

# NORTON ROSE FULBRIGHT

October 9, 2020

Norton Rose Fulbright US LLP  
1301 McKinney, Suite 5100  
Houston, Texas 77010-3095  
United States

Via Certified Mail

Office of the Attorney General  
Attn: Security Breach Notification  
33 Capitol Street  
Concord, NH 03301

Direct line +1 713 651 5557  
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RECEIVED

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CONSUMER PROTECTION

**Re: *Legal Notice of Information Security Incident***

Dear Sir or Madam:

I am writing on behalf of my client, DXP Enterprises Inc. ("DXP"), to inform you that DXP was the target of an information security incident that may have exposed the personal information of two (2) New Hampshire residents.

On August 22, 2020, DXP discovered it was targeted by a ransomware attack where an unauthorized actor gained access to DXP's systems, DXP immediately retained a leading cybersecurity forensics firm to help conduct a thorough investigation of the incident.

Our review of the incident is ongoing, but we believe that the unauthorized actor may have accessed the personal information of DXP's current and former employees. The personal information affected includes name and Social Security number. DXP will notify affected New Hampshire residents by mail on October 9, 2020 and will be offering them 24 months of complimentary identity theft protection services through NortonLifeLock. A copy of the notice letter is attached. We anticipate providing DXP's current and former employees additional updates upon the completion of the investigation and will supplement this letter as necessary.

We take the privacy and security of our employees' personal information very seriously. As such, DXP immediately reported the incident to, and are working closely with, the appropriate law enforcement authorities, including the FBI. To help prevent a similar type of incident from occurring in the future, DXP is reviewing the security protocols designed to protect its network, email environment, systems, and personal information.

If you have any questions or need further information regarding this incident, please do not hesitate to contact me.

Respectfully submitted,

Brian P. Fenske

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5301 Hollister St.  
Houston, TX 77040

11 1 2830 \*\*\*\*\*AUTO\*\*ALL FOR AADC 773

John Doe



123 Anystreet Dr  
Anytown, NY 12345



October 9, 2020

Dear John Doe:

DXP was recently the victim of a criminal ransomware attack. We are writing to let you know how this incident may have affected your personal information and, as a precaution, to provide steps you can take to help protect your information. We take the privacy and security of personal information very seriously and we sincerely regret any concern this incident may have caused you.

#### *What Happened*

On August 22, 2020, DXP discovered it was targeted by a ransomware attack where an unauthorized actor gained access to DXP's systems. DXP immediately retained a leading cybersecurity forensics firm to help conduct a thorough investigation of the incident. The investigation revealed that this incident may have affected your personal information.

#### *What Information Was Involved*

The personal information accessed by the unauthorized actor included your name and Social Security number.

#### *What We Are Doing*

DXP immediately reported the incident to, and is working with, the appropriate law enforcement authorities, including the FBI. Additionally, to help prevent a similar type of incident from occurring in the future, we are reviewing the security protocols designed to protect our network, email environment, systems, and personal information.

#### *What You Can Do*

Please review the "Information About Identity Theft Protection" reference guide, enclosed here, which describes additional steps you may take to help protect your personal information, including recommendations from the Federal Trade Commission regarding identity theft protection and details regarding placing a fraud alert or a security freeze on your credit file.

As an added precaution, to help protect your identity we are offering a complimentary two-year membership of NortonLifeLock's LifeLock Defender™ Preferred identity theft protection. To activate your membership online and get protection at no cost to you:

1. In your web browser, go directly to [www.LifeLock.com](http://www.LifeLock.com). Click on the yellow "START MEMBERSHIP" button (*do not attempt registration from a link presented by a search engine*).
2. You will be taken to another page where, below the FOUR protection plan boxes, you may enter the **Promo Code:** XXXXXXXXXX and click the "APPLY" button.

3. On the next screen, enter your Member ID: [REDACTED] and click the "APPLY" button.
4. Your complimentary offer is presented. Click the red "START YOUR MEMBERSHIP" button.
5. Once enrollment is completed, you will receive a confirmation email (*be sure to follow ALL directions in this email*).

