

BakerHostetler

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FEB 27 2019

CONSUMER PROTECTION

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February 26, 2019

VIA OVERNIGHT MAIL

Gordon MacDonald
Office of the Attorney General
33 Capitol St
Concord, NH 03301

Re: Incident Notification

Dear Sir or Madam:

We are writing on behalf of our client, Capital Asset Management Group, Inc. ("Capital"), to notify you of a security incident.

On February 6, 2019, Capital completed its investigation and analysis of a phishing campaign aimed at Capital. Upon initial discovery of the incident, Capital took immediate action to secure the employee's email account and launched an investigation, with the assistance of a leading forensics firm. The investigation determined that the employee's email account had been accessed by an unauthorized party between February 8, 2018 and September 7, 2018. Further, the investigation could not rule out the possibility that the unauthorized party may have accessed some of Capital's systems, which contain client information. Capital then began the extensive process of searching the employee's inbox and the systems that may have been subject to unauthorized access to identify the contents. Capital determined that the email account and systems that may have been accessed by the unauthorized party may have contained information pertaining to current and former clients and their beneficiaries. The information involved varied per individual, but included names along with dates of birth and Social Security numbers. To date, Capital is not aware of any misuse of the information.

Beginning on February 26, 2019, Capital will mail notification letters via United States Postal Service First-Class mail to four (4) New Hampshire residents in accordance with N.H. Rev. Stat. Ann. § 359-C:20. A copy of the notification letter is enclosed.¹ Capital is offering the New Hampshire residents complimentary one-year memberships in credit monitoring and identity theft protection services from Experian®.

¹ This report is not, and does not constitute, a waiver of Capital's objection that New Hampshire lacks personal jurisdiction over Capital regarding any claims related to the data security incident.

New Hampshire Office of the Attorney General

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To help prevent a similar incident from occurring in the future, Capital has hired a new vendor to enhance its existing security measures. In addition, Capital has implemented multi-factor authentication for email and are now using a new platform to help it monitor suspicious activity on its network. Capital is also providing additional training to its employees regarding phishing emails and other cybersecurity issues.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Gerald J. Ferguson".

Gerald J. Ferguson

Enclosure



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

<<Mail ID>>
<<Name 1>>
<<Name 2>>
<<Address 1>>
<<Address 2>>
<<Address 3>>
<<Address 4>>
<<Address 5>>
<<City>><<State>><<Zip>>
<<Country>>

<<Date>>

Dear <<Name 1>>:

Capital Asset Management Group, Inc. ("Capital") is committed to protecting the confidentiality and security of the personal information we maintain. We are writing to inform you about an incident that involved some of your information, which was provided to Capital in connection with information that you or your loved one completed for financial planning or asset management services. This notice explains the incident, measures that have been taken, and some steps you can take in response.

On February 6, 2019, we completed our investigation and analysis of a phishing campaign aimed at Capital. Upon initial discovery of the incident, Capital took immediate action to secure the employee's email account and launched an investigation, with the assistance of a leading forensics firm. The investigation determined that the employee's email account had been accessed by an unauthorized party between February 8, 2018 and September 7, 2018. Further, the investigation could not rule out the possibility that the unauthorized party may have accessed some of Capital's systems, which contain client information. We then began the extensive process of searching the employee's inbox and our systems that may have been subject to unauthorized access to identify the contents. We determined that the email account and systems that may have been accessed by the unauthorized party may have contained some of your personal information, such as your <<variable data>>

Although, to date, we have no indication that any of your information was misused, we are nonetheless informing you of this incident, and we want to assure you that we take it very seriously. As a precaution, we have arranged for you to receive a complimentary one-year membership of Experian's® IdentityWorks™ Credit 3B. This product helps detect possible misuse of your personal information and provides you with identity protection services focused on identification and resolution of identity theft. IdentityWorks Credit 3B is completely free to you, and enrolling in this program will not hurt your credit score. **For more information on identity theft prevention and IdentityWorks Credit 3B, including instructions on how to activate your complimentary one-year membership, as well as information on additional steps you can take, please see the information provided in the pages that follow this letter.**

We regret any inconvenience caused by this incident. To help prevent a similar incident from occurring in the future, we have hired a new vendor to enhance our existing security measures. In addition, we have implemented multi-factor authentication for email and are now using a new platform to help us monitor suspicious activity on our network. We are also providing additional training to our employees regarding phishing emails and other cybersecurity issues. If you have questions about this matter or the recommended next steps, please call 877-734-5491, Monday through Friday, between 9:00 a.m. to 9:00 p.m., Eastern Time.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Girouard".

