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RECEIVED
SEP 06 2022
CONSUMER PROTECTION

Mark G. McCreary
Direct Dial: (215) 299-2010
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August 31, 2022

Via U.S. Mail

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

Re: <u>Notice of Data Breach</u>

To Whom It May Concern:

Our office represents Fonville Morisey and we are writing to provide you with notice of an incident that may affect the personal information of one (1) New Hampshire resident. By providing this notice, Fonville Morisey does not waive any rights or defenses regarding the applicability of New Hampshire law or personal jurisdiction. Fonville Morisey's investigation is ongoing, and this notice will be supplemented with any material facts learned subsequent to its submission.

Background

On October 26, 2021, Fonville Morisey became victim to a ransomware attack. Once the attack was discovered, Fonville Morisey engaged cybersecurity experts and launched an investigation into the nature and scope of the attack. As part of the investigation, it was determined that the responsible cybercriminal had access to Fonville Morisey's systems between October 22, 2021 and October 28, 2021 to perpetuate the attack. As a result of the attack, the cybercriminal encrypted Fonville Morisey systems that store information on current and former employees, agents, vendors, and those individuals that previously enrolled in training with Fonville Morisey. Although there is no confirmation that personal information was accessed or acquired as a result of the attack, personal information did reside on the encrypted systems. Fonville Morisey's email environment was one of the encrypted systems and in order to determine what, if any, personal information was contained in the email environment or attached, Fonville Morisey engaged a third-party forensic vendor to conduct data mining. On July 19, 2022, Fonville Morisey

determined personal information of one (1) New Hampshire resident may have been impacted by this incident. This personal information included name and Social Security number.

Notice to Residents

Out of an abundance of caution, Fonville Morisey mailed written notice of this incident to these potentially impacted individuals on August 31, 2022, in substantially the same form as the letter attached as *Exhibit A*.

Steps Taken

Fonville Morisey is offering potentially impacted individuals with (2) years of complimentary credit monitoring and identity restoration services, as well as additional information on how to protect against identity theft and fraud. In order to better protect against a similar incident from occurring in the future, Fonville Morisey is reviewing its policies and procedures, implementing Multi-Factor Authentication (MFA) on all accounts, and working with cybersecurity experts to implement additional safeguards to better protect against future incidents of this nature. In addition to providing this notice to your office, Fonville Morisey has provided notice of this incident to other state regulators and the consumer reporting agencies as required.

Contact

Should you have any questions regarding this notification of other aspects of this incident, please contact me at (215) 299-2010 or mmccreary@foxrothschild.com.

Very truly yours,

Mark G. McCreary
For Fox Rothschild LLP

MGMc/kr
Enclosure

Exhibit A

FONVILLE MORISEY
A LONG & FOSTER COMPANY
Return Mail Processing
PO Box 999
Suwanee, GA 30024

August 31, 2022

1 1 17 **********AUTO**MIXED AADC 300
SAMPLE A. SAMPLE - L01
APT ABC
123 ANY ST
ANYTOWN, US 12345-6789

Re: Notice of Data Breach

Dear Sample A. Sample:

Fonville Morisey is writing to notify you of a recent incident that may impact your personal information. This letter provides information about the incident, our response, and resources available to you to help protect your personal information, should you feel it necessary to do so.

What Happened? On October 26, 2021, we determined that Fonville Morisey was the victim of a ransomware attack. Once we became aware of the attack, we engaged cybersecurity experts and launched an investigation into the nature and scope of the attack. As part of the investigation, we determined the cybercriminal(s) responsible for the attack had access to Fonville Morisey's systems from October 22, 2021 to October 28, 2021 to perpetuate the attack.

What Information Was Involved? Ransomware is used by cybercriminal(s) to encrypt files, therefore, rendering any files and systems that rely on them unusable. As part of our ongoing investigation, we determined the cybercriminal encrypted the email environment, including attachments, of Fonville Morisey. In order to determine what, if any, personal information was contained in the email environment or attachments, Fonville Morisey engaged a third party forensic vendor to conduct a data mining exercise. On July 19, 2022, Fonville Morisey determined your personal information may have been impacted by this attack. Although we have no indication that your personal information was accessed or acquired as a result of the attack, your personal information did reside on the encrypted email enviornment. This personal information includes your name, [Extra1]. As a precautionary measure, we are providing you with this notice.

What Are We Doing? We take this incident and the security of your information seriously. In addition to the steps detailed above, as part of our ongoing commitment to information security, we are reviewing our policies and procedures, implemented Multi-Factor Authentication (MFA) on all accounts, and have engaged leading cybersecurity experts to implement additional safeguards and security protections to better protect against similar incidents in the future. We are also offering you two (2) years of complimentary credit monitoring and identity restoration services with Experian. In addition to notifying you, we also notified certain state regulators and consumer reporting agencies of this incident as required.

