



LEWIS BRISBOIS BISGAARD & SMITH LLP

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September 15, 2021

**VIA EMAIL**

Attorney General Gordon MacDonald  
Office of the Attorney General  
Consumer Protection Bureau  
33 Capitol Street  
Concord, NH 03301  
Phone: (603) 271-3643  
Fax: (603) 271-2110  
Email: [DOJ-CPB@doj.nh.gov](mailto:DOJ-CPB@doj.nh.gov)

**Re: Notification of Data Security Incident**

Dear Attorney General MacDonald:

We represent Howard Perry and Walston Realty, Inc. ("HPW") with respect to a recent data security incident described in greater detail below. HPW is taking steps to prevent similar incidents from occurring in the future.

**1. Nature of the security incident.**

On April 29, 2021, HPW learned of unusual activity occurring on its network. Upon discovering this activity, HPW immediately took steps to secure its technological environment and began an internal investigation with the help of cybersecurity experts. This investigation identified that an unauthorized individual gained access to and acquired documents from HPW's environment containing personal information. On September 2, 2021, the investigation determined that personal information of some New Hampshire residents may have been affected.

**2. Number of New Hampshire residents affected.**

HPW notified one (1) resident of New Hampshire of this data security incident via first class U.S. mail on September 15, 2021. A sample copy of the notification letter sent to the affected individuals is included with this correspondence.

**3. Steps taken relating to the incident.**

HPW has implemented additional security features within its environment in an effort to prevent similar incidents from occurring in the future. In addition, although HPW is not aware of any misuse of personal information, HPW has offered the affected individuals 12 months of credit monitoring and identity remediation services through Kroll.

**4. Contact information.**

HPW remains dedicated to protecting the personal information in its control. If you have any questions or need additional information, please do not hesitate to contact me at (972) 942-5696 or by e-mail at [Laura.Funk@lewisbrisbois.com](mailto:Laura.Funk@lewisbrisbois.com). Please let me know if you have any questions.

Respectfully,

A handwritten signature in cursive script that reads "Laura K Funk".

Laura K. Funk of  
LEWIS BRISBOIS BISGAARD & SMITH LLP

Attachment: Consumer Notification Letter Template



10300 SW Greenburg Rd.  
Suite 570  
Portland, OR 97223

To Enroll, Please Call:  
1-833-903-3648  
Or Visit:  
<https://app.idx.us/account-creation/protect>  
Enrollment Code:  
<<XXXXXXXXXX>>

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

<<Date>>

Subject: Notice of Data <<variable 1>>

Dear <<First Name>> << Last Name>>:

I am writing to inform you of a data security incident that may have affected your personal information. At Howard Perry and Walston Realty, Inc. (“HPW”), we take the privacy and security of personal information very seriously. We are contacting you to notify you that this incident occurred and inform you about steps you can take to ensure your information is protected, including enrolling in the complimentary identity protection services we are making available to you.

**What Happened?** On April 29, 2021, HPW learned of unusual activity occurring on its network. Upon discovering this activity, HPW immediately took steps to secure its technological environment and began an internal investigation with the help of cybersecurity experts. Our investigation identified that an unauthorized individual acquired some documents from HPW’s environment. We reviewed this subset of files and determined that some of your personal information was found in these documents. We are not aware of the misuse of any personal information that may have been involved in this incident. Out of an abundance of caution, we are notifying you of the incident and offering you free credit monitoring services.

**What Information Was Involved?** The potentially affected information may have included your <<variable2>>.

**What Are We Doing?** As soon as we discovered this incident, we took the steps described above. We have also implemented additional safeguards to help ensure the security of our email environment and to reduce the risk of a similar incident occurring in the future, including blocking international access and working to deploy multi-factor authentication.

In addition, we are providing you with information about steps you can take to help protect your personal information and, out of an abundance of caution, we are offering you credit monitoring and identity theft restoration services at no cost to you through IDX, the data breach and recovery services expert. IDX identity protection services include: 12 months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed identity theft recovery services. With this protection, IDX will help you resolve issues if your identity is compromised.

**What Can You Do?** We recommend that you review the guidance included with this letter about how to help protect your information. We encourage you to contact IDX with any questions and to enroll in free identity protection services by calling 1-833-903-3648 or going to <https://app.idx.us/account-creation/protect> and using the Enrollment Code provided above. IDX representatives are available Monday through Friday from 9 am - 9 pm Eastern Time. Please note the deadline to enroll is <<enrollment deadline>>.