John E. Girouard
President and CEO
Capital Asset Management Group, Inc.

To help protect your identity, we are offering a **complimentary** one-year membership of Experian IdentityWorksSM Credit 3B. This product helps detect possible misuse of your personal information and provides you with identity protection support focused on immediate identification and resolution of identity theft.

Activate IdentityWorks Credit 3B Now in Three Easy Steps

1. ENROLL by: <>Enrollment Deadline<> (Your code will not work after this date.)
2. VISIT the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bcredit>
3. PROVIDE the Activation Code: <>Activation Code<>

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at **877-890-9332**. Be prepared to provide engagement number <>ENGAGEMENT NUMBER<> as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS CREDIT 3B MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks Credit 3B.

You can contact Experian **immediately without needing to enroll in the product** regarding any fraud issues. Identity Restoration specialists are available to help you address credit and non-credit related fraud.

Once you enroll in Experian IdentityWorks, you will have access to the following additional features:

- **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, Equifax and Transunion files for indicators of 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.

Activate your membership today at <https://www.experianidworks.com/3bcredit> or call 877-890-9332 to register with the activation code above.

What you can do to protect your information: There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to www.ExperianIDWorks.com/restoration for this information. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at **877-890-9332**.

ADDITIONAL STEPS YOU CAN TAKE

Regardless of whether you choose to take advantage of this complimentary credit monitoring, we recommend that you remain 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 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, 1-800-685-1111
Experian, PO Box 2002, Allen, TX 75013, www.experian.com, 1-888-397-3742
TransUnion, PO Box 2000, Chester, PA 19016, 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:

* Offline members will be eligible to call for additional reports quarterly after enrolling.

** Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. (AIG). The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

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

If you are a resident of Maryland or North Carolina, you may contact and obtain information from your state attorney general at:

Maryland Attorney General's Office, 200 St. Paul Place, Baltimore, MD 21202 www.oag.state.md.us, 1-888-743-0023 (toll free when calling within Maryland) 1-410-576-6300 (for calls originating outside Maryland)

North Carolina Attorney General's Office, 9001 Mail Service Center, Raleigh, NC 27699, www.ncdoj.gov, 1-919-716-6400 or toll free at 1-877-566-7226

Fraud Alerts: There are two types of 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 at least 90 days. 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. You can place a fraud alert on your credit report by contacting any of the three national credit reporting agencies.

Credit Freezes: You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate a freeze. A security freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a security freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a security freeze may delay your ability to obtain credit.

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
TransUnion Security Freeze, PO Box 2000, Chester, PA 19016, www.transunion.com
Equifax Security Freeze, PO Box 105788, Atlanta, GA 30348, www.equifax.com

To request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.)
2. Social Security number
3. Date of birth
4. If you have moved in the past five years, provide the addresses where you have lived over the prior 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, military identification, etc.)
7. If you are a victim of identity theft, include a copy of the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

The credit reporting agencies have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five business days and provide you with a unique personal identification number ("PIN") or password or both that can be used by you to authorize the removal or lifting of the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, or to lift a security freeze for a specified period of time, you must submit a request through a toll-free telephone number, a secure electronic means maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to the credit reporting agencies and include proper identification (name, address, and Social Security number) and the PIN number or password provided to you when you placed the security freeze as well as the identity of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to lift the security freeze for those identified entities or for the specified period of time.

To remove the security freeze, you must submit a request through a toll-free telephone number, a secure electronic means maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to each of the three credit bureaus and include proper identification (name, address, and Social Security number) and the PIN number or password provided to you when you placed the security freeze. The credit bureaus have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to remove the security freeze.

Fair Credit Reporting Act: You also have rights under the federal Fair Credit Reporting Act, which promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. The FTC has published a list of the primary rights created by the FCRA (<https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf>), and that article refers individuals seeking more information to visit www.ftc.gov/credit.

The FTC's list of FCRA rights includes:

- You have the right to receive a copy of your credit report. The copy of your report must contain all the information in your file at the time of your request.
- Each of the nationwide credit reporting companies – Experian, TransUnion and Equifax – is required to provide you with a free copy of your credit report, at your request, once every 12 months.
- You are also entitled to a free report if a company takes adverse action against you, like denying your application for credit, insurance, or employment, and you ask for your report within 60 days of receiving notice of the action. The notice will give you the name, address, and phone number of the credit reporting company. You're also entitled to one free report a year if you're unemployed and plan to look for a job within 60 days; if you're on welfare; or if your report is inaccurate because of fraud, including identity theft.
- 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 may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.