



MULLEN  
COUGHLIN LLC  
ATTORNEYS AT LAW

RECEIVED  
OCT 20 2020

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1127 High Ridge Road, #301  
Stamford, CT 06905

October 20, 2020

**VIA U.S. MAIL**

Consumer Protection Bureau  
Office of the New Hampshire Attorney General  
33 Capitol Street  
Concord, NH 03301

**Re: Notice of Data Event**

Dear Sir or Madam:

We represent First Bank located at 2465 Kuser Rd., Hamilton, NJ 08690 and are writing to notify your office of an incident that may affect the security of some personal information relating to one (1) New Hampshire resident. The investigation into this matter is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, First Bank 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 July 2, 2020, First Bank became aware of suspicious activity in an employee's email account. First Bank immediately changed the employee's email account credentials and began an investigation into the incident. As part of the investigation, which was conducted with the assistance of third-party forensic specialists, it was determined that the employee's email account was subject to unauthorized access on or about May 30, 2020. Therefore, First Bank conducted a thorough and time-consuming review of the account to identify any individuals whose sensitive information was contained in the account. Although there is no evidence that information was actually viewed by the unauthorized individual, First Bank is providing any individuals potentially impacted with notice in an abundance of caution.

The information that could have been subject to unauthorized access includes name, address, Social Security number and financial account number.

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### **Notice to New Hampshire Resident**

On or about October 20, 2020, First Bank provided written notice of this incident to affected individuals which includes 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, First Bank moved quickly to investigate and respond to the incident, assess the security of its systems, and notify potentially affected individuals. First Bank also worked to implement additional safeguards and training to its employees. First Bank is providing individuals whose personal information was potentially impacted by this incident with access to 1 year of credit monitoring services through ID Experts at no cost to the individuals.**

Additionally, First Bank 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. First Bank is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, 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. First Bank is also providing notice to regulators as required.

### **Contact Information**

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-1509.

Very truly yours,



Gregory J. Bautista of  
MULLEN COUGHLIN LLC

GJB /pls  
Enclosure

# **EXHIBIT A**



C/O IDX  
P.O. Box 1907  
Suwanee, GA 30024

To Enroll, Please Call:  
1-833-752-0865  
Or Visit:  
<https://app.idx.us/account-creation/protect>  
Enrollment Code: <<XXXXXXXXXX>>

<<First Name>> <<Last Name>>  
<<Address1>> <<Address2>>  
<<City>>, <<State>> <<Zip>>

October 20, 2020

RE: Notice of Data Breach

Dear <<Name 1>>:

First Bank, located in Hamilton N.J. ("First Bank") is writing to notify you of a recent incident that may impact some of your personal information. First Bank is advising you of our investigation and the steps we have taken in response to this incident. First Bank is also providing you with steps you can take to protect your personal information should you feel it is appropriate to do so.

**What Happened?** On July 2, 2020, First Bank became aware of suspicious activity in an employee's email account. First Bank immediately changed the employee's email account credentials and began an investigation into the incident. As part of the investigation, which was conducted with the assistance of third-party forensic specialists, it was determined that the employee's email account was subject to unauthorized access on or about May 30, 2020. Therefore, First Bank conducted a thorough and time-consuming review of the account to identify any individuals whose sensitive information was contained in the account. Through the review, First Bank determined that information related to you was included in the account. Although there is no evidence that your information was actually viewed by an unauthorized individual, we are providing this notice to you in an abundance of caution.

**What Information Was Involved?** The information that was potentially subject to unauthorized access includes your: <<Variable Data 1>>.

**What We Are Doing.** First Bank takes the security of personal information in its care very seriously. You are being notified because your personal information may have been subject to unauthorized access. This does not mean you are a victim of identity theft.

As an added precaution, First Bank is also offering you access to 1 year of complimentary credit monitoring and identity protection services through IDX. The cost of this service will be paid by First Bank. Instructions on how to enroll in the credit monitoring and identity protection services can be found in the enclosed *Steps You Can Take to Help Protect Against Identity Theft and Fraud*.

