



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

RECEIVED

APR 03 2023

CONSUMER PROTECTION

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

March 28, 2023

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

To Whom It May Concern:

We represent Ascensus Specialties, LLC ("Ascensus") located at 2821 Northup Way, Bellevue, Washington 98004, and write to notify your office of an incident that may affect the security of certain personal information relating to one hundred thirty-three (133) New Hampshire residents. The investigation into this matter is ongoing, and this notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Ascensus 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

Ascensus learned on January 11, 2023 of potential unauthorized activity in the network of its Newburyport site. Ascensus launched an investigation into the activity with the assistance of third-party cyber security experts. The investigation identified certain files on the Newburyport network that were viewed or acquired by the unknown actor between December 5, 2022 and December 11, 2022. Ascensus then performed a review of the contents of the files and folders to determine whether sensitive information was present within them. This process was completed on March 6, 2023. Ascensus then worked diligently to locate address information for the affected individuals.

The information that could have been subject to unauthorized access includes

Notice to New Hampshire Residents

On or about March 28, 2023, Ascensus began providing written notice of this incident to one hundred thirty-two (132) 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, Ascensus moved quickly to investigate and respond to the incident, assess the security of Ascensus systems, and identify potentially affected individuals. Further, Ascensus corresponded with federal law enforcement regarding the event. Ascensus is also working to implement additional safeguards. Ascensus is providing access to credit monitoring services for twelve (12) months, through IDX, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Ascensus 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. Ascensus is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, information on protecting against 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.

Ascensus is providing written notice of this incident to relevant state regulators, as necessary,

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at

Very truly yours,

Ryan C. Loughlin of
MULLEN COUGHLIN LLC

RCL/jrl
Enclosure

EXHIBIT A



10300 SW Greenburg Rd.
Suite 570
Portland, OR 97223

To Enroll, Please Call:
1-800-939-4170
Or Visit:
<https://app.idx.us/account-creation/protect>
Enrollment Code:
«XXXXXXXX»

«First Name» «Last Name»
«Address 1»
«Address 2»
«City», «State» «Zip»

March 28, 2023

NOTICE OF «SECURITY INCIDENT» / «DATA BREACH»

Dear «First Name» «Last Name»:

Ascensus Specialties, LLC (“Ascensus”) writes 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? Ascensus learned on January 11, 2023 of potential unauthorized activity in the network of our Newburyport site. Ascensus launched an investigation into the activity with the assistance of third-party cyber security experts. The investigation identified certain files that were viewed or acquired by the unknown actor between December 5, 2022 and December 11, 2022. Ascensus then performed a review of the contents of the files and folders to determine whether sensitive information was present within them. This process was completed on March 6, 2023. Ascensus then worked diligently to locate address information for the affected individuals.

What Information Was Involved? The information present in the files at issue included «Data elements» and your name.

What We Are Doing. Ascensus has been working diligently to investigate this matter and provide you with an accurate and complete notice of the incident. Our response to this event also included correspondence with federal law enforcement authorities. We continue to evaluate additional security measures to further secure our systems and to better prevent similar incidents in the future.

While we have no evidence of any fraud or identity theft associated with this event, we are also offering access to complimentary credit monitoring through IDX, A ZeroFox Company, the data breach and recovery services expert. IDX identity protection services include: «12/24» months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed id theft recovery services. With this protection, IDX will help you resolve issues if your identity is compromised.

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 over the next 12 to 24 months. You can find out more about how to safeguard your information in the enclosed *Steps You Can Take to Protect Information*. There, you will find additional information about the complimentary credit monitoring and identity restoration services we are offering and how to enroll. Please note that you will have to enroll directly as we are unable to enroll you on your behalf.

For More Information. We understand you may have questions about this incident that are not addressed in this letter. To ensure your questions are answered in a timely manner, please call our dedicated assistance line at 1 _____, Monday through Friday from 6:00 a.m. to 6:00 p.m. Pacific Time, excluding U.S. holidays.

Sincerely,

Mario Sandoval
Chief Operations Officer

Leah Boyle
Vice President of Human Resources

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Enroll in Credit Monitoring

- 1. Website and Enrollment.** Go to <https://app.idx.us/account-creation/protect> and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter. Please note the deadline to enroll is June 28, 2023.
- 2. Activate the credit monitoring** provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.
- 3. Telephone.** Contact IDX at 1-800-939-4170 to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.

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	1-800-916-8800
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 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.