



MULLEN
COUGHLIN_{LLC}
ATTORNEYS AT LAW

RECEIVED

FEB 07 2020

CONSUMER PROTECTION

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1275 Drummers Lane, Suite 302
Wayne, PA 19087

February 3, 2020

INTENDED FOR ADDRESSEE(S) ONLY

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 Barnhill Contracting Company ("Barnhill"), 800 Tiffany Boulevard, Suite 200, Rocky Mount, NC 27804. We write to notify you of a recent incident that may affect the security of the personal information of one (1) New Hampshire resident. By providing this notice, Barnhill does not waive any rights or defenses regarding the applicability of New Hampshire law or personal jurisdiction. Barnhill reserves the right to amend this submission.

Nature of the Data Event

Beginning on August 19, 2019, Barnhill became aware of suspicious activity relating to a limited number of its employee email accounts. Barnhill took steps to secure the email accounts and began working with outside computer forensics experts to determine the nature and scope of the incident. The investigation determined that an unknown intruder accessed three employee email accounts between August 16, 2019 and August 21, 2019.

Since making this determination, a comprehensive review of the contents of the impacted email accounts was performed to identify any personal information that could have potentially been viewed or acquired by the intruder. Once this exhaustive review was complete, Barnhill next worked diligently to confirm the impacted individuals to whom that information related and their address. The investigation recently concluded, and Barnhill is providing notice to individuals whose personal information may be at risk.

Although the type of personal information potentially impacted may vary by individuals, Barnhill confirmed that the following types of personal information relating to one (1) New Hampshire resident were present within impacted email accounts: Social Security number.

Notice to New Hampshire Resident

Barnhill began mailing written notice to potentially affected individuals, which includes one (1) New Hampshire resident, on or about February 3, 2020. Notice was 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, Barnhill moved quickly to determine its nature and scope. Barnhill identified the individuals who may be affected by the incident, put resources in place to assist them, and provided them with notice.

Barnhill is providing all potentially affected individuals with complimentary access to twelve (12) months of credit monitoring and identity restoration services through Experian. Additionally, Barnhill is providing potentially impacted individuals with guidance on how to better protect against identity theft and fraud, including 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 identity theft and fraud 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.

Barnhill implemented multi-factor authentication to further protect employee email accounts moving forward and will continue to evaluate additional measures and safeguards to protect against unauthorized access to data within its care.

Barnhill is providing notice of this incident to other state regulators and the three major credit reporting agencies, 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) 930-4801.

Very truly yours,



Alexander T. Walker of
MULLEN COUGHLIN LLC

ATW/ras
Enclosure

EXHIBIT A



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

February 3, 2020

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SAMPLE A SAMPLE - L01 INDIVIDUAL
 APT 123
 123 ANY ST
 ANYTOWN, US 12345-6789



Re: Notice of Data Breach

Dear Sample A Sample:

Barnhill Contracting Company (“Barnhill”) is writing to inform you of an incident that may affect the security of your personal information. We take this incident very seriously and are providing you with information and access to resources so that you can better protect against the possibility of misuse of your personal information, should you feel it appropriate to do so.

What Happened? Beginning on August 19, 2019, Barnhill became aware of suspicious activity relating to a limited number of its employee email accounts. Barnhill took steps to secure the email accounts and began working with outside computer forensics experts to determine the nature and scope of the incident. The investigation determined that an unknown intruder accessed three employee email accounts between August 16, 2019 and August 21, 2019.

Then a comprehensive review of the contents of the impacted email accounts was performed to identify any personal information that could have potentially been viewed or acquired by the intruder. Once this exhaustive review was complete, we next worked diligently to confirm the impacted individuals to whom that information related and their address. The investigation recently concluded, and we are providing notice to individuals whose personal information may be at risk.

What Information Was Involved? The investigation determined the following types of your personal information were present in the impacted email account at the time it was subject to unauthorized access and therefore may be at risk: your exposed element and exposed element and name. Please note our investigation was not able to determine whether your information was actually viewed or taken by the unauthorized intruder, and we are not currently aware of any actual or attempted misuse of any personal information in relation to this incident.

