

March 7, 2022

CONSUMER PROTECTION

Anjali C. Das
312.821.6164 (direct)
Anjali.Das@wilsonelser.com

Via Certified Mail; Return Receipt Requested:

Attorney General John Formella
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Re: Cybersecurity Incident Involving Central Indiana Orthopedics

Dear Attorney General Formella:

Wilson Elser Moskowitz Edelman and Dicker LLP (“Wilson Elser”) represents Central Indiana Orthopedics (“CIO”), an orthopedic care provider located in Indiana, with respect to a recent cybersecurity incident that was first discovered by CIO on October 16, 2021 (hereinafter, the “Incident”). CIO takes the security and privacy of the information in its control very seriously, and has taken steps to prevent a similar incident from occurring in the future.

This letter will serve to inform you of the nature of the Incident, what information may have been compromised, the number of residents being notified, and the steps that CIO has taken in response to the Incident. We have also enclosed hereto a sample of the notification made to the potentially impacted individuals, which includes an offer of free credit monitoring services.

1. Nature of the Incident

On October 16, 2021 CIO discovered the Incident when their network environment experienced a ransomware attack. CIO promptly engaged a specialized cybersecurity firm to conduct a forensic investigation to determine the nature and scope of the incident. In the interim, CIO restored their systems from a viable backup to resume their normal business operations. Once the forensic investigation concluded on December 10, 2021, CIO determined the threat actor gained unauthorized access to one server containing personal information. CIO immediately began a thorough review of the potentially accessed files to identify the patients and/or employees whose sensitive information was present at the time of the incident. This step was necessary so that CIO could send a notice of the incident to ensure the potentially impacted clients are aware of this Incident.

Although CIO has not received any reports of related identity theft since the date of the incident (October 16, 2021 to present), individuals’ full name, address, Social Security number, and/or medical information were compromised as a result of this unauthorized activity.

2. Number of New Hampshire residents affected.

55 West Monroe Street, Suite 3800 • Chicago, IL 60603 • p 312.704.0550 • f 312.704.1522

Alabama • Albany • Allanta • Austin • Baltimore • Beaumont • Boston • Chicago • Dallas • Denver • Edwardsville • Garden City • Hartford • Houston
Indiana • Kentucky • Las Vegas • London • Los Angeles • Miami • Michigan • Milwaukee • Mississippi • Missouri • Nashville • New Jersey • New Orleans
New York • Orlando • Philadelphia • Phoenix • San Diego • San Francisco • Sarasota • Stamford • Virginia • Washington, DC • Wellington • White Plains

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A total of six (6) New Hampshire residents may have been potentially affected by this incident. A notification letter to these individuals were mailed on March 7, 2022, by first class mail. A sample copy of the notification letter is included with this letter under **Exhibit A**.

3. Steps taken in response to the Incident.

CIO is committed to ensuring the security and privacy of all personal information in its control, and is taking steps to prevent a similar incident from occurring in the future. Upon discovery of the Incident, CIO moved quickly to investigate and respond to the Incident, assessed the security of its systems, and notified the potentially affected individuals. Specifically, CIO engaged a specialized cybersecurity firm to conduct a forensic investigation to determine the nature and scope of the Incident. CIO also informed our law firm and began identifying the potentially affected individuals in preparation for notice. Further, in order to prevent this Incident from occurring again in the future, CIO took mitigating steps including, but not limited to, issuing a company-wide password reset, enhancing their firewall protections, implementing new procedures for data retention to limit accessible historical data, upgrading intrusion prevention systems through FortiNet Cloud services, improving vulnerability testing and patching through same, implementing a KnowBe4 program for employee training, replacing existing mail filtering system with FortiMail Sandbox subscription. We are also engaged in selecting a third party provider of encryption and network monitoring services.

Although CIO has not received any reports of related identity theft, CIO offered twelve (12) months of complimentary credit monitoring, identity theft restoration, and dark web monitoring services through IDX to all individuals to help protect their identity. Additionally, CIO provided guidance on how to better protect against identity theft and fraud, including providing 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 the contact details for the Federal Trade Commission.

4. Contact information

CIO remains dedicated to protecting the sensitive information in its control. If you have any questions or need additional information, please do not hesitate to contact me at Anjali.Das@WilsonElser.com or 312-821-6164.

