



MULLEN
COUGHLIN_{LLC}
ATTORNEYS AT LAW

OCT 18 2021

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3 Allied Drive, Suite 303
Dedham, MA 02026

October 14, 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 Ark Naturals located at 609 E. Jackson Street, Suite 100, Tampa, FL 33602 and are writing to notify your office of an incident that may affect the security of some personal information relating to two (2) 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, Ark Naturals 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 February 23, 2021, Ark Naturals became aware of unusual activity related an employee's email account. Ark Naturals immediately commenced an investigation to better understand the nature and scope of this activity. On May 19, 2021, the investigative findings and evidence reviewed to reach them confirmed that someone without authorization accessed the employee email account between February 8, 2021 and February 23, 2021. The investigation could not confirm whether unauthorized individuals accessed or viewed any specific email in the account. In an abundance of caution, programmatic and manual reviews of the email account's contents were completed to determine whether any email in the account at the time of the incident contained sensitive information. Ark Naturals completed this process on August 25, 2021. Through the process, Ark Naturals determined that certain personal information resided in the account at the time of the incident and was accessible to unauthorized individuals, although no evidence confirmed that such individuals actually accessed or viewed any of the information. Ark Naturals then reviewed its internal records for address information for potentially affected individuals,

which it completed on September 15, 2021. The information that could have been subject to unauthorized access includes name, address, Social Security number, financial account information, and credit card number.

Notice to New Hampshire Resident

On or about October 14, 2021, Ark Naturals provided written notice of this incident to all affected individuals, which includes two (2) 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 incident, Ark Naturals moved quickly to investigate and respond to the incident, assess the security of Ark Naturals systems, and notify potentially affected individuals. Ark Naturals is also working to implement additional safeguards and training to its employees. Ark Naturals is providing access to credit monitoring services for twelve (12) months, through Experian, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Ark Naturals 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. Ark Naturals 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.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-2303.

Very truly yours,



Lynda Jensen of
MULLEN COUGHLIN LLC

LRJ/jcj
Enclosure

EXHIBIT A



Return Mail Processing Center
P.O. Box 6336
Portland, OR 97228-6336

<<Name 1>>
<<Name 2>>
<<Address 1>>
<<Address 2>>
<<Address 3>>
<<Address 4>>
<<Address 5>>
<<City>><<State>><<Zip>>
<<Country>>

<<Date>>

NOTICE OF <<SECURITY INCIDENT/DATA BREACH>>

Dear <<Name 1>>,

Ark Naturals is sending you this letter to inform you of an incident that may affect the security of some of your personal information. This notice provides information about the incident, our response, and resources available to you to help protect your information from possible misuse, should you feel it necessary to do so.

What Happened? On or about February 23, 2021, Ark Naturals became aware of unusual activity related an employee’s email account. Ark Naturals immediately commenced an investigation to better understand the nature and scope of this activity. On May 19, 2021, the investigative findings and evidence reviewed to reach them confirmed that someone without authorization accessed the employee email account between February 8, 2021 and February 23, 2021. The investigation could not confirm whether unauthorized individuals accessed or viewed any specific email in the account. In an abundance of caution, programmatic and manual reviews of the email account’s contents were completed to determine whether any email in the account at the time of the incident contained sensitive information. We completed this process on August 25, 2021. Through the process, we determined that certain personal information resided in the account at the time of the incident and was accessible to unauthorized individuals, although no evidence confirmed that such individuals actually accessed or viewed any of the information. We then reviewed our internal records for address information for potentially affected individuals, which we completed on September 15, 2021.

What Information Was Involved? It cannot be confirmed whether information related to you was actually accessed or viewed during this incident. However, Ark Naturals is notifying you out of an abundance of caution. The information related to you that was accessible within the email account includes your name and <<Data Elements>>.

What We Are Doing. We take this incident and the security of personal information in our care seriously. Upon learning of this incident, we moved quickly to investigate the incident and assess the security of relevant systems. Our response efforts included resetting the password of the impacted email account and reviewing the account for any suspicious rules. As part of our ongoing commitment to the security of information, we are also reviewing existing policies and procedures to reduce the likelihood of a similar future incident.

We are also offering you access to complimentary credit monitoring and identity protection services for 12 months through Experian. These services include credit monitoring, a credit report at sign up, IdentityWorks ExtendCARE, and identity theft insurance. If you wish to activate the credit monitoring and identity protection services, you may follow the instructions included in the *Steps You Can Take to Protect Your Information*.

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. 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. Although Ark Naturals 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 call center at 855-675-3081 Monday through Friday from 9am to 9pm EST, except on holidays.

Sincerely,

Richard Shalkop

Richard Shalkop, CPA
Chief Financial Officer
www.arknaturals.com

STEPS YOU CAN TAKE TO PROTECT YOUR INFORMATION

Enroll in Credit Monitoring

To help protect your identity, we are offering a **complimentary** 12-month 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

1. ENROLL by: **January 6, 2022**. (Your code will not work after this date.)
2. Visit the **Experian IdentityWorks website** to enroll: <https://www.experianidworks.com/3bcredit>
3. PROVIDE the **Activation Code**: <<Activation Code>>

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 877-288-8057. Be prepared to provide engagement number **B019983** as proof of eligibility for the identity restoration services by Experian.

Additional details regarding your 12 MONTH 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 ExtendCARETM:** 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 877-288-8057 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 877-288-8057.

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 one-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	1-833-395-6938
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: 441 4th St. NW #1100 Washington, D.C. 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. Ark Naturals is located at 609 E. Jackson Street, Suite 100, Tampa, FL 33602.

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; 1-401-274-4400, and www.riag.ri.gov. Under Rhode Island law, you have the right to obtain any police report filed regarding this incident. There are 0 Rhode Island residents impacted by this incident.

* 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.