



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

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

September 22, 2023

VIA E-MAIL

Office of the New Hampshire Attorney General
Consumer Protection & Antitrust Bureau
33 Capitol Street
Concord, NH 03301
E-mail: DOJ-CPB@doj.nh.gov

Re: Notice of Data Event

To Whom It May Concern:

We represent Butler Snow, LLP (“Butler Snow”) located at 1020 Highland Colony Parkway, Suite 1400, Ridgeland, Mississippi 39157-2139, and are writing to notify your office of an incident that may affect the security of certain personal information relating to three (3) New Hampshire residents. 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, Butler Snow 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

On May 3, 2023, Butler Snow became aware of suspicious activity on its computer network. Butler Snow immediately launched an investigation to determine the nature and scope of the incident. Through its investigation, Butler Snow determined that an unauthorized actor may have had access to certain systems that stored personal information on May 3, 2023. A thorough and time-intensive review of the impacted systems is being conducted to determine if any personal information may have been impacted within the system and to whom that information relates. This review remains ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission.

The information that could have been impacted includes

Notice to New Hampshire Residents

Mullen.law

On or about September 22, 2023, Butler Snow provided written notice of this incident to three (3) New Hampshire residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*. As our review of impacted data is ongoing, this notice will be supplemented if it is determined that a significant number of additional residents in New Hampshire are impacted.

Other Steps Taken and To Be Taken

Upon discovering the event, Butler Snow moved quickly to investigate and respond to the incident, assess the security of Butler Snow systems, and identify potentially affected individuals. Further, Butler Snow notified federal law enforcement regarding the event. Butler Snow is also working to implement additional safeguards and training to its employees. Butler Snow is providing access to credit monitoring services for _____, through Experian, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Butler Snow is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. Butler Snow 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.

Butler Snow is providing written notice of this incident to relevant state regulators, as necessary, and to the three major credit reporting agencies, Equifax, Experian, and TransUnion.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at _____.

Very truly yours,

Jeffrey J. Boogay of
MULLEN COUGHLIN LLC

JJB/kld
Enclosure

EXHIBIT A

J8909-L01-0000001 T00001 P001 *****SCH 5-DIGIT 12345



SAMPLE A SAMPLE - L01 INDIVIDUAL
APT ABC
123 ANY STREET
ANYTOWN, ST 12345-6789



NOTICE OF [Extra1]

Dear Sample A. Sample:

Butler Snow LLP (“Butler Snow”) writes to notify you of an incident that may affect the privacy of some of your information. Butler Snow received your information as a result of its legal representation of Ethicon, Inc. and related entities in various pelvic mesh lawsuits in the United States (including *In re: Ethicon, Inc. Pelvic Repair System Products Liability Litigation* (Cause No. 2:12-MDL-2327 in the United States District Court for the Southern District of West Virginia) and/or *In re: Pelvic Mesh/Gynecare Litigation* (In the Superior Court of New Jersey, Law Division) in which you may have been either a litigant or participated in a settlement. Although we have no evidence of any identity theft or fraud occurring as a result of this incident, this letter provides details of the incident, our response, and resources available to you to help protect your information from possible misuse, should you feel it is appropriate to do so.

What Happened? On May 3, 2023, Butler Snow became aware of suspicious activity on its computer network. Butler Snow immediately launched an investigation, with the assistance of third-party cybersecurity forensic specialists. Through our investigation, we determined that an unauthorized actor may have had access to certain systems that stored personal information on May 3, 2023. A thorough and time-intensive review of the impacted systems was conducted to determine if any personal information may have been impacted within the system and to whom that information relates. This review was completed on August 15, 2023.

What Information Was Involved? Our investigation determined the following types of your information may have been impacted by this incident: [Extra2]. At this time, we have no indication that your information was subject to actual or attempted misuse as a result of this incident.

What We Are Doing. Data privacy and security are among Butler Snow’s highest priorities, and there are extensive measures in place to protect information in Butler Snow’s care. Upon discovery, Butler Snow promptly commenced an investigation with the assistance of third-party cybersecurity specialists to confirm the nature and scope of this incident. This investigation and response included confirming the security of our systems, reviewing the contents of relevant data for sensitive information, and identifying impacted individuals associated with that sensitive information. As part of our ongoing commitment to the privacy and security of personal information in our care, we are reviewing our existing policies and procedures, providing additional training to employees, and implementing additional safeguards to further secure information in our systems. We will also notify applicable regulatory authorities, as required by law. Butler Snow notified law enforcement and is cooperating with its investigation.

As an added precaution, we are also offering twenty-four (24) months of complimentary access to credit monitoring services through Experian. Individuals who wish to receive these services must enroll by following the attached enrollment instructions.

What You Can Do. We encourage you to remain vigilant against identity theft and fraud by reviewing your account statements and monitoring your free credit reports for suspicious activity. You may also review the information contained in the attached *Steps You Can Take to Help Protect Your Personal Information*. There you will also find more information on the complimentary credit monitoring services being made available to you. While Butler Snow will cover the cost of these services, you will need to enroll yourself in the services we are offering, if you would like to do so.

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 1-866-578-5412, toll-free Monday through Friday from 8 am – 10 pm Central, or Saturday and Sunday from 10 am – 7 pm Central (excluding major U.S. holidays). Be prepared to provide your engagement number . You may also write to Butler Snow at 1020 Highland Colony Parkway, Suite 1400, Ridgeland, Mississippi 39157-2139.

Sincerely,

Butler Snow LLP

STEPS YOU CAN TAKE TO HELP PROTECT YOUR PERSONAL INFORMATION

Enroll in Credit and Identity Monitoring

To help protect your identity, we are offering complimentary access to Experian IdentityWorksSM for _____.

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 _____ 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 _____ 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:

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 _____. Be prepared to provide engagement number _____ as proof of eligibility for the Identity Restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR _____ 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 a free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. Consumers may also directly contact the three major credit reporting bureaus listed below to request a free copy of their 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 one-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 consumers are the victim of identity theft, they are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should consumers wish to place a fraud alert, please contact any 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 a consumer’s name without consent. However, consumers should be aware that using a credit freeze to take control over who gets access to the personal and financial information in their credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application they make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, consumers cannot be charged to place or lift a credit freeze on their credit report. To request a credit freeze, individuals may need to provide some or all of 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 they are a victim of identity theft.

Should consumers wish to place a credit freeze or fraud alert, 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	1-800-916-8800
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

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 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. Consumers can obtain further information on how to file such a complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity

theft, consumers will likely need to provide some proof that they have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and the relevant state Attorney General. This notice has not been delayed by law enforcement.

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 <https://www.marylandattorneygeneral.gov/>.

For New Mexico residents, consumers have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in their credit file has been used against them, the right to know what is in their credit file, the right to ask for their 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 consumers' files is limited; consumers must give consent for credit reports to be provided to employers; consumers may limit "prescreened" offers of credit and insurance based on information in their credit report; and consumers may seek damages from violators. Consumers 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 consumers to review their 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, individuals have the right to obtain any police report filed in regard to this event. There are approximately three (3) Rhode Island residents that may be impacted by this event.