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MAY 06 2022

CONSUMER PROTECTION

May 4th, 2022

**BY REGULAR MAIL ONLY**

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

To Whom It May Concern:

I write on behalf of the Commonwealth of Massachusetts Cannabis Control Commission (Commission) to notify you of a data security incident involving Creative Services, Inc. (CSI), our background check vendor. CSI has reported that an estimated approximately 18 of your residents were impacted by the breach. This notice provides updated information relating to the incident, which CSI previously reported to your office. CSI's New Hampshire notice is included with this submission, attached as Exhibit 1.

**IDENTIFICATION OF PARTIES**

CSI's contacts are listed below:

Alexandra Belton  
Partner  
Mullen Coughlin LLC  
426 W. Lancaster Avenue,  
Suite 200  
Devon, PA 19333  
(O) (267) 930-4773  
(C) (410) 404-3631  
[abelton@mullen.law](mailto:abelton@mullen.law)

Kellie O'Shea, Esq., PHR  
General Counsel  
Creative Services, Inc.  
64 Pratt Street  
Mansfield, MA 02048  
(O) (800) 227-0002 x261  
[KO'Shea@creativeservices.com](mailto:KO'Shea@creativeservices.com)

**NATURE OF THE DATA SECURITY INCIDENT**

In CSI's notice filed with your office, CSI reported that:

“Creative Services conducts background checks for employment and licensing purposes. Creative Services obtains certain personal information related to current and former employees, as well as employment candidates, of its customers in furtherance of the



services it performs on behalf of its customers. The data that is the subject of this notification is information that Creative Services obtained from or on behalf of its business customers (the “Data Owners”) in relation to individuals associated with or employed by those customers. Creative Services provides this notice on behalf of itself and relevant Data Owners.

“On November 26, 2021, Creative Services became aware of potential unusual system activity. Creative Services promptly commenced an investigation into the incident, with the assistance of third-party computer forensic specialists. Through the investigation, it was determined that certain files may have been copied from Creative Service’s systems on November 23, 2021, as part of a cyber-attack. As a result, Creative Services undertook a comprehensive process to identify what information was potentially contained within the impacted files, and to whom that information belonged. That process was completed on or around January 25, 2022. Creative Services then worked diligently to notify the Data Owners and determine contact information for potentially affected individuals in furtherance of providing notification.

“Based on the investigation into this incident, it was determined that the information involved may include name and date of birth, Social Security number, and/or driver’s license number.”

#### **NUMBER OF YOUR RESIDENTS AFFECTED**

CSI reported to the Commission that the breach impacted personally identifying information of 18 of your residents who are or were involved with applying to the Commission for employment or licensure.

#### **STEPS THE COMMISSION & CSI HAVE TAKEN OR PLAN TO TAKE RELATING TO THE INCIDENT**

CSI’s Notice to Residents: CSI represented that “[i]n addition to the notices provided on or around February 1, 2022, between February 23 and 25, 2022, Creative Services will provide written notice of this incident to potentially affected individuals ... ” in your jurisdiction. For additional steps taken by CSI, please see the attached CSI notice filed with your office at Exhibit 1.

Additional steps taken by the Commission: On February 17, 2022, Paul Clark, the Commission’s Chief Technology and Innovation Officer, and Kyle Potvin, its Director of Licensing, met with Kellie O’Shea, CSI’s General Counsel, and Todd Knapp, its Virtual Chief Technology Officer, to get a technical briefing. Additional information is available on request.



## CONTACT INFORMATION

We hope that in addition to CSI's notice, this letter demonstrates our intent to comply with your state's notice requirement. If you require additional information, please contact me by phone or email.

Christine A. Baily  
General Counsel  
Pronouns: She, Her, Hers  
Cannabis Control Commission  
Union Station  
2 Washington Square  
Worcester, MA 01604  
(O) 774.415.0167 | (C) 617.620.1181  
[Christine.baily@cccmass.com](mailto:Christine.baily@cccmass.com)

Sincerely,

/s/ Christine Baily  
Christine Baily  
General Counsel

Enclosure





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

M. Alexandra Belton  
Office: (267) 930-4773  
Fax: (267) 930-4771  
Email: [abelton@mullen.law](mailto:abelton@mullen.law)

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

February 23, 2022

**VIA U.S. MAIL**

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

**Re: Notice of Data Incident**

Dear Sir or Madam:

We represent Creative Services, Inc. (“Creative Services”), located at 64 Pratt Street, Mansfield, MA 02048, and write to notify your office of an incident that may affect the privacy of personal information relating certain New Hampshire residents. This notice serves as a supplement to the notice provided to your Office on February 1, 2022. The investigation into this incident is ongoing, and this notice may be supplemented with any new, substantive facts learned subsequent to its submission. By providing this notice, Creative Services 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 Incident**

Creative Services conducts background checks for employment and licensing purposes. Creative Services obtains certain personal information related to current and former employees, as well as employment candidates, of its customers in furtherance of the services it performs on behalf of its customers. The data that is the subject of this notification is information that Creative Services obtained from or on behalf of its business customers (the “Data Owners”) in relation to individuals associated with or employed by those customers. Creative Services provides this notice on behalf of itself and relevant Data Owners.

