

BakerHostetler

August 24, 2020

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STATE OF NH
DEPT OF JUSTICE

2020 AUG 25 PM 12:33

VIA OVERNIGHT MAIL

Attorney General Gordon MacDonald
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Re: *Incident Notification*

Dear Attorney General MacDonald:

We are writing on behalf of our client, Arbiter Sports, LLC, to notify you of a security incident involving New Hampshire residents.¹

ArbiterSports recently detected unauthorized access to certain devices in its network and an attempt to encrypt its systems. ArbiterSports immediately took measures to stop the access, launched an investigation, and a security firm was engaged. On July 15, 2020, findings from the investigation identified a backup copy of a database made for business continuity reasons was obtained by the unauthorized party at some point in the prior few weeks. Although ArbiterSports was able to prevent devices from being encrypted, the unauthorized party demanded payment in exchange for deleting the files that were obtained. ArbiterSports reached an agreement and obtained confirmation that the unauthorized party deleted the files.

The database file involved contained the information of 1,740 New Hampshire residents, including account usernames and passwords, names, addresses, email addresses, dates of birth, and Social Security numbers. The passwords and Social Security numbers were encrypted in the file, but the unauthorized party was able to decrypt the data.

On August 24, 2020, ArbiterSports began notifying New Hampshire residents in substantially the same form as the enclosed email in accordance with N.H. Rev. Stat. Ann. § 359-

¹ This notice does not waive ArbiterSports' objection that New Hampshire lacks personal jurisdiction over it regarding any claims related to this incident.

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C:20. ArbiterSports has notified the three major consumer reporting agencies of this incident. ArbiterSports is offering eligible individuals a complimentary, one-year membership to credit monitoring and identity protection services. ArbiterSports has also established a dedicated, toll-free call center where individuals may obtain more information regarding the incident.

To help prevent a similar incident from occurring in the future, ArbiterSports has implemented additional measures and changes to enhance the security of its network.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Haggerty". The signature is written in a cursive style with a large, stylized initial "P".

Patrick H. Haggerty
Partner

Enclosure

From: Arbitr Sports, LLC <no-reply@arbitersports.com>
Sent: Friday, August 21, 2020 3:46 PM
To: Bray, Travers
Subject: [EXTERNAL] [TEST] Notification of Data Security Incident

Security First: External email, use caution clicking links or opening attachments

ArbiterSports™

Dear John Smith,

ArbiterSports is committed to protecting the confidentiality of our customers' information. We are writing to notify you that we recently identified and addressed a data security incident that involved some of your child's information. This notice provides you with a description of the incident, our response, and the steps you may take.

WHAT HAPPENED?

We recently detected unauthorized access to certain devices in our network and an attempt to encrypt our systems. We immediately took measures to stop the access, launched an investigation, and a security firm was engaged. On July 15, 2020, findings from the investigation identified a backup copy of a database made for business continuity reasons that was obtained by the unauthorized party at some point in the prior few weeks. Although we were able to prevent devices from being encrypted, the unauthorized party demanded payment in exchange for deleting the files that were obtained. We reached an agreement and obtained confirmation that the unauthorized party deleted the files.

WHAT INFORMATION WAS INVOLVED?

The database file involved supports ArbitrGame, ArbitrOne, and ArbitrWorks and contained information about our users, including account username and password, name, address, date of birth, email address, and Social Security number. The passwords and Social Security numbers were encrypted in the file, but the unauthorized party was able to decrypt the data.

WHAT WE ARE DOING?

We have implemented additional measures and changes to enhance the security of our network. We also notified law enforcement and are supporting their investigation.

WHAT YOU CAN DO

We are offering a complimentary one-year membership of Experian's® IdentityWorksSM Credit 3B. This product helps detect possible misuse of your personal information and provides identity protection services focused on identification and resolution of identity theft. IdentityWorksSM Credit 3B is completely free to you and enrolling in this program will not hurt your credit score. For more information on identity theft prevention and IdentityWorksSM Credit 3B, including instructions on how to activate the complimentary one-year membership, please see the additional information provided with this letter.