Very truly yours,

Wilson Elser Moskowitz Edelman & Dicker LLP

A handwritten signature in black ink, appearing to read "Anjali C. Das".

Anjali C. Das

EXHIBIT A



ciocenter.com
800-622-6575

P.O. Box 989728
West Sacramento, CA 95798-9728

To Enroll, Please Call:
1-833-676-2183
Or Visit:
<https://app.idx.us/account-creation/protect>
Enrollment Code: <<ENROLLMENT>>

<<FIRST NAME>> <<LAST NAME>>
<<ADDRESS1>>
<<ADDRESS2>>
<<CITY>>, <<STATE>> <<ZIP>>

Via First-Class Mail

March 7, 2022

Re: Notice of Data Breach

Dear <<FIRST NAME>> <<LAST NAME>>,

Central Indiana Orthopedics (“CIO”) is writing to inform you of a recent data security incident that may have resulted in an unauthorized access to your sensitive personal information. While we have not received any reports of related identity theft since the date of the incident, we are providing you with details about the incident, steps we are taking in response, and resources available to help you protect against the potential misuse of your information.

What Happened?

On October 16, 2021, CIO detected unusual activity on our network. Upon discovery of this incident, CIO immediately engaged a specialized third-party cybersecurity firm to assist with securing the environment, as well as, to conduct a comprehensive forensic investigation to determine the nature and scope of the incident. The forensic investigation found evidence that some CIO files were accessed by an unauthorized actor. CIO reviewed the subject files and determined that information related to you may have been affected by this incident.

What Information Was Involved?

Although CIO has not received any reports of related identity theft since the date of the incident, we are notifying you out of an abundance of caution and for purposes of full transparency. Based on the investigation, the following information related to you may have been subject to unauthorized access: name; address; Social Security number, and limited health information.

What We Are Doing

Data privacy and security is among CIO’s highest priorities, and we are committed to doing everything we can to protect the privacy and security of the personal information in our care. Since the discovery of the incident, CIO moved quickly to investigate, respond, and confirm the security of our systems. Specifically, CIO engaged a specialized third-party cybersecurity firm, changed administrative credentials, restored operations in a safe and secure mode, enhanced the security measures, and took steps and will continue to take steps to mitigate the risk of future harm.

In light of the incident, we are also offering identity theft protection services through IDX, the data breach and recovery services expert. IDX identity protection services include: <<12 months/24 months>> of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed id theft recovery services. With this protection, IDX will help you resolve issues if your identity is compromised.

What You Can Do

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 or unauthorized activity. Additionally, security experts suggest that you contact your financial institution and all major credit bureaus to inform them of such a breach and then take whatever steps are recommended to protect your interests, including the possible placement of a fraud alert on your credit file. Please review the enclosed *Steps You Can Take to Help Protect Your Information*, to learn more about how to protect against the possibility of information misuse.

You may also activate the credit monitoring services we are making available to you.

We encourage you to contact IDX with any questions and to enroll in the free identity protection services by calling 1-833-676-2183 or going to <https://app.idx.us/account-creation/protect> and using the Enrollment Code provided above. IDX representatives are available Monday through Friday from 9 am - 9 pm Eastern Time. Please note the deadline to enroll is June 7, 2022.

Again, at this time, we have not received any reports of related identity theft since the date of the incident. However, we encourage you to take full advantage of this service offering. IDX representatives have been fully versed on the incident and can answer questions or concerns you may have regarding protection of your personal information.

Other Important Information

We recognize that you may have questions not addressed in this letter. If you have additional questions, please call 1-833-676-2183 or go to <https://app.idx.us/account-creation/protect>.

CIO sincerely regrets any inconvenience or concern that this matter may cause, and remains dedicated to ensuring the privacy and security of all information in our control.

Sincerely,

Victor Moran

Victor Moran
Chief Executive Officer
Central Indiana Orthopedics

Steps You Can Take to Help Protect Your Information

Credit Reports: You may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report from each of the three nationwide credit reporting agencies. To order your free credit report, please visit www.annualcreditreport.com, or call toll-free at 1-877-322-8228. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available at <https://www.consumer.ftc.gov/articles/0155-free-credit-reports>) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

Fraud Alerts: You can place fraud alerts with the three credit bureaus by phone or online. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. As of September 21, 2018, initial fraud alerts last for one year. Victims of identity theft can also get an extended fraud alert for seven years.

