RECEIVED

OCT 21 2022

CONSUMER PROTECTION

MULLEN COUGHLIN LLC
ATTORNEYS AT LAW

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

October 17, 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 Benchmark Education Company LLC ("Benchmark Education"), located at 145 Huguenot Street, New Rochelle, NY 10801, and are writing to notify your Office of an incident that may affect the security of certain information relating to one (1) New Hampshire resident. The investigation into this matter is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Benchmark Education 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

Benchmark Education became aware of suspicious activity related to certain systems. Benchmark Education immediately took steps to secure its environment and launched an investigation with third-party specialists to determine the nature and scope of the incident. Through this investigation, Benchmark Education determined there was unauthorized access to certain employee email accounts on separate occasions between September 22, 2021 and December 15, 2021. While the investigation was able to confirm that the email accounts were accessed, the investigation was not able to confirm whether any particular email or attachment was actually viewed or accessed. As a result, Benchmark Education, with the assistance of third-party specialists, began a thorough programmatic and manual review of all emails and attachments contained in the employee accounts to determine whether sensitive information may have been present in the accounts at the time of the event and to whom this information belonged. Although this review is ongoing, on or about August 4, 2022 Benchmark Education's investigation confirmed that information pertaining

to certain individuals was potentially affected. While the information varies for each individual, the information that could have been accessed include name and Social Security number.

Notice to New Hampshire Resident

On or about October 17, 2022, Benchmark Education began providing written notice of this incident to one (1) New Hampshire resident. Written notice is being provided in substantially the same form as the letter attached here as ***Exhibit A***. Notification to impacted individuals is ongoing, and Benchmark Education may supplement this notification if it is determined that a significant amount of additional New Hampshire resident will receive notice.

Other Steps Taken and To Be Taken

Upon discovering the event, Benchmark Education moved quickly to investigate and respond to the incident, confirm the security of the Benchmark Education email environment, and identify potentially affected individuals. Benchmark Education is providing access to complimentary credit monitoring services for one (1) year, through Experian IdentityWorks, to individuals whose information was potentially affected by this incident.

Additionally, Benchmark Education is providing impacted individuals with guidance on how to better protect against identity theft and fraud. Benchmark Education 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.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4637.

Very truly yours,

Gregory Lederman of
MULLEN COUGHLIN LLC

GCL/ams
Enclosure

EXHIBIT A

Return Mail Processing
PO Box 999
Suwanee, GA 30024

October 17, 2022

12 1 2246 **********SNGLP
SAMPLE A. SAMPLE - L01
APT ABC
123 ANY ST
ANYTOWN, US 12345-6789

RE: NOTICE OF [Extra1]

Dear Sample A. Sample:

Benchmark Education Company LLC ("Benchmark Education") is writing to inform you of a recent event that may impact the security of some of your information. While we are unaware of any actual or attempted misuse of your information, we are providing you with information about the incident, our response, and steps you may take to better protect against the possibility of identity theft and fraud, should you feel it is necessary to do so.

What Happened? Benchmark Education became aware of suspicious activity related to certain systems. We immediately took steps to secure our environment and launched an investigation with third-party specialists to determine the nature and scope of the incident. Through this investigation, we determined there was unauthorized access to certain employee email accounts on separate occasions between September 22, 2021, and December 15, 2021. While the investigation was able to confirm that the email accounts were accessed, the investigation was not able to confirm whether any particular email or attachment was actually viewed or accessed. As a result, Benchmark Education, with the assistance of third-party specialists, began a thorough review of all emails and attachments contained in the employee accounts to determine whether sensitive information may have been present in the accounts at the time of the event.

What Information Was Involved? Our review determined that information related to certain individuals was present in one of the impacted accounts. Following this determination, we undertook an in-depth review process to identify the individuals whose information may have been impacted and reviewed internal Benchmark Education records to locate address information for potentially impacted individuals. While the investigation into the full scope of this incident is ongoing, Benchmark Education is notifying you now out of an abundance of caution because the investigation determined on or about August 4, 2022 that certain information relating to you may have been within the email accounts, including your name, and [Extra2]. Please note that we do not have any evidence to indicate that any information was subject to actual or attempted misuse as a result of this incident.

What We Are Doing. We take this incident and the security of information in our care very seriously. Upon becoming aware of this incident, we immediately took steps to confirm the security of our email environment. We are also reviewing existing security policies and have implemented additional measures to further protect against similar incidents moving forward. We are notifying applicable regulators and potentially impacted individuals and organizations, so that you may take steps to best protect the information, should you feel it is appropriate to do so.

As an added precaution, we are offering you immediate access to credit monitoring and identity theft protection services for [Extra3] months at no cost to you, through Experian IdentityWorks. You can find information on how to enroll in these services in the below "Steps You Can Take to Help Protect Your Information." We encourage you to enroll in these services as we are not able to do so on your behalf.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your free credit reports for suspicious activity and to detect errors. Please also review the information contained in the enclosed "Steps You Can Take to Help Protect Your Information."

For More Information. We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, please call our dedicated assistance line at (833) 708-2894, Monday through Friday from 6 a.m. to 8 p.m. PST and Saturday and Sunday from 8 a.m. to 5 p.m. PST (excluding major US holidays). We take this incident very seriously and sincerely regret any inconvenience or concern this incident may cause you.

Sincerely,

Benchmark Education Company LLC

Steps You Can Take to Help Protect Your Information

Enroll in Credit Monitoring

To help protect your identity, we are offering complimentary access to Experian IdentityWorks℠ for [Extra3] 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 [Extra3] 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.

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 [Extra3]-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 **enroll by January 14, 2023** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: https://www.experianidworks.com/credit
- 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 (833) 708-2894 by **January 14, 2023**. Be prepared to provide engagement number [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 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 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:

Equifax	**Experian**	**TransUnion**
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
1-888-298-0045	1-888-397-3742	1-833-395-6938
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: 400 6th Street, NW, Washington, DC 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. Benchmark Education is located at 145 Huguenot Street, New Rochelle, NY 10801.

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.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; 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 8 Rhode Island residents impacted by this incident.

DEPT OF JUSTICE
2022 PM 2:25