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CONSUMER PROTECTION

ONE EASTOVER CENTER
100 VISION DRIVE, SUITE 400
JACKSON, MISSISSIPPI 39211

P.O. BOX 14167
JACKSON, MISSISSIPPI 39236

PHONE: 601.351.2400
FAX: 601.351.2424

www.bakerdonelson.com

BRAD C. MOODY
Direct Dial: 601.351.2420
Direct Fax: 601.592.2420
E-Mail Address: bmoody@bakerdonelson.com

March 7, 2019

Attorney General Gordon MacDonald
Attn: Consumer Protection and Antitrust Bureau
33 Capitol Street
Concord, NH 03301
doj-cpb@doj.nh.gov

Re: *Beacon Sales Acquisition, Inc. - Notice of Data Incident*

Dear Attorney General MacDonald:

I serve as outside legal counsel to Beacon Sales Acquisition, Inc. ("Beacon"), which is a distributor of residential roofing, commercial roofing and exterior building materials. Beacon is headquartered at 505 Huntmar Park Dr., Suite 300, Herndon, VA, 20170.

This correspondence is to notify you of a recent security event involving an email account of a Beacon employee that was unlawfully accessed as a result of a phishing scam. There was insufficient forensic evidence to definitively know whether any personally identifiable information ("PII") was actually used, accessed or acquired during the incident. Consequently, in an abundance of caution, a notification letter is being sent to 1 resident of New Hampshire on or about March 7, 2019. A sample notification letter is enclosed for your reference and includes

- A description of the security event;
- Steps taken to investigate;
- Steps taken to mitigate any potential harm to consumers;
- Steps taken to prevent this type of security event in the future,
- Instructions for activation of 1-year of free Identity Theft Protection services that include credit monitoring and a \$1 million insurance reimbursement policy to all consumers who received notification; and
- Instructions regarding how to obtain more information about this event; etc.

Beacon is fully committed to protecting consumer privacy and the confidentiality of personal information. We will follow-up this correspondence with any forms or other documents that

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may need to be completed. Please contact me if you require any additional information regarding this incident.

Best regards,

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC

A handwritten signature in black ink that reads "Brad Moody". The signature is written in a cursive style with a large, stylized "M" at the end.

Brad C. Moody

Enclosure:

Exhibit 1: Sample Notification Letter sent to 1 resident

Beacon Sales Acquisition, Inc.
Mail Handling Services
777 E Park Dr
Harrisburg, PA 17111



<<Full Name>> <<ID>>
<<Address 1>>
<<Address 2>>
<<City>>, <<State>> <<Zip>>

Re: Notice of Data Breach

March 7, 2019

Dear <<Full Name>>:

On behalf of Beacon Sales Acquisition, Inc., this is to advise you of a recent incident that involved unauthorized access to an email account that contained some of your personal information.

What happened and what did we do in response? The email account of one of our employees was inappropriately accessed and possibly copied by an unauthorized individual as the result of a classic phishing scam. Upon discovery of this incident, we blocked the unauthorized access. We investigated the incident thoroughly in order to determine the full nature and scope of the access, to identify measures to improve our IT security, and to identify (through a very tedious hand-review process) what information may have been at risk.

Our investigation revealed that because of the way the email account was accessed, a desk copy of the email account was potentially saved onto the computer of the unauthorized third party and that the unauthorized access occurred on or about December 3, 2018. We searched all of the emails to determine whether sensitive data was located within any of the emails that were potentially saved. Individual emails were then hand reviewed to obtain names and mailing addresses. After completing this extensive review on February 4, 2019, we are alerting you that some of your information was included within the email account.

What information was involved? We are alerting you because our document review team determined that the email account that was potentially saved included your first and last names, Date of birth, passport number, etc.

What can you do? Beacon is fully committed to information privacy and security, and we took this matter very seriously. We are alerting you so you can take precautions to protect yourself as you deem necessary.

Beacon is also offering you one (1) year of free credit monitoring and \$1 million in identity theft insurance (as noted below) through Experian. The activation instructions are below. This product is free to you for one year.

We recommend you take the following steps as you deem advisable:

➤ **ACTIVATE YOUR FREE CREDIT MONITORING PRODUCT:**

Activate IdentityWorks Credit 3B Now in Three Easy Steps

1. **ENROLL** by: **06/08/2019** (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:** <<Credit Monitoring>>

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 **DB11167** as proof of eligibility for the identity restoration services by Experian.

This product is being provided free to you for one year. A credit card is **not** required for enrollment in Experian IdentityWorks Credit 3B. You can contact Experian **immediately without needing to enroll in the product** regarding any fraud issues. Identity Restoration specialists are available to help you address credit and non-credit related fraud. Once you enroll in Experian IdentityWorks, you will have access to the following additional features:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.¹
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of 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:**² 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.

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.

Additionally - consider taking the following steps:

➤ **REMAIN VIGILANT: REVIEW YOUR ACCOUNT STATEMENTS, & REPORT FRAUD.**

Carefully review your credit reports, debit/credit card, insurance policy, bank account and other account statements. Activate alerts on your bank accounts to notify you of suspicious activity. Report fraudulent charges to your bank, credit card vendor, and law enforcement.

