

**BakerHostetler**

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**CONSUMER PROTECTION**

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January 26, 2021

**VIA OVERNIGHT MAIL**

Attorney General Gordon McDonald  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301

*Re: Incident Notification*

Dear Attorney General McDonald:

We are writing on behalf of our client, Bosley, Inc. ("Bosley") to notify you of a security incident involving 201 New Hampshire residents. Bosley is a hair restoration and transplant provider located throughout the United States.

On August 17, 2020, Bosley identified a ransomware infection in its network. Upon learning this, Bosley retained Baker & Hostetler, LLP to provide legal advice and assistance investigating and responding to the incident. BakerHostetler then engaged cybersecurity consultants to conduct a forensic investigation to assist BakerHostetler in providing legal advice to Bosley.

On September 24, 2020, the forensic investigation identified evidence to suggest that the threat actors responsible for the ransomware infection gained access to systems that contained personal information of Bosley customers and employees. Bosley reviewed the data sources that were accessed and determined that more than 100,000 individuals' information was potentially contained within the accessed data sources. The data contained in the accessed systems include individuals' names, Social Security numbers, financial account and/or payment card numbers, and driver's license numbers. On January 10, 2021, Bosley identified contact information for the individuals whose information was potentially accessed and determined that 201 New Hampshire residents' information was included in the accessed data.

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On January 26, 2021, Bosley will begin mailing notification letters to the 201 New Hampshire residents pursuant to N.H. Rev. Stat. Ann. § 359-C:20.<sup>1</sup> A copy of the notification letter is attached. Bosley is offering individuals a one-year membership to credit monitoring and identity protection services and has established a dedicated, toll-free call center where individuals may obtain more information regarding the incident.

To help prevent something like this from happening again, Bosley has updated passwords and implemented additional security safeguards and controls in its network infrastructure.

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

Sincerely,

*John P. Hutchins*

John P. Hutchins  
Partner

Enclosure

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

# BOSLEY

The World's Most Experienced Hair Restoration Expert®

Return Mail Processing Center  
P.O. Box 6336  
Portland, OR 97228-6336

<<Mail ID>>  
<<Name 1>>  
<<Name 2>>  
<<Address 1>>  
<<Address 2>>  
<<Address 3>>  
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<<City>><<State>><<Zip>>  
<<Country>>

<<Date>>

Dear <<Name 1>>,

Bosley understands the importance of and takes great measures protecting personal information. We are writing to inform you of an incident that may have involved some of your information. In an abundance of caution, we are providing this notice to explain the incident and measures we have taken, and also to provide some steps you can take in response.

On August 17, 2020, certain computer systems were infected with malware that encrypted the data on those machines. We quickly identified and contained the incident, restored systems from available backups and launched an investigation with the assistance of a cybersecurity firm which was engaged on our behalf. On September 24, 2020, we learned that an unauthorized party had gained access to some of our systems that contained personal information of our customers.

The investigation was unable to determine what, if any, data was accessed by the unauthorized party. Out of an abundance of caution, we are notifying all customers and patients whose personal information was stored in the systems that were accessed by the unauthorized party. The stored information that was potentially accessible includes your name, Social Security number, driver's license number and/or financial account information.

We encourage you to remain vigilant by reviewing your account statements and credit reports for any unauthorized activity. As a precaution, we are offering you a complimentary one-year membership from myTrueIdentity through TransUnion Interactive, a subsidiary of TransUnion®. The service is completely free to you and enrolling in this program will not hurt your credit score.

For more information, including instructions on how to activate your complimentary membership as well as some additional steps you can take to help protect yourself, please see the additional information provided with this letter.

In response to this incident we have taken steps to help prevent a similar incident in the future including updating user passwords and implementing additional security safeguards and controls in our network infrastructure. If you have any questions, please call 800-878-2086, Monday through Friday, 9:00 a.m. to 9:00 p.m. Eastern Time.

Sincerely,

Bosley

9100 Wilshire Blvd, East Tower Penthouse  
Beverly Hills, CA 90212  
[www.bosley.com](http://www.bosley.com)

## **ADDITIONAL STEPS YOU CAN TAKE**

### **Enroll in Credit Monitoring**

As a safeguard, we have arranged for you to enroll, at no cost to you, in an online, three-bureau credit monitoring service (*myTrueIdentity*) for one year provided by TransUnion Interactive, a subsidiary of TransUnion,<sup>®</sup> one of the three nationwide credit reporting companies.

#### **How to Enroll: You can sign up online or via U.S. mail delivery**

- To enroll in this service, go to the *myTrueIdentity* website at **[www.MyTrueIdentity.com](http://www.MyTrueIdentity.com)** and, in the space referenced as “Enter Activation Code,” enter the 12-letter Activation Code <<**12-letter Activation Code**>> and follow the three steps to receive your credit monitoring service online within minutes.
- If you do not have access to the Internet and wish to enroll in a similar offline, paper-based, three-bureau credit monitoring service, via U.S. mail delivery, please call the TransUnion Fraud Response Services toll-free hotline at **1-855-288-5422**. When prompted, enter the six-digit telephone passcode <<**Telephone Pass Code**>> and follow the steps to enroll in the offline credit monitoring service, add an initial fraud alert to your credit file, or to speak to a TransUnion representative if you believe you may be a victim of identity theft.

You can sign up for the online or offline credit monitoring service anytime between now and <<**Enrollment Deadline**>>. Due to privacy laws, we cannot register you directly. Please note that credit monitoring services might not be available for individuals who do not have a credit file with TransUnion or an address in the United States (or its territories) and a valid Social Security number. Enrolling in this service will not affect your credit score.

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:**

**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).

**West Virginia:** You have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described above. You also have a right to place a security freeze on your credit report, as described above.

**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.