



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

NH DEPT OF JUSTICE
NOV 15 '22 PM 12:50

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426 W. Lancaster Avenue, Suite 200
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November 10, 2022

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 Axley Brynelson, LLP (“Axley”) located at 2 E. Mifflin Street, Madison, WI 53703, and are writing to notify your office of an event that may affect the security of certain personal information relating to one (1) New Hampshire resident. This notice may be supplemented with new facts learned subsequent to its submission. By providing this notice, Axley 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 September 24, 2021, Axley became aware of suspicious activity relating to its systems and immediately launched an investigation, with the assistance of third-party computer forensics specialists, to determine the nature and scope of the activity. Axley also reported the event to the Federal Bureau of Investigation. The investigation determined that an unknown actor gained access to certain Axley systems between August 14, 2021 and September 24, 2021, had access to certain information stored on the systems, and encrypted certain files.

In an abundance of caution, Axley undertook a comprehensive and time-intensive review of the involved files with third-party data review specialists to determine if the impacted files contained sensitive information and the individuals to whom the information relates. Axley then conducted additional review of its files to identify address information for impacted individuals. This was recently completed and identified that certain information relating to a New Hampshire resident was present within files stored on Axley’s systems that were accessed by an unknown actor.

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The information that was subject to unauthorized access for the New Hampshire resident includes: name and Social Security number.

Notice to New Hampshire Resident

On or about October 5, 2021, Axley began providing written notice of the event to affected individuals while the investigation was ongoing. On November 10, 2022, Axley continued providing written notice of this event to additional affected individuals which includes one (1) New Hampshire resident. 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, Axley moved quickly to investigate and respond, assess the security of Axley systems, and notify potentially affected individuals. Axley also implemented additional network and endpoint monitoring. Axley is providing access to credit monitoring and identity restoration services for twelve (12) months, through Experian, to individuals whose personal information was potentially affected by this event, at no cost to these individuals.

Additionally, Axley 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. Axley 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.

Axley is providing written notice of this incident to relevant state regulators, as necessary, and to the three major credit reporting agencies, Equifax, Experian, and TransUnion.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4802.

Very truly yours,

Brittany R. Bickel of
MULLEN COUGHLIN LLC

BRB/nad
Enclosure

EXHIBIT A



Return Mail Processing
PO Box 589
Claysburg, PA 16625-0589

November 10, 2022



i5819-L01-0000001 T00001 P001 *****SCH 5-DIGIT 12345

SAMPLE A SAMPLE - L01 INDIVIDUAL

APT ABC

123 ANY STREET

ANYTOWN, ST 12345-6789



NOTICE OF [Extra1]

Dear Sample A. Sample:

Axley Brynelson, LLP (“Axley”) is writing to inform you of an event that may have impacted some of your information. Although there is no indication that your information has been misused in relation to this event, we are providing you with information about the event, our response to it, and resources available to you to help protect your information, should you feel it appropriate to do so.

What Happened? On or about September 24, 2021, Axley became aware of suspicious activity relating to its systems and immediately launched an investigation to determine the nature and scope of the activity. The investigation determined that an unknown actor gained access to certain Axley systems between August 14, 2021, and September 24, 2021, and had access to certain information stored on the systems.

There was no evidence that information stored on our systems was copied or taken; however, out of an abundance of caution, Axley undertook a comprehensive and time-intensive review of the involved files with the assistance of data review specialists to determine if the files contained sensitive information. This review was recently completed, and Axley then immediately began reviewing internal records to identify address information for individuals. The review determined your information was present within files that the unknown actor had access to during the period in question.

What Information Was Involved. Our investigation determined that the following types of your information were included in the impacted files: name and [Extra2].

What We Are Doing. We have strict security measures in place to protect information in our care. Upon learning of this event, we worked quickly to confirm the security of our systems and further enhance our network security by implementing additional network and endpoint monitoring. We also reported the event to federal law enforcement.

Although we are unaware of any misuse of your information as a result of this event, as an additional precaution, Axley is offering you access to [Extra3] months of complimentary credit monitoring and identity restoration services through Experian. Details of this offer and instructions on how to activate these services are enclosed with this letter.

2 E Mifflin St Ste 200, Madison WI 53703 • N20 W22961 Watertown Rd, Waukesha WI 53186 • www.axley.com

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What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud and to review your account statements and free credit reports for suspicious activity and to detect errors. Additional information and resources are contained in the enclosed *Steps You Can Take to Help Protect Your Information*. You may also enroll in the complimentary credit monitoring services available to you.

For More Information. If you have additional questions or concerns, you may call our toll-free dedicated assistance line at: 1-888-994-0277. This toll-free line is available Monday – Friday (except U.S. holidays) from 8:00 am CT and 10:00 pm CT and Saturday through Sunday from 10:00 am CT to 7:00 pm CT. You may also write to Axley at 2 E. Mifflin Street, Madison, WI 53703.

We sincerely regret any inconvenience this event may cause. We remain committed to safeguarding the information in our care and will continue to take steps to enhance the security of our systems.

Sincerely,

Axley Brynelson, LLP

Steps You Can Take to Help Protect Your Information

Enroll in Credit Monitoring

To help protect your identity, we are offering a complimentary [Extra3] month membership of Experian's® IdentityWorksSM. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

1. Ensure that you **enroll by: February 28, 2023** (Your code will not work after this date.)
2. **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
3. Provide your **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 1-888-994-0277 by **February 28, 2023**. Be prepared to provide engagement number _____ as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR [Extra3] MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks.

You can contact Experian **immediately** regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **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 file for indicators of fraud.
- **Identity Restoration:** Identity Restoration agents are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARETM:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance^{**}:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at 1-888-994-0277. If, after discussing your situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that this Identity Restoration support is available to you for twenty-four (24) months from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration. You will also find self-help tips and information about identity protection at this site.

* 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.



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, military identification, 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 fraud alert or 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	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. Axley is located at 2 E. Mifflin Street, Suite 200, Madison, WI 53703.

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.

