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Yanni Lin  
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February 8, 2019

Attorney General Gordon MacDonald  
Office of the New Hampshire Attorney General  
Attn: Security Breach Notification  
33 Capitol Street Concord, NH 0330

RECEIVED

FEB 11 2019

CONSUMER PROTECTION

**Re: Notice of Data Incident**

Dear Attorney Gordon J. MacDonald:

Pursuant to N.H. Rev. Stat. Ann. § 359-C:20, and on behalf of my client American Tire Distributors, Inc. ("ATD"), I am writing to notify you of a data incident potentially affecting one (1) New Hampshire resident.

On January 9, 2019, certain ATD employees received a phishing email pretending to be from ATD HR personnel. The phishing email requested certain credentials assigned to the employees to access certain ATD systems, which some ATD employees provided. ATD immediately began an investigation into the matter, including hiring a leading specialized forensic IT firm. As defined by N.H. Rev. Stat. Ann. § 359-C:19, the personal information may have included individuals' full name, Social Security number, driver's license number, account number or credit card number.

ATD is reviewing office policies and procedures to ensure all security measures are taken to further minimize such an incident from occurring again. The potentially affected New Hampshire resident was mailed a notification letter on Friday, February 8, 2019. Credit monitoring and identity theft protection services will be offered to the resident for a period of 24 months, free of charge. Please find enclosed a sample notification letter.

For further information, please contact Yanni Lin at (415) 477-5738, yanni.lin@troutman.com, Troutman Sanders, 580 California Street, Suite 1100, San Francisco, CA 94104.

Sincerely,



Yanni Lin

*Enclosure*



AMERICAN TIRE DISTRIBUTORS\*

Processing Center • P.O. BOX 141578 • Austin, TX 78714



00005  
R903702

JOHN Q. SAMPLE  
1234 MAIN STREET  
ANYTOWN US 12345-6789

February 8, 2019

Dear John Sample,

We respect the privacy of your information which is why we are writing to provide you with details about a data incident involving American Tire Distributors, Inc. ("ATD").

#### **What Happened?**

On January 9, 2019, certain ATD employees received a phishing email pretending to be from ATD HR personnel. The phishing email requested certain credentials assigned to the employees to access certain ATD systems, which some ATD employees provided. We immediately began an investigation into the matter, including hiring a leading specialized forensic IT firm. As a result of this incident, some your personal information may have been compromised.

#### **What Information Was Involved?**

[This section of the notification letter varies by individual.]

#### **What We Are Doing.**

We immediately began an investigation into the matter, including hiring a leading specialized forensic IT firm. Additionally, we are reviewing office policies and procedures to ensure all security measures are taken to further minimize such an incident from occurring again.

As an added precaution, we have arranged to have AllClear ID protect your identity for 24 months at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next 24 months.

- **AllClear Identity Repair:** This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-855-501-5675 and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.
- **AllClear Fraud Alerts with Credit Monitoring:** This service offers the ability to set, renew, and remove 1-year fraud alerts on your credit file to help protect you from credit fraud. In addition, it provides credit monitoring services, a once annual credit score and credit report, and a \$1 million identity theft insurance policy. To enroll in this service, you will need to provide your personal information to AllClear ID. You may sign up online at [enroll.allclearid.com](http://enroll.allclearid.com) or by phone by calling 1-855-501-5675 using the following redemption code: Redemption Code.

Please note: Following enrollment, additional steps are required by you in order to activate your phone alerts and fraud alerts, and to pull your credit score and credit file. Additional steps may also be required in order to activate your monitoring options.



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## What You Can Do.

We recommend those potentially impacted take the following steps and remain vigilant by reviewing account statements and monitoring your free credit reports for incidents of fraud and identity theft:

1. Establish free 90-day fraud alerts with the three credit reporting bureaus. For more information, their telephone numbers and websites are:

Equifax P.O. Box 740241 Atlanta, GA 30374 1-888-766-0008 <a href="http://www.alerts.equifax.com/AutoFraud_Online/jsp/fraudAlert.jsp">www.alerts.equifax.com/AutoFraud_Online/jsp/fraudAlert.jsp</a>	Experian P.O. Box 2104 Allen, TX 75013 1-888-397-3742 <a href="http://www.experian.com/fraud/center.html">www.experian.com/fraud/center.html</a>	TransUnion P.O. Box 2000 Chester, PA 19022 1-800-680-7289 <a href="http://www.transunion.com/fraud-victim-resource/place-fraud-alert">www.transunion.com/fraud-victim-resource/place-fraud-alert</a>
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You are entitled to a free credit report every year from each of these bureaus at: [www.annualcreditreport.com](http://www.annualcreditreport.com).

