CLARK HILL

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May 19, 2020

Via email – attorneygeneral@doj.nh.gov
Attorney General Gordon MacDonald
Office of the Attorney General
33 Capitol Street
Concord, NH 03302
attorneygeneral@doj.nh.gov

To Attorney General MacDonald:

We represent Franty & Company, P.C. ("Franty") as outside counsel with respect to a data security incident involving the potential exposure of certain personally identifiable information ("PII") described in more detail below. Franty is a full-service Certified Public Accountant and tax firm. Franty is committed to answering any questions you may have about the data security incident, its response, and steps taken to prevent a similar incident in the future.

1. Nature of security incident.

On or about February 13, 2020, as Franty was attempting to file its clients' electronic tax returns, Franty discovered a limited number of returns were not being accepted by the Internal Revenue Service ("IRS") e-file system. Upon discovery, Franty immediately began an investigation and found that the returns had been rejected because someone else had already filed tax returns in those clients' names. Franty then engaged an independent computer forensic firm to help it determine what occurred, and whether any information was at risk. The investigation determined that an unauthorized actor may have briefly gained access to Franty's systems and files related to its clients' tax returns.

Without evidence to identify what specific tax files may have been accessed by the unauthorized actor, Franty conducted a comprehensive review of its systems to determine potentially impacted individuals, extract contact information, and provide notification to all of its clients. The review concluded on April 21, 2020.

2. Number of residents affected.

Two (2) New Hampshire residents may have been affected and were notified of the incident. A notification letter was sent to the potentially affected individuals on May 19, 2020 via regular mail (a copy of the form notification letter is enclosed).

3. Steps taken or plan to take relating to the incident.

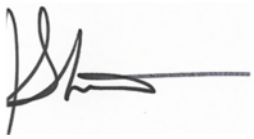
Franty took steps to address this incident and prevent a similar incident in the future, including changing all passwords, requiring more complex passwords on its systems, disabling remote access, and implementing two-factor authentication. Affected individuals were offered 12 months of credit monitoring and identity protection services through ID Experts.

4. Contact information.

Franty takes the security of the information in its control seriously and is committed to ensuring this information is appropriately protected. If you have any questions or need additional information, please do not hesitate to contact me at jschwent@clarkhill.com or (312) 985-5939.

Sincerely,

CLARK HILL PLC



JASON M. SCHWENT

Enclosure

FRANTY & COMPANY

C/O ID Experts
10300 SW Greenburg Rd. Suite 570
Portland, OR, 97223

To Enroll, Please Call:
1-800-939-4170
Or Visit:
https://app.myidcare.com/account-creation/protect
Enrollment Code:
<<XXXXXXXX>>

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

May 19, 2020

<<Title>>

Dear <<First Name>> <<Last Name>>,

We are writing to inform you of a data security incident experienced by Franty & Company, PC ("Franty") that may have impacted your personal information, including your name, address, Social Security number, bank account information (if provided to us), and information related to your tax filings. We take the privacy and security of your information seriously, and sincerely apologize for any concern or inconvenience this may cause you. This letter contains information about steps that you can take to protect your information, and resources that we are making available to help you.

1. What happened?

On or about February 13, 2020, we noted that a limited number of our clients' electronically filed tax returns were not being accepted by the Internal Revenue Service ("IRS") e-file system. This was unusual, so we immediately began an investigation to determine why this was happening and hired an independent computer forensic expert firm to assist. On April 21, 2020, the forensic investigator informed us that an unauthorized individual may have accessed files stored on our systems. The investigation was unable to determine whether or not your personal information was viewed.

2. What information was involved?

While the forensic investigations were unable to determine whether any files were viewed by the unauthorized individual, from our review it appears the files at risk may have contained your name, address, Social Security number, bank account information, if you provided that to us, and other tax related information.

3. What we are doing?

We took steps to prevent a similar incident in the future, including changing all passwords, requiring more complex passwords on the system, disabling remote access, and implementing two-factor authentication.

In addition, we are offering identity theft protection services to you at no cost through ID Experts®, the data breach and recovery services expert, to provide you with MyIDCare™. MyIDCare services include: 12 months of credit monitoring, a $1,000,000 insurance reimbursement policy, and fully managed identity theft recovery services. With this protection, MyIDCare will help you resolve issues if your identity is compromised.

4. What you can do?

We encourage you to contact ID Experts® with any questions and to enroll in this free MyIDCare services by calling **1-800-939-4170** or going to https://app.myidcare.com/account-creation/protect and using the Enrollment Code provided above. MyIDCare experts are available Monday through Friday from 9 am - 8 pm Eastern Time. Please note the deadline to enroll is August 19, 2020.

How to Enroll: You can sign up online or via telephone.

You will find detailed instructions for enrollment on the enclosed Recommended Steps document. Also, you will need to reference the enrollment code at the top of this letter when calling or enrolling online, so please do not discard this letter.

If you received a fraudulent deposit from the IRS into your bank account, the IRS has recommended the following:

1. Do not spend this money, as it must be returned to the IRS.
2. Contact your bank's fraud department and let them know that the money was deposited as a result of a fraudulent tax filing, and that the deposit should be reversed as soon as possible.
3. Do not return the money by check. The most reliable way for the money to be returned and credited to you is to instruct your bank to reverse the deposit.
4. If you have any issues with your bank and the return of the money, please contact our office.