What We Are Doing. Barnhill takes the confidentiality, privacy, and security of information in its care very seriously. While Barnhill has security measures in place to protect information in its care, we are also taking steps to implement additional safeguards and review policies and procedures in order to protect the security of information on our systems. Specifically, Barnhill immediately changed the credentials for the compromised email accounts and has since instituted multi-factor authentication for logon for all employee email accounts.

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As an added precaution, Barnhill is providing you with access to XX months of credit monitoring and identity protection services from Experian at no cost to you. A description of services and instructions on how to enroll can be found within the enclosed *Steps You Can Take to Protect Personal Information*. Please note that you must complete the enrollment process yourself, as we are not permitted to enroll you in these services on your behalf.

What You Can Do. You can review the enclosed *Steps You Can Take to Protect Personal Information*. You can also enroll to receive the free credit monitoring services and identity protection services through Experian.

For More Information. We understand you may have questions about this incident that are not addressed in this letter. If you have questions or concerns, please call our dedicated hotline at (877) 216-3862, Monday through Friday, 9am – 7pm EST, excluding national holidays.

Please know Barnhill takes the privacy and security of the personal information in our care very seriously, and we sincerely regret any inconvenience or concern this incident may cause you.

Sincerely,

A handwritten signature in black ink that reads "Thomas B. Shannon". The signature is written in a cursive style with a long horizontal flourish at the end.

Thomas B. Shannon
Information Systems
Barnhill Contracting Company

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Enroll in Credit Monitoring

To help protect your identity, we are offering a complimentary XX months 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:

- Ensure that you **enroll by**: March 31, 2020 (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **activation code**: ABCDEFGHI

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 877.890.9332 by March 31, 2020. Be prepared to provide **Engagement #**: **ENGAGE#** as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR XX MONTHS 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 877.890.9332. 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).

* Offline members will be eligible to call for additional reports quarterly after enrolling

** Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. (AIG). The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions

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Please note that this Identity Restoration support is available to you for one year 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.

Monitor Your Accounts

In addition to enrolling in the complimentary services detailed above, we encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements and explanation of benefits, and to monitor your credit reports for suspicious activity and to detect errors. 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 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.

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

P.O. Box 9554
Allen TX 75013
1-888-397-3742

www.experian.com/freeze/center.html

TransUnion

P.O. Box 160
Woodlyn, PA 19094
1-800-909-8872

www.transunion.com/credit-freeze

Equifax

PO Box 105788
Atlanta, GA 30348-5788
1-800-685-1111

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.

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

www.experian.com/fraud/center.html

TransUnion

P.O. Box 2000
Chester, PA 19106
1-800-680-7289

www.transunion.com/fraud-victim-resource/place-fraud-alert

Equifax

P.O. Box 105069
Atlanta, GA 30348
1-888-766-0008

www.equifax.com/personal/credit-report-services

Additional Information

Although we have no reason to believe that your personal information has been used to file fraudulent tax returns, you can contact the IRS at www.irs.gov/Individuals/Identity-Protection for helpful information and guidance on steps you can take to address a fraudulent tax return filed in your name and what to do if you become the victim of such fraud. You can also visit www.irs.gov/uac/Taxpayer-Guide-to-Identity-Theft for more information.

You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself, by contacting the consumer reporting agencies, the Federal Trade Commission, or your state Attorney General.

The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580, www.identitytheft.gov, 1-877-ID-THEFT (1-877-438-4338); 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. This notice has not been delayed by law enforcement.

For Maryland residents, the Attorney General can be contacted at 200 St. Paul Place, 16th Floor, Baltimore, MD 21202, 1-410-528-8662, www.oag.state.md.us.

For North Carolina residents, the Attorney General can be contacted at 9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-566-7226 or 1-919-716-6000, www.ncdoj.gov. You can obtain information from the Attorney General or the Federal Trade Commission about preventing identity theft.

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, 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 two Rhode Island residents impacted by this incident.

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 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 violator. You may

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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.