

# BakerHostetler

February 28, 2022

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## VIA EMAIL (DOJ-CPB@DOJ.NH.GOV)

Attorney General John Formella  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301

*Re: Incident Notification*

Dear Attorney General Formella:

We are writing on behalf of our client, Gitterman Wealth Management (“Gitterman”), to notify you of a data security incident.

On January 12, 2022, Gitterman concluded an investigation of an email phishing attack that targeted a Gitterman employee and may have resulted in unauthorized access to emails and attachments in the employee’s email account. Upon learning of the incident, Gitterman secured the account and launched an investigation. The investigation determined that on August 23, 2021, the Gitterman employee inadvertently disclosed her email account credentials in response to a phishing email she received that she thought was legitimate. An unauthorized party then used the employee’s credentials to access her email account between August 25, 2021 and September 10, 2021. Based on the investigation, the likely purpose of the unauthorized access to the email account was to perpetrate an email phishing scheme, not to access personal information. That said, Gitterman could not rule out the possibility that emails and attachments in the employee’s email account may have been viewed or accessed as a result of this incident.

Subsequently, in order to determine if any emails or attachments contained personal information, Gitterman reviewed, both programmatically and manually, the information contained in the employee’s email account. Based on this review, Gitterman determined that emails and attachments in the employee’s email account that may have been subject to unauthorized access contain information pertaining to Gitterman clients, including their name and one or more of: Social Security number and/or financial account information.

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On February 28, 2022, Gitterman mailed notification letters via United States Postal Service First-Class mail to individuals whose information may have been involved, including to 15 New Hampshire residents, in accordance with N.H. Rev. Stat. Ann. § 359-C:20.<sup>1</sup> A copy of the notification letter is enclosed. Gitterman is offering eligible individuals complimentary memberships to credit monitoring and identity protection services through IDX. Gitterman also established a dedicated, toll-free incident response line to answer questions that individuals may have.

To help prevent something like this from happening in the future, Gitterman has implemented additional safeguards and technical security measures, including the deployment of multi-factor authentication for remote access to email.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Sara Goldstein".

Sara M. Goldstein  
Partner

Enclosure

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<sup>1</sup> This report is not, and does not constitute, a waiver of Gitterman's objection that New Hampshire lacks personal jurisdiction over Gitterman regarding any claims related to this data security incident.



**GITTERMAN**

WEALTH MANAGEMENT

P.O. Box 989728

West Sacramento, CA 95798-9728

<<FIRST NAME>> <<LAST NAME>>

<<ADDRESS1>>

<<ADDRESS2>>

<<CITY>>, <<STATE>> <<ZIP>>

February 28, 2022

Dear <<FIRST NAME>> <<LAST NAME>>:

Gitterman Wealth Management (“Gitterman”) is committed to protecting the confidentiality of the information we maintain. We are writing to inform you of a data security incident that may have involved some of your information. This notice explains the incident, measures we have taken, and some steps you can take in response.

On January 12, 2022, Gitterman concluded an investigation of an email phishing incident that targeted a Gitterman employee and may have resulted in unauthorized access to emails and attachments in the employee’s email account that contain personal information. Gitterman first became aware of the incident when we were notified that suspicious emails had been sent from an employee’s email account without her knowledge. Upon learning of the incident, we secured the account and launched an investigation. Our investigation determined that on August 23, 2021, the Gitterman employee inadvertently disclosed her email account credentials in response to a phishing email she received that she thought was legitimate. An unauthorized party then used the employee’s credentials to access her email account between August 25, 2021 and September 10, 2021. Based on our investigation, the likely purpose of the unauthorized access to the email account was to perpetrate an email phishing scheme, not to access personal information. That said, we cannot rule out the possibility that emails and attachments in the employee’s email account may have been viewed or accessed as a result of this incident. Subsequently, in order to determine if any emails or attachments contained personal information, we reviewed, both programmatically and manually, the information contained in the employee’s email account. Based on this review, we determined that emails and attachments in the employee’s email account that may have been subject to unauthorized access contain some of your information, including your name in combination with your <<Variable Text>>.

To date, we have not received any reports of fraud related to this incident. However, out of an abundance of caution, we wanted to let you know this happened and assure you that we take this very seriously. We recommend that you remain vigilant to the possibility of fraud by reviewing your financial account statements. You should immediately report any suspicious activity to your financial institution.

We deeply regret any inconvenience or concern this may cause. To help prevent a similar incident from occurring in the future, we have implemented additional safeguards and technical security measures, including the deployment of

multi-factor authentication for remote access to email. If you have any questions about this incident, please call 1-833-806-0379, Monday through Friday, between 9 a.m. and 9 p.m., Eastern Time.

Sincerely,

*Jeffrey L. Gitterman*

Jeffrey L. Gitterman  
Co-Founder

## 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](http://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](http://www.equifax.com), 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742
- *TransUnion*, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://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](http://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](http://www.experian.com)
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com)
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://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.

Gitterman Wealth Management's address is 379 Thornall Street, 6th Floor, Edison, New Jersey 08837, and its phone number is 848-248-4405.

### **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](http://www.ct.gov/ag)

**District of Columbia:** 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](http://www.oag.dc.gov)

**Maryland:** 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](http://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](http://www.ncdoj.gov)

**Rhode Island:** This incident involves 15 individuals in Rhode Island. Under Rhode Island law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze, as described above. You may contact and obtain information from your state attorney general at: *Rhode Island Attorney General's Office*, 150 South Main Street, Providence, RI 02903, 1-401-274-4400, [www.riag.ri.gov](http://www.riag.ri.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](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street NW, 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.