

BakerHostetler

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JUN 23 2020
CONSUMER PROTECTION

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June 22, 2020

VIA OVERNIGHT MAIL

Attorney General Gordon MacDonald
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Re: Incident Notification

Dear Sir or Madam:

We are writing on behalf of our client, GAIN Capital Group, LLC (“GAIN”), to notify you of a security incident.

On May 15, 2020, GAIN concluded its investigation of an incident involving some of its systems. GAIN first learned of suspicious system activity on April 15, 2020, during a routine review of login activity. Upon identifying the suspicious activity, GAIN immediately started an investigation with the assistance of a leading cyber security firm. Through this investigation, GAIN determined that an unauthorized party may have accessed some of its computer servers between the dates of April 14, 2020 and April 18, 2020. Upon learning of this, GAIN secured the involved servers and took them offline.

GAIN then undertook a comprehensive review of the data that could have potentially been accessed as a result of the incident and determined that the data related to some of its current and former customers. The information involved may have included names in combination with financial account information (bank account and routing numbers) and passport numbers. Social Security numbers were NOT involved in this incident. To date, GAIN has no evidence that any of the information has been misused.

Beginning on June 22, 2020, GAIN will mail notification letters via United States Postal Service First-Class mail to 31 residents in accordance with N.H. Rev. Stat. Ann. § 359-C:20. A copy of the notification letter is enclosed.

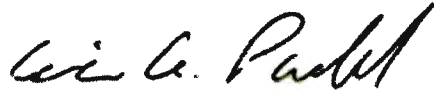
Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Denver
Houston Los Angeles New York Orlando Philadelphia Seattle Washington, DC

New Hampshire Attorney General Gordon MacDonald
June 22, 2020
Page 2

To help prevent something like this from happening in the future, GAIN has implemented additional security measures, including the deployment of enhanced monitoring and alerting software.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric A. Packel". The signature is written in a cursive, flowing style.

Eric A. Packel

Enclosure



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

<<first_name>> <<middle_name>> <<last_name>> <<suffix>>
<<address_1>>
<<address_2>>
<<city>>, <<state_province>> <<postal_code>>
<<country >>

Dear <<FirstName>> <<MiddleName>> <<LastName>> <<NameSuffix>>:

<<b2b_text_1(CompanyName)>>, ("GAIN"), is committed to protecting the confidentiality and security of the information we maintain. We are writing to inform you that we recently identified and addressed a data security incident that may have involved your information. This notice explains the incident, measures we have taken, and some steps you can take in response.

On May 15, 2020, GAIN concluded its investigation of an incident involving some of our systems. GAIN first learned of suspicious system activity on April 15, 2020, during a routine review of login activity. Upon identifying the suspicious activity, GAIN immediately started an investigation with the assistance of a leading cyber security firm. Through this investigation, GAIN determined that an unauthorized party may have accessed some of our computer servers between the dates of April 14, 2020 and April 18, 2020. Upon learning of this, GAIN secured the involved servers and took them offline.

We have undertaken a comprehensive review of the data that could have potentially been accessed as a result of the incident and have determined that the data related to some of our current and former customers. The information included your name in combination with your <<b2b_text_2(impactedData)>>. Your Social Security number was NOT involved in this incident. To date, we do not have any evidence that any of your information has been misused.

We remind you to remain vigilant to the possibility of fraud by reviewing your financial account statements for any suspicious activity. You should immediately report any suspicious activity to your financial institution. Please see the pages that follow this notice for additional steps you may take.

To help prevent something like this from happening in the future, GAIN has implemented additional security measures, including the deployment of enhanced monitoring and alerting software.

If you have any questions, please call 1-877-FOREXGO (367-3946), Monday through Friday, from 9:00 a.m. to 5:00 p.m., Eastern Time.

Sincerely,

<<b2b_text_3(SignatoryInfo)>>

ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit www.annualcreditreport.com or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

- *Equifax*, PO Box 740241, Atlanta, GA 30374, www.equifax.com, 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, www.experian.com, 1-888-397-3742
- *TransUnion*, PO Box 2000, Chester, PA 19016, www.transunion.com, 1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

- *Federal Trade Commission*, Consumer Response Center, 600 Pennsylvania Avenue NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), www.ftc.gov/idtheft

Fraud Alerts: There are two types of general fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years.

To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report.

For those in the military who want to protect their credit while deployed, an Active Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for pre-screened credit card offers for two years, unless you ask them not to.

Credit or Security Freezes: You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

How do I place a freeze on my credit reports? There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company.

For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- **Experian Security Freeze**, PO Box 9554, Allen, TX 75013, www.experian.com
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, www.transunion.com
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, www.equifax.com

You'll need to supply your name, address, date of birth, Social Security number and other personal information.

After receiving your freeze request, each credit bureau will provide you with a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

How do I lift a freeze? A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.

If you opt for a temporary lift because you are applying for credit or a job, and you can find out which credit bureau the business will contact for your file, you can save some time by lifting the freeze only at that particular credit bureau. Otherwise, you need to make the request with all three credit bureaus.

Additional information for residents of the following states:

Connecticut: You may contact and obtain information from your state attorney general at: *Connecticut Attorney General's Office*, 165 Capitol Ave, Hartford, CT 06106, 1-860-808-5318, www.ct.gov/ag

District of Columbia: The mailing address for GAIN's headquarters is Bedminster One, Suite 11 | 135 US Hwy 202/206 | Bedminster, NJ 07921. You may contact and obtain information from your attorney general at: *Office of the Attorney General for the District of Columbia*, 441 4th Street, NW, Washington, DC 20001, 1-202-727-3400, www.oag.dc.gov

Maryland: The mailing address for GAIN's headquarters is Bedminster One, Suite 11 | 135 US Hwy 202/206 | Bedminster, NJ 07921. You may contact and obtain information from your state attorney general at: *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, www.oag.state.md.us

New York: You may contact and obtain information from these state agencies: *New York Department of State Division of Consumer Protection*, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>; and *New York State Office of the Attorney General*, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

North Carolina: You may contact and obtain information from your state attorney general at: *North Carolina Attorney General's Office*, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, www.ncdoj.gov

West Virginia: You have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described above. You also have a right to place a security freeze on your credit report, as described above.

A Summary of Your Rights Under the Fair Credit Reporting Act: The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Your major rights under the FCRA are summarized below. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

- You must be told if information in your file has been used against you.
- You have the right to know what is in your file.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.
- 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 reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
- You have a 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.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.