On November 26, 2021, Creative Services became aware of potential unusual system activity. Creative Services promptly commenced an investigation into the incident, with the assistance of third-party computer forensic specialists. Through the investigation, it was determined that certain files may have been copied from Creative Service’s systems on November 23, 2021 as part of a cyber-attack. As a result, Creative Services undertook a comprehensive process to identify what information was potentially contained within the impacted files, and to whom that information belonged. That process was completed on or around January 25, 2022. Creative Services then worked diligently to notify the Data Owners and determine contact information for potentially affected individuals in furtherance of providing notification.

**Mullen.law**

Based on the investigation into this incident, it was determined that the information involved may include name and date of birth, Social Security number, and/or driver's license number.

#### **Notice to New Hampshire Residents**

In addition to the notices provided on or around February 1, 2022, between February 23, 2022 and February 25, 2022, Creative Services will provide written notice of this incident to potentially affected individuals, which includes an additional New Hampshire residents. 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 potential unusual activity in its system, Creative Services moved quickly to investigate and assess the security of its network. Creative Services worked diligently to investigate the full nature and scope of this incident and, in addition to the safeguards it previously had in place, is working to enhance its technical security tools. Additionally, Creative Services is providing notice to potentially affected individuals, which includes guidance on how to better protect against identity theft and fraud, including 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. Creative Services is also providing potentially affected individuals with access to credit monitoring and identity theft restoration services at no cost to these individuals.

Creative Services also notified the Federal Bureau of Investigation and is also providing written notice of this incident to other relevant state regulators as appropriate.

#### **Contact Information**

Should you have any questions regarding this notification or other aspects of the data privacy event, please contact us at (267) 930-4773.

Very truly yours,

M. Alexandra Belton of  
MULLEN COUGHLIN LLC

MABB/  
Enclosure

# **EXHIBIT A**



Return Mail Processing Center  
P.O. 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>>

**Re: Notice of Data <<Incident//Breach>>**

Dear <<Name1>>:

Creative Services, Inc. ("Creative Services") is writing to inform you of a recent incident that may affect the privacy of some of your personal information. Creative Services conducts background checks for employment and licensing purposes. We have your information because we performed such services for <<Customer Name>>. In this letter, we are providing you with information on steps you may take to better protect against potential misuse of your personal information, should you feel it appropriate to do so.

**What Happened?** On November 26, 2021, Creative Services became aware of potential unusual system activity. Creative Services promptly commenced an investigation into the incident, with the assistance of third-party computer forensic specialists. Through the investigation, it was determined that certain files may have been copied from our systems on November 23, 2021 as part of a cyber-attack. As a result, we undertook a comprehensive process to identify what information was potentially contained within the impacted files, and to whom that information belonged. That process was completed on or around January 25, 2022. We are now notifying those individuals whose information was potentially impacted by the incident.

**What Information Was Involved?** Based on the investigation into this incident, it was determined that the information involved may include your name and date of birth, Social Security number, and/or driver's license number.

**What We Are Doing.** We take this incident and the security of personal information seriously. Upon learning of this incident, we promptly initiated an investigation and took steps to secure our systems. While we have existing safeguards in place, as part of our ongoing commitment to the privacy of personal information in our care, we are working to implement enhanced security measures.

As an added precaution, we are also offering you complimentary access to <<CM Length>> of credit monitoring, fraud consultation, and identity theft restoration services. Information on how to enroll in these services is included in the attached *Steps You Can Take to Help Protect Your Personal Information*.

**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. We also encourage you to review the enclosed *Steps You Can Take to Help Protect Your Personal Information* and to enroll in the complimentary credit monitoring and identity protection services we are offering.

**For More Information.** We understand you may have additional questions not addressed by this letter. If you have questions, please call our dedicated assistance line at 855-604-1807 Monday through Friday 9 am – 9 pm EST (excluding major U.S. holidays). Again, we take the privacy and security of the personal information in our care seriously, and sincerely regret any inconvenience or concern this incident may cause you.

Sincerely,

Creative Services, Inc.  
64 Pratt Street  
Mansfield, MA 02048



## STEPS YOU CAN TAKE TO HELP PROTECT YOUR PERSONAL INFORMATION

### Enroll in Credit Monitoring

As a safeguard, we have arranged for you to enroll, at no cost to you, in a credit monitoring service provided by Equifax,<sup>®</sup> one of the three nationwide credit reporting companies. To enroll in credit monitoring please follow the instructions below.

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.

You can sign up for these services anytime between now and <<Enrollment Deadline>>. You will need to activate these services yourself, as we are not able to do so on your behalf.

### 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](http://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 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 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 will need to provide 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 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:

<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	1-833-395-6938
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](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. 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 St. NW Washington, D.C. 20001; 202-727-3400; and [oag@dc.gov](mailto: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](http://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 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 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 contacted 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, you have the right to obtain any police report filed in regard to this incident. There are <<##>> Rhode Island residents potentially impacted by this incident.



MULLEN  
COUGHLIN

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

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