the incident, our response, and steps you may take to better protect against possible misuse of your personal information, should you feel it necessary to do so.

What Happened? On January 29, 2020, American Seating became aware of suspicious activity relating to certain American Seating employee email accounts. In response, American Seating worked with third party forensic specialists to investigate the nature and scope of the activity. We determined that two American Seating email accounts were accessed without authorization. The period of unauthorized access varied for each account at issue. Every potentially accessible email and attachment within the impacted accounts was reviewed to determine what information may have been accessible to the unauthorized actor. On April 28, 2020, we determined the total potentially affected population of this event. Since that time, American Seating worked to find contact information for impacted individuals to ensure those impacted individuals received notice of this event. On July 6, 2020, we determined your information was potentially impacted.

What Information was Involved? The investigation determined that your name and <<Data_Elements>> may have been accessible by the unauthorized actor. Although this information may have been accessible, there is no indication that this information was actually viewed by an unauthorized actor. However, we are notifying you of this incident in an abundance of caution.

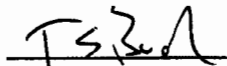
What We Are Doing. The confidentiality, privacy, and security of personal information within our care is among American Seating’s highest priorities. Upon learning of the event, we investigated to determine those individuals that were affected, and secured the compromised accounts. In response to this event, we reviewed and updated our firewall policies, and implemented new industry standard antivirus protection. We will be taking additional steps to improve security and better protect against similar incidents in the future. In an abundance of caution, we are also notifying potentially affected individuals, including you, so that you may take further steps to better protect your personal information, should you feel it is appropriate to do so. Although we are unaware of any actual or attempted misuse of your personal information as a result of this event, we arranged to have TransUnion protect your identity for 12 months at no cost to you as an added precaution.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and monitor your credit reports for suspicious activity for the next twelve (12) to twenty-four (24) months. You may also review the information contained in the attached *Steps You Can Take to Protect Your Information*. There you will also find more information on the credit monitoring and identity protection services we are making available to you. While American Seating will cover the cost of these services, you will need to complete the activation process.

For More Information. We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, please call our dedicated assistance line at 1-888-812-1642, between 9am and 7pm Eastern time Monday through Friday excluding major U.S. holidays.

We regret any inconvenience this incident may cause you. American Seating remains committed to safeguarding information in our care, and we will continue to take proactive steps to enhance the security of our systems.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Bush', written over a horizontal line.

Tom Bush
The American Seating Company

STEPS YOU CAN TAKE TO PROTECT YOUR INFORMATION

Complimentary Credit Monitoring and Identity Protection Services

As a safeguard, we have arranged for you to enroll, at no cost to you, in an online credit monitoring service (*myTrueIdentity*) for one year provided by TransUnion Interactive, a subsidiary of TransUnion®, one of the three nationwide credit reporting companies.

To enroll in this service, go directly to the *myTrueIdentity* website at www.mytrueidentity.com and in the space referenced as “Enter Activation Code”, enter the following 12-letter Activation Code <<**Activation Code**>> and follow the three steps to receive your credit monitoring service online within minutes.

Once you are enrolled, you will be able to obtain one year of unlimited access to your TransUnion credit report and credit score. The daily credit monitoring service will notify you if there are any critical changes to your credit file at TransUnion, including fraud alerts, new inquiries, new accounts, new public records, late payments, change of address and more. The service also includes the ability to lock and unlock your TransUnion credit report, identity restoration services that provides assistance in the event your identity is compromised to help you restore your identity and up to \$1,000,000 in identity theft insurance with no deductible. (Policy limitations and exclusions may apply.)

You can sign up for the online credit monitoring service anytime between now and **October 31, 2020**. Due to privacy laws, we cannot register you directly. Please note that credit monitoring services might not be available for individuals who do not have a credit file with TransUnion, or an address in the United States (or its territories) and a valid Social Security number, or are under the age of 18. Enrolling in this service will not affect your credit score.

If you have questions about your credit monitoring benefits, need help accessing your credit report, or passing identity verification, please contact the *myTrueIdentity* Customer Service Team toll-free at: 1-844-787-4607, Monday-Friday: 8am-9pm, Saturday-Sunday: 8am-5pm Eastern time. (Due to the impact of the Coronavirus outbreak on all our communities, the call center hours have been temporarily reduced to Monday - Friday 9am - 5pm ET.)

Monitor Your Accounts

We encourage you to remain vigilant against incidents of identity theft and fraud and to review your account statements and credit reports for suspicious activity. Under U.S. law you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report.

You have the right to place a “security freeze” on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security 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 security 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 security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

Experian

P.O. Box 9554
Allen, TX 75013
1-888-397-3742
www.experian.com/freeze

TransUnion

P.O. Box 2000
Chester, PA 19016
1-888-909-8872
www.transunion.com/freeze

Equifax

P.O. Box 105788
Atlanta, GA 30348
1-800-685-1111
www.equifax.com/personal/credit-report-services

In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior 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, military identification, etc.);
7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

As an alternative to a security freeze, you have the right to place an initial or extended "fraud alert" on your 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 agencies listed below:

Experian

P.O. Box 9554
Allen, TX 75013
1-888-397-3742
www.experian.com/fraud

TransUnion

P.O. Box 2000
Chester, PA 19016
1-800-680-7289
www.transunion.com/frauds

Equifax

P.O. Box 105069
Atlanta, GA 30348
1-888-766-0008
www.equifax.com/personal/credit-report-services

Additional Information

You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself, by contacting the consumer reporting agencies, the Federal Trade Commission, or your state Attorney General.

The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580, www.identitytheft.gov, 1-877-ID-THEFT (1-877-438-4338); 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 Maryland residents: The Attorney General can be contacted at 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662; www.oag.state.md.us. American Seating is located at 401 American Seating Center, Grand Rapids, MI 49504.

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

For North Carolina residents: The Attorney General can be contacted at 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; www.ncdoj.gov. You can obtain information from the Attorney General or the Federal Trade Commission about preventing identity theft.