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BakerHostetler

CONSUMER PROTECTION

Baker & Hostetler LLP

312 Walnut Street
Suite 3200
Cincinnati, OH 45202-4074

T 513.929.3400
F 513.929.0303
www.bakerlaw.com

Patrick H. Haggerty
direct dial: 513.929.3412
phaggerty@bakerlaw.com

October 24, 2019

VIA OVERNIGHT MAIL

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

Re: Notice of Security Incident

Dear Sir or Madam:

We are writing on behalf of our client, Endicott College ("Endicott"), to notify your office of a security incident. Endicott College is located in Beverly, MA.

Endicott recently identified suspicious activity originating from an Endicott email account belonging to an individual at a third-party educational institution. As soon as the College became aware of the activity, it reset the email credentials, and commenced an investigation. The investigation determined that an unauthorized person had gained access to the email account between September 21 and September 23, 2019. The investigation did not determine whether any specific emails or attachments may have been viewed by the unauthorized person(s); however, the College was not able to rule out that possibility. Because of this, the College undertook a review of the emails and attachments within the account and determined that the account contained the name and Social Security number of one New Hampshire resident.

Beginning today, Endicott is providing notice via postal mail to the potentially affected New Hampshire resident via U.S. mail in accordance with N.H. Rev. Stat. § 359-C:20 in substantially the same form as the attached letter.¹ The College has offered the New Hampshire resident involved a complimentary one-year membership in credit monitoring services through

¹ This report is not, and does not constitute, a waiver of Endicott College's objection that New Hampshire lacks personal jurisdiction over it regarding any claims related to this data security incident.

Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Denver
Houston Los Angeles New York Orlando Philadelphia Seattle Washington, DC

October 24, 2019

Page 2

Experian. Endicott has implemented additional safeguards and technical security measures to further protect personal information.

Please do not hesitate to contact me if you have any questions regarding this matter.
Sincerely,

A handwritten signature in black ink, appearing to read "Patrick Haggerty". The signature is written in a cursive, flowing style.

Patrick H. Haggerty
Partner

Enclosure

[Endicott College]

<<Name>>

<<Name 2>>

<<Address 1>>

<<Address 2>>

<<City>><<State>>, <<Zip>>

<<Date>>

<<Country>>

Dear <<Name>>:

At Endicott College, we understand the importance of securing and protecting the personal information that we maintain. I am writing to inform you that we recently identified and resolved an incident that may involve some of your information. This notice explains the incident, measures we have taken, and some steps that you can take in response.

We recently identified suspicious activity originating from an Endicott email account belonging to an individual at a third-party educational institution. As soon as we became aware of the activity, we reset the email credentials, and commenced an investigation. The investigation determined that an unauthorized person had gained access to the email account between September 21 and September 23, 2019.

The investigation did not determine whether any specific emails or attachments may have been viewed by the unauthorized person(s); however, we were not able to rule out that possibility. We searched the contents of the account to identify any documents potentially containing personal information. We determined that email(s) or attachment(s) in the account contained your personal information, including your name and Social Security number. While we don't know if your information was accessed or viewed by the unauthorized person, we wanted to make you aware of this incident and provide you with information on steps you can take in response.

We encourage you to remain vigilant for incidents of fraud or identity theft by reviewing your account statements for any unauthorized activity. As a precaution, we are offering you a complimentary one-year membership with Experian's® IdentityWorksSM. This product helps detect possible misuse of your personal information and provides you with identity protection support. **For more information on IdentityWorksSM, including instructions on how to activate your complimentary one-year membership, as well as some additional steps you can take, please see the additional information provided in this letter.**

Your confidence and trust are important to us, and we regret any inconvenience or concern this may cause. To further protect personal information, we are taking steps to enhance our existing security protocols and re-educating our staff for awareness on these types of incidents. If you have any questions about this matter, please call (978) 232 2048, Monday through Friday between 9:00 am and 5:00 pm Eastern Time.

Sincerely,

[Signature Graphic]

Amy Donovan
Chief Information Officer

Activate IdentityWorks Credit 3B Now in Three Easy Steps

To activate your membership and start monitoring your personal information please follow the steps below:

1. ENROLL by: **[Date]** (Your code will not work after this date.)
2. VISIT the **Experian IdentityWorks website** to enroll: <https://www.experianidworks.com/3bcredit>
3. PROVIDE the **Activation Code: [Code]**

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at **[Phone No.]** by **[Date]**. Be prepared to provide engagement number **[Engagement No.]** as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks Credit 3B. You can contact Experian **immediately without needing to enroll in the product** regarding any fraud issues. Identity Restoration specialists are available to help you address credit and non-credit related fraud. Once you enroll in Experian IdentityWorks, you will have access to the following additional features:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.*
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance**:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at **[Phone No.]**. If, after discussing your situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that this Identity Restoration support is available to you for one year from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration. You will also find self-help tips and information about identity protection at this site.

* Offline members will be eligible to call for additional reports quarterly after enrolling.

** Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. (AIG). The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

ADDITIONAL STEPS YOU CAN TAKE

Regardless of whether you choose to take advantage of this complementary credit monitoring, 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 Centre, 600 Pennsylvania Avenue NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), www.ftc.gov/idtheft

If you are a resident of North Carolina, you may contact and obtain information from your state attorney general at:

- *North Carolina Attorney General's Office*, 9001 Mail Service Center, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, www.ncdoj.gov

Fraud Alerts: There are two types of 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 (1) 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. You can place a fraud alert on your credit report by contacting any of the three national credit reporting agencies.

Credit Freezes: You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, so that no new credit can be opened in your name without the use of a PIN that is issued to you when you initiate a freeze. A security freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a security freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a security freeze may delay your ability to obtain credit.

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

To request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.)
2. Social Security number
3. Date of birth
4. If you have moved in the past five years, provide the addresses where you have lived over the prior 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, military identification, etc.)
7. If you are a victim of identity theft, include a copy of the police report, investigative report, or complaint to a law enforcement agency concerning identity theft

The credit reporting agencies have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five business days and provide you with a unique personal identification number ("PIN") or password or both that can be used by you to authorize the removal or lifting of the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, or to lift a security freeze for a specified period of time, you must submit a request through a toll-free telephone number, a secure electronic means maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to the credit reporting agencies and include proper identification (name, address, and Social Security number) and the PIN or password provided to you when you placed the security freeze as well as the identity of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have one hour after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to lift the security freeze for those identified entities or for the specified period of time.

To remove the security freeze, you must submit a request through a toll-free telephone number, a secure electronic means maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to each of the three credit bureaus 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 one hour after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to remove the security freeze.

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). Here is a summary of your major rights under FCRA. 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.