



175 Pearl Street  
Suite C-402  
Brooklyn, NY 11201

January 18, 2023

**VIA ELECTRONIC MAIL**

Attorney General John Formella  
Office of the Attorney General  
Consumer Protection Bureau  
33 Capitol Street  
Concord, NH 033  
Email: [DOJ-CPB@doj.nh.gov](mailto:DOJ-CPB@doj.nh.gov)

Re: **Notice of Data Security Incident**

Dear Attorney General Formella:

Constangy, Brooks, Smith & Prophete, LLP (“Constangy”) represents Farmers Investment Co. (“FICO”) doing business as the Green Valley Pecan Company, parent company of its wholly owned subsidiary Farmers Water Co. (“FWC”), in connection with a recent data security incident described in greater detail below. The purpose of this letter is to notify you of the incident in accordance with New Hampshire’s data breach notification statute.

**1. Nature of the Security Incident**

On or around May 31, 2022, FICO experienced a network disruption. In response, FICO immediately took steps to secure its digital environment and engaged a leading cybersecurity firm to assist with an investigation. Through the investigation, on August 26, 2022, FICO learned that personal information may have been accessed or acquired by an unauthorized individual. Following this confirmation, FICO engaged a vendor to conduct a thorough and extensive review of potentially affected files to determine what personal information may have been involved. Additionally, FICO began the process of locating mailing information and setting up services being offered, which was completed on January 3, 2023.

The individuals whose address information was available were notified via U.S. First-Class Mail on January 12, 2023. Additionally, FICO posted notice of the data security incident on the home page of its website on January 12, 2023.

The information affected varies by individual but may include individuals' names, date of birth, Social Security numbers, driver's license numbers, financial account and routing numbers, health insurance information, and/or certain health or medical information. To date, FICO has no evidence that any potentially impacted information has been misused in conjunction with the incident.

**2. Number of New Hampshire Residents Involved**

On January 12, 2023, FICO notified ten (10) New Hampshire residents of this data security incident via U.S. First-Class Mail. A sample copy of the notification letter sent to the impacted individuals is included with this correspondence.

**3. Steps Taken to Address the Incident**

To help prevent something like this from happening again, FICO has implemented additional technical security measures. FICO is also providing individuals with information about steps that they can take to help protect their personal information, and, out of an abundance of caution, it is also offering individuals complimentary credit monitoring and identity protection services through IDX.

**4. Contact Information**

FICO remains dedicated to protecting the information in its control. Please note that the Data Privacy and Cybersecurity practice group at Lewis Brisbois Bisgaard & Smith has transferred to a new firm, Constangy, including our representation of FICO. If you have any questions or need additional information, please do not hesitate to contact me at [MEfaplatidis@Constangy.com](mailto:MEfaplatidis@Constangy.com) or 917.414.8991.

Sincerely,

Maria Efaplatidis of  
Constangy, Brooks, Smith & Prophete, LLP

Enclosure: Sample Notification Letter



Return to IDX:  
 P.O. Box 1907  
 Suwanee, GA 30024

To Enroll, Please Call:  
 1-833-758-8900  
 Or Visit:  
<https://app.idx.us/account-creation/protect>  
 Enrollment Code: <<XXXXXXXXXX>>

<<FirstName>> <<LastName>>  
 <<Address1>>  
 <<Address2>>  
 <<City>>, <<State>> <<Zip Code>>

January 12, 2023

**Re: Notice of Data <<Variable 1>>**

Dear <<FirstName>> <<LastName>>>,

We are writing to provide you with information about a recent data security incident experienced by Farmers Investment Co. (“FICO”) doing business as the Green Valley Pecan Company, parent company of its wholly owned subsidiary Farmers Water Co. (“FWC”), that may have involved your personal information. The purpose of this letter is to notify you of this incident, offer complimentary credit monitoring and identity protection services, and inform you about steps you can take to help safeguard your personal information.

**What Happened.** On or around May 31, 2022, FICO experienced a network disruption. In response, we immediately took steps to secure our digital environment and engaged a leading cybersecurity firm to assist with an investigation and determine whether sensitive or personal information may have been accessed or acquired during the incident. Through the investigation, on August 26, 2022, we found that personal information may have been accessed or acquired by an unauthorized individual. Following this confirmation, we engaged a vendor to conduct a thorough and extensive review of potentially affected files to determine what personal information may have been involved. Additionally, we began the process of locating mailing information and setting up services being offered, which was completed on January 3, 2023.

**Please note that our experts’ investigation has found no evidence to suggest misuse or attempted misuse of information. Nonetheless, out of an abundance of caution, we are notifying you of this incident and offering resources to help you protect your personal information.** Please note that only individuals whose information was potentially involved in the incident and whose contact information was available will receive a notification letter.

