



Sean B. Hoar  
888 SW Fifth Ave., Suite 9000  
Portland, OR 97204  
Sean.Hoar@lewisbrisbois.com  
Direct: 971.712.2795

July 29, 2021

**VIA EMAIL**

Attorney General Gordon MacDonald  
Office of the Attorney General  
Consumer Protection Bureau  
33 Capital Street  
Concord, NH 03301  
[DOJ-CPB@doj.nh.gov](mailto:DOJ-CPB@doj.nh.gov)

Re: Notice of Data Security Incident

Dear Attorney General MacDonald:

We represent Fluid Motion, LLC (“Fluid Motion”), makes of Ranger Tugs & Cutwater Boats based in Washington. This letter is being sent because the personal information of a single New Hampshire resident may have been affected by a recent data security incident experienced by Fluid Motion. The incident may have involved unauthorized access to such resident’s name and financial information.

On February 18, 2021, Fluid Motion detected unusual activity relating to one Fluid Motion employee email account. Upon discovering this activity, Fluid Motion immediately took steps to secure the account as well as its email environment and launched an investigation. In connection therewith, Fluid Motion engaged a leading, independent forensics firm to determine what happened and whether sensitive information was accessed or acquired without authorization as a result. As a result of that investigation, Fluid Motion learned that a certain Fluid Motion employee email account had been accessed without authorization. Fluid Motion then engaged a vendor to conduct a comprehensive review of the contents of the one email account likely to contain personal information and, on June 8, 2021, learned of the identifies of potentially impacted individuals. Fluid Motion then worked diligently to identify current address information required to provide notification to such individuals. Through this diligent search, Fluid Motion learned that personal information belonging to one New Hampshire resident was potentially affected.

Fluid Motion notified the potentially affected New Hampshire resident of this incident via the attached sample letter on July 29, 2021. In so doing, Fluid Motion offered the individual complimentary credit monitoring and identity theft restoration services for one year through Kroll, a global leader in risk mitigation and response. These services include Credit Monitoring, \$1 Million Identity Fraud Loss Reimbursement, Fraud Consultation, and Identity Theft Restoration.

Please contact me should you have any questions.

Very truly yours,



Sean B. Hoar  
LEWIS BRISBOIS BISGAARD & SMITH LLP

Encl: Sample Consumer Notification Letter

<<Date>> (Format: Month Day, Year)

<<first\_name>> <<middle\_name>> <<last\_name>> <<suffix>>  
<<address\_1>>  
<<address\_2>>  
<<city>>, <<state\_province>> <<postal\_code>>  
<<country>>

**Re: Notice of Data Security Incident**

Dear <<first\_name>> <<middle\_name>> <<last\_name>> <<suffix>>,

We are writing to inform you of a data security incident experienced by Fluid Motion, LLC, makers of Ranger Tugs & Cutwater Boats ("Fluid Motion"), that may have affected some of your personal information. We are writing to notify you of this incident, to offer you complimentary identity monitoring services, and to inform you of steps that can be taken to help protect your personal information.

**What Happened?** On February 18, 2021, we detected unusual activity relating to one Fluid Motion employee email account. Upon discovering this activity, we immediately took steps to secure the account and our email environment, and launched an investigation. We also engaged an independent forensics firm to assist us with the process and to determine whether sensitive information was acquired without authorization during the incident. As a result of that investigation, we learned that the employee email account was accessed without authorization. We then conducted a comprehensive review of the contents of the account and, on June 8, 2021, learned that it contained some of your personal information. We then worked diligently to identify current address information required to provide notification to you as required by law. Once that was completed, we worked to quickly notify you of this incident.

Please note that this unauthorized access was limited to information transmitted via email and did not affect any other information systems. In addition, Fluid Motion is currently not aware of the misuse of any potentially affected information.

**What Information Was Involved?** The following information may have been affected: your name and <<b2b\_text\_1(ImpactedData)>>.

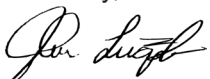
**What We Are Doing.** As soon as we discovered this incident, we took the steps referenced above. We also enhanced the security of our email system to help prevent a similar incident from occurring in the future. In addition, we reported this matter to the Federal Bureau of Investigation and will provide whatever assistance is necessary to hold the perpetrator(s) of this incident accountable. Finally, out of an abundance of caution, we are offering you complimentary identity monitoring<sup>1</sup> services through Kroll, a global leader in risk mitigation and response. These services include Credit Monitoring, Web Watcher, \$1 Million Identity Fraud Loss Reimbursement, Fraud Consultation, and Identity Theft Restoration.

**What You Can Do.** We recommend that you activate your complimentary Kroll services. Activation instructions and a description of the services are included with this letter. We also recommend that you review the guidance included with this letter about how to help protect your personal information.

**For More Information.** If you have questions or need assistance, please contact us at 1-855-545-2038, Monday through Friday from 8:00 a.m. to 5:30 p.m. Central Time, excluding major US holidays. Kroll representatives are fully versed on this incident and can answer any questions you may have regarding how to help safeguard your identity.

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

Sincerely,



John Livingston, President  
Fluid Motion, LLC

<sup>1</sup> To receive credit monitoring services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file. If you are under 18, all other services aside from credit monitoring services are available to you.

## Steps You Can Take to Help 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 can print this form at [www.annualcreditreport.com/cra/requestformfinal.pdf](http://www.annualcreditreport.com/cra/requestformfinal.pdf). 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 [http://files.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://files.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf).



As referenced above, we have secured the services of Kroll to provide identity monitoring services at no cost to you for one year. Kroll is a global leader in risk mitigation and response, and the Kroll team has extensive experience helping people who have sustained an unintentional exposure of confidential data. Your services<sup>2</sup> include Credit Monitoring, Web Watcher, \$1 Million Identity Fraud Loss Reimbursement, Fraud Consultation, and Identity Theft Restoration.

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### How to Activate Your Services

Visit <https://enroll.krollmonitoring.com> to activate and take advantage of your identity monitoring services.

You have until October 26, 2021 to activate your identity monitoring services.

Membership Number: <<Membership Number s\_n>>

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### Take Advantage of Your Services

You've been provided with access to the following services from Kroll:

#### Single Bureau Credit Monitoring

You will receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.

#### Web Watcher

Web Watcher monitors internet sites where criminals may buy, sell, and trade personal identity information. An alert will be generated if evidence of your personal identity information is found.

#### \$1 Million Identity Fraud Loss Reimbursement

Reimburses you for out-of-pocket expenses totaling up to \$1 million in covered legal costs and expenses for any one stolen identity event. All coverage is subject to the conditions and exclusions in the policy.

#### Fraud Consultation

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

#### Identity Theft Restoration

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.

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<sup>2</sup> Kroll's activation website is only compatible with the current version or one version earlier of Internet Explorer, Chrome, Firefox, and Safari. To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.