**What You Can Do.** You can enroll to receive the free credit monitoring and identity restoration services being provided by First Bank. You can also review the enclosed *Steps You Can Take to Help Protect Against Identity Theft and Fraud*.

**For More Information.** We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, or need assistance, please call 1-833-752-0865, Monday through Friday, from 9:00 am to 9:00 pm Eastern Time or go to <https://app.idx.us/account-creation/protect>.

We sincerely apologize for this incident and regret any concern or inconvenience this may have caused you.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Ryan', is positioned to the left of a vertical line.

**Patrick L. Ryan**  
**President and CEO**  
**First Bank, located in Hamilton N.J.**

## Steps You Can Take to Help Protect Against Identity Theft and Fraud

First Bank is offering you access to 1 year of complimentary credit monitoring and identity protection services through IDX. We encourage you to contact IDX with any questions and to enroll in free IDX services by calling 1-833-752-0865 or going to <https://app.idx.us/account-creation/protect> and using the Enrollment Code provided above. IDX representatives are available Monday through Friday from 9:00 am – 9:00 pm Eastern Time. Please note the deadline to enroll is January 20, 2021.

**1. Website and Enrollment.** Go to <https://app.idx.us/account-creation/protect> and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.

**2. Activate the credit monitoring** provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.

**3. Telephone.** Contact IDX at 1-833-752-0865 to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.

**Monitor Your Accounts.** You should always remain vigilant against incidents of identity theft, review your account statements, and monitor your credit reports and explanation of benefits forms for suspicious activity. Under U.S. law you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call, toll-free, 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report.

You have the 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. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

**TransUnion**  
P.O. Box 2000  
Chester, PA 19106  
1-800-680-7289  
[www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

**Experian**  
P.O. Box 2002  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com/freeze/center.html](http://www.experian.com/freeze/center.html)

**Equifax**  
P.O. Box 105069  
Atlanta, GA 30348  
1-888-766-0008  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

In order 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 (5) 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 either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft;

The credit reporting agencies have one (1) to three (3) business days after receiving your request to place a security freeze on your credit file report, based upon the method of the request. The credit bureaus must also send written confirmation to you within five (5) business days and provide you with the process by which you may remove the security freeze, including an authentication mechanism. Upon receiving a direct request from you to remove a security freeze and upon receiving

proper identification from you, the consumer reporting agency shall remove a security freeze within one (1) hour after receiving the request by telephone for removal or within three (3) business days after receiving the request by mail for removal.

As an alternative to a security freeze, you have the right to place an initial or extended “fraud alert” on your 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 you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the agencies listed below:

**TransUnion**  
P.O. Box 2000  
Chester, PA 19106  
1-800-680-7289  
[www.transunion.com/fraud-victim-resource/place-fraud-alert](http://www.transunion.com/fraud-victim-resource/place-fraud-alert)

**Experian**  
P.O. Box 2002  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com/fraud/center.html](http://www.experian.com/fraud/center.html)

**Equifax**  
P.O. Box 105069  
Atlanta, GA 30348  
1-888-766-0008  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

You can also further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself, by contacting the consumer reporting agencies, your state Attorney General, or the Federal Trade Commission (FTC). The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580; [www.identitytheft.gov](http://www.identitytheft.gov); 1-877-ID-THEFT (877-438-4338); and TTY: 866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. You can also obtain further information on how to file such a complaint by way of the contact information listed above. Instances of known or suspected identity theft should be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement.

*For Maryland residents*, the Attorney General can be contacted at 200 St. Paul Place, 16th Floor, Baltimore, MD 21202, 1-410-528-8662, [www.oag.state.md.us](http://www.oag.state.md.us).

*For New Mexico residents*, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the 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 credit reports to be provided to employers; you may limit “prescreened” offers of credit and insurance you get based on information in your credit report; and you may seek damages from violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting [www.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf), or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

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

*For North Carolina residents*, the Attorney General can be contacted at 9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-566-7226 or 1-919-716-6000, [www.ncdoj.gov](http://www.ncdoj.gov). You can obtain information from the Attorney General or the Federal Trade Commission about preventing identity theft.