



MULLEN  
COUGHLIN LLC  
ATTORNEYS AT LAW

STATE OF NH  
DEPT OF JUSTICE

2020 SEP 14 AM 1:04

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September 9, 2020

**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**

Dear Sir or Madam:

Our office represents Diesel Direct, Inc. (“Diesel Direct”), located at 74 Maple Street, Stoughton, MA 02072. We write on behalf of Diesel Direct to notify your office of an incident that may affect the security of some personal information relating to fourteen (14) New Hampshire residents. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Diesel Direct 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**

Diesel Direct recently discovered that an unauthorized actor accessed certain servers on Diesel Direct systems. Diesel Direct immediately launched an investigation, with the assistance of third-party forensic computer experts, to determine the nature and scope of the incident. On August 24, 2020, Diesel Direct’s investigation concluded there was unauthorized access to two servers. Diesel Direct then worked to identify those individuals whose personal information may have been accessible to the unauthorized actor.

**Notice to New Hampshire Residents**

On or about September 9, 2020, Diesel Direct is providing written notice of this incident to all affected individuals, which includes fourteen (14) New Hampshire residents. A sample of the letter is attached hereto and labeled as *Exhibit A*.

### **Other Steps Taken and To Be Taken**

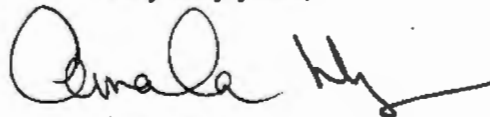
Upon discovering the event, Diesel Direct moved quickly to investigate and respond to the incident, assess the security of Diesel Direct systems, and notify potentially affected individuals. Diesel Direct is also working to implement additional safeguards and training to its employees. Diesel Direct is providing affected individuals whose personal information was potentially affected by this incident with access to two years of credit monitoring services through Experian at no cost to those individuals.

Additionally, Diesel Direct is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. Diesel Direct is 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. Diesel Direct is also reporting this matter to other regulators as required.

### **Contact Information**

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at 267-930-1697.

Very truly yours,

A handwritten signature in black ink, appearing to read "Amanda Harvey", with a long horizontal flourish extending to the right.

Amanda Harvey of  
MULLEN COUGHLIN LLC

Enclosure  
ANH/mwj

# **EXHIBIT A**

Return Mail Processing  
PO Box 589  
Claysburg, PA 16625-0589

September 9, 2020



F7739-L01-0000001 T00001 \*\*\*\*\*OEL LINE  
SAMPLE A SAMPLE - L01 GENERIC LETTER TEMPLATE  
APT #123  
123 ANY ST  
ANYTOWN, US 12345-6789



**Re: Notice of Data Incident**

Dear Sample A Sample:

Diesel Direct, Inc. (“DDI”) is writing to inform you of a recent event that may impact the privacy of some of your personal information. We wanted to provide you with information about the event, our response, and steps you may take to better protect against potential misuse of your information, should you feel it necessary.

**What Happened?** DDI recently discovered that an unauthorized actor accessed certain servers on DDI systems. DDI immediately launched an investigation, with the assistance of third-party forensic computer experts, to determine the nature and scope of the incident. On August 24, 2020, DDI’s investigation concluded there was unauthorized access to two servers. DDI then worked to identify those individuals whose personal information may have been accessible to the unauthorized actor.

**What Information Was Involved?** The information contained on the server at issue included your name, mailing address, Social Security number, and driver’s license number. We have no evidence that your information was subject to actual or attempted misuse.

**What We Are Doing.** DDI takes this incident and the security of your personal information seriously. Upon discovery, we immediately launched an investigation to determine the nature and scope of the event and to identify impacted individuals. We are reviewing our policies, procedures, and processes related to handling of and access to personal information.

As an added precaution, DDI is providing you with access to two years of credit monitoring and identity protection services through Experian. A description of services and instructions on how to enroll can be found within the enclosed *Steps You Can Take to Help Protect Your Personal Information*. Please note that you must complete the enrollment process yourself, as we are not permitted to enroll you in these services on your behalf.