If you have not done so since July 14, 2020, please reset your password. For instructions on how to reset your password please visit:

<https://www1.arbitersports.com/Shared/SignIn/ResetPassword.aspx>. Please choose a password that is different than you use for other online accounts. If you use the same ArbiterSports username and password for any other online account, we recommend that you change your password there as well.

FOR MORE INFORMATION

We regret that this occurred and apologize to you for any inconvenience. If you have questions, please call (877) 296-5652, Monday through Friday, from 6:00 am – 8:00 pm Pacific Time or Saturday and Sunday, from 8:00 am – 5:00 pm Pacific Time.

Sincerely,



Kyle Ford, President & CEO

Arbiter Sports

Kyle Ford
President & CEO
ArbiterSports
235 W Sego Lily Dr. Suite 200
Sandy, UT 84070

To help protect your identity, we are offering a **complimentary** one-year membership of Experian IdentityWorksSM Credit 3B. This product helps detect possible misuse of your personal information and provides you with superior identity protection support focused on immediate identification and resolution of identity theft.

Activate IdentityWorks Credit 3B Now in Three Easy Steps

ENROLL by: 11.12.20 (Your code will not work after this date.)

VISIT the **Experian IdentityWorks website** to enroll:

<https://www.experianidworks.com/3bcredit>

PROVIDE the **Activation Code:** [REDACTED]

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at (877) 296-5652. Be prepared to provide **engagement number:** [REDACTED] as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR EXPERIAN IDENTITYWORKS CREDIT 3B MEMBERSHIP:

A credit card is not required for enrollment in Experian IdentityWorks Credit 3B. You can contact Experian **immediately without needing to enroll in the product** regarding any fraud issues. Identity Restoration specialists are available to help you address credit and non-credit related fraud.

Once you enroll in Experian IdentityWorks, you will have access to the following additional features:

Experian credit report at signup: See what information is associated with your credit file. Daily credit reports are available for online members only.*

Credit Monitoring: Actively monitors Experian, Equifax and Transunion files for indicators of fraud.

Experian IdentityWorks ExtendCARE™: You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.

\$1 Million Identity Theft Insurance:** Provides coverage for certain costs and unauthorized electronic fund transfers.

***Activate your membership today at
<https://www.experianidworks.com/3bcredit> or call (877) 296-5652 to
register with the activation code above.***

What you can do to protect your information: There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to www.ExperianIDWorks.com/restoration for this information. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at (877) 296-5652.

** Offline members will be eligible to call for additional reports quarterly after enrolling.*

*** The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.*

ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit www.annualcreditreport.com or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

Equifax, PO Box 740241, Atlanta, GA 30374, www.equifax.com, 1-800-685-1111

Experian, PO Box 2002, Allen, TX 75013, www.experian.com, 1-888-397-3742

TransUnion, PO Box 2000, Chester, PA 19016, www.transunion.com, 1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Avenue NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), www.ftc.gov/idtheft

Fraud Alerts and Credit or Security Freezes:

Fraud Alerts: There are two types of general fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years.

To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report.

For those in the military who want to protect their credit while deployed, an Active Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for pre-screened credit card offers for two years, unless you ask them not to.

Credit or Security Freezes: You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

How do I place a freeze on my credit reports? There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

Experian Security Freeze, PO Box 9554, Allen, TX 75013, www.experian.com

TransUnion Security Freeze, PO Box 2000, Chester, PA 19016,
www.transunion.com

Equifax Security Freeze, PO Box 105788, Atlanta, GA 30348, www.equifax.com

You'll need to supply your name, address, date of birth, Social Security number and other personal information.

After receiving your freeze request, each credit bureau will provide you with a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

How do I lift a freeze? A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.