What You Can Do. You can review the enclosed *Steps You Can Take To Protect Your Information*, which contains instructions on how to enroll in the complimentary credit monitoring and identity restoration services. It also includes additional information on what you can do to better protect against the possibility of identity theft and fraud, if you feel it is appropriate to do so. Please note that while Fonville Morisey will cover the cost of Experian's services, you must complete the enrollment process.

For More Information. We understand you may have questions that are not answered in this letter. To ensure your questions are answered in a timely manner, please contact our dedicated call center at (833) 704-9391, which is available Monday through Friday, between 9:00am and 11:00pm EST, and Saturday and Sunday, between 11:00am and 8:00pm EST. Please be prepared to provide engagement number B023006 upon calling.

We sincerely regret any inconvenience or concern this event has caused you.

Sincerely,

Rod Eller
Senior Vice President, Regional Manager
Fonville Morisey

STEPS YOU CAN TAKE TO PROTECT YOUR INFORMATION

Enroll in Experian: To help protect your identity, we are offering a complimentary 24-month membership of Experian's® IdentityWorks℠. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- Ensure that you enroll by: **March 31, 2022** (Your code will not work after this date)
- Visit the Experian IdentityWorks website to enroll at: https://www.experianidworks.com/credit
- Provide your activation code:

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at **(833) 704-9391** by **March 31, 2022**. Be prepared to provide engagement number as proof of eligibility for the identity restoration services by Experian.

Additional details regarding your 24-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. Offline members will be eligible to call for additional reports quarterly after enrolling.
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration agents are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to $1 Million Identity Theft Insurance:** Provides coverage for certain costs and unauthorized electronic fund transfers. 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.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at (833) 704-9391. 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 (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 this Identity Restoration support is available to you for 24-months from the date of this letter and does not require any action on your part at this time.

Monitor your accounts: 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 or errors.

Check credit reports: Under United States 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 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 may also contact the three major credit bureaus directly to request a free copy of your credit report at:

Equifax	Experian	Transunion
P.O. Box 740256	P.O. Box 2002	P.O. Box 2000
Atlanta, GA 30374	Allen, TX 75013	Chester, PA 10916
1-800-525-6285	1-888-397-3742	1-800-680-7289
www.equifax.com	www.experian.com	www.transunion.com

Place a security freeze: You may place a security freeze on your credit reports, free of charge. A security freeze prohibits a credit reporting agency from releasing any information from a consumer's credit report without written authorization. However, please be aware that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing, or other services. You will need to place a security freeze separately with each of the three major credit bureaus if you wish to place a freeze on all of your credit files. In order to

request a security freeze, you will need to supply your full name, address, date of birth, Social Security number, current address, all addresses for up to five previous years, email address, a copy of your state identification card or driver's license, and a copy of a utility bill, bank or insurance statement, or other statement proving residence. To find out more on how to place a security freeze, contact the credit reporting agencies at:

Equifax	Experian	Transunion
P.O. Box 105788 Atlanta, GA 30348	P.O. Box 9554 Allen, TX 75013	P.O. Box 160 Woodlyn, PA 19094
1-800-349-9960	1-888-397-3742	1-888-909-8872
www.equifax.com/personal/credit-report-services/credit-freeze/	www.experian.com/freeze	www.transunion.com/credit-freeze

Place a fraud alert: At no charge, you can also have the three major credit bureaus place a "fraud alert" on your file that alerts creditors to take additional steps to verify your identity prior to granting credit in your name. Note, however, that because it tells creditors to follow certain procedures to protect you, it may also delay your ability to obtain credit while the agency verifies your identity. As soon as one credit bureau confirms your fraud alert, the others are notified to place fraud alerts on your file. Should you wish to place a fraud alert, or should you have any questions regarding your credit report, please contact the credit reporting agencies.

Review additional resources: You can further educate yourself regarding identity theft, security freezes, fraud alerts, and the steps you can take to protect yourself against identity theft and fraud by contacting the Federal Trade Commission or your state Attorney General. The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission encourages those who discover that their information has been misused to file a complaint with them. Instances of known or suspected identity theft should be promptly reported to law enforcement, the Federal Trade Commission, and your state Attorney General. You have the right to file a police report if you ever experience identity theft or fraud. This notification was not delayed by law enforcement.

For District of Columbia residents: The Attorney General can be contacted at 400 6th Street NW, Washington, D.C. 20001; 202-727-3400; oag.dc.gov. **For Maryland residents:** The Attorney General can be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, Maryland 21202; 888-743-0023; and www.oag.state.md.us. Fonville Morisey is located at 3600 Glenwood Avenue Suite 150 Raleigh, NC, 27612. **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. You have additional rights under the Fair Credit Reporting Act not summarized here and we encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf. **For New York residents:** The Attorney General can be contacted at: Office of the Attorney General, The Capital, Albany, New York 12224; 1-800-771-7755; and ag.ny.gov. **For North Carolina residents:** The Attorney General can be contacted at: 9001 Mail Service Center, Raleigh, North Carolina 27699; 877-566-7226; and www.ncdoj.gov.