2. Consider placing a credit freeze on your accounts which will make it more difficult for someone to open an account. You can obtain more information from the FTC at: <https://www.consumer.ftc.gov/articles/0497-credit-freeze-faqs> or any of the three credit reporting bureaus listed above.
3. You can obtain additional information about the steps an individual can take to avoid identity theft at <https://identitytheft.gov>. If you become a victim or suspect identity theft, consider filing a complaint with the Federal Trade Commission at <https://identitytheft.gov> and law enforcement. You can write the FTC at 600 Pennsylvania Avenue, NW, Washington, DC 20580, call them at 1-877-382-4357, or visit their website at <https://www.ftc.gov/>.

For North Carolina residents, you can obtain additional information about steps to avoid identity theft from the North Carolina Office of the Attorney General. You can write the North Carolina Office of the Attorney General at 9001 Mail Service Center, Raleigh, NC 27699-9001, call them at 1-877-5-NO-SCAM, or visit their website at <https://www.ncdoj.gov/>.

## For More Information.

Protecting your information is incredibly important to us, as is addressing this incident with the information and assistance you may need. If you have any questions or concerns, please call AllClear ID at 1-855-501-5675, or write us at 12200 Herbert Wayne Court, Suite 150, Huntersville, NC 28078.

Sincerely,

*Kimberly Trapani*

Kimberly Trapani, Chief Digital Security Officer  
American Tire Distributors, Inc.  
12200 Herbert Wayne Court, Suite 150  
Huntersville, NC 28078

## **Information about Identity Theft Protection**

### **Monitor Your Accounts**

We recommend that you regularly review statements from your accounts and periodically obtain your credit report from one or more of the national credit reporting companies. You may obtain a free copy of your credit report online at [www.annualcreditreport.com](http://www.annualcreditreport.com), by calling toll-free 1-877-322-8228, or by mailing an Annual Credit Report Request Form (available at [www.annualcreditreport.com](http://www.annualcreditreport.com)) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281. You may also purchase a copy of your credit report by contacting one or more of the three national credit reporting agencies listed below.

**Equifax**  
P.O. Box 740241  
Atlanta, GA 30374-0241  
1-800-685-1111  
[www.equifax.com](http://www.equifax.com)

**Experian**  
P.O. Box 9701  
Allen, TX 75013-9701  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

**TransUnion**  
P.O. Box 1000  
Chester, PA 19016-1000  
1-800-888-4213  
[www.transunion.com](http://www.transunion.com)

When you receive your credit reports, review them carefully. Look for accounts or creditor inquiries that you did not initiate or do not recognize. Look for information, such as home address and Social Security number, that is not accurate. If you see anything you do not understand, call the credit reporting agency at the telephone number on the report.

### **Credit Freeze**

You have the right to put a security freeze, also known as a credit freeze, on your credit file, 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 credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to access your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. Pursuant to federal law, you cannot be charged to place or lift a credit freeze on your credit report. Should you wish to place a credit freeze, please contact all three major consumer reporting agencies listed below.

**Equifax**  
P.O. Box 105788  
Atlanta, GA 30348-5788  
1-800-685-1111  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

**Experian**  
P.O. Box 9554  
Allen, TX 75013-9554  
1-888-397-3742  
[www.experian.com/freeze/center.html](http://www.experian.com/freeze/center.html)

**TransUnion**  
P.O. Box 2000  
Chester, PA 19016-2000  
1-888-909-8872  
[www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

You must separately place a credit freeze on your credit file at each credit reporting agency. The following information should be included when requesting a credit freeze:

- 1) Full name, with middle initial and any suffixes;
- 2) Social Security number;
- 3) Date of birth (month, day, and year);
- 4) Current address and previous addresses for the past five (5) years;
- 5) Proof of current address, such as a current utility bill or telephone bill;
- 6) Other personal information as required by the applicable credit reporting agency;

If you request a credit freeze online or by phone, then the credit reporting agencies have one (1) business day after receiving your request to place a credit freeze on your credit file report. If you request a lift of the credit freeze online or by phone, then the credit reporting agency must lift the freeze within one (1) hour. If you request a credit freeze or lift of a credit freeze by mail, then the credit agency must place or lift the credit freeze no later than three (3) business days after getting your request.

### **Fraud Alerts**

You also have the right to place an initial or extended fraud alert on your file at no cost. An initial fraud alert lasts 1-year and 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 7 years. Should you wish to place a fraud alert, please contact any one of the agencies listed below. The agency you contact will then contact the other two credit agencies.

**Equifax**  
P.O. Box 105788  
Atlanta, GA 30348-5788  
1-888-766-0008  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

**Experian**  
P.O. Box 9554  
Allen, TX 75013-9554  
1-888-397-3742  
[www.experian.com/fraud/center.html](http://www.experian.com/fraud/center.html)

**TransUnion**  
P.O. Box 2000  
Chester, PA 19016-2000  
1-800-680-7289  
[www.transunion.com/fraud-victim-resource/place-fraud-alert](http://www.transunion.com/fraud-victim-resource/place-fraud-alert)



**Monitor Your Personal Health Information**

If applicable to your situation, we recommend that you regularly review the explanation of benefits statement that you receive from your insurer. If you see any service that you believe you did not receive, please contact your insurer at the number on the statement. If you do not receive regular explanation of benefits statements, contact your provider and request them to send such statements following the provision of services in your name or number.