Experian

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

www.experian.com/fraud/center.html

TransUnion

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

www.transunion.com/fraud-alerts

Equifax

P.O. Box 105069
Atlanta, GA 30348
1-800-525-6285

<https://www.equifax.com/personal/credit-report-services/credit-fraud-alerts/>

Monitoring: You should always remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and by monitoring your credit report for suspicious or unusual activity.

Security Freeze: You have the right to place a security freeze on your credit report. A security freeze is intended to prevent credit, loans, and services from being approved in your name without your consent. To place a security freeze on your credit report, you need to make a request to each consumer reporting agency. You may make that request by certified mail, overnight mail, regular stamped mail, or by following the instructions found at the websites listed below. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse or a minor under the age of 16, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, display your name and current mailing address, and the date of issue. As of September 21, 2018, it is free to place, lift, or remove a security freeze. You may also place a security freeze for children under the age of 16. You may obtain a free security freeze by contacting any one or more of the following national consumer reporting agencies:

Experian

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

www.experian.com/freeze/center.html

TransUnion

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

www.transunion.com/credit-freeze

Equifax

P.O. Box 105788
Atlanta, GA 30348-5788
1-888-298-0045

<https://www.equifax.com/personal/credit-report-services/credit-freeze/>

File Police Report: You have the right to file or obtain a police report if you experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide proof that you have been a victim. A police report is often required to dispute fraudulent items. You can generally report suspected incidents of identity theft to local law enforcement or to the Attorney General.

FTC and Attorneys General: 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, 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. Instances of known or suspected identity theft should also be reported to law enforcement.

For residents of Iowa: State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

For residents of Massachusetts: It is required by state law that you are informed of your right to obtain a police report filed in regard to this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it.

For residents of New Mexico: State law advises you to review personal account statements and credit reports, as applicable, to detect errors resulting from the security breach. You have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the 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 credit reports to be provided to employers; you may limit “prescreened” offers of credit and insurance you get based on information in your credit report; and you may seek damages from violators. You 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 you to review your rights pursuant to the Fair Credit Reporting Act at 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 residents of Oregon: State law advises you to report any suspected identity theft to law enforcement, including the Attorney General, and the Federal Trade Commission.

For residents of Rhode Island: It is required by state law that you are informed of your right to file or obtain a police report in regard to this incident.

For residents of Arizona, Colorado, District of Columbia, Illinois, Maryland, New York, North Carolina, and Rhode Island: You can obtain information from the Offices of the Attorney General and the Federal Trade Commission about fraud alerts, security freezes, and steps you can take toward preventing identity theft.

Federal Trade Commission - Consumer Response Center: 600 Pennsylvania Ave, NW, Washington, DC 20580; 1-877-IDTHEFT (438-4338); www.identitytheft.gov

Arizona Office of the Attorney General Consumer Protection & Advocacy Section, 2005 North Central Avenue, Phoenix, AZ 85004 1-602-542-5025

Colorado Office of the Attorney General Consumer Protection 1300 Broadway, 9th Floor, Denver, CO 80203 1-720-508-6000 www.coag.gov

District of Columbia Office of the Attorney General – Office of Consumer Protection: 400 6th Street, NW, Washington, DC 20001; 202-727-3400; www.oag.dc.gov

Illinois office of the Attorney General - 100 West Randolph Street, Chicago, IL 60601; 1-866-999-5630; www.illinoisattorneygeneral.gov

Maryland Office of the Attorney General - Consumer Protection Division: 200 St. Paul Place, 16th floor, Baltimore, MD 21202; 1-888-743-0023; www.oag.state.md.us

New York Office of Attorney General - Consumer Frauds & Protection: The Capitol, Albany, NY 12224; 1-800-771-7755; <https://ag.ny.gov/consumer-frauds/identity-theft>

North Carolina Office of the Attorney General - Consumer Protection Division: 9001 Mail Service Center, Raleigh, NC 27699; 1-877-566-7226; www.ncdoj.com

Rhode Island Office of the Attorney General - Consumer Protection: 150 South Main St., Providence RI 02903; 1-401-274-4400; www.riag.ri.gov
