

STATE OF NH
DEPT OF JUSTICE

September 22, 2020

2020 SEP 23 PM 12:32

 **NORTON ROSE FULBRIGHT**

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

Via Overnight Mail

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

Direct line +1 713 651 5684
w.ill.daugherty@nortonrosefulbright.com

Tel +1 713 651 5151
Fax +1 713 651 5246
nortonrosefulbright.com

Re: Incident Notification

Dear Attorney General MacDonald:

I am writing on behalf of my client, FGX International Inc. ("FGX"), to provide notice of a security incident that occurred at FGX.

FGX was recently the target of a ransomware attack, but FGX's security tools blocked the malware from encrypting any of its systems or data. FGX immediately launched an investigation to determine the nature and scope of the incident, and a third party cybersecurity firm was engaged to assist. FGX also notified federal law enforcement.

The investigation determined that the unauthorized actor gained access to certain FGX internal systems at various times between May 7, 2020 and June 25, 2020. Although FGX security tools prevented the ransomware from being executed on FGX's systems, the investigation determined that the actor likely acquired some data from FGX systems. Therefore, FGX conducted a thorough review of the data that was likely impacted to identify individuals whose personal information may have been involved. On September 8, 2020, FGX completed its review of the data involved and determined that it contained the personal information of 1 New Hampshire resident, including name and Social Security number.

Today, FGX will begin sending the notification letter via First Class Mail to the 1 New Hampshire resident whose information was identified in the data involved. This notice is being provided in accordance with N.H. RSA § 359-C:20(l)(b). Enclosed is a sample copy of the letter. FGX is offering two years of complimentary credit monitoring and identity protection services to the individual as well as a toll free hotline for the individuals to call with any questions he may have.

To help prevent a similar incident from occurring in the future, FGX implemented additional security measures designed to enhance the security of its network, systems, and data, including implementation of an email filtering and protection solution, enhanced network restrictions, and is working to install enhanced firewall appliances. In addition, FGX continues to review its security measures, internal controls, and safeguards and continues to make changes to help prevent a similar incident from occurring in the future.

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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 "Will Daugherty", is centered on the page. The signature is fluid and cursive, with a large, sweeping flourish at the end.

Will Daugherty
Partner

Enclosure



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

September 22, 2020

F8087-L02-0000002 T00001 P001 *****MIXED AADC 159
SAMPLE A SAMPLE - L02
APT 123
123 ANY ST
ANYTOWN, US 12345-6789



Notice of Data Security Incident

Dear Sample:

FGX International Inc. (FGX) takes the privacy and security of personal information very seriously. We are writing to let you know about an attempted ransomware attack we recently identified and addressed that may have involved some of your personal information. This notice explains the incident, the measures we have taken in response, and the steps you may consider taking to help protect your information and identity.

What Happened?

FGX was recently the target of a ransomware attack, but our security tools blocked malware from encrypting any of our systems or data. FGX launched an investigation to determine the nature and scope of the incident, and a cybersecurity firm was engaged to assist. FGX also notified federal law enforcement.

Our investigation determined that the unauthorized actor gained access to certain FGX internal systems at various times between May 7, 2020 and June 25, 2020. Although our security tools prevented the ransomware from being executed on our systems, the investigation determined that the actor likely acquired some data from FGX systems. FGX conducted a thorough review of the data that was likely impacted to identify individuals whose personal information may have been involved.

What Information Was Involved?

On September 8, 2020, we completed our review of the data involved and determined that it contained some of your personal information, including your name, [Extra1] [Extra2]

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What We Are Doing?

To help prevent a similar incident from occurring in the future, FGX implemented additional security measures designed to enhance the security of our network, systems, and data. FGX is also continuing to support federal law enforcement's investigation.

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 information, including recommendations from the Federal Trade Commission regarding identity theft protection and details on how to place 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 Experian's® IdentityWorksSM Credit 3B. This product provides you with identity detection and assistance in resolving identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- Ensure that you enroll by: [REDACTED] (Your code will not work after this date.)
- Visit the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bcredit>
- Provide your activation code: [REDACTED]

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks Credit 3B online, please contact Experian's customer care team at (855) 246-9432 by [REDACTED]. Be prepared to provide the engagement number [REDACTED] as proof of eligibility for the identity restoration services by Experian.

For More Information.

The security of your personal information is important to us and we sincerely regret that this incident occurred. If you have any questions, please call (855) 246-9432, Monday through Friday, between 9:00 a.m. and 11:00 p.m. Eastern Time, or Saturday through Sunday, between 11:00 a.m. and 8:00 p.m. Eastern Time.

Sincerely,



Mark Williams
Chief Financial Officer
FGX International Inc.

Additional Details Regarding Experian IdentityWorks Credit 3B 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.
- **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.

What you can do to protect your information: There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to www.ExperianIDWorks.com/restoration for this information.

* 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.

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. If you identify any unauthorized charges on your financial account statements, you should immediately report any such charges to your financial institution. 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. 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) 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 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.

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. 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 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/, 1-877-IDTHEFT (438-4338).

For District of Columbia Residents: You may contact the Office of the Attorney General for the District of Columbia, 441 4th Street NW, Suite 1100 South, Washington, D.C. 20001, <https://oag.dc.gov>, 202-442-9828.

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, 1-888-743-0023.

For New York Residents: You may contact the 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>; and New York State Office of the Attorney General, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

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, 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.