We encourage you to take full advantage of this service offering. IDX representatives are fully versed on the incident and can answer questions or respond to concerns you may have regarding the protection of your personal information.

**For More Information:** Further information about how to help protect your personal information appears on the following page. If you have questions or need assistance, please call our dedicated call center at 1-833-903-3648, Monday through Friday from 9 am - 9 pm Eastern Time.

We take your trust in us and this matter very seriously. Please accept our sincere apologies for any worry or inconvenience that this may cause you.

Sincerely,

A handwritten signature in black ink that reads "David Jones". The signature is written in a cursive style with a large, looped initial "D" and a long, sweeping underline.

David Jones  
Chief Executive Officer  
Howard Perry Walston

## STEPS YOU CAN TAKE TO FURTHER PROTECT YOUR INFORMATION

**Review Your Account Statements and Notify Law Enforcement of Suspicious Activity:** As a precautionary measure, we recommend that you remain vigilant by reviewing your account statements and credit reports closely. If you detect any suspicious activity on an account, you should promptly notify the financial institution or company with which the account is maintained. You also should promptly report any fraudulent activity or any suspected incidence of identity theft to proper law enforcement authorities, your state attorney general, and/or the Federal Trade Commission (FTC).

**Copy of Credit Report:** You may obtain a free copy of your credit report from each of the three major credit reporting agencies once every 12 months by visiting <http://www.annualcreditreport.com/>, calling toll-free 1-877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You also can contact one of the following three national credit reporting agencies:

**Equifax**

P.O. Box 105851  
Atlanta, GA 30348  
1-800-525-6285  
[www.equifax.com](http://www.equifax.com)

**Experian**

P.O. Box 9532  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

**TransUnion**

P.O. Box 1000  
Chester, PA 19016  
1-800-916-8800  
[www.transunion.com](http://www.transunion.com)

**Fraud Alert:** You may want to consider placing a fraud alert on your credit report. An initial fraud alert is free and will stay on your credit file for at least one year. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any accounts in your name. To place a fraud alert on your credit report, contact any of the three credit reporting agencies identified above. Additional information is available at <http://www.annualcreditreport.com>.

**Security Freeze:** You have the right to put a security freeze on your credit file for up to one year at no cost. This will prevent new credit from being opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A security freeze is designed to prevent potential creditors from accessing your credit report without your consent. As a result, using a security freeze may interfere with or delay your ability to obtain credit. You must separately place a security freeze on your credit file with each credit reporting agency. In order to place a security freeze, you may be required to provide the consumer reporting agency with information that identifies you including your full name, Social Security number, date of birth, current and previous addresses, a copy of your state-issued identification card, and a recent utility bill, bank statement or insurance statement.

**Additional Free Resources:** You can obtain information from the consumer reporting agencies, the FTC, or from your respective state Attorney General about fraud alerts, security freezes, and steps you can take toward preventing identity theft. You may report suspected identity theft to local law enforcement, including to the FTC or to the Attorney General in your state.

**Federal Trade Commission**

600 Pennsylvania Ave, NW  
Washington, DC 20580  
[consumer.ftc.gov](http://consumer.ftc.gov), and  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)  
1-877-438-4338

**Maryland Attorney General**

200 St. Paul Place  
Baltimore, MD 21202  
[oag.state.md.us](http://oag.state.md.us)  
1-888-743-0023

**New York Attorney General**

Bureau of Internet and Technology  
Resources  
28 Liberty Street  
New York, NY 10005  
1-212-416-8433

**North Carolina Attorney General**

9001 Mail Service Center  
Raleigh, NC 27699  
[ncdoj.gov](http://ncdoj.gov)  
1-877-566-7226

**Rhode Island Attorney General**

150 South Main Street  
Providence, RI 02903  
<http://www.riag.ri.gov>  
1-401-274-4400

**Washington D.C. Attorney General**

441 4th Street, NW  
Washington, DC 20001  
[oag.dc.gov](http://oag.dc.gov)  
1-202-727-3400

**You also have certain rights under the Fair Credit Reporting Act (FCRA):** These rights include to know what is in your file; to dispute incomplete or inaccurate information; to have consumer reporting agencies correct or delete inaccurate, incomplete, or unverifiable information; as well as other rights. For more information about the FCRA, and your rights pursuant to the FCRA, please visit <https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf>.