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DEPT OF JUSTICE

2018 APR 27 AM 10: 02

**BakerHostetler**

**Baker & Hostetler LLP**

11601 Wilshire Boulevard  
Suite 1400  
Los Angeles, CA 90025-0509

T 310.820.8800  
F 310.820.8859  
www.bakerlaw.com

M. Scott Koller  
direct dial: 310.979.8427  
mskoller@bakerlaw.com

April 26, 2018

**VIA OVERNIGHT MAIL**

Joseph Foster  
Office of the Attorney General  
33 Capitol St  
Concord, NH 03301

*Re: Incident Notification*

Dear Attorney General Foster:

We are writing on behalf of Cetera Advisors LLC (“Cetera Advisors”) to notify you of a security incident involving forty eight (48) New Hampshire residents.

On February 9, 2018, Cetera Advisors learned that an unauthorized individual gained access to an employee’s email account which contained messages with personal information of New Hampshire residents. A thorough investigation was conducted by a forensic security firm to determine what happened and what information may have been affected. Based on this investigation, it was determined that some personal information was accessed, including possibly names, addresses, dates of birth, Social Security numbers, driver’s license numbers, and account numbers. Cetera Advisors worked diligently to determine the appropriate contact information for the affected individuals and drafted various types of notification letters based on the affected individuals’ relationships to Cetera Advisors.

On April 25, 2018, Cetera Advisors began mailing written notifications to potentially affected individuals, including forty eight (48) New Hampshire residents who are being notified of the incident in writing in accordance with N.H. Rev. Stat. Ann. § 359-C:20 in substantially the same form as the enclosed letter.<sup>1</sup> Cetera Advisors is offering eligible potentially affected individuals a complimentary one-year membership in credit monitoring and identity theft protection services from Experian. Cetera Advisors has also provided a telephone number for potentially affected individuals to call with any questions they may have.

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<sup>1</sup> This report is not, and does not constitute, a waiver of Cetera Advisor’s objection that New Hampshire lacks personal jurisdiction over this matter.

Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Denver  
Houston Los Angeles New York Orlando Philadelphia Seattle Washington, DC

Joseph Foster  
April 26, 2018  
Page 2

To help prevent something like this from happening in the future, Cetera Advisors is taking steps to enhance their existing security protocols and is re-educating their staff for awareness on these types of incidents.

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

Sincerely,

*M. Scott Koller*

M. Scott Koller  
Counsel

Enclosure



Cetera®

ADVISORS

Return Mail Processing Center  
PO 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>>

<<California required header>>

Dear <<Name 1>>:

Cetera Advisors LLC (“Cetera”) is committed to safeguarding confidential information. That is why we are writing to notify you about a recent event involving your information, the precautionary measures we are taking on your behalf, and steps we recommend you take based on this event.

**What Happened?**

On or about February 9, 2018, Cetera learned that an unauthorized individual gained access to some of your personal information. Upon notice, we took immediate steps to secure the information. A thorough investigation was conducted by a forensic investigation firm to determine what happened, who was impacted and what information may have been affected. We wanted to let you know this occurred and to assure you we take it very seriously. We have also notified your financial advisor.

**What Information Was Involved?**

As part of the investigation, it was determined that some personal information was accessed, including possibly your name, address, date of birth, Social Security number, driver’s license number, and/or your account number. Although we have no evidence to suggest that your personal information has been misused, as a precaution we are notifying you about this incident.

**What We Are Doing**

We wanted to let you know this had happened and assure you we take it very seriously. As a precaution, we are offering a complimentary one-year membership of Experian’s® IdentityWorks. 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. IdentityWorks is completely free and enrolling in this program will not impact your credit score. Unfortunately, due to privacy laws, we are not able to enroll you directly.

**What You Can Do**

We encourage you to take advantage of the identity theft protection services being offered. For more information on IdentityWorks and instructions on how to activate your complimentary one-year membership, please see the next section of this letter. Identity Restoration assistance is immediately available to you.

We encourage you to remain vigilant for incidents of fraud and identity theft. Carefully review your account statements and immediately notify us of any suspicious activity. Obtain your credit reports periodically, and review them for any accounts you did not open or inquiries that you do not recognize. Verify the accuracy of all information on the reports. If you have questions or notice errors, call the consumer reporting agency at the telephone number listed on the report.

**For More Information**

We deeply regret any inconvenience or concern this may have caused. To help prevent a similar incident in the future, we are taking steps to enhance our existing security protocols and are re-educating our staff for awareness on these types of incidents. If you have any questions, please call your financial advisor or Cetera Advisors at <<phone number to call>> Monday through Friday from <<hours to call>>.

Sincerely,



Kathy VanNoy-Pineda  
Chief Compliance Officer

To help protect your identity, we are offering a complimentary one-year membership of Experian IdentityWorks<sup>SM</sup>. 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.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at the customer care phone number provided below. 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 (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 this offer is available to you for one-year 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). You will also find self-help tips and information about identity protection at this site.

While Identity Restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks<sup>SM</sup> as a complimentary one-year 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:

### Activate IdentityWorks Credit 3B Now in Three Easy Steps

1. ENROLL by: <<date>> (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**: <<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<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.

**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](http://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.

\* 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.

## **MORE INFORMATION ON WAYS TO PROTECT YOURSELF**

Even if you choose not to take advantage of this free 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](http://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](http://www.equifax.com), 1-800-685-1111

*Experian*, PO Box 2002, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742

*TransUnion*, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://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:

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

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

*Connecticut Attorney General's Office*, 55 Elm Street, Hartford, CT 06106, 1-860-808-5318, [www.ct.gov/ag](http://www.ct.gov/ag)

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

*Rhode Island Attorney General's Office*, 150 South Main Street, Providence, RI 02903, [www.riag.ri.gov](http://www.riag.ri.gov), 1-401-274-4400

*North Carolina Attorney General's Office*, 9001 Mail Service Center, Raleigh, NC 27699, [www.ncdoj.gov](http://www.ncdoj.gov), 1-877-566-7226

### **<Rhode Island Language>**

**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 may have the right to put a credit freeze, also known as a security freeze, on your credit file, 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 credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit 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 credit freeze may delay your ability to obtain credit. In addition, you may incur fees to place, lift and/or remove a credit freeze. Credit freeze laws vary from state to state. The cost of placing, temporarily lifting, and removing a credit freeze also varies by state, generally \$5 to \$20 per action at each credit reporting company. Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies as specified below to find out more information.

To place a security freeze on your credit report, you must send a written request to each of the three major reporting agencies by regular, certified, or overnight mail at the addresses below:

**Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)  
**Experian Security Freeze**, PO Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com)  
**TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com)

In order 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 the police report, investigative report, or complaint to a law enforcement agency concerning identity theft

The credit reporting agencies have three (3) business days after receiving your request to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five (5) 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, you must call or send a written request to the credit reporting agencies by mail 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 three (3) business days after receiving your request to lift the security freeze for those identified entities or for the specified period of time.

To remove the security freeze, you must send a written request to each of the three credit bureaus by mail 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 three (3) business days after receiving your request 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](http://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 – Equifax, Experian, and TransUnion – 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. And 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.