**What Information Was Involved.** The potentially affected information may have included your <<Variable 2>>.

**What We Are Doing.** As soon as we discovered this incident, we took the steps described above. As part of the response process, we implemented additional measures to reduce the risk of a similar incident occurring in the future. We have also reported the incident to the Federal Bureau of Investigation and will cooperate with any resulting investigation.

Additionally, FICO is providing you with information about steps that you can take to help protect your personal information and, as an added precaution, is offering you free of charge identity theft protection services through IDX. These identity protection services include: <<12/24>> months of credit and CyberScan dark web monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed identity theft recovery services. With this protection, IDX will help you resolve issues if your identity is compromised.

**What You Can Do.** We recommend that you activate your complimentary IDX services by calling 1-833-758-8900 or going to <https://app.idx.us/account-creation/protect> and using the enrollment code provided above. Representatives are available from 6:00am to 6:00pm Pacific Time from Monday to Friday. Please note that the deadline to enroll is April 12,

2023. In addition, we recommend that you review the guidance included with this letter about additional steps you can take to protect your personal information.

**For More Information.** If you have questions or need assistance, please contact IDX at 1-833-758-8900, Monday through Friday from 6:00am to 6:00pm Pacific Time, excluding major U.S. holidays. IDX representatives are fully versed on this incident and can answer questions you may have regarding the protection of your personal information.

FICO takes this matter very seriously. Please accept our sincere apologies and know that we deeply regret any worry or inconvenience that this may cause you.

Sincerely,

The Management Team  
Farmers Investment Co. (FICO)  
1525 E. Sahuarita Rd.  
Sahuarita, AZ 85629

## Steps You Can Take to Protect Your Personal Information

**Review Your Account Statements and Notify Law Enforcement of Suspicious Activity:** As a precautionary measure, we recommend that you remain vigilant by reviewing your account statements and credit reports closely. If you detect any suspicious activity on an account, you should promptly notify the financial institution or company with which the account is maintained. You also should promptly report any fraudulent activity or any suspected incidence of identity theft to proper law enforcement authorities, your state attorney general, and/or the Federal Trade Commission (FTC).

**Copy of Credit Report:** You may obtain a free copy of your credit report from each of the three major credit reporting agencies once every 12 months by visiting <http://www.annualcreditreport.com/>, calling toll-free 1-877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You also can contact one of the following three national credit reporting agencies:

### **Equifax**

P.O. Box 105851  
Atlanta, GA 30348  
1-800-525-6285  
[www.equifax.com](http://www.equifax.com)

### **Experian**

P.O. Box 9532  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

### **TransUnion**

P.O. Box 1000  
Chester, PA 19016  
1-800-916-8800  
[www.transunion.com](http://www.transunion.com)

**Fraud Alert:** You may want to consider placing a fraud alert on your credit report. An initial fraud alert is free and will stay on your credit file for at least one year. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any accounts in your name. To place a fraud alert on your credit report, contact any of the three credit reporting agencies identified above. Additional information is available at <http://www.annualcreditreport.com>.

**Security Freeze:** You have the right to put a security freeze on your credit file for up to one year at no cost. This will prevent new credit from being opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A security freeze is designed to prevent potential creditors from accessing your credit report without your consent. As a result, using a security freeze may interfere with or delay your ability to obtain credit. You must separately place a security freeze on your credit file with each credit reporting agency. In order to place a security freeze, you may be required to provide the consumer reporting agency with information that identifies you including your full name, Social Security number, date of birth, current and previous addresses, a copy of your state-issued identification card, and a recent utility bill, bank statement or insurance statement.

**Additional Free Resources:** You can obtain information from the consumer reporting agencies, the FTC, or from your respective state Attorney General about fraud alerts, security freezes, and steps you can take toward preventing identity theft. You may report suspected identity theft to local law enforcement, including to the FTC or to the Attorney General in your state.

### **Federal Trade Commission**

600 Pennsylvania Ave, NW  
Washington, DC 20580  
[consumer.ftc.gov](http://consumer.ftc.gov), and  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)  
1-877-438-4338

### **Maryland Attorney General**

200 St. Paul Place  
Baltimore, MD 21202  
[oag.state.md.us](http://oag.state.md.us)  
1-888-743-0023

### **New York Attorney General**

Bureau of Internet and Technology  
Resources  
28 Liberty Street  
New York, NY 10005  
1-212-416-8433

### **North Carolina Attorney General**

9001 Mail Service Center  
Raleigh, NC 27699  
[ncdoj.gov](http://ncdoj.gov)  
1-877-566-7226

### **Rhode Island Attorney General**

150 South Main Street  
Providence, RI 02903  
<http://www.riag.ri.gov>  
1-401-274-4400

### **Washington D.C. Attorney General**

441 4th Street, NW  
Washington, DC 20001  
[oag.dc.gov](http://oag.dc.gov)  
1-202-727-3400

**You also have certain rights under the Fair Credit Reporting Act (FCRA):** These rights include to know what is in your file; to dispute incomplete or inaccurate information; to have consumer reporting agencies correct or delete inaccurate, incomplete, or unverifiable information; as well as other rights. For more information about the FCRA, and your rights pursuant to the FCRA, please visit <https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf>.