You may want to order copies of your credit reports and check for any medical bills that you do not recognize. If you find anything suspicious, call the credit reporting agency at the phone number on the report. Keep a copy of this notice for your records in case of future problems with your medical records. You may also want to request a copy of your medical records from your provider, to serve as a baseline. If you are a California resident, we suggest that you visit the website of the California Office of Privacy Protection at [www.privacy.ca.gov](http://www.privacy.ca.gov) to find more information about your medical privacy.

**Additional Information**

You can further educate yourself regarding identity theft and the steps you can take to protect yourself, by contacting your state Attorney General or the Federal Trade Commission. Instances of known or suspected identity theft should be reported to law enforcement, your Attorney General, and the FTC.

**The Federal Trade Commission**  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
1-877-ID-THEFT (1-877-438-4338)  
TTY: 1-866-653-4261  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)

## AllClear Identity Repair Terms of Use

If you become a victim of fraud using your personal information without authorization, AllClear ID will help recover your financial losses and restore your identity. Benefits include:

- 24 months of coverage with no enrollment required.
- No cost to you — ever. AllClear Identity Repair is paid for by the participating Company.

### **Services Provided**

If you suspect identity theft, simply call AllClear ID to file a claim. AllClear ID will provide appropriate and necessary remediation services (“Services”) to help restore the compromised accounts and your identity to the state prior to the incident of fraud. Services are determined at the sole discretion of AllClear ID and are subject to the terms and conditions found on the AllClear ID website. AllClear Identity Repair is not an insurance policy, and AllClear ID will not make payments or reimbursements to you for any financial loss, liabilities or expenses you incur.

### **Coverage Period**

Service is automatically available to you with no enrollment required for 24 months from the date of the breach incident notification you received from Company (the “Coverage Period”). Fraud Events (each, an “Event”) that were discovered prior to your Coverage Period are not covered by AllClear Identity Repair services.

### **Eligibility Requirements**

To be eligible for Services under AllClear Identity Repair coverage, you must fully comply, without limitations, with your obligations under the terms herein, you must be a citizen or legal resident eighteen (18) years of age or older, and have a valid U.S. Social Security number. Minors under eighteen (18) years of age may be eligible, but must be sponsored by a parent or guardian. The Services cover only you and your personal financial and medical accounts that are directly associated with your valid U.S. Social Security number, including but not limited to credit card, bank, or other financial accounts and/or medical accounts.

### **How to File a Claim**

If you become a victim of fraud covered by the AllClear Identity Repair services, you must:

- Notify AllClear ID by calling 1-855-434-8077 to report the fraud prior to expiration of your Coverage Period;
- Provide proof of eligibility for AllClear Identity Repair by providing the redemption code on the notification letter you received from the sponsor Company;
- Fully cooperate and be truthful with AllClear ID about the Event and agree to execute any documents AllClear ID may reasonably require; and
- Fully cooperate with AllClear ID in any remediation process, including, but not limited to, providing AllClear ID with copies of all available investigation files or reports from any institution, including, but not limited to, credit institutions or law enforcement agencies, relating to the alleged theft.

### **Coverage under AllClear Identity Repair Does Not Apply to the Following:**

Any expense, damage or loss:

- Due to
  - Any transactions on your financial accounts made by authorized users, even if acting without your knowledge, or
  - Any act of theft, deceit, collusion, dishonesty or criminal act by you or any person acting in concert with you, or by any of your authorized representatives, whether acting alone or in collusion with you or others (collectively, your “Misrepresentation”);
- Incurred by you from an Event that did not occur during your coverage period; or
- In connection with an Event that you fail to report to AllClear ID prior to the expiration of your AllClear Identity Repair coverage period.

### **Other Exclusions:**

- AllClear ID will not pay or be obligated for any costs or expenses other than as described herein, including without limitation fees of any service providers not retained by AllClear ID; AllClear ID reserves the right to investigate any asserted claim to determine its validity.
- AllClear ID is not an insurance company, and AllClear Identity Repair is not an insurance policy; AllClear ID will not make payments or reimbursements to you for any loss or liability you may incur.
- AllClear ID is not a credit repair organization, is not a credit counseling service, and does not promise to help you improve your credit history or rating beyond resolving incidents of fraud.
- AllClear ID reserves the right to reasonably investigate any asserted claim to determine its validity. All recipients of AllClear Identity Repair coverage are expected to protect their personal information in a reasonable way at all times. Accordingly, recipients will not deliberately or recklessly disclose or publish their Social Security number or any other personal information to those who would reasonably be expected to improperly use or disclose that Personal Information.

### **Opt-out Policy**

If for any reason you wish to have your information removed from the eligibility database for AllClear Identity Repair, please contact AllClear ID:

<u>E-mail</u> support@allclearid.com	<u>Mail</u> AllClear ID, Inc. 816 Congress Avenue Suite 1800 Austin, Texas 78701	<u>Phone</u> 1-855-434-8077
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