



150 N. Riverside Plaza, Suite 3000, Chicago, IL 60606 • (312) 819-1900

February 6, 2024

VIA E-MAIL (ATTORNEYGENERAL@DOJ.NH.GOV)

The Honorable John Formella
Attorney General of the State of New Hampshire
Office of the Attorney General
33 Capitol Street
Concord, New Hampshire 03301

Re: Notification of a Potential Data Security Incident

Dear Madam/Sir:

We represent Bayer Heritage Federal Credit Union (“Bayer”), which has an address of 17612 Energy Road Proctor, WV 26055, in connection with an incident that may have involved the personal information of New Hampshire residents. Bayer is providing this notice pursuant to N.H. REV. STAT. ANN. § 359-C:20. This notice will be supplemented, if necessary, with any new significant facts discovered subsequent to its submission. While Bayer is notifying you of this incident, Bayer does not waive any rights or defenses relating to the incident.

NATURE OF THE INCIDENT

An unauthorized party gained access to certain Bayer computer systems. Upon discovering the incident, Bayer promptly took steps to contain it. Bayer also engaged a leading, third-party forensic investigation firm to confirm the security of its systems and to further investigate. Based on the results of the investigation, Bayer believes that the unauthorized party acquired copies of certain Bayer files between October 31, 2023 and November 1, 2023. Bayer undertook a comprehensive review of these files, and, on December 1, 2023, Bayer determined that they contained personal information pertaining to certain individuals, including the
of four (4) New Hampshire residents.

NOTICE TO THE NEW HAMPSHIRE RESIDENTS

Bayer is notifying individuals whose personal information was involved in the incident via letters mailed USPS First-Class Mail today, February 6, 2024. The notification letter includes information on ways the individuals can protect themselves against potential fraud and identity theft, as well as a telephone number they can call if they have any questions regarding the incident. The letter

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St. Louis San Francisco Washington, D.C. Wilmington

Polsinelli PC, Polsinelli LLP in California



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also includes an offer for [redacted] of complimentary credit monitoring and identity theft protection services. Enclosed is a template copy of the notice letter.

STEPS TAKEN RELATING TO THE INCIDENT

Upon learning of the incident, Bayer promptly contained it. Bayer also engaged a forensic security firm through counsel to investigate and confirm the security of its computer systems. Bayer is evaluating measures to reduce the risk of a similar incident occurring in the future, including implementing additional technical and administrative safeguards. Finally, as discussed above, Bayer is notifying involved individuals, providing them with information on how they can protect themselves against fraudulent activity and identity theft, and offering them [redacted] of complimentary credit monitoring and identity theft protection services.

CONTACT INFORMATION

Please do not hesitate to contact me if you have any questions or if I can provide you with any further information concerning this matter.

Very truly yours,

Bruce A. Radke

Enclosure



788 N. St. Rt. 2 New Martinsville, WV 26155

<<Date>> (Format: Month Day, Year)

<<first_name>> <<middle_name>> <<last_name>> <<suffix>>
<<address_1>>
<<address_2>>
<<city>>, <<state_province>> <<postal_code>>
<<country>>

Dear <<first_name>>:

Bayer Heritage Federal Credit Union (“Bayer Heritage”) values your privacy, which is why we are contacting you about a recent incident that may have involved some of your personal information. While we have no reason to believe this information has been misused, we want to make you aware of the incident and provide information about what you can do to protect yourself, should you feel it is appropriate to do so.

What Happened? We recently learned that an unauthorized party gained access to certain Bayer Heritage computer systems. Upon discovering the incident, we promptly took steps to contain it. We also engaged a leading, third-party forensic investigation firm to confirm the security of our systems and to further investigate. Based on the results of the investigation, we believe that the unauthorized party acquired copies of certain Bayer Heritage files between October 31, 2023 and November 1, 2023.

What Information Was Involved? We undertook a comprehensive review of the Bayer Heritage files potentially involved in the incident. On December 1, 2023, we determined that these files contained

What We Are Doing. While we are not aware of any misuse of your personal information, we are offering a complimentary membership of Experian IdentityWorksSM Credit 3B. This product helps detect possible misuse of your personal information and provides you with identity protection services focused on immediate identification and resolution of identity theft. IdentityWorks Credit 3B is completely free to you, and enrolling in this program will not hurt your credit score. **For more information on identity theft prevention and IdentityWorks Credit 3B, including instructions on how to activate your complimentary membership, please see the additional information provided in this letter.** Additionally, we are evaluating our technical security measures for ways to prevent a similar incident in the future.

What You Can Do. We encourage you to take advantage of the complimentary credit monitoring included in this letter. Additionally, you can find more information on steps to protect yourself against possible identity theft or fraud in the enclosed *Additional Important Information* sheet.

For More Information. We value the trust you place in us to protect your privacy, take our responsibility to safeguard your personal information seriously, and apologize for any inconvenience this incident might cause. For further information and assistance, please call <<TFN>>, from 9:00 a.m. to 6:30 p.m. Eastern Time, Monday through Friday, excluding major U.S. holidays.

Sincerely,

Robert Burrow, President/CEO

ACTIVATING YOUR COMPLIMENTARY CREDIT MONITORING

To help protect your identity, we are offering a **complimentary** membership of Experian IdentityWorksSM Credit 3B. This product helps detect possible misuse of your personal information and provides you with superior identity protection support focused on immediate identification and resolution of identity theft.

