

# BakerHostetler

## Baker & Hostetler LLP

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September 30, 2021

### VIA E-MAIL (DOJ-CPB@DOJ.NH.GOV)

Attorney General John Formella  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301

*Re: Incident Notification*

Dear Attorney General Formella:

I am writing on behalf of my client, Beth Moore & Associates, CPAs (“Beth Moore”), to notify you of a security incident involving six New Hampshire residents. Beth Moore is a tax preparation service located in Newport News, Virginia.

Beth Moore conducted an investigation involving unauthorized access to a small number of its servers. Upon learning of the unauthorized access, Beth Moore secured its environment and investigated the nature and scope of the incident. A cybersecurity forensics firm was engaged to assist. The investigation determined that an unauthorized person had access to the contents of the servers between March 11, 2021 and May 17, 2021, and the information obtained from the servers may have been used to file fraudulent individual tax returns. Beth Moore searched the contents of the servers to identify documents containing personal information. On August 6, 2021, Beth Moore determined that the servers contained personal information pertaining to six New Hampshire residents, including their names and Social Security numbers.

Beginning on September 30, 2021, Beth Moore will notify the New Hampshire residents in substantially the same form as the enclosed letter via United States Postal Service First Class Mail.<sup>1</sup> Beth Moore is offering the New Hampshire individuals a complimentary, one-year membership to credit monitoring, fraud consultation, and identity theft restoration services through Kroll. Beth Moore is recommending that individuals remain vigilant to the possibility of fraud by

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<sup>1</sup> This notice does not waive Beth Moore’s objection that New Hampshire lacks personal jurisdiction over it related to any claims that may arise from this incident.

September 30, 2021

Page 2

reviewing their account statements and credit reports for unauthorized activity, in addition to registering for an identity protection PIN through the IRS to aid in the prevention of fraudulent tax returns being filed using their Social Security numbers. Beth Moore has also established a dedicated call center where all individuals may obtain information regarding the incident.

To help prevent a similar incident from occurring in the future, Beth Moore has already implemented additional security measures to enhance the security of its network.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

*John P. Hutchins*

John Hutchins

Partner

Enclosure



<<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>>:

At Beth Moore & Associates, CPAs, we understand the importance of protecting your information. We wish to notify you that we have identified and responded to an issue that might have affected less than 1% of the clients we serve. During a normal income tax filing season, we usually encounter a few income tax returns that are rejected by the IRS because a fraudulent income tax return has been previously filed by someone other than our client. During 2021, we noticed an increase in that number and the IRS reported an increase in fraudulently filed returns in 2021. We have a robust computer system for a firm our size including firewalls, multiple layers of log-ins, multiple anti-malware and anti-virus software solutions, 24-hour monitoring by an external IT company as well as rigorous internal employee training on both technology and confidentiality.

Upon discovering an increased number of rejected tax returns, we worked with an external cybersecurity firm to conduct an investigation to determine whether unauthorized access to our network occurred. The investigation found that there had been access to our systems from outside our Firm and that there was unauthorized access to some files saved on our network. In response, we immediately took steps to secure our network. On August 6, 2021, we determined that information including your <<b2b\_text\_1(ImpactedData)>> could have been viewed or accessed by an unauthorized person. This information may have been used to file a fraudulent return. We have no indication that it was used for any other malicious purpose.

We encourage you to register for an identity protection PIN through the IRS to aid in the prevention of fraudulent tax returns being filed using your Social Security number. We also encourage you to remain vigilant by reviewing your account statements and credit reports for any unauthorized activity. If you see charges or activity you did not authorize, please contact the relevant financial institution or credit bureau reporting the information immediately. As an added precaution, we have secured the services of Kroll to provide identity monitoring at no cost to you for one year. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration. For more information on Kroll Identity Monitoring, including instructions on how to activate your complimentary one-year membership, please visit the below website:

Visit <https://enroll.krollmonitoring.com> to activate and take advantage of your identity monitoring services.

*You have until **December 23, 2021** to activate your identity monitoring services.*

Activation Number: <<Activation Number s\_n>>

We regret any inconvenience or concern this incident may cause. We have already implemented additional security measures to enhance the security of our network. If you have any questions, please call [1-XXX-XXX-XXXX](tel:1-XXX-XXX-XXXX), Monday through Friday from 8:00 A.M. through 5:30 P.M. Central Time excluding major U.S. holidays.

Sincerely,

A handwritten signature in black ink that reads 'Beth Moore'.

Beth Moore, CPA  
Managing Partner



## TAKE ADVANTAGE OF YOUR IDENTITY MONITORING SERVICES

You have been provided with access to the following services from Kroll:

### **Triple Bureau Credit Monitoring**

You will receive alerts when there are changes to your credit data at any of the three national credit bureaus—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.

### **Fraud Consultation**

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

### **Identity Theft Restoration**

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.

Kroll's activation website is only compatible with the current version or one version earlier of Chrome, Firefox, Safari and Edge.

To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.

## ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

- *Equifax*, PO Box 740241, Atlanta, GA 30374, [www.equifax.com](http://www.equifax.com), 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742
- *TransUnion*, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com), 1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

- *Federal Trade Commission*, Consumer Response Center, 600 Pennsylvania Avenue NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)

### ***Fraud Alerts and Credit or Security Freezes:***

**Fraud Alerts:** There are two types of general fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years.

To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report.

For those in the military who want to protect their credit while deployed, an Active Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for pre-screened credit card offers for two years, unless you ask them not to.

**Credit or Security Freezes:** You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

*How do I place a freeze on my credit reports?* There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- **Experian Security Freeze**, PO Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com)
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com)
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)

You'll need to supply your name, address, date of birth, Social Security number and other personal information.

After receiving your freeze request, each credit bureau will provide you with a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

*How do I lift a freeze?* A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.

If you opt for a temporary lift because you are applying for credit or a job, and you can find out which credit bureau the business will contact for your file, you can save some time by lifting the freeze only at that particular credit bureau. Otherwise, you need to make the request with all three credit bureaus.

**Additional information for residents of the following states:**

Beth Moore's address is 735 Thimble Shoals Blvd., Suite 150, Newport News, VA 23606 and the telephone number is 757.224.1174.

**Maryland:** You may contact and obtain information from your state attorney general at: *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, [www.oag.state.md.us](http://www.oag.state.md.us)

**New York:** You may contact and obtain information from these state agencies: *New York Department of State Division of Consumer Protection*, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>; and *New York State Office of the Attorney General*, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

**North Carolina:** You may contact and obtain information from your state attorney general at: *North Carolina Attorney General's Office*, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, [www.ncdoj.gov](http://www.ncdoj.gov)

**Rhode Island:** This incident involves 1 individual in Rhode Island. Under Rhode Island law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze, as described above. You may contact and obtain information from your state attorney general at: *Rhode Island Attorney General's Office*, 150 South Main Street, Providence, RI 02903, 1-401-274-4400, [www.riag.ri.gov](http://www.riag.ri.gov)

**A Summary of Your Rights Under the Fair Credit Reporting Act:** The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Your major rights under the FCRA are summarized below. For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

- You must be told if information in your file has been used against you.
- You have the right to know what is in your file.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.
- 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 reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
- 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.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.