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CONSUMER PROTECTION

MULLEN COUGHLIN LLC
ATTORNEYS AT LAW

426 W. Lancaster Avenue, Suite 200
Devon, PA 19333

March 15, 2023

VIA U.S. MAIL

Consumer Protection Bureau
Office of the New Hampshire Attorney General
33 Capitol Street
Concord, NH 03301

Re: Notice of Data Event

To Whom It May Concern:

We represent Cheekwood Botanical Garden & Museum of Art ("Cheekwood") located at 1200 Forrest Park Drive, Nashville, Tennessee 37205, and are writing to notify your office of an incident that may affect the security of certain personal information relating to one (1) New Hampshire resident. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Cheekwood 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 December 1, 2022, Cheekwood became aware that certain files on its systems were inaccessible and several servers were down. Cheekwood immediately took steps to secure its systems and launched an investigation to determine the full nature and scope of the event. Cheekwood also promptly notified federal law enforcement. The investigation determined that an unknown actor gained access to certain Cheekwood systems between November 30, 2022, and December 1, 2022, and during that time may have accessed or acquired certain files from Cheekwood's systems.

Cheekwood then undertook a detailed and time-intensive review of the involved files to determine what information was contained therein and to whom it related. On or around February 16, 2023, Cheekwood completed this review. Once complete, Cheekwood worked diligently to confirm the information at issue and locate contact information for the affected individuals in order to provide an accurate notification.

The information that was determined to have been subject to unauthorized access includes

Notice to New Hampshire Resident

On or about March 15, 2023, Cheekwood provided written notice of this incident to 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 discovering the event, Cheekwood moved quickly to investigate and respond to the incident, assess the security of its systems, and identify potentially affected individuals. Further, Cheekwood notified federal law enforcement regarding the event. Cheekwood is also working to implement additional safeguards and training to its employees. Cheekwood is providing access to credit monitoring services for two (2) years, through IDX, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Cheekwood is providing impacted individuals with guidance on how to better protect against identity theft and fraud. Cheekwood is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, information on protecting against tax fraud, 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.

Cheekwood is providing written notice of this incident to relevant state regulators, as necessary.

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,

Rebecca J. Jones of
MULLEN COUGHLIN LLC

RJJ:bld
Enclosure

EXHIBIT A

Cheekwood Estate & Gardens
10300 SW Greenburg Rd. Suite 570
Portland, OR 97223

Cheekwood
ESTATE & GARDENS

To Enroll, Please Call:
1-800-939-4170
Or Visit:
https://app.idx.us/account-creation/protect
Enrollment Code: [redacted]

[redacted]

March 15, 2023

NOTICE OF SECURITY EVENT

Dear [redacted],

Cheekwood Botanical Garden & Museum of Art d/b/a Cheekwood Estate & Gardens ("Cheekwood") is writing to inform you of a data privacy incident that has impacted some of your information. Although we have no indication of actual fraud or misuse of your information as a result of the incident, we are providing you with information about the incident, our response to it, and resources available to you to help protect your information, should you feel it appropriate to do so.

What Happened? On February 16, 2023, Cheekwood completed an investigation into a recent data privacy incident and learned that some of your information may have been accessed or acquired without authorization in connection with the incident. Cheekwood first became aware of suspicious activity on certain computer systems in our environment on December 1, 2022, and immediately took steps to secure our systems and launched an investigation, with the assistance of third-party forensic specialists, to determine the full nature and scope of the activity. The investigation determined that an unknown actor gained access to certain computer systems on our network between November 30, 2022, and December 1, 2022, and may have accessed or acquired certain files from these systems during that time.

We then undertook a detailed review of the involved files to determine what information was contained therein and to whom it related. This review was complete on February 16, 2023. Once complete, we worked to confirm the information at issue and locate mailing addresses for the affected individuals, including you.

What Information Was Involved? The information contained in the affected files includes your [redacted]. To date, we are unaware of any actual misuse of this information as a result of the event.

What We Are Doing. The privacy and security of information in our possession is one of our highest priorities. We conducted a thorough investigation to determine the scope of the incident and worked quickly to secure our systems. We also notified federal law enforcement. Additionally, we have further enhanced our network security by implementing additional network monitoring.

While we have no indication of your information being misused in connection with this incident, as an extra precaution, we are offering you access to 24 months of complimentary credit monitoring and identity restoration services through IDX.

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. You may also review the information contained in the enclosed *Steps You Can Take to Help Protect Your Information*. There you will also find more information on the credit monitoring and identity restoration services we are making available to you.

While Cheekwood will cover the cost of these services, you will need to complete the activation process. Enrollment instructions are enclosed with this letter. Please note the deadline to enroll is June 15, 2023.

For More Information. If you have additional questions, please call our dedicated assistance line toll-free at 1-800-939-4170, Monday through Friday, 9am to 9pm Eastern Time (except U.S. holidays). You may also write to Cheekwood IT Department at 1200 Forrest Park Drive Nashville, TN 37205.

We apologize for any inconvenience to you, and remain dedicated to protecting the information in our care.

Sincerely,

Jane MacLeod
President/CEO
Cheekwood Botanical Garden & Museum of Art

STEPS YOU CAN TAKE TO HELP PROTECT YOUR INFORMATION

Enroll in Credit and Identity Monitoring

1. Website and Enrollment. Go to https://app.idx.us/account-creation/protect and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.

2. Activate the credit monitoring provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.

3. Telephone. Contact IDX at 1-800-939-4170 to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.

4. Review your credit reports. We recommend that you remain vigilant by reviewing account statements and monitoring credit reports. Under federal law, you also are entitled every 12 months to one free copy of your credit report from each of the three major credit reporting companies. To obtain a free annual credit report, go to www.annualcreditreport.com or call 1-877-322-8228. You may wish to stagger your requests so that you receive a free report by one of the three credit bureaus every four months.

If you discover any suspicious items and have enrolled in IDX identity protection, notify them immediately by calling or by logging into the IDX website and filing a request for help.

If you file a request for help or report suspicious activity, you will be contacted by a member of our ID Care team who will help you determine the cause of the suspicious items. In the unlikely event that you fall victim to identity theft as a consequence of this incident, you will be assigned an ID Care Specialist who will work on your behalf to identify, stop and reverse the damage quickly.

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 your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your 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 one-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 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 your name without your consent. However, you should be aware that using a credit 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 credit freeze on your credit report. To request a security freeze, you may need to provide the following information, depending on whether the request is made online, by phone, or by mail:

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 you are a victim of identity theft.

Should you wish to place a credit freeze, please contact the three major credit reporting bureaus listed below:

Equifax	**Experian**	**TransUnion**
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
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

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state attorney general. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission 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.

For District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, DC 20001; 202-727-3400; and 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 www.oag.state.md.us.

For New Mexico residents, 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 bureaus 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 violator. 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 by visiting 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.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; www.riag.ri.gov; and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this event. There are approximately 2 Rhode Island residents impacted by this event.