



MULLEN  
COUGHLIN<sup>LLC</sup>  
ATTORNEYS AT LAW

RECEIVED  
AUG 17 2020  
CONSUMER PROTECTION

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August 12, 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:

Our office represents The City of Athens, Ohio (“Athens”), located at 8 East Washington Street, Athens, OH 45701. Athens is a public municipality within the state of Ohio. We write on behalf of Athens to notify your office of an incident that may affect the security of certain personal information relating to ten (10) New Hampshire residents. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Athens does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, its status as a sovereign public entity, or personal jurisdiction.

**Nature of the Data Event**

On February 7, 2020 The City of Athens became aware of suspicious activity on one of its computer servers and discovered it was unable to access certain files on that server. Athens immediately secured the server and launched an investigation with the assistance of third-party computer forensic specialists. The investigation determined that although there was no evidence of unauthorized access to sensitive information within Athens’ tax, finance, and payroll systems, that type of activity could not be ruled out with absolute certainty. Athens then undertook a lengthy and labor-intensive process to identify the individuals whose information may have been included in the impacted server. That process was completed on July 2, 2020. Athens is providing notice to individuals whose information may have been impacted by the event. The type of information related to the affected New Hampshire residents includes the following: name, mailing address, and Social Security number.

### **Notice to New Hampshire Residents**

On August 12, 2020, Athens began providing written notice of this incident to all affected individuals, which includes ten (10) New Hampshire residents. A sample of the letter is attached hereto and labeled as *Exhibit A*.

### **Other Steps Taken and To Be Taken**

Upon discovering the event, Athens moved quickly to investigate and respond to the incident, assess the security of Athens systems, and notify potentially affected individuals. Athens is also working to implement additional safeguards and training to its employees. Athens is providing affected individuals whose personal information was potentially affected by this incident with access to one (1) year of credit monitoring services through TransUnion at no cost to these individuals.

Additionally, Athens 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. Athens 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. Athens is also reporting this matter to other regulators as required.

### **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,



Vince Regan of  
MULLEN COUGHLIN LLC

VFR/mwj  
Enclosure

# **EXHIBIT A**



CITY OF ATHENS, OHIO  
Return Mail Processing Center  
P.O. Box 6336  
Portland, OR 97228-6336

<<Mail ID>>

<<Name 1>>

<<Name 2>>

<<Address 1>>

<<Address 2>>

<<Address 3>>

<<Address 4>>

<<Address 5>>

<<City>><<State>><<Zip>>

<<Country>>

<<Date>>

## Re: Notice of Security Incident

Dear <<Name 1>>:

The City of Athens ("Athens") is writing to inform you of an event that may impact the privacy of some of your personal information. We are providing you with information about the event, our response, and steps you may take to better protect against potential misuse of your information, should you feel it necessary.

**What Happened?** On February 7, 2020, The City of Athens became aware of suspicious activity on one of its computer servers and discovered it was unable to access certain files on that server. Athens immediately secured the server and launched an investigation with the assistance of third-party computer forensic specialists. The investigation determined that although there was no evidence of unauthorized access to sensitive information within Athens' tax, finance, and payroll systems, that type of activity could not be ruled out with absolute certainty. Athens then undertook a lengthy and labor-intensive process to identify the individuals whose information may have been included in the impacted server. That process was completed on July 2, 2020. We are notifying you specifically because your information was contained within the impacted server.

**What Information Was Involved?** Although Athens has no evidence of actual or attempted misuse of any information, we are notifying you so that you can take steps to protect yourself and your information, should you feel it is necessary. Our investigation determined that the impacted server contained the following personal information: name, mailing address, and Social Security number.

**What We Are Doing.** In addition to the aforementioned actions, Athens is continuing to take steps to implement additional safeguards and strengthen policies and procedures relating to data privacy and security. We are also notifying regulators of the event as required, including certain state regulators.

As an added precaution, 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,<sup>®</sup> one of the three nationwide credit reporting companies.

