



510 Madison Ave  
9<sup>th</sup> Floor  
New York, NY 10022  
Tel: 646-874-5400

February 13, 2024

**Via E-Mail**

Attorney General John Formella  
Office of the Attorney General  
Consumer Protection Bureau  
33 Capitol Street  
Concord, NH 03301  
[DOJ-CPB@doj.nh.gov](mailto:DOJ-CPB@doj.nh.gov)

**Re: Capula Investment Management LLP – Notice of Data Event**

Dear Sir or Madam:

We represent Capula Investment US LP (“CIUS”) and are writing to notify your Office of a recent event that may affect the security of certain personal information relating to one (1) New Hampshire resident.

Please note this notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, CIUS does not waive any rights or defenses, including regarding the applicability of New Hampshire law, the applicability of the New Hampshire data breach notification statute, or personal jurisdiction.

On May 31, 2023, a payroll service provider, Paycor, Inc. (“Paycor”), used by CIUS became aware that the MOVEit Transfer software of Paycor’s software service provider, Progress Software, experienced a “zero-day” cyber vulnerability between May 29 and May 30, 2023. MOVEit Transfer is a secure file transfer protocol that is used by governments and organizations worldwide to send and receive certain data securely. Paycor discovered that an unauthorized third party exploited the cyber vulnerability on the MOVEit Transfer software platform to obtain certain files, including personal information, transferred through the platform.

We understand that Paycor immediately took steps to address the issue, including conducting a forensic analysis with the assistance of outside experts. According to Paycor, the analysis showed

the incident's scope was limited to the third-party MOVEit Transfer platform and did not impact Paycor's own software.

On November 30, 2023, Paycor notified CIUS of this data breach and the findings of its forensic analysis, specifically noting that certain personal information of CIUS personnel was compromised, including their

CIUS maintains a robust information and cyber security program and takes very seriously its responsibility to protect all data entrusted to us. This breach was limited to the third-party software provider of our payroll provider, Paycor, and did not impact the systems or software of CIUS or its affiliates.

CIUS takes very seriously its responsibility to protect data entrusted to us, and promptly notified affected individuals – a copy of the notification is enclosed. As part of our ongoing commitment to the privacy of personal information in our care, we reviewed our existing procedures, and are continuously working to implement additional safeguards to further secure our information systems.

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

Sincerely,

David Simon



510 Madison Ave  
9<sup>th</sup> Floor  
New York, NY 10022

<<First Name>> <<Last Name>>  
<<Address 1>>  
<<Address 2>>  
<<City>><<State>><<Zip>>

<<Date>>

**Re: Notice of Security Incident | Notice of Data Breach**

Dear <<Name>>:

Capula Investment US LP (“CIUS”), is writing to advise you of a recent event that may impact the security of certain personal information related to you. We write to provide you with information about the incident, steps taken since discovering the incident, and the steps you can take to better protect your information should you feel it appropriate to do so.

On May 31, 2023, a payroll service provider, Paycor, Inc (“Paycor”), used by CIUS became aware that the MOVEit Transfer software of Paycor’s software service provider, Progress Software, experienced a “zero-day” cyber vulnerability between May 29 and May 30, 2023. MOVEit Transfer is a secure file transfer protocol that is used by governments and organizations worldwide to send and receive certain data securely. Paycor discovered that an unauthorized third party exploited the cyber vulnerability on the MOVEit Transfer software platform to obtain certain files, including personal information, transferred through the platform.

We understand that Paycor immediately took steps to address the issue, including conducting a forensic analysis with the assistance of outside experts. According to Paycor, the analysis showed the incident’s scope was limited to the third-party MOVEit Transfer platform and did not impact Paycor’s own software.

On November 30, 2023, Paycor notified CIUS of this data breach and the findings of its forensic analysis, specifically noting that certain personal information of our CIUS personnel was compromised.

CIUS maintains a robust information and cyber security program and takes very seriously its responsibility to protect all data entrusted to us. This breach was limited to the third-party software provider of our payroll provider, Paycor, and did not impact the systems or software of CIUS or its affiliates. We are nevertheless notifying you out of an abundance of caution, because the investigation determined that certain information relating to you, including your \_\_\_\_\_, was acquired by the unauthorized third-party.

We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your financial account statements and credit reports for any anomalies. We also encourage you to review the enclosed *Steps You Can Take to Protect Your Information* for additional guidance. You can also enroll to receive the complimentary services being offered to you by CIUS.

We sincerely regrets any inconvenience or concern this incident may have caused you.