Volver a IDX:  
P.O. Box 1907  
Suwanee, GA 30024

Para inscribirse, llame al:  
1-833-758-8900  
O visite:  
<https://app.idx.us/account-creation/protect>  
Código de inscripción: <<XXXXXXXXXX>>

<<FirstName>> <<LastName>>  
<<Address1>>  
<<Address2>>  
<<City>>, <<State>> <<Zip Code>>

12 de enero de 2023

**Re: Aviso <<Variable 1>> de datos**

Estimado/a <<FirstName>> <<LastName>>:

Le escribimos para brindarle información sobre un incidente reciente de seguridad de datos experimentado por Farmers Investment Co. ("FICO") que hace negocios como Green Valley Pecan Company, empresa matriz de su subsidiaria de propiedad total Farmers Water Co. ("FWC"), que puede haber involucrado su información personal. El propósito de esta carta es notificarle de este incidente, ofrecer servicios gratuitos de monitoreo de crédito y protección de identidad, e informarle sobre los pasos que puede tomar para ayudar a proteger su información personal.

**Qué ocurrió.** El o alrededor del 31 de mayo de 2022, FICO experimentó un problema de la red. Respondimos inmediatamente tomando medidas para proteger nuestro entorno digital y contratamos a una firma líder en ciberseguridad para que nos ayudara con una investigación y determinara si se pudo haber accedido o adquirido información personal o sensible durante el incidente. Mediante la investigación, el 26 de agosto de 2022, descubrimos que una persona no autorizada pudo haber accedido o adquirido información personal. Tras esta confirmación, contratamos a un proveedor para llevar a cabo una revisión exhaustiva y minuciosa de los expedientes potencialmente afectados con el fin de determinar qué información personal pudo haber estado involucrada. Además, comenzamos el proceso de localización de información de correo y configuración de los servicios que se ofrecen, que se completó el 3 de enero de 2023.

**Tenga en cuenta que la investigación de nuestros expertos no ha encontrado evidencia que sugiera un uso indebido o un intento de uso indebido de la información. Sin embargo, por precaución, le notificamos sobre este incidente y le ofrecemos recursos para ayudarlo a proteger su información personal.** Tenga en cuenta que solo las personas cuya información esté potencialmente involucrada en el incidente y cuya información de contacto estuvo disponible recibirán una carta de notificación.

**Qué información estuvo involucrada.** La información potencialmente afectada puede haber incluido su <<Variable 2>>.

**Qué estamos haciendo.** Tan pronto como descubrimos este incidente, tomamos los pasos descritos anteriormente. Como parte del proceso de respuesta, implementamos medidas adicionales para reducir el riesgo de que ocurra un incidente similar en el futuro. También hemos reportado el incidente al Buró Federal de Investigaciones y cooperaremos con cualquier investigación resultante.

Además, FICO le proporciona información sobre los pasos que puede tomar para ayudar a proteger su información personal y, como precaución adicional, le ofrece servicios de protección contra robo de identidad gratuitos a través de IDX. Estos servicios de protección de identidad incluyen: <<12/24>> meses de monitoreo de crédito, monitoreo en la web oscura de CyberScan, una póliza de reembolso de seguro de \$1,000,000 y la administración total de los servicios de recuperación de robo de identidad. Con esta protección, IDX le ayudará a resolver problemas si su identidad se ve comprometida.

**Lo que usted puede hacer.** Le recomendamos que active sus servicios de cortesía de IDX llamando al 1-833-758-8900 o visitando <https://app.idx.us/account-creation/protect> y utilizando el código de inscripción proporcionado anteriormente. Los representantes están disponibles de 6:00 a. m. a 6:00 p. m., hora del Pacífico, de lunes a viernes. Tenga en cuenta que la fecha límite de inscripción es el 12 de abril de 2023. Además, le recomendamos que revise la guía incluida con esta carta sobre los pasos adicionales que puede tomar para proteger su información personal.

**Para obtener más información.** Si tiene alguna pregunta o necesita asistencia, comuníquese con IDX al 1-833-758-8900, de lunes a viernes de 6:00 a. m. a 6:00 p. m., hora del Pacífico, excluyendo los días festivos principales de EE. UU. Los representantes de IDX tienen pleno conocimiento de este incidente y pueden responder las preguntas que pueda tener sobre la protección de su información personal.

