

Birchview Capital, LP

688 Pine Street | Suite 2D | Burlington, VT 05401

December 18, 2023

Attorney General John Formella
Office of the Attorney General
Consumer Protection Bureau
33 Capitol Street
Concord, NH 03301
DOJ-CPB@doj.nh.gov

RE: Notice of Data Security Incident

Dear Attorney General Formella:

Birchview Capital LP, a firm that manages a hedge fund (Birchview Fund LLC), had an email password security breach, described below. We are writing to provide an update with respect to New Hampshire residents that are invested in the Fund and therefore have personal information that potentially could have been seen.

Nature of the Security Incident

On September 25, 2023, a 3rd party hacked into the email of our CEO, Matthew Strobeck. Matt was on a plane using the airline's Wi-Fi when the incident occurred. The hacker was able to temporarily access Matt's email account and was able to send out an email to a Fund investor requesting account information. On September 26, 2023, the investor noticed the suspicious email and notified us. At that point, we reached out to Vertek, a cybersecurity specialist, who investigated the issue and began implementing safeguards. All unauthorized access was successfully terminated by September 27, 2023.

The investigation revealed that the Attacker did have temporary access to the subject email account but fortunately, we found no evidence that any information had been acquired, or otherwise transferred from the Firm by the hacker.

Number of New Hampshire Residents Involved

Birchview Fund LLC has one investor who resides in New Hampshire. There was nothing to suggest that any personal information of this resident was obtained by the hacker. That resident, along with all other investors, was provided with the attached notice on 12/1/2023.

For More Information

If you have any questions, please call Jack Trottier (CFO, CCO of Birchview Capital LP) at (802) 923-3826, Monday through Friday from 9am-5pm EST.

Sincerely,

Jack Trottier
CFO, CCO
Birchview Capital LP
668 Pine Street, 2nd Floor
Burlington, VT 05401

Birchview Capital, LP

688 Pine Street | Suite 2D | Burlington, VT 05401

Dear Birchview Fund Investor.

We are writing to you because of a recent incident involving a Birchview Capital, LP (the “Firm”) email account that was accessed by an unauthorized third party. The Firm has investigated this incident and fortunately we have found nothing that indicates there has been any misuse of any of your personally identifiable information. Nonetheless, we felt it important to provide you and certain other potentially affected parties with the courtesy of this notice that will summarize the incident and the precautionary and remedial steps the Firm has taken in response thereto. This notice also includes information in connection with several steps you can take to protect yourself against identity theft or fraud, should you desire to do so.

The Incident

On September 26th, the Firm learned that on the prior day, September 25th, a third-party bad actor (the “Attacker”) successfully compromised the Firm email account of one of our team members. That team member was travelling at the time of this unauthorized access and was accessing the public wifi internet services provided by American Airlines. The Attacker was able to temporarily access this employee’s Firm email account and was able to initiate an outbound email to a Firm client, effectively impersonating the employee. We have been in touch with the client who received this email. All unauthorized access to the Firm’s email accounts was successfully terminated as of September 27th.

The Firm’s Response and Remedial Actions

We promptly engaged with several cybersecurity advisors to assist the Firm in not only determining the severity of this situation but also to conduct an investigation of this incident and advise the Firm on evaluating how to respond appropriately, if at all.

The investigation revealed that the Attacker did have temporary access to the subject email account but fortunately, we found no evidence that any information had been acquired, or otherwise transferred from the Firm by the Attacker.

Following the investigation, the Firm took remedial steps to enhance its security measures as described in the Security Report provided by Vertek attached to this notice. The Firm also alerted certain third parties, including the Offices of the Attorney General.

Preventative Steps For You to Consider

Although our investigation did not reveal any evidence indicating that any information residing on the Firm's network and/or its systems was downloaded, transferred, or otherwise taken in this attack, we felt it was important to send this notice to you. At a time when all businesses face numerous aggressive cybersecurity threat vectors, these attacks are commonplace in our industry. Nonetheless, we would recommend that you consider taking certain steps to protect yourself from the possibility of identity theft, such as changing your passwords and security features across your online accounts, reviewing your banking and credit card statements and report any suspicious activity to the relevant issuers and perhaps even contact your credit or debit card company and inform them that your card information may have been compromised, so that they can issue you a replacement card.

If you have any questions or concerns, please do not hesitate to contact a member of the Birchview team. Contact information for Birchview, as well as the major consumer reporting agencies, the Federal Trade Commission, and the Attorney General's Offices are on the following page. You can obtain information from these sources about fraud alerts and security freezes.

Sincerely,

Birchview Capital Team

Matt, Ben & Jack

Additional Contacts:

Equifax

P.O. Box 105851
Atlanta, GA 30348
1 (800) 525-6285
www.equifax.com

Experian

P.O. Box 9532
Allen, TX 75013
1 (888) 397-3742
www.Experian.com

TransUnion

P.O.Box 2000
Chester, PA 19016
1 (800) 680-7289
www.TransUnion.com

Federal Trade Commission (FTC)

600 Pennsylvania Ave, NW
Washington, DC 20580

Attorney General Contacts:

Connecticut Attorney General

165 Capitol Avenue
Hartford, CT 06106
(860) 808-5318

Florida Attorney General

PL-01 The Capitol
Tallahassee, FL 32399-1050
1 (866) 966-7226

Illinois Attorney General

100 W. Randolph St.
Chicago, IL 60601
(312) 814-3000

Massachusetts Attorney General

1 Ashburton Pl
Boston, MA 02108
(617) 727-2200

Maine Attorney General

6 State House Station
Augusta, ME 04333
(207) 626-8800

Minnesota Attorney General

445 Minnesota Street, Suite 1400
St. Paul, MN 55101-2131
(800) 657-3787

Montana Attorney General

215 North Sanders
P.O. Box 201401
Helena, MT 59620-1401
(406) 444-2026

North Carolina Attorney General

114 West Edenton Street
Raleigh, NC 27603
(919) 716-6400

New Hampshire Attorney General

1 Granite Place
South Concord, NH 03301
(603) 271-3658

New Jersey Attorney General

140 East Front Street, 6th Floor
Trenton, NJ 08625-0090
(609) 984-3900

New York Attorney General

1 Empire State Plaza
Albany NY, 12224
(800) 771-7755

Oregon Attorney General

1162 Court St. NE
Salem, OR 97301-4096
(503) 378-4400

Pennsylvania Attorney General

Strawberry Square, 16th Floor
Harrisburg, PA 17120
(717) 787-3391

Rhode Island Attorney General

150 South Main Street
Providence, RI 02903
(401) 274-4400

Vermont Attorney General

109 State Street
Montpelier, VT 05609
(802) 828-3171