



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

1266 E. Main Street, Soundview Plaza,
Suite 700 R
Stamford, CT 06902

December 4, 2023

VIA E-MAIL

Office of the New Hampshire Attorney General
Consumer Protection & Antitrust Bureau
33 Capitol Street
Concord, NH 03301
E-mail: DOJ-CPB@doj.nh.gov

Re: Notice of Data Event

To Whom It May Concern:

We represent Fenn Termite and Pest Control (“Fenn Pest”) located at 7322 Walnut Avenue, Buena Park, CA, 90620 and are writing to notify your office of an incident that may affect the security of certain personal information relating to one (1) New Hampshire resident. This notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Fenn Pest 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

On August 27, 2023, Fenn Pest became aware of unusual activity in some of their servers. Fenn Pest immediately disconnected the impacted servers and workstations and began an investigation into the nature and scope of the activity with the assistance of third-party forensic specialists. Fenn Pest’s investigation determined that an unauthorized party accessed their network and may have obtained certain files on or about August 25, 2023. In response, Fenn Pest undertook a lengthy and comprehensive review of the impacted data to identify any sensitive information and to whom that information pertained. On or about November 16, 2023, Fenn Pest determined that information related to New Hampshire residents was impacted by this incident. Fenn Pest has worked since this time to verify the information at issue and locate current mailing addresses, in order to provide an accurate notification.

The information that could have been subject to unauthorized access includes

Notice to New Hampshire Residents

On or about December 4, 2023, Fenn Pest provided written notice of this incident to one (1) New Hampshire resident. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon discovering the event, Fenn Pest moved quickly to investigate and respond to the incident, assess the security of Fenn Pest systems, and identify potentially affected individuals. Fenn Pest is also working to implement additional safeguards and training to its employees. Fenn Pest is providing access to credit monitoring services for _____, through Experian, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Fenn Pest 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. Fenn Pest is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, information on protecting against tax fraud, 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.

Fenn Pest is providing written notice of this incident to relevant state regulators, as necessary.

Contact Information

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

Very truly yours,

Gregory J. Bautista of
MULLEN COUGHLIN LLC

GJB/ekw
Enclosure

EXHIBIT A



TERMITE + PEST CONTROL
A Full Service Pest Control Company

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

December 4, 2023

K4271-L01-0000001 T00001 P001 *****SCH 5-DIGIT 12345



SAMPLE A SAMPLE - L01

APT ABC

123 ANY STREET

ANYTOWN, ST 12345-6789



NOTICE OF SECURITY INCIDENT

Dear Sample A. Sample:

Fenn Termite and Pest Control (“Fenn Pest”) is writing to notify you of an incident that affects the security of some of your personal information. This notice provides you with information about the incident, our response, and resources available to you to help better protect your information, should you feel it appropriate to do so.

What Happened?

On August 27, 2023, Fenn Pest became aware of unusual activity in some of our servers. We immediately disconnected the impacted servers and workstations and began an investigation into the nature and scope of the activity with the assistance of third-party forensic specialists. Our investigation determined that an unauthorized party accessed our network and may have obtained certain files on or about August 25, 2023. In response we undertook a lengthy and comprehensive review of the impacted data to identify any sensitive information and to whom that information pertained. On October 25, 2023, we determined that information related to you was impacted by this incident. We have worked since this time to review the potentially impacted information in order to provide you with this notification.

What Information Was Involved?

Your [Extra2] were present in the files that may have been accessed by the unauthorized party.

What We Are Doing.

We take this incident and the security of personal information in our care seriously. Upon discovering the unusual activity, we took steps to further increase the security of our systems and investigated the activity. As part of our ongoing commitment to the privacy of information in our care, we implemented additional technical security measures designed to prevent and mitigate recurrence of this type of incident. We are also reviewing and enhancing existing policies and procedures. As an added precaution, Fenn Pest is offering you access to **Single Bureau Credit Monitoring/Single Bureau Credit Report/Single Bureau Credit Score** services at no charge. These services provide you with alerts for ## months from the date of enrollment when changes occur to your credit file. These services will be provided by Experian specializing in fraud assistance and remediation services. Details of this offer and instructions on how to enroll in the services may be found in the attached *Steps You Can Take to Protect Personal Information*. Please note that, due to privacy restrictions, we are unable to automatically enroll you in the offered identity monitoring services.

What You Can Do.

We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your free credit reports for suspicious activity and to detect errors over the next . Additional information may be found in the attached *Steps You Can Take to Protect Personal Information*.

For More Information.

If you have questions about this matter, you may contact our dedicated assistance line at 855-223-4828, Monday through Friday 8 am – 10 pm CST, and Saturday and Sunday 10 am – 7 pm CST (excluding major U.S. holidays). Please be prepared to provide your engagement number

Sincerely,

Drew Fenn
President
www.fennpest.com

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Enroll in Monitoring Services

To help protect your identity, we are offering complimentary access to Experian IdentityWorksSM for ## months.

If you believe there was fraudulent use of your information as a result of this incident and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. 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 from the date of the incident (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 Identity Restoration is available to you for ## months 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.

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 ##-month 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:

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 . Be prepared to provide engagement number as proof of eligibility for the Identity Restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR ##-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP

A credit card is not required for enrollment in Experian IdentityWorks. You can contact Experian immediately regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **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 file for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARETM:** 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.

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

** The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order a free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. Consumers may also directly contact the three major credit reporting bureaus listed below to request a free copy of their credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit 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 consumers are the victim of identity theft, they are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should consumers wish to place a fraud alert, please contact any of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a “credit freeze” on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer’s express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in a consumer’s name without consent. However, consumers should be aware that using a credit freeze to take control over who gets access to the personal and financial information in their credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application they make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, consumers cannot be charged to place or lift a credit freeze on their credit report. To request a credit freeze, individuals may need to provide some or all of the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to 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, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if they are a victim of identity theft.

Should consumers wish to place a credit freeze or fraud alert, please contact the three major credit reporting bureaus listed below:

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
1-888-298-0045	1-888-397-3742	1-800-916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. Consumers can obtain further information on how to file such a complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, consumers will likely need to provide some proof that they have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and the relevant state Attorney General. This notice has not been delayed by law enforcement.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-576-6300 or 1-888-743-0023; and <https://www.marylandattorneygeneral.gov/>.

For New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov>.