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June 3, 2021

VIA E-MAIL (DOJ-CPB@DOJ.NH.GOV)

Attorney General Gordon MacDonald
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Re: Incident Notification

Dear Attorney General MacDonald:

We are writing on behalf of our client, DiCon Fiberoptics, Inc. (“DiCon”) to notify you of a security incident involving New Hampshire residents. DiCon is a maker of optical switches, tunable filters and test equipment for optical signal switching located in Richmond, California.

On March 16, 2021, DiCon identified a security incident that caused certain devices in its network to stop working. DiCon immediately began to investigate, a cybersecurity firm was engaged, and measures were taken to address the incident and to restore operations. DiCon also notified law enforcement and are working to support their investigation. The investigation determined that there was unauthorized access to certain files on one of DiCon’s file servers on March 14, 2021. On May 3, 2021, DiCon determined that certain files may have been accessed by the unauthorized actor and contained the personal information of five New Hampshire residents including their name and payment card information.

Beginning today, June 3, 2021, DiCon is providing written notice to the New Hampshire residents by mailing a letter via United States Postal Service First-Class mail.¹ A sample copy of the notification letter is enclosed. DiCon has suggested that the notified residents monitor their account statements and report any suspected fraud to the financial institution and has provided the residents with a phone number where they may obtain more information regarding the incident.

¹ This report does not waive DiCon’s objection that New Hampshire lacks personal jurisdiction over it related to any claims that may arise from this incident.

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To help prevent a similar incident from occurring in the future, DiCon has implemented additional security measures to further enhance the security of its network.

Please do not hesitate to contact me if you have any question regarding this incident.

Sincerely,

A handwritten signature in blue ink, appearing to read "Craig A. Hoffman", with a long horizontal line extending to the right.

Craig A. Hoffman
Partner

Enclosure



<<Name 1>> <<Name 2>>
<<Address 1>>
<<Address 2>>
<<Address 3>>
<<Address 4>>
<<City>><<State>><<Zip>>
<<Country>>

<<Date>>

Notice of Data Breach

Dear <<Name 1>>:

DiCon Fiberoptics, Inc. understands the importance of protecting information. We are writing to inform you of an incident that may have involved some of your information. This notice explains the incident, measures we have taken, and steps you can take in response.

What Happened?

We identified a security incident on March 16, 2021 that caused certain devices in our network to stop working. We immediately began to investigate, a cybersecurity firm was engaged, and measures were taken to address the incident and to restore operations. We also notified law enforcement and are working to support their investigation.

The investigation determined that there was unauthorized access to certain files on one of our file servers on March 14, 2021. We then conducted a thorough review of the files that were accessed to determine the content.

What Information Was Involved?

The review, completed on May 3, 2021, identified invoices or other purchase related documents that contained information about you or your business that you used to make a purchase from DiCon, including your name and a payment card number ending in <<last 4 digits>>.

What We Are Doing.

We regret that this occurred and apologize for any inconvenience. We are implementing additional security measures to further enhance the security of our network.

What You Can Do.

We assure you that we take this incident very seriously and encourage you to remain vigilant by reviewing your account statements and credit reports for any unauthorized activity. For more information, including some additional steps you can take to help protect yourself, please see the additional information provided with this letter.

For More Information.

If you have additional questions, please call +1 (510) 620-4114, Monday through Friday, between 9:00 a.m. and 5:00 p.m., Pacific Time. If you reach our voice-mail system, please leave a message that will allow us to contact you back. You may also contact us via e-mail, to: incident-response@diconfiberoptics.com

Sincerely,

DiCon Fiberoptics, Inc.
Accounting Department

ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be 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 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, 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, www.experian.com, 1-888-397-3742
- *TransUnion*, PO Box 2000, Chester, PA 19016, 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

Fraud Alerts and Credit or Security Freezes:

Fraud Alerts: There are two types of general 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 one year. 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.

To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report.

For those in the military who want to protect their credit while deployed, an Active Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for pre-screened credit card offers for two years, unless you ask them not to.

Credit or Security Freezes: You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

How do I place a freeze on my credit reports? There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- **Experian Security Freeze**, PO Box 9554, Allen, TX 75013, www.experian.com
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, www.transunion.com
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, www.equifax.com

You'll need to supply your name, address, date of birth, Social Security number and other personal information.

After receiving your freeze request, each credit bureau will provide you with a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

How do I lift a freeze? A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.

If you opt for a temporary lift because you are applying for credit or a job, and you can find out which credit bureau the business will contact for your file, you can save some time by lifting the freeze only at that particular credit bureau. Otherwise, you need to make the request with all three credit bureaus.

DiCon Fiberoptics, Inc.'s mailing address is 1689 Regatta Blvd., Richmond, CA 94804, and the phone number for queries related to this incident is +1 (510) 620-4114.

Additional Information for Residents of the Following States

Connecticut: You may contact and obtain information from your state attorney general at: Connecticut Attorney General's Office, 165 Capitol Ave, Hartford, CT 06106, 1-860-808-5318, www.ct.gov/ag

District of Columbia Residents: You may contact and obtain information from your attorney general at: Office of the Attorney General for the District of Columbia, 441 4th Street NW, Washington, DC 20001, 1-202-727-3400, www.oag.dc.gov

Maryland: You may contact and obtain information from your state attorney general at: Maryland Attorney General's Office, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, www.oag.state.md.us

New York: You may contact and obtain information from these state agencies:

- New York Department of State Division of Consumer Protection, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>
- New York State Office of the Attorney General, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

North Carolina: You may contact and obtain information from your state attorney general at: North Carolina Attorney General's Office, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, www.ncdoj.gov

A Summary of Your Rights Under the Fair Credit Reporting Act: The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Your major rights under the FCRA are summarized below. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

- You must be told if information in your file has been used against you.
- You have the right to know what is in your file.
- 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.
- 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 have a 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.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.