Alternatively, to activate your membership over the phone, please call: (866) 874-9824.

**You will have until January 15<sup>th</sup>, 2021 to enroll in this service.**

Once you have completed the LifeLock enrollment process, the service will be in effect. Your LifeLock Defender™ Preferred membership includes:

- ✓ Primary Identity Alert System<sup>†</sup>
- ✓ 24/7 Live Member Support
- ✓ Dark Web Monitoring<sup>\*\*</sup>
- ✓ Norton™ Security Deluxe<sup>2</sup> (90 Day Free Subscription)
- ✓ Stolen Funds Reimbursement up to \$25,000<sup>†††</sup>
- ✓ Personal Expense Compensation up to
- ✓ Coverage for Lawyers and Experts up to \$1 million<sup>†††</sup>
- ✓ U.S.-based Identity Restoration Team
- ✓ Annual Three-Bureau Credit Reports & Credit Scores<sup>1\*\*</sup>  
The credit scores provided are VantageScore 3.0 credit scores based on Equifax, Experian and TransUnion respectively. Third parties use many different types of credit scores and are likely to use a different type of credit score to assess your creditworthiness.
- ✓ Three-Bureau Credit Monitoring<sup>1\*\*</sup>
- ✓ USPS Address Change Verification Notifications
- ✓ Fictitious Identity Monitoring
- ✓ Credit, Checking and Savings Account Activity Alerts<sup>†\*\*</sup>

### ***For More Information***

The security of your personal information is important to us and we sincerely regret that this incident occurred. For more information, or if you have any questions or need additional information, please contact YDBInquiry@dxpe.com.

Sincerely,



Tracy Pawlak  
VP Human Resources  
DXP Enterprises, Inc.

<sup>1</sup> If your plan includes credit reports, scores, and/or credit monitoring features ("Credit Features"), two requirements must be met to receive said features: (i) your identity must be successfully verified with Equifax; and (ii) Equifax must be able to locate your credit file and it must contain sufficient credit history information. IF EITHER OF THE FOREGOING REQUIREMENTS ARE NOT MET YOU WILL NOT RECEIVE CREDIT FEATURES FROM ANY BUREAU. If your plan also includes Credit Features from Experian and/or TransUnion, the above verification process must also be successfully completed with Experian and/or TransUnion, as applicable. If verification is successfully completed with Equifax, but not with Experian and/or TransUnion, as applicable, you will not receive Credit Features from such bureau(s) until the verification process is successfully completed and until then you will only receive Credit Features from Equifax. Any credit monitoring from Experian and TransUnion will take several days to begin after your successful plan enrollment.

No one can prevent all identity theft or cybercrime.

<sup>†</sup> LifeLock does not monitor all transactions at all businesses.

<sup>2</sup> Norton Security Online provides protection against viruses, spyware, malware, and other online threats for up to 5 PCs, Macs, Android devices. Norton account features not supported in this edition of Norton Security Online. As a result, some mobile features for Android are not available such as anti-theft and mobile contacts backup. iOS is not supported.

<sup>\*\*</sup> These features are not enabled upon enrollment. Member must take action to get their protection.

<sup>†††</sup> Reimbursement and Expense Compensation, each with limits of up to \$25,000 for Defender Preferred. And up to \$1 million for coverage for lawyers and experts if needed. Benefits under the Master Policy are issued and covered by United Specialty Insurance Company (State National Insurance Company, Inc. for NY State members). Policy terms, conditions and exclusions at: LifeLock.com/legal.

