



MULLEN
COUGHLIN_{LLC}
ATTORNEYS AT LAW

RECEIVED

SEP 28 2021

CONSUMER PROTECTION

Gregory J. Bautista
Office: (267) 930-1509
Fax: (267) 930-4771
Email: gbautista@mullen.law

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

September 24, 2021

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 Forward Air Corporation (“Forward Air”) located at 1915 Snapps Ferry Road, Building N, Greeneville, Tennessee 37745, and are writing to notify your office of an incident that may affect the security of some personal information relating to three (3) New Hampshire residents. 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, Forward Air 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 or about December 15, 2020, Forward Air learned of suspicious activity occurring within certain computer systems. Forward Air immediately launched an investigation to determine the nature and scope of the incident. The investigation determined that certain Forward Air systems were accessible in November and early December 2020. While the investigation into what information was impacted is ongoing, Forward Air identified that the information includes information related to current and former employees.

The information that could have been subject to unauthorized access includes name, address, date of birth, Social Security number, driver’s license number, passport number, or bank account number.

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Notice to New Hampshire Residents

On or about September 24, 2021, Forward Air began providing written notice of this incident to affected individuals, which includes three (3) New Hampshire residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*. Forward Air's investigation into this event is ongoing. Forward Air may supplement this notification if it is determined that a significant number of additional New Hampshire residents were impacted by this event.

Other Steps Taken and To Be Taken

Upon discovering the event, Forward Air moved quickly to investigate and respond to the incident, assess the security of Forward Air systems, and notify potentially affected individuals. Forward Air is also working to implement additional safeguards and training to its employees. Forward Air is providing access to credit monitoring services for twelve (12) months through TransUnion®, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Forward Air 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. Forward Air 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.

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 /mtg
Enclosure

EXHIBIT A



Return Mail Processing Center
P.O. Box 6336
Portland, OR 97228-6336

<<Mail ID>>
<<Name 1>>
<<Name 2>>
<<Address 1>>
<<Address 2>>
<<Address 3>>
<<Address 4>>
<<Address 5>>
<<City>><<State>><<Zip>>
<<Country>>

<<Date>>

NOTICE OF SECURITY INCIDENT

Dear <<Name 1>>:

Forward Air Corporation (“Forward Air”) writes to inform you of a recent incident that may impact the security of some of your information. This letter contains information about the incident, our response, and steps you should take to better protect against the possibility of identity theft and fraud, should you feel it appropriate to do so.

What Happened? On December 15, 2020, Forward Air learned of suspicious activity occurring within certain company computer systems. Forward Air immediately launched an investigation to determine the nature and scope of the incident. The investigation determined that certain Forward Air systems were accessible in November and early December 2020, and that certain data, which may have included your personal information, was potentially viewed or taken by an unknown actor.

What Information Was Involved? On or about July 30, 2021, we determined that your name, address, date of birth, Social Security number, driver’s license number, passport number, or bank account number were potentially viewed and/or taken by an unknown actor. At this time, there is no indication that anyone’s information has been subject to actual or attempted misuse. Nevertheless, we are notifying you because your information was stored on our systems.

What We Are Doing. The confidentiality, privacy, and security of information entrusted to us are among our highest priorities, and we take this incident very seriously. As part of our ongoing commitment to information security, we are reviewing our existing policies and procedures regarding data privacy and are evaluating additional measures and safeguards to protect against this type of incident in the future. In addition to notifying you, we will also be notifying state regulators, as required.

As a safeguard, we have arranged for you to enroll, at no cost to you, in an online credit monitoring service (*myTrueIdentity*) for 12 months provided by TransUnion Interactive, a subsidiary of TransUnion®, one of the three nationwide credit reporting companies.

What You Can Do. You can find out more about how to protect against potential identity theft and fraud in the enclosed *Steps You Can Take to Help Protect Personal Information*. There you will also find more information on the credit monitoring services we are offering and how to enroll.

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, please call 1-866-853-3629, Monday through Friday, 9:00 a.m. to 9:00 p.m. Eastern Time, except holidays. You may also write to Forward Air at 1915 Snapps Ferry Road, Building N, Greeneville, Tennessee 37745.

We sincerely regret any inconvenience or concern this incident has caused.

Jay Tomasello
Chief Information Officer

STEPS YOU CAN TAKE TO HELP PROTECT PERSONAL INFORMATION

Enroll in Credit Monitoring and Restoration Services

To enroll in this service, go directly to the *myTrueIdentity* website at www.mytrueidentity.com and in the space referenced as "Enter Activation Code", enter the following unique 12-letter Activation Code <<Activation Code>> and follow the three steps to receive your credit monitoring service online within minutes.

If you do not have access to the Internet and wish to enroll in a similar offline, paper based, credit monitoring service, via U.S. Mail delivery, please call the TransUnion Fraud Response Services toll-free hotline at 1-855-288-5422. When prompted, enter the following 6-digit telephone pass code <<Pass Code>> and follow the steps to enroll in the offline credit monitoring service, add an initial fraud alert to your credit file, or to speak to a TransUnion representative if you believe you may be a victim of identity theft.

Once you are enrolled, you will be able to obtain 12 months of unlimited access to your TransUnion credit report and VantageScore® credit score by TransUnion. The daily credit monitoring service will notify you if there are any critical changes to your credit file at TransUnion®, including fraud alerts, new inquiries, new accounts, new public records, late payments, change of address and more. The service also includes the ability to lock and unlock your TransUnion credit report online, access to identity restoration services that provides assistance in the event your identity is compromised to help you restore your identity and up to \$1,000,000 in identity theft insurance with no deductible. (Policy limitations and exclusions may apply.)

You can sign up for the *myTrueIdentity* online Credit Monitoring service anytime between now and <<Enrollment Deadline>>. Due to privacy laws, we cannot register you directly. Please note that credit monitoring services might not be available for individuals who do not have credit file at TransUnion®, or an address in the United States (or its territories) and a valid Social Security number, or are under the age of 18. Enrolling in this service will not affect your credit score.

If you have questions about your *myTrueIdentity* online credit monitoring benefits, need help with your online enrollment, or need help accessing your credit report, or passing identity verification, please contact the *myTrueIdentity* Customer Service Team toll-free at: 1-844-787-4607, Monday-Friday: 8am- 9pm, Saturday-Sunday: 8am-5pm Eastern time.

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 your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your 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 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 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 your name without your consent. However, you should be aware that using a credit 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 credit freeze on your credit report. To request a security freeze, you will need to provide 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 you are a victim of identity theft.

Should you wish to place a credit freeze, 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
888-298-0045	1-888-397-3742	833-395-6938
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

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may 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 also encourages those who discover that their information has been misused to file a complaint with them. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your 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; 1-410-528-8662 or 1-888-743-0023; and 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 bureaus 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 violators. 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, 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 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/>.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; www.riag.ri.gov; and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are 4 Rhode Island residents impacted by this incident.