



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

RECEIVED

OCT 01 2021

CONSUMER PROTECTION

Paul T. McGurkin, Jr.
Office: (267) 930-4788
Fax: (267) 930-4771
Email: pmcgurkin@mullen.law

426 W. Lancaster Avenue, Suite 200
Devon, PA 19333

September 27, 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 Honeck O'Toole, PA ("Honeck O'Toole") located at 511 Congress St., Suite 900, Portland, ME 04101, and are writing to notify your office of an incident that may affect the security of some personal information relating to two (2) 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, Honeck O'Toole 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 March 8, 2021, Honeck O'Toole became aware of unusual activity in its tax software. Upon discovery, Honeck O'Toole launched an investigation, with the assistance of third-party forensic specialists, to determine the nature and scope of the activity. Honeck O'Toole's investigation determined that there was unauthorized access to the tax software on March 7, 2021. Honeck O'Toole reviewed the contents of the software and, on September 3, 2021, confirmed the identities of impacted individuals whose sensitive information was contained in the software.

The information that could have been subject to unauthorized access includes name, address, Social Security number, and financial account information.

Notice to New Hampshire Residents

On September 27, 2021, Honeck O'Toole provided written notice of this incident to all affected individuals, which includes two (2) New Hampshire residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

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

Additionally, Honeck O'Toole 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. Honeck O'Toole 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) 930-4788.

Very truly yours,



Paul T. McGurkin, Jr. of
MULLEN COUGHLIN LLC

Exhibit A

[Date]

[Name]

[Street Address]

[City, State, Zip Code]

RE: Notice of Data Breach

Dear [Name]:

Honeck O'Toole, PA ("Honeck O'Toole") writes to notify you of an incident that may affect the privacy of some of your information. This letter is related to the issue from earlier this year and this is not a new issue. We take this incident seriously, and this letter provides details of the incident, our response, and steps you may take to better protect against possible misuse of your personal information, should you feel it appropriate to do so.

What Happened? Honeck O'Toole became aware of suspicious activity within our tax software. Honeck O'Toole immediately launched an investigation, with the assistance of third-party forensic specialists, to determine the nature and scope of the activity. Honeck O'Toole's investigation determined that there was unauthorized access to our tax software on March 7, 2021. Honeck O'Toole began reviewing the folders within the software subject to unauthorized access to determine what, if any, sensitive information was contained within them. On September 3, 2021, Honeck O'Toole's review determined that the affected software contained sensitive information related to certain individuals, including you.

What Information Was Involved? Honeck O'Toole determined that the following information related to you was present in the affected software at the time of the incident: your name, address, Social Security number, and financial account information. If you listed a spouse/partner and/or dependents on your tax return, their information was also impacted, and they will also be mailed a letter.

What is Honeck O'Toole Doing? Honeck O'Toole takes the confidentiality, privacy, and security of information in our care seriously. Upon discovery, we immediately commenced an investigation to confirm the nature and scope of the incident. We are taking steps to implement additional safeguards and review policies and procedures relating to data privacy and security.

Honeck O'Toole is providing you with access to twelve (12) months of credit monitoring and identity protection services through Equifax at no cost to you. A description of services and instructions on how to enroll can be found within the enclosed *Steps You Can Take to Help Protect Against Identity Theft and Fraud*. Please note that you must complete the enrollment process yourself, as we are not permitted to enroll you in these services on your behalf.

What You Can Do. You can review the enclosed *Steps You Can Take to Help Protect Against Identity Theft and Fraud*. You can also enroll to receive the complimentary credit monitoring and identity protection services through Equifax. We also encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and to monitor your credit reports for suspicious activity.

For More Information. We understand you may have questions about this incident that are not addressed in this letter. To ensure your questions are answered in a timely manner, please contact John Lydon at 207-774-0882 between the hours of 9 a.m. and 5 p.m. ET.

Honeck O'Toole takes the privacy and security of the information in our care seriously. We sincerely regret any inconvenience or concern this incident may cause you.

Sincerely,

John Lydon, Practice Manager
Honeck O'Toole, PA

Steps You Can Take to Help Protect Your Information

Credit Monitoring Instructions

Go to www.equifax.com/activate

Enter your unique Activation Code of <ACTIVATION CODE> then click "Submit" and follow these 4 steps:

1. **Register:**
Complete the form with your contact information and click "Continue".
*If you already have a myEquifax account, click the 'Sign in here' link under the "Let's get started" header.
Once you have successfully signed in, you will skip to the Checkout Page in Step 4*
2. **Create Account:**
Enter your email address, create a password, and accept the terms of use.
3. **Verify Identity:**
To enroll in your product, we will ask you to complete our identity verification process.
4. **Checkout:**
Upon successful verification of your identity, you will see the Checkout Page.
Click 'Sign Me Up' to finish enrolling.
You're done!
The confirmation page shows your completed enrollment.
Click "View My Product" to access the product features.

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, military identification, 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 fraud alert or 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
1-888-298-0045	1-888-397-3742	1-833-395-6938
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 can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself by contacting the consumer reporting agencies, the Federal Trade Commission, or your state Attorney General. This notice has not been delayed because of a law enforcement request.

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). 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.

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

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).

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