## Information About Identity Theft Protection Guide

Contact information for the three nationwide credit reporting companies is as follows:

Equifax	Experian	TransUnion
Phone: 1-800-685-1111 P.O. Box 740256 Atlanta, Georgia 30348 www.equifax.com	Phone: 1-888-397-3742 P.O. Box 9554 Allen, Texas 75013 www.experian.com	Phone: 1-888-909-8872 P.O. Box 105281 Atlanta, GA 30348-5281 www.transunion.com

**Free Credit Report.** We remind you 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](http://www.annualcreditreport.com) or call toll free at 1-877-322-8228. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available from the U.S. Federal Trade Commission's ("FTC") website at [www.consumer.ftc.gov](http://www.consumer.ftc.gov)) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281.

**For Colorado, Georgia, Maine, Maryland, Massachusetts, New Jersey, Puerto Rico, and Vermont residents:**

You may obtain one or more (depending on the state) additional copies of your credit report, free of charge. You must contact each of the credit reporting agencies directly to obtain such additional report(s).

**Security Freeze.** Security freezes, also known as credit freezes, restrict access to your credit file, making it harder for identity thieves to open new accounts in your name. You can freeze and unfreeze your credit file for free. You also can get a free freeze for your children who are under 16. And if you are someone's guardian, conservator or have a valid power of attorney, you can get a free freeze for that person, too.

How will these freezes work? Contact all three of the nationwide credit reporting agencies – Equifax, Experian, and TransUnion. If you request a freeze online or by phone, the agency must place the freeze within one business day. If you request a lift of the freeze, the agency must lift it within one hour. If you make your request by mail, the agency must place or lift the freeze within three business days after it gets your request. You also can lift the freeze temporarily without a fee.

Don't confuse freezes with locks. They work in a similar way, but locks may have monthly fees. If you want a free freeze guaranteed by federal law, then opt for a freeze, not a lock.

The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, display your name and current mailing address, and the date of issue.

**For New Mexico residents:** You may obtain a security freeze on your credit report to protect your privacy and ensure that credit is not granted in your name without your knowledge. You may submit a declaration of removal to remove information placed in your credit report as a result of being a victim of identity theft. You have a right to place a security freeze on your credit report or submit a declaration of removal pursuant to the Fair Credit Reporting and Identity Security Act.

**For Colorado and Illinois residents:** You may obtain information from the credit reporting agencies and the FTC about security freezes.

**Fraud Alerts.** A fraud alert tells businesses that check your credit that they should check with you before opening a new account. As of September 18, 2018, when you place a fraud alert, it will last one year, instead of 90 days. Fraud alerts will still be free and identity theft victims can still get an extended fraud alert for seven years.



**For Colorado and Illinois residents:** You may obtain additional information from the credit reporting agencies and the FTC about fraud alerts.

**Federal Trade Commission and State Attorneys General Offices.** 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 home state. You may also contact these agencies for information on how to prevent or avoid identity theft. You may contact the Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20580, [www.ftc.gov/bcp/edu/microsites/idtheft/](http://www.ftc.gov/bcp/edu/microsites/idtheft/), 1-877-IDTHEFT (438-4338).

**For Maryland Residents:** You may contact the Maryland Office of the Attorney General, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, [www.oag.state.md.us](http://www.oag.state.md.us), 1-888-743-0023.

**For North Carolina residents:** You may contact the North Carolina Office of the Attorney General, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001, [www.ncdoj.gov](http://www.ncdoj.gov), 1-877-566-7226.

**For Rhode Island Residents:** You may contact the Rhode Island Office of the Attorney General, 150 South Main Street, Providence, RI 02903, <http://www.riag.ri.gov>, 401-274-4400

**Reporting of identity theft and obtaining a police report.**

You have the right to obtain any police report filed in the United States in regard to this incident. If you are the victim of fraud or identity theft, you also have the right to file a police report.

**For Iowa residents:** You are advised to report any suspected identity theft to law enforcement or to the Iowa Attorney General.

**For Massachusetts residents:** You have the right to obtain a police report if you are a victim of identity theft. You also have a right to file a police report and obtain a copy of it.

**For Oregon residents:** You are advised to report any suspected identity theft to law enforcement, the Federal Trade Commission, and the Oregon Attorney General.

**For Rhode Island residents:** You have the right to file or obtain a police report regarding this incident.