Activate IdentityWorks Credit 3B Now in Three Easy Steps

1. ENROLL by: <<b2b_text_6(activation deadline)>> (Your code will not work after this date.)
2. VISIT the **Experian IdentityWorks website** to enroll: <https://www.experianidworks.com/3bcredit>
3. PROVIDE the **Activation Code**: <<activation code s_n>

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 877-288-8057. Be prepared to provide engagement number <<b2b_text_2(engagement number)>> as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR MEMBERSHIP:

EXPERIAN IDENTITYWORKS CREDIT 3B

A credit card is **not** required for enrollment in Experian IdentityWorks Credit 3B.

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, Equifax and Transunion files for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists 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.

Activate your membership today at <https://www.experianidworks.com/3bcredit>
or call 877-288-8057 to register with the activation code above.

What you can do to protect your information: There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to www.ExperianIDWorks.com/restoration for this information. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at 877-288-8057.

* 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.

Additional Important Information

As a precautionary measure, we recommend that you remain vigilant to protect against potential fraud and/or identity theft by, among other things, reviewing your account statements and monitoring credit reports closely. If you detect any suspicious activity on an account, you should promptly notify the financial institution or company with which the account is maintained. You should also promptly report any fraudulent activity or any suspected incidents of identity theft to proper law enforcement authorities, including the police and your state's attorney general, as well as the Federal Trade Commission ("FTC").

You may wish to review the tips provided by the FTC on fraud alerts, security/credit freezes and steps you can take to avoid identity theft. For more information and to contact the FTC, please visit www.ftc.gov/idtheft or call 1-877-ID-THEFT (1-877-438-4338). You may also contact the FTC at Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

Credit Reports: By law, you may obtain a free copy of your credit report once every 12 months from each of the three national credit reporting agencies. The three national credit reporting agencies have also agreed to provide free weekly online credit reports. You can obtain your free credit report by visiting www.annualcreditreport.com, by calling toll-free 1-877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You can print a copy of the request form at <https://www.annualcreditreport.com/manualRequestForm.action>. Alternatively, you may elect to purchase a copy of your credit report by contacting the three national credit reporting agencies. Contact information for the three national credit reporting agencies for the purpose of requesting a copy of your credit report or for general inquiries is as follows:

Equifax
1-866-349-5191
www.equifax.com
P.O. Box 740241
Atlanta, GA 30374

Experian
1-888-397-3742
www.experian.com
P.O. Box 2002
Allen, TX 75013

TransUnion
1-800-888-4213
www.transunion.com
P.O. Box 2000
Chester, PA 19016

Fraud Alerts: By law, you have the right to place a fraud alert on your credit report if you believe you have been, or are about to become, a victim of fraud or related crime. A fraud alert is free and will stay on your credit report for one (1) year. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any new accounts in your name. To place a fraud alert on your credit report, contact any of the three national credit reporting agencies using the contact information listed above. Additional information is available at www.annualcreditreport.com/protectYourIdentity.action.

Credit and Security Freezes: By law, you have the right to place a credit freeze, also known as a security freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies as specified below to find out more information:

Equifax Security Freeze
1-888-298-0045
<https://www.equifax.com/personal/credit-report-services/credit-freeze/>
P.O. Box 105788
Atlanta, GA 30348

Experian Security Freeze
1-888-397-3742
<https://www.experian.com/freeze/center.html>
P.O. Box 9554
Allen, TX 75013

TransUnion Security Freeze
1-888-909-8872
<https://www.transunion.com/credit-freeze>
P.O. Box 160
Woodlyn, PA 19094

This notification was not delayed by law enforcement.

Iowa Residents: Iowa residents can contact the Office of the Attorney general to obtain information about steps to take to avoid identity theft from the Iowa Attorney General's office at: Office of the Attorney General of Iowa, Hoover State Office Building, 1305 E. Walnut Street, Des Moines IA 50319, 515-281-5164.

Maryland Residents: Maryland residents can contact the Office of the Attorney General to obtain information about steps you can take to avoid identity theft from the Maryland Attorney General's office at: Office of the Attorney General, 200 St. Paul Place, Baltimore, MD 21202, (888) 743-0023, <http://www.marylandattorneygeneral.gov/>.

New Mexico Residents: Individuals have rights under the Fair Credit Reporting Act. We encourage you to review your rights under the Fair Credit Reporting Act by visiting https://files.consumerfinance.gov/f/documents/bcfp_consumer-rights-summary_2018-09.pdf, or by requesting information in writing from the Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

New York State Residents: New York residents can obtain information about preventing identity theft from the New York Attorney General's Office at: Office of the Attorney General for the State of New York, Bureau of Consumer Frauds & Protection, The Capitol, Albany, New York 12224-0341; <https://ag.ny.gov/consumer-frauds/identity-theft>; (800) 771-7755.

North Carolina Residents: North Carolina residents can obtain information about preventing identity theft from the North Carolina Attorney General's Office at: North Carolina Attorney General's Office, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001; 877-5-NO-SCAM (Toll-free within North Carolina); 919-716-6000; www.ncdoj.gov.

Oregon Residents: Oregon residents are advised to report any suspected identity theft to law enforcement, including the Federal Trade Commission and the Oregon Attorney General. Oregon residents can contact the Oregon Attorney General at 1162 Court St. NE, Salem, OR 97301-4096; 503-378-4400; <https://www.doj.state.or.us/>.

Rhode Island Residents: We believe that this incident affected **XX** Rhode Island residents. Rhode Island residents can contact the Office of the Attorney general at: Rhode Island Office of the Attorney General, 150 South Main Street, Providence, RI 02903, (401) 274-4400, www.riag.ri.gov. You have the right to obtain any police report filed in regard to this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it.

Vermont Residents: If you do not have internet access but would like to learn more about how to place a security freeze on your credit report, contact the Vermont Attorney General's Office at 802-656-3183 (800-649-2424 toll free in Vermont only).