FICO se toma este asunto con mucha seriedad. Por favor, acepte nuestras sinceras disculpas y sepa que lamentamos profundamente cualquier preocupación o inconveniente que esto pueda causarle.

Atentamente.

El Equipo Directivo  
Farmers Investment Co. (FICO)  
1525 E. Sahuarita Rd.  
Sahuarita, AZ 85629

## Pasos que puede tomar para proteger su información personal

**Revise sus estados de cuenta y notifique a los organismos de orden público sobre actividades sospechosas:** Como medida de precaución, le recomendamos que se mantenga alerta revisando atentamente sus estados de cuenta e informes de crédito. Si detecta cualquier actividad sospechosa en una cuenta, debe notificar de inmediato a la institución financiera o empresa con la que mantiene la cuenta. También debe reportar de inmediato cualquier actividad fraudulenta o cualquier sospecha de incidencia de robo de identidad ante los organismos de orden público correspondientes, a su fiscal general estatal y/o a la Comisión Federal de Comercio (Federal Trade Commission, FTC).

**Copia del informe de crédito:** Usted puede obtener una copia gratuita de su informe de crédito de cada una de las tres principales agencias de informes de crédito una vez cada 12 meses visitando <http://www.annualcreditreport.com/>, llamando al número gratuito 1-877-322-8228, o completando un Formulario de Solicitud de Informe de Crédito Anual y enviándolo por correo a Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. También puede comunicarse con una de las siguientes tres agencias nacionales de informes de crédito:

### Equifax

P.O. Box 105851  
Atlanta, GA 30348  
1-800-525-6285  
[www.equifax.com](http://www.equifax.com)

### Experian

P.O. Box 9532  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

### TransUnion

P.O. Box 1000  
Chester, PA 19016  
1-800-916-8800  
[www.transunion.com](http://www.transunion.com)

**Alerta defraude:** Puede considerar establecer una alerta de fraude en su informe de crédito. La primera alerta de fraude es gratuita y permanecerá en su expediente de crédito por al menos un año. La alerta informa a los acreedores de una posible actividad fraudulenta dentro de su informe y solicita que el acreedor se comunique con usted antes de establecer cualquier cuenta a su nombre. Para establecer una alerta de fraude en su informe de crédito, comuníquese con cualquiera de las tres agencias de informes de crédito identificadas anteriormente. Puede encontrar información adicional en <http://www.annualcreditreport.com>.

**Congelamiento de seguridad:** Usted tiene el derecho de establecer un congelamiento de seguridad en su expediente de crédito por hasta un año sin costo. Esto evitará que se abra un nuevo crédito a su nombre sin el uso de un número PIN que se le emite cuando inicia el congelamiento. El congelamiento de seguridad está diseñado para evitar que posibles acreedores accedan a su informe de crédito sin su consentimiento. Como resultado, el uso de un congelamiento de seguridad puede interferir o retrasar su capacidad para obtener crédito. Debe establecer por separado un congelamiento de seguridad en su expediente de crédito con cada agencia de informes de crédito. Para establecer un congelamiento de seguridad, es posible que deba proporcionar a la agencia de informes del consumidor información que lo identifique, que incluye su nombre completo, número de Seguro Social, fecha de nacimiento, domicilios actual y anterior, una copia de su tarjeta de identificación emitida por el estado y una factura de servicios públicos reciente, estado de cuenta bancario o estado de cuenta de una póliza de seguro.

**Recursos gratuitos adicionales:** Puede obtener información de las agencias de informes del consumidor, de la FTC o de su respectivo Fiscal General del estado sobre alertas de fraude, congelaciones de seguridad y pasos que puede tomar para prevenir el robo de identidad. Puede reportar un presunto robo de identidad ante los organismos de orden público locales, incluso a la FTC o al Fiscal General de su estado.

### Comisión Federal de Comercio

600 Pennsylvania Ave, NW  
Washington, DC 20580  
[consumer.ftc.gov](http://consumer.ftc.gov), and  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)  
1-877-438-4338

### Maryland Attorney General

200 St. Paul Place  
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1-877-566-7226

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Providence, RI 02903  
<http://www.riag.ri.gov>  
1-401-274-4400

### Washington D.C. Attorney General

441 4th Street, NW  
Washington, DC 20001  
[oag.dc.gov](http://oag.dc.gov)  
1-202-727-3400

**Usted también tiene ciertos derechos conforme la Ley de Informe Imparcial de Crédito (Fair Credit Reporting Act, FCRA):** Estos derechos incluyen saber lo que figura en su expediente; disputar información incompleta o inexacta; hacer que las agencias de informes del consumidor corrijan o eliminen información inexacta, incompleta o no verificable; así como otros derechos. Para obtener más información sobre la FCRA y sus derechos conforme la FCRA, visite <https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf>.