Additionally, if you know or suspect you are a victim of tax-related identity theft, the IRS recommends the following steps:

- Respond immediately to any IRS written notice. **The IRS will not contact you via phone.**
- If you received a Letter 4883C from the IRS indicating that they received a suspicious tax return with your name on it, you should follow the instructions on that letter to verify your identity with the IRS. Once you verify your identity, you can advise the IRS that you did not file the suspicious tax return. Additionally, you may be asked to file a paper return for the current filing season.
- If you believe you may be a victim of tax fraud but have not received a Letter 4883C from the IRS, you should fill out and submit IRS Form 14039, which is available at IRS.gov. I can provide you with a copy of that form and assist you with filling it out if you would like. If you plan on filing on extension, please contact me for more information.

If you previously contacted the IRS and did not have a resolution, contact the IRS for specialized assistance at 1-800-908-4490. The IRS has teams available to assist. You should also visit https://www.irs.gov/individuals/how-irs-id-theft-victim-assistance-works for more information.

Again, at this time, there is no evidence that your information has been misused. However, we encourage you to take full advantage of this service offering. It is always a good idea to review and monitor your credit card and bank statements and immediately report suspicious activity to your financial institution.

5. For more information:

If you have any questions or concerns, please call **1-800-939-4170** Monday through Friday from 9 am – 8 pm Eastern Time. Your trust and security are top priorities for us, and we deeply regret any inconvenience or concern that this may cause you.

Sincerely,

Franty & Company, P.C.

FRANTY & COMPANY, P.C.
Chief Centre, Suite 200 / 455 Valley Brook Road / McMurray, PA 15317
724.731.0150 / Fax: 724.731.0140
www.franty.com

Recommended Steps to help Protect your Information

1. **Website and Enrollment.** Go to https://app.myidcare.com/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. 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, MyIDCare will be able to assist you.

3. Telephone. Contact 1-800-939-4170 to gain additional information about this event and speak with ID Experts® about the appropriate steps to take to protect your credit identity.

4. Review your credit reports. We recommend that you remain vigilant by reviewing account statements and monitoring credit reports. Under federal law, you also are entitled every 12 months to one free copy of your credit report from each of the three major credit reporting companies. To obtain a free annual credit report, go to www.annualcreditreport.com or call 1-877-322-8228. You may wish to stagger your requests so that you receive a free report by one of the three credit bureaus every four months.

If you discover any suspicious items and have enrolled in MyIDCare, notify them immediately by calling or by logging into the MyIDCare website and filing a request for help.

If you file a request for help or report suspicious activity, you will be contacted by a member of our ID Care team who will help you determine the cause of the suspicious items. In the unlikely event that you fall victim to identity theft as a consequence of this incident, you will be assigned an ID Care Specialist who will work on your behalf to identify, stop and reverse the damage quickly.

You should also know that you have the right to file a police report if you ever experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide some kind of proof that you have been a victim. A police report is often required to dispute fraudulent items. You can report suspected incidents of identity theft to local law enforcement or to the Attorney General.

5. Place Fraud Alerts with the three credit bureaus. If you choose to place a fraud alert, we recommend you do this after activating your credit monitoring. You can place a fraud alert at one of the three major credit bureaus by phone and also via Experian's or Equifax's website. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. The contact information for all three bureaus is as follows:

Credit Bureaus

Equifax Fraud Reporting	Experian Fraud Reporting	TransUnion Fraud Reporting
1-866-349-5191	1-888-397-3742	1-800-680-7289
P.O. Box 105069	P.O. Box 9554	P.O. Box 2000
Atlanta, GA 30348-5069	Allen, TX 75013	Chester, PA 19022-2000
www.alerts.equifax.com	www.experian.com	www.transunion.com

It is necessary to contact only ONE of these bureaus and use only ONE of these methods. As soon as one of the three bureaus confirms your fraud alert, the others are notified to place alerts on their records as well. You will receive confirmation letters in the mail and will then be able to order all three credit reports, free of charge, for your review. An initial fraud alert will last for one year.

Please Note: No one is allowed to place a fraud alert on your credit report except you.

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www.franty.com

6. Security Freeze. By placing a security freeze, someone who fraudulently acquires your personal identifying information will not be able to use that information to open new accounts or borrow money in your name. You will need to contact the three national credit reporting bureaus listed above to place the freeze. Keep in mind that when you place the freeze, you will not be able to borrow money, obtain instant credit, or get a new credit card until you temporarily lift or permanently remove the freeze. There is no cost to freeze or unfreeze your credit files.

7. You can obtain additional information about the steps you can take to avoid identity theft from the following agencies. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them.

8. You can obtain additional information about the steps you can take to avoid identity theft from the following agencies. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them.

California Residents: Visit the California Office of Privacy Protection (www.oag.ca.gov/privacy) for additional information on protection against identity theft.

Kentucky Residents: Office of the Attorney General of Kentucky, 700 Capitol Avenue, Suite 118 Frankfort, Kentucky 40601**,** www.ag.ky.gov, Telephone: 1-502-696-5300.

Maryland Residents: Office of the Attorney General of Maryland**,** Consumer Protection Division 200 St. Paul Place Baltimore, MD 21202**,** www.oag.state.md.us/Consumer, Telephone: 1-888-743-0023.

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 a 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. You can 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.

North Carolina Residents: Office of the Attorney General of North Carolina**,** 9001 Mail Service Center Raleigh, NC 27699-9001, www.ncdoj.gov, Telephone: 1-919-716-6400.

Oregon Residents: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, www.doj.state.or.us/, Telephone: 877-877-9392

Rhode Island Residents: Office of the Attorney General, 150 South Main Street, Providence, Rhode Island 02903, www.riag.ri.gov, Telephone: 401-274-4400

All US Residents: Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW Washington, DC 20580, www.consumer.gov/idtheft, 1-877-IDTHEFT (438-4338), TTY: 1-866-653-4261.