**What You Can Do.** You can review the enclosed *Steps You Can Take to Help Protect Your Personal Information*. We also encourage you to review your financial and account statements and report all suspicious activity to the institution that issued the record immediately.

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**For More Information.** We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, please contact our dedicated call center at 877-565-8854, 9am to 11pm ET Monday to Friday and 11am to 8pm ET Saturday and Sunday. We can also be reached at 74 Maple Street, Stoughton, MA 02072.

We sincerely regret any inconvenience or concern this incident has caused.

Sincerely,

Tim Callow  
Chief Technology and Information Officer

## Steps You Can Take to Help Protect Your Information

### Enroll in Credit Monitoring.

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary two-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:

- Ensure that you **enroll by November 30, 2020** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **activation code**: ABCDEFGHI

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 877-565-8854 by November 30, 2020. Be prepared to provide engagement number DB22315 as proof of eligibility for the Identity Restoration services by Experian.

### Monitor Your Accounts.

To protect against the possibility of identity theft or other financial loss, we encourage you to remain vigilant, to review your account statements, and to monitor your credit reports for suspicious activity.

### Credit Reports.

Under U.S. law, you are entitled to one free credit report annually from each of the three major credit reporting bureaus. 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 contact the three major credit bureaus directly to request a free copy of your credit report.

### Security Freeze.

You have the 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. The security 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 security 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 security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

**Experian**  
PO Box 9554  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com/freeze/  
center.html](http://www.experian.com/freeze/center.html)

**TransUnion**  
P.O. Box 2000  
Chester, PA 19016  
1-888-909-8872  
[www.transunion.com/  
credit-freeze](http://www.transunion.com/credit-freeze)

**Equifax**  
PO Box 105788  
Atlanta, GA 30348  
1-888-298-0045  
[www.equifax.com/personal/  
credit-report-services](http://www.equifax.com/personal/credit-report-services)

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.

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As an alternative to a security freeze, you have the right to place an initial or extended “fraud alert” on your 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 agencies listed below:

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

**TransUnion**  
P.O. Box 2000  
Chester, PA 19016  
1-800-680-7289  
[www.transunion.com/fraud-victim-resource/place-fraud-alert](http://www.transunion.com/fraud-victim-resource/place-fraud-alert)

**Equifax**  
P.O. Box 105069  
Atlanta, GA 30348  
1-888-836-6351  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

### **Additional Information.**

You can further educate yourself regarding identity theft, and the steps you can take to protect yourself, by contacting your state Attorney General or the Federal Trade Commission.

The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. The Federal Trade Commission can 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. Instances of known or suspected identity theft should be reported to law enforcement, your Attorney General, and the FTC. You can also further educate yourself about placing a fraud alert or security freeze on your credit file by contacting the FTC or your state’s Attorney General.

***For Maryland residents***, the Attorney General can be contacted by mail at 200 St. Paul Place, Baltimore, MD, 21202; toll-free at 1-888-743-0023; by phone at (410) 576-6300; consumer hotline (410) 528-8662; and online at [www.marylandattorneygeneral.gov](http://www.marylandattorneygeneral.gov). ***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 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 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 Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; <https://ag.ny.gov/>. ***For North Carolina residents***: The North Carolina Attorney General can be contacted by mail at 9001 Mail Service Center, Raleigh, NC 27699-9001; toll-free at 1-877-566-7226; by phone at 1-919-716-6400, and online at [www.ncdoj.gov](http://www.ncdoj.gov). ***For Rhode Island residents***: The Rhode Island Attorney General can be reached at: 150 South Main Street, Providence, Rhode Island 02903, [www.riag.ri.gov](http://www.riag.ri.gov), 1-401-247-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are approximately 9 Rhode Island residents impacted by this incident. This notice has not been delayed by a law enforcement investigation.