### **How to Enroll: You can sign up online or via U.S. Mail delivery**

- To enroll in this service, go to the *myTrueIdentity* website at [www.MyTrueIdentity.com](http://www.MyTrueIdentity.com) and, in the space referenced as "Enter Activation Code," enter the 12-letter Activation Code <<**12-letter Activation Code**>> and follow the three steps to receive your credit monitoring service online within minutes.
- If you do not have access to the Internet and wish to enroll in a similar offline, paper-based credit monitoring service, via U.S. Mail delivery, please call the TransUnion Fraud Response Services toll-free hotline at **1-855-288-5422**. When prompted, enter the six-digit telephone passcode <<**Telephone Pass Code**>> and follow the steps to enroll in the offline credit monitoring service, add an initial fraud alert to your credit file, or to speak to a TransUnion representative if you believe you may be a victim of identity theft.

You can sign up for the online or offline credit monitoring service anytime between now and <<**Enrollment Deadline**>>. 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. Enrolling in this service will not affect your credit score.

**What You Can Do.** You should review the enclosed *Steps You Can Take to Protect Your Information*. We also encourage you to review your financial and account statements and report all suspicious activity to the institution that issued the record immediately.

**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 contact our dedicated call center at 855-915-0918, 9:00 a.m. to 9:00 p.m. Eastern Time, Monday through Friday.

We sincerely regret any inconvenience or concern this incident has caused.

Sincerely,

The City of Athens

## Steps You Can Take to Protect Your Information

### **Monitor Your Accounts.**

To protect against the possibility of identity theft or other financial loss, we encourage you to remain vigilant, to review your account statements, and to monitor your 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](http://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.

### **Security Freeze.**

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**

PO Box 9554  
Allen, TX 75013  
1-888-397-3742

[www.experian.com/freeze/center.html](http://www.experian.com/freeze/center.html)

#### **TransUnion**

P.O. Box 160  
Woodlyn, PA 19094  
1-888-909-8872

[www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

#### **Equifax**

PO Box 105788  
Atlanta, GA 30348  
1-888-298-0045

[www.equifax.com/personal/  
credit-report-services](http://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.

To remove the security freeze, you must send a written request to each of the three credit bureaus by mail and include proper identification (name, address, and Social Security number) and the PIN number or password provided to you when you placed the security freeze. The credit bureaus have three (3) business days after receiving your request to remove the security freeze.

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 2002  
Allen, TX 75013  
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  
1-800-680-7289

[www.transunion.com/  
fraud-victim-resource/place-fraud-alert](http://www.transunion.com/fraud-victim-resource/place-fraud-alert)

#### **Equifax**

P.O. Box 105069  
Atlanta, GA 30348  
1-888-836-6351

[www.equifax.com/personal/  
credit-report-services](http://www.equifax.com/personal/credit-report-services)

### **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.

The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue, NW, Washington, DC 20580; [www.identitytheft.gov](http://www.identitytheft.gov); 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. Instances of known or suspected identity theft should be reported to law enforcement, your state Attorney General, and the FTC. You can also further educate yourself about placing a fraud alert or security freeze on your credit file by contacting the FTC or your state's Attorney General.

***For Maryland residents***, the Attorney General can be contacted by mail at 200 St. Paul Place, Baltimore, MD, 21202; toll-free at 1-888-743-0023; by phone at (410) 576-6300; consumer hotline (410) 528-8662; and online at [www.marylandattorneygeneral.gov](http://www.marylandattorneygeneral.gov). ***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](http://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. NW, 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 North Carolina Attorney General can be contacted by mail at 9001 Mail Service Center, Raleigh, NC 27699-9001; toll-free at 1-877-566-7226; by phone at 1-919-716-6400, and online at [www.ncdoj.gov](http://www.ncdoj.gov). ***For Rhode Island Residents***, The Rhode Island Attorney General can be reached at: 150 South Main Street, Providence, Rhode Island 02903, [www.riag.ri.gov](http://www.riag.ri.gov), 1-401-247-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are approximately 2 Rhode Island residents impacted by this incident. This notice has not been delayed by a law enforcement investigation.