



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

July 27, 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](mailto:DOJ-CPB@doj.nh.gov)

**Re: Notice of Data Event**

To Whom It May Concern:

We represent Capital Formation Group (“Capital”) located at 62 Walnut St., Wellesley, Massachusetts 02481, and write to notify your office of an event that may affect the confidentiality of certain personal information relating to approximately one (1) New Hampshire resident. This notice may be supplemented if significant new facts are learned subsequent to its submission. By providing this notice, Capital 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 February 14, 2023, Capital became aware of unusual activity related to an employee’s email account. Capital immediately launched an investigation, with the assistance of third-party cyber security and digital forensics specialists, to determine the full scope and impact of this activity. It was determined that an unknown actor gained access to an employee’s email account for a limited period of time between February 8, 2023 and February 14, 2023. In an abundance of caution, Capital conducted a comprehensive and time-intensive third-party review of the account to determine whether any personal information was contained within the account and, if so, to whom the information related. Once the third-party review was complete, Capital undertook a manual review of its internal records to identify contact information to provide notifications. Capital concluded this review on or around July 10, 2023.

The personal information present in the impacted email account during the event for the New Hampshire resident includes:

### **Notice to the New Hampshire Resident**

On July 27, 2023, Capital provided written notice of this event to potentially affected individuals, including approximately one (1) New Hampshire resident. 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 becoming aware of the event, Capital moved quickly to investigate and respond, assess the security of its email environment, and identify potentially affected individuals. Capital reported the event to federal law enforcement and applicable regulators. Capital is also working to implement additional safeguards and training to its employees. Further, Capital is providing access to credit monitoring services for through Experian to individuals whose personal information was potentially affected by this event, at no cost to these individuals. Capital is also establishing a dedicated assistance telephone line to address any questions or concerns from notified individuals.

Additionally, Capital is providing potentially affected 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. Capital 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.

Capital is providing written notice of this event to appropriate state regulators and to the three major consumer 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,

Samuel Sica, III of  
MULLEN COUGHLIN LLC

SZS/nsl  
Enclosure

# **EXHIBIT A**



**CAPITAL  
FORMATION  
GROUP, INC.**

Return Mail Processing  
PO Box 589  
Claysburg, PA 16625-0589

July 27, 2023

J7566-L01-0000001 T00001 P001 \*\*\*\*\*SCH 5-DIGIT 12345

SAMPLE A SAMPLE - L01 INDIVIDUAL

APT ABC

123 ANY STREET

ANYTOWN, FC 1A2 B3C

COUNTRY



[Extra4]

Dear Sample A. Sample:

Capital Formation Group (“Capital”) is writing to inform you of a recent event that may involve some of your information. Although at this time there is no indication that your information has been fraudulently misused in relation to this event, we are providing you with information about the event, our response to it, and additional measures you can take to protect your information, should you feel it appropriate to do so.

**What Happened?** On February 14, 2023, we learned of suspicious activity related to an employee’s email account. We promptly launched an investigation to determine the nature and scope of the activity and what information may have been affected. The investigation determined that an unknown actor accessed the email account between February 8, 2023 and February 14, 2023.

We then performed a comprehensive review of the impacted account to determine what information was affected, to whom the information related, and contact information for potentially impacted individuals. On or around July 10, 2023, we confirmed address information for affected individuals to provide notifications.

**What Information Was Involved?** Our investigation determined that at the time of the event, [redacted] were contained in the impacted email account.

**What We Are Doing.** The confidentiality, privacy, and security of information are among our highest priorities, and we have security measures in place to protect information in our systems. Upon learning of the activity, we immediately took steps to further secure our email system and investigate the event. We also reported the event to law enforcement.

While we are unaware of any fraudulent misuse of information because of this event, we are offering complimentary credit monitoring and identity restoration services through Experian for [redacted]. Details of this offer and instructions on how to activate these services are enclosed with this letter.

**What You Can Do.** We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your free credit reports for suspicious activity and to detect errors for the next twelve to twenty-four months. Please also review the enclosed Steps You Can Take to Protect Personal Information, which contains information on what you can do to safeguard against possible misuse of your information should you feel it is appropriate to do so. You may also enroll in the complimentary credit monitoring services.

**For More Information.** If you have additional questions, please contact us at \_\_\_\_\_, Monday through Friday (excluding U.S. holidays), during the hours of 9:00 a.m. to 11:00 p.m., Eastern Time or Saturday and Sunday during the hours of 11:00 a.m. to 8:00 p.m., Eastern Time. Please be prepared to provide your engagement number \_\_\_\_\_. You may also write to Capital at 62 Walnut St., Wellesley, MA. 02481.

Sincerely,

John Williams  
Chief Executive Officer  
Capital Formation Group

## STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

### Enroll in Monitoring Services

To help protect your identity, we are offering complimentary access to Experian IdentityWorks<sup>SM</sup> 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 \_\_\_\_\_

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:

- Ensure that you **enroll by** \_\_\_\_\_ (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll:
- Provide your **activation code**:

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 \_\_\_\_\_ by \_\_\_\_\_. 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<sup>TM</sup>:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance<sup>\*\*</sup>:** 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 <https://www.equifax.com/personal/credit-report-services/> or call, toll-free, 1-888-298-0045. 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 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 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:

<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**

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](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. 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. 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 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; 1-410-528-8662 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](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. There are approximately 0 Rhode Island residents that may be impacted by this event.