➤ **FREEZE YOUR CREDIT FILE.** You have a 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. Note that a security freeze generally does not apply to existing account relationships and when a copy of your report is requested by your existing creditor or its agents or affiliates for certain types of account review, collection, fraud control or similar activities. ⁴ There is no charge to place or lift a security freeze. To place a security freeze on your credit report, contact each of the 3 major consumer reporting agencies -

3 MAJOR CREDIT BUREAUS / CONSUMER REPORTING AGENCIES

Equifax
P.O. Box 105788 Atlanta,
GA 30348 1-800-525-6285
www.equifax.com

Experian
P.O. Box 9554
Allen, TX 75013
1-888-397-3742
www.experian.com

TransUnion
P.O. Box 2000
Chester, PA 19022
1-800-680-7289
www.transunion.co

To request a freeze, you will need to provide the following:

- Your full name (including middle initial as well as Jr., Sr., II, III, etc.), Social Security Number, and Date of birth; and

¹ Offline members will be eligible to call for additional reports quarterly after enrolling.

² 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.

- If you have moved in the past five (5) years, the addresses where you have lived over the prior five years;
- Proof of current address such as a current utility bill or telephone bill;
- A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.)
- 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.

If you request a security freeze via toll-free telephone or other secure electronic means, the credit reporting agencies have 1 business day after receiving the request to place the freeze. In the case of a request made by mail, the bureaus have 3 business days after receiving your request to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within 5 business days and provide you with a unique personal identification number (PIN) or password, or both that can be used by you to authorize the removal or lifting of the security freeze. To lift the security freeze to allow a specific entity or individual access to your credit report, you must call or send a written request to the credit reporting agencies 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 as well as the identities of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have 3 business days after receiving a request to lift the security freeze for those identified entities or for the specified period of time. 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 3 business days after receiving the request to remove the freeze.

- **PLACE FRAUD ALERTS ON YOUR CREDIT FILE.** As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your 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 an alert lasting 7 years. Contact the credit reporting agencies listed above to activate an alert.
- **POLICE REPORT:** You have a right to a police report about this incident (if any exists). If you're an identity theft victim, you have the right to file a police report and obtain a copy of it.
- **REPORT** suspicious or fraudulent charges to your insurance statements, credit report, credit card or bank accounts to your insurance company, bank/credit card vendor and law enforcement. (For Oregon & Iowa residents: Report any suspected identity theft to law enforcement, Federal Trade Commission, and your State Attorney General.)
- **ORDER YOUR FREE ANNUAL CREDIT REPORTS.** Visit www.annualcreditreport.com or call 877-322-8228 to obtain one free copy of your credit report annually. Periodically review a copy of your credit report for discrepancies and identify any accounts you did not open or inquiries you did not authorize. (For Colorado, Maine, Maryland, Massachusetts, New Jersey, Puerto Rico, and Vermont residents: You may obtain additional copies of your credit report, free of charge. You must contact each of the three credit reporting agencies directly to obtain such additional reports.)
- **OBTAIN INFORMATION ABOUT PREVENTING IDENTITY THEFT FROM FTC / STATE ATTORNEY GENERAL.** Go to <http://www.experian.com/credit-advice/topic-fraud-and-identity-theft.html>. Federal Trade Commission also provides information at www.ftc.gov/idtheft FTC hotline is 877-438-4338; TTY: 1-866-653-4261 or write to FTC, 600 Pennsylvania Ave., NW, Washington, D.C. 20580. Your State Attorney General also may provide information. (For MD residents: You may contact Maryland Office of the Attorney General, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, www.oag.state.md.us, 1-888-743-0023. For NC residents: You may contact NC Office of the Attorney General, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001, www.ncdoj.gov, 1-877-566-7226.

➤ **FILE YOUR TAXES QUICKLY AND SUBMIT IRS FORM 14039.** If you believe you are at risk for taxpayer refund fraud, the IRS suggests you file your income taxes quickly. Additionally, if you are an actual or potential victim of identity theft, the IRS suggests you give them notice by submitting IRS Form 14039 (Identity Theft Affidavit). This form will allow the IRS to flag your taxpayer account to alert them of any suspicious activity. Form 14039 may be found at <https://www.irs.gov/pub/irs-pdf/f14039.pdf>.

➤ **FAIR CREDIT REPORTING ACT:** You also have rights under the federal Fair Credit Reporting Act, which promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. The FTC has published a list of the primary rights created by the FCRA (<https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf>), and that article refers individuals seeking more information to visit www.ftc.gov/credit. The FTC's list includes the following FCRA rights: (1) To receive a copy of your credit report, which must contain all the information in your file at the time of your request; (2) To receive a free copy of your credit report, at your request, once every 12 months from each of the nationwide credit reporting companies – Equifax, Experian, and TransUnion; (3) To receive a free credit report if a company takes adverse action against you (e.g. denying your application for credit, insurance, or employment), and you ask for your report within 60 days of receiving notice of the action. The notice will give you the name, address, and phone number of the credit reporting company. You are also entitled to one free report a year if you're unemployed and plan to look for a job within 60 days; if you are on welfare; or if your report is inaccurate because of fraud, including identity theft; (4) To ask for a credit score; (5) To dispute incomplete or inaccurate information; (6) To obtain corrections to your report or delete inaccurate, incomplete, or unverifiable information; (7) Consumer reporting agencies may not report outdated negative information; (8) To restrict access to your file and to require consent from you for reports to be provided to employer; (9) To limit "prescreened" offers of credit and insurance you receive based on information in your credit report; and (10) To seek damages from violators. Note - Identity theft victims and active duty military personnel have additional rights.

For more information about this incident, please contact us toll free at 1-855-878-8555 Monday through Friday from 8am to 5pm EST. Protecting your information is very important to Beacon, and this notice demonstrates our continued commitment to you. We sincerely apologize that this happened, and hope to work with you to resolve any issues.

Sincerely,

Chris Nelson

Vice President & Chief Information Officer