



MULLEN  
COUGHLIN<sup>LLC</sup>  
ATTORNEYS AT LAW

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

April 12, 2024

**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](mailto:DOJ-CPB@doj.nh.gov)

**Re: Notice of Data Event**

To Whom It May Concern:

We represent Butler University located at 4600 Sunset Ave., Indianapolis, IN 46208, and are writing to notify your office of an incident that may affect the security of certain personal information relating to seven (7) New Hampshire resident. By providing this notice, Butler University 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 or around November 28, 2023, Butler University's third-party vendor, Athletic Trainer System ("ATS"), notified Butler University that an unknown actor gained access to ATS's computer systems in August 2020. As a result, the unknown actor potentially had access to Butler University data. As part of ATS's notification, ATS provided Butler University with a file containing Butler University data present on ATS's systems at the time of the event. Thereafter, Butler University took considerable effort to review and enrich the data file in order to identify any potential notice obligations owed to individuals. In March of 2024, Butler University completed its review of the data file.

The information that could have been subject to unauthorized access includes

### **Notice to New Hampshire Residents**

On or about April 11, 2024, Butler University provided written notice of this incident to seven (7) New Hampshire residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

### **Other Steps Taken and To Be Taken**

Upon discovering the event, Butler University moved quickly to investigate and respond to the event, determine the extent of unauthorized access, and identify potentially affected individuals. Butler University is also reviewing the business necessity of sharing any sensitive data with third party vendors. In addition, Butler University 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 University 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 University is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, information on protecting against tax fraud, 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 University is providing written notice of this incident to relevant state and federal 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,

Brian F. Fox of  
MULLEN COUGHLIN LLC

BFF/hkl  
Enclosure

# **EXHIBIT A**

Return Mail Processing  
PO Box 999  
Suwanee, GA 30024

8 1 1859 \*\*\*\*\*SNGLP

SAMPLE A. SAMPLE - Adult

APT ABC



123 ANY ST

ANYTOWN, US 12345-6789



April 10, 2024

[Extra1]

Dear Sample A. Sample:

Butler University is writing to inform you that one of the vendors with whom we work and who had access to some of your personal information was compromised. We take this incident very seriously and are providing details of the incident and the resources available to you to help protect your information from possible misuse, should you feel it is appropriate to do so.

**What Happened?** On or around November 28, 2023, our third-party vendor, Athletic Trainer System ("ATS"), notified Butler University that an unknown actor gained access to ATS's computer systems in August 2020. As a result, the unknown actor potentially had access to Butler University data. Law enforcement has been contacted and has been working with ATS.

**What Information Was Involved?** The type of information that was **potentially** accessed include one or more of the following: your name, [Extra2] The information that was or may have been acquired varies by individual. There has been no indication that any Butler University data was actually accessed or misused.

**What We Are Doing.** Butler University takes the confidentiality, privacy, and security of information in our care seriously. Upon ATS notifying Butler of the incident in November 2023, we acted immediately to seek clarity from ATS on the nature and scope of the potentially impacted data in order to timely notify you. Additionally, Butler is reviewing the business necessity of sharing any sensitive data with third party vendors.

Butler University is providing notice to all student athletes who were potentially affected by this incident. As an added precaution, Butler University is providing access to complimentary credit monitoring through Experian for [Extra4] months. For more information in enrolling in these services, please review the *Steps You Can Take to Help Protect Your Personal Information*, which is included below.

**What You Can Do.** While Butler University has no evidence to indicate identity theft or fraud occurred as a result of this incident, Butler University encourages impacted individuals to review *Steps You Can Take to Help Protect Your Personal Information*, which is included below.

**For More Information.** We understand you may have questions about the incident that are not addressed in this letter. If you have additional questions, or need assistance, please contact 1-833-931-4653 Monday through Friday from 9:00 am to 9:00 pm Eastern Time. Be prepared to provide engagement number [Engagement Number]. You may also write to Peter Williams, Associate VP for IT & Chief Information Officer, Butler University, 4600 Sunset Avenue, Indianapolis, IN 46208.

Sincerely,

Peter Williams

Associate Vice President for IT and Chief Information Officer

## 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 IdentityWorks<sup>SM</sup> for [Extra4] 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 [Extra4] 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](http://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 [Extra4]-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:

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 [Customer Care Phone Number]. Be prepared to provide engagement number [Engagement Number] as proof of eligibility for the Identity Restoration services by Experian.

### **ADDITIONAL DETAILS REGARDING YOUR [Extra4]-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](http://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:

<b>Equifax</b>	<b>Experian</b>	<b>TransUnion</b>
<a href="https://www.equifax.com/personal/credit-report-services/">https://www.equifax.com/personal/credit-report-services/</a>	<a href="https://www.experian.com/help/">https://www.experian.com/help/</a>	<a href="https://www.transunion.com/credit-help">https://www.transunion.com/credit-help</a>
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**

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](http://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, D.C. 20001; 202-727-3400; and [oag.dc.gov](http://oag.dc.gov).

*For Maryland residents*, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-576-6300 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](http://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](http://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](http://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. Fees may be required to be paid to the consumer reporting agencies. There are approximately 2 Rhode Island resident that may be impacted by this event.