Sincerely,

Matt Barnett, Director of Capula Management US LLC, the general partner, acting on behalf of Capula Investment US LP  
Capula Investment US LP

## Steps You Can Take to Help Protect Your Personal Information

### Enroll in Complimentary Credit Monitoring



<<Name>>  
Enter your Activation Code: <<ACTIVATION CODE>>  
Enrollment Deadline: <<ENROLLMENT DEADLINE>>

### Equifax Credit Watch™ Gold

\*Note: You must be over age 18 with a credit file to take advantage of the product

### Key Features

- Credit monitoring with email notifications of key changes to your Equifax credit report
- Daily access to your Equifax credit report
- WebScan notifications<sup>1</sup> when your personal information, such as Social Security Number, credit/debit card or bank account numbers are found on fraudulent Internet trading sites
- Automatic fraud alerts<sup>2</sup>, which encourages potential lenders to take extra steps to verify your identity before extending credit, plus blocked inquiry alerts and Equifax credit report lock<sup>3</sup>
- Identity Restoration to help restore your identity should you become a victim of identity theft, and a dedicated Identity Restoration Specialist to work on your behalf
- Up to \$1,000,000 of identity theft insurance coverage for certain out of pocket expenses resulting from identity theft<sup>4</sup>

### Enrollment Instructions

Go to [www.equifax.com/activate](http://www.equifax.com/activate)

Enter your unique Activation Code of <<ACTIVATION CODE>> then click “Submit” and follow these 4 steps:

1. **Register:**

- Complete the form with your contact information and click “Continue”.
- *If you already have a myEquifax account, click the ‘Sign in here’ link under the “Let’s get started” header.*
- *Once you have successfully signed in, you will skip to the Checkout Page in Step 4*

2. **Create Account:**

- Enter your email address, create a password, and accept the terms of use.

3. **Verify Identity:**

- To enroll in your product, we will ask you to complete our identity verification process.

4. **Checkout:**

- Upon successful verification of your identity, you will see the Checkout Page.
- Click ‘Sign Me Up’ to finish enrolling.

**You’re done!**

- The confirmation page shows your completed enrollment.
- Click “View My Product” to access the product features.

<sup>1</sup>WebScan searches for your Social Security Number, up to 5 passport numbers, up to 6 bank account numbers, up to 6 credit/debit card numbers, up to 6 email addresses, and up to 10 medical ID numbers. WebScan searches thousands of Internet sites where consumers' personal information is suspected of being bought and sold, and regularly adds new sites to the list of those it searches. However, the Internet addresses of these suspected Internet trading sites are not published and frequently change, so there is no guarantee that we are able to locate and search every possible Internet site where consumers' personal information is at risk of being traded. <sup>2</sup>The Automatic Fraud Alert feature is made available to consumers by Equifax Information Services LLC and fulfilled on its behalf by Equifax Consumer Services LLC. <sup>3</sup>Locking your Equifax credit report will prevent access to it by certain third parties. Locking your Equifax credit report will not prevent access to your credit report at any other credit reporting agency. Entities that may still have access to your Equifax credit report include: companies like Equifax Global Consumer Solutions, which provide you with access to your credit report or credit score, or monitor your credit report as part of a subscription or similar service; companies that provide you with a copy of your credit report or credit score, upon your request; federal, state and local government agencies and courts in certain circumstances; companies using the information in connection with the underwriting of insurance, or for employment, tenant or background screening purposes; companies that have a current account or relationship with you, and collection agencies acting on behalf of those whom you owe; companies that authenticate a consumer's identity for purposes other than granting credit, or for investigating or preventing actual or potential fraud; and companies that wish to make pre-approved offers of credit or insurance to you. To opt out of such pre-approved offers, visit [www.optoutprescreen.com](http://www.optoutprescreen.com) <sup>4</sup>The Identity Theft Insurance benefit is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company, under group or blanket policies issued to Equifax, Inc., or its respective affiliates for the benefit of its Members. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions. \

## Monitor Your Accounts

We encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and to monitor your credit reports for suspicious activity. Under U.S., law you are entitled to one free credit report annually from each of the three major credit reporting bureaus. 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 contact the three major credit bureaus directly to request a free copy of your credit report.

### Place a Security Freeze

You have the 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. The security 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 security 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 security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

#### **Experian**

P.O. Box 9554  
Allen, TX 75013  
1-888-397-3742

[www.experian.com/freeze/center.html](http://www.experian.com/freeze/center.html)

#### **TransUnion**

P.O. Box 160  
Woodlyn, PA 19094  
1-888-909-8872

[www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

#### **Equifax**

P.O. Box 105788  
Atlanta, GA 30348-5788  
1-800-685-1111

[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

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 (5) 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 either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

### Place a Fraud Alert

As an alternative to a security freeze, you have the right to place an initial or extended “fraud alert” on your 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 agencies listed below:

#### **Experian**

P.O. Box 9554  
Allen, TX 75013  
1-888-397-3742

[www.experian.com/fraud/center.html](http://www.experian.com/fraud/center.html)

#### **TransUnion**

P.O. Box 2000  
Chester, PA 19016  
1-800-680-7289

[www.transunion.com/fraud-victim-resource/place-fraud-alert](http://www.transunion.com/fraud-victim-resource/place-fraud-alert)

#### **Equifax**

P.O. Box 105069  
Atlanta, GA 30348  
1-888-766-0008

[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

## Additional Information

You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself, by contacting the consumer reporting agencies, the Federal Trade Commission, or your state Attorney General.

The Federal Trade Commission can 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); 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.

**Massachusetts Residents:** Under Massachusetts law, you have the right to obtain any police report filed in regard to this incident. **New York Residents:** the Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; <https://ag.ny.gov/>.