



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

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

August 17, 2023

**VIA E-MAIL**

Office of the New Hampshire Attorney General  
Consumer Protection & Antitrust Bureau  
33 Capitol Street  
Concord, NH 03301  
E-mail: DOJ-CPB@doj.nh.gov

**Re: Notice of Data Event**

To Whom It May Concern:

We represent Bailey Cavalieri LLC (“Bailey Cavalieri”) located at 10 W Broad Street, Suite 2100, Columbus, Ohio 43215, and are writing to notify your office of an incident that may affect the security of certain personal information relating to twenty-two (22) New Hampshire residents. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Bailey Cavalieri 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 December 13, 2022, Bailey Cavalieri became aware of suspicious activity relating to its internal information systems. In response, Bailey Cavalieri engaged outside forensic and data security specialists to investigate the nature and scope of the activity. Bailey Cavalieri determined that an unauthorized third party gained access to its systems between the dates of November 22, 2022 and December 13, 2022 and that certain internal files were subject to unauthorized access and acquisition during that period. In response, Bailey Cavalieri undertook a thorough and comprehensive review of the nature of information within the scope of this incident. On July 13, 2023, Bailey Cavalieri determined that the information that could have been subject to unauthorized access includes

of twenty-two (22) New Hampshire residents.

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

On August 17, 2023, Bailey Cavalieri provided written notice of this incident to twenty-two (22) 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, Bailey Cavalieri moved quickly to investigate and respond to the incident, assess the security of Bailey Cavalieri systems, and identify potentially affected individuals. Further, Bailey Cavalieri notified federal law enforcement regarding the event. Bailey Cavalieri promptly implemented additional safeguards and training to its employees. Bailey Cavalieri is providing access to credit monitoring services for \_\_\_\_\_, through Experian, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Bailey Cavalieri is providing such individuals with guidance on how to better protect against identity theft and fraud. Bailey Cavalieri 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.

Bailey Cavalieri 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 (267) 930-1290.

Very truly yours,

S. Chandler Harris of  
MULLEN COUGHLIN LLC

SCH/bld  
Enclosure

# **EXHIBIT A**

**BAILEY CAVALIERI LLC**

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

August 17, 2023

J8769-L01-0000001 T00001 P001 \*\*\*\*\*SCH 5-DIGIT 12345

SAMPLE A SAMPLE - L01 INDIVIDUAL

APT ABC

123 ANY STREET

ANYTOWN, FC 1A2 B3C

COUNTRY



**NOTICE OF [Extra3]**

Dear Sample A. Sample,

Bailey Cavalieri LLC (“Bailey Cavalieri”) is writing to notify you of a recent incident that may have impacted the security of your personal information, which is in our possession due to legal services we provide. We want to provide you with information about the incident, our response, and steps you may take to protect against possible misuse of your personal information, should you feel it necessary to do so.

**What Happened?** On December 13, 2022, we became aware of suspicious activity relating to our internal information systems. In response, we engaged outside forensic and data security specialists to investigate the nature and scope of the activity. We determined that an unauthorized third party gained access to our systems between the dates of November 22, 2022 and December 13, 2022 and that certain internal files were subject to unauthorized access and acquisition during that period. In response, we undertook a thorough and comprehensive review of the nature of information within the scope of this incident. On July 13, 2023, we determined that information related to you may have been impacted during the event. At this time, we are unaware of any actual or attempted misuse of your information as a result of this incident.

**What Information Was Involved?** The investigation determined that [redacted] and [Extra1] was among the data described herein. Bailey Cavalieri is unaware of any misuse of individual information and is providing notice to potentially affected individuals out of an abundance of caution.

**What We Are Doing.** The confidentiality, privacy, and security of personal information within our care is among our highest priorities. Upon learning of the event, we investigated to determine the nature and scope of the incident and secured the environment. We also notified federal law enforcement of the incident. We have taken additional steps to improve and enhance security and better protect against similar incidents in the future. As an added precaution, Bailey Cavalieri is offering you access to ## months of complimentary credit monitoring and identity protection services through Experian. Details of this offer and instructions on how to enroll in the services may be found in the attached *Steps You Can Take to Help Protect Personal Information*.

**What You Can Do.** While Bailey Cavalieri is unaware of the misuse of any personal information, we encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements. Additional information may be found in the attached *Steps You Can Take to Help Protect Personal Information*.

**For More Information.** We understand you may have questions that are not answered in this letter. If you have questions or concern regarding this incident, we ask that you please contact our dedicated assistance line at  
between the hours of 6:00am and 8:00pm Eastern, Monday through Friday and 8:00am and 5:00pm Eastern, Saturday and Sunday (excluding major U.S. holidays). Please be prepared to reference engagement ENGAGE# when speaking with an agent. You may also write to Bailey Cavalieri at 10 W Broad Street, #2100, Columbus, Ohio 43215.

Sincerely,

*Bailey Cavalieri LLC*

## STEPS YOU CAN TAKE TO HELP PROTECT PERSONAL INFORMATION

### Enroll in Credit Monitoring and Identity Restoration

To help protect your identity, we are offering complimentary access to Experian IdentityWorks<sup>SM</sup> for ## months.

If you believe there was fraudulent use of your information as a result of this incident and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. 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 from the date of the incident (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 Identity Restoration is available to you for ## 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](http://www.ExperianIDWorks.com/restoration).

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary ##-month membership. This product provides you with superior identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

- Ensure that you \_\_\_\_\_ (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll
- Provide your **activation code**:

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident, or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at

Restoration services by Experian.

### **ADDITIONAL DETAILS REGARDING YOUR ##-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 specialists are immediately available to help you address credit and non-credit related 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.

\* 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](http://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:

<b>Equifax</b>	<b>Experian</b>	<b>TransUnion</b>
<a href="https://www.equifax.com/personal/credit-report-services/">https://www.equifax.com/personal/credit-report-services/</a>	<a href="https://www.experian.com/help/">https://www.experian.com/help/</a>	<a href="https://www.transunion.com/credit-help">https://www.transunion.com/credit-help</a>
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](http://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: 400 6th Street, NW, Washington, DC 20001; 202-727-3400; and [oag.dc.gov](http://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 <https://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 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](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. 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](http://www.ncdoj.gov).

*For Rhode Island residents*, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; [www.riag.ri.gov](http://www.riag.ri.gov); and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are 17 Rhode Island residents who may have been impacted by this incident.



