



150 N. Riverside Plaza, Suite 3000, Chicago, IL 60606 • (312) 819-1900

January 10, 2024

**VIA E-MAIL (ATTORNEYGENERAL@DOJ.NH.GOV)**

The Honorable John Formella  
Attorney General of the State of New Hampshire  
Office of the Attorney General  
33 Capitol Street  
Concord, New Hampshire 03301

**Re:     *Notification of a Data Security Incident***

Dear Attorney John Formella:

We represent Indigo Sky Casino and Resort and Outpost Casino (“Indigo”), located at 70220 US-60, Wyandotte, Oklahoma 74370 in connection with an incident that may have involved the personal information of one (1) New Hampshire resident. Indigo is reporting the incident pursuant to N.H. REV. STAT. ANN. § 359-C:20. This notice will be supplemented, if necessary, with any new significant facts discovered subsequent to this submission. While Indigo is notifying you of this incident, Indigo does not waive any rights or defenses relating to the incident, this notice, or the applicability of New Hampshire law on personal jurisdiction.

**NATURE OF THE INCIDENT**

Indigo on October 15, 2023, identified suspicious activity within its network. Upon identifying the issue, Indigo promptly began an internal investigation, took steps to secure its systems, and notified law enforcement. Indigo also engaged a forensic security firm to investigate and confirm the security of its computer systems.

On December 1, 2023, Indigo learned that an unknown third party acquired some documents from its system that included personal information for one (1) for New Hampshire resident. That information includes

To date, Indigo is not aware of any fraud or identity theft to individuals as a result of this incident.



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### **NOTICE TO NEW HAMPSHIRE RESIDENT**

Indigo is notifying the one (1) of New Hampshire resident whose personal information was contained in the documents involved in the incident. The notification is being made via letter mailed by USPS First Class Mail on January 10, 2024. The notification letter describes the incident and the information involved, provide information on ways the individual can protect themselves against potential fraud and identity theft, and includes an offer of complimentary credit monitoring and identity theft protection services. Indigo has also arranged for a toll-free, dedicated call line to assist the notified individual with any questions they may have regarding the incident. Enclosed is a sample of the notice letter.

### **STEPS TAKEN RELATING TO THE INCIDENT**

Upon discovering the incident, Indigo began an internal investigation. As mentioned, Indigo is notifying individuals whose information was contained in the documents and is offering complimentary credit monitoring and identity theft protection services.

### **CONTACT INFORMATION**

Please do not hesitate to contact me if you have any questions or if I can provide you with any further information concerning this matter.

Very truly yours,

Michael J. Waters

Enclosure



Secure Processing Center  
20 Oser Ave  
Suite 100  
Hauppauge, NY 11788

<<First Name>> <<Last Name>>

<<Address 1>>

<<Address 2>>

<<City>><<State>><<Zip>>

<<Date>>

Postal IMB Barcode

RE: NOTICE OF DATA BREACH

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

Indigo Sky Casino and Resort and Outpost Casino value and respect the privacy of your information, which is why we are writing to advise you of a recent incident that may have involved some of your personal information. **We have no reason to believe that your personal information has been misused for the purpose of committing fraud or identity theft.** Nonetheless, we are writing to advise you of the incident and to provide you with guidance on what you can do to protect yourself, should you feel it is appropriate to do so.

**What Happened?** On October 15, 2023, we discovered unusual activity on our computer network. Upon identifying the issue, we promptly began an internal investigation, took steps to secure our systems, and notified law enforcement. We also engaged a forensic security firm to investigate and confirm the security of our computer systems. On December 1, 2023, we learned that an unknown third party acquired some documents from our system that included certain of your personal information.

**What Information Was Involved?** Our investigation determined that the documents contained your . Importantly, the documents did not contain banking information or other financial information.

**What We Are Doing.** In addition to the actions described above, we have taken steps to reduce the risk of this type of incident occurring in the future, including enhancing our technical security measures. Although we are not aware of any instances of fraud or identity theft involving your information, we are also offering a complimentary one-year membership of Experian IdentityWorks<sup>SM</sup> Credit 3B. This product helps detect possible misuse of your personal information and provides you with identity protection services focused on immediate identification and resolution of identity theft. IdentityWorks Credit 3B is completely free to you, and enrolling in this program will not hurt your credit score. **For more information on identity theft prevention and IdentityWorks Credit 3B, including instructions on how to activate your complimentary membership, please see the additional information provided in this letter.**

**What You Can Do.** While we have no evidence that your personal information has been misused, we encourage you to take advantage of the complimentary credit monitoring included in this letter. You can also find more information on steps to protect yourself against possible identity theft or fraud in the enclosed *Additional Important Information* page.

**For More Information.** For further information and assistance, please call 888-541-1691 from 8 a.m. – 8 p.m. Central, Monday through Friday, excluding holidays.

Sincerely,

Indigo Sky Casino and Resort and Outpost Casino

## ACTIVATING YOUR COMPLIMENTARY CREDIT MONITORING

To help protect your identity, we are offering a **complimentary** membership of Experian IdentityWorks<sup>SM</sup> Credit 3B. This product helps detect possible misuse of your personal information and provides you with superior identity protection support focused on immediate identification and resolution of identity theft.

### Activate IdentityWorks Credit 3B Now in Three Easy Steps

1. ENROLL by: <<Enrollment Deadline>> (Your code will not work after this date.)
2. VISIT the **Experian IdentityWorks website** to enroll: <https://www.experianidworks.com/3bcredit>
3. PROVIDE the **Activation Code**: <<Activation Code>>

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at . Be prepared to provide engagement number <<Engagement Number>> as proof of eligibility for the identity restoration services by Experian.

### ADDITIONAL DETAILS REGARDING YOUR EXPERIAN IDENTITYWORKS CREDIT 3B MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks Credit 3B.

You can contact Experian **immediately** regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.\*
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE<sup>TM</sup>:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance\*\*:** Provides coverage for certain costs and unauthorized electronic fund transfers.

Activate your membership today at <https://www.experianidworks.com/3bcredit> or call 877-288-8057 to register with the activation code above.

**What you can do to protect your information:** There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to [www.ExperianIDWorks.com/restoration](http://www.ExperianIDWorks.com/restoration) for this information. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at 877-288-8057.

\* Offline members will be eligible to call for additional reports quarterly after enrolling.

\*\* The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

## Additional Important Information

As a precautionary measure, we recommend that you remain vigilant to protect against potential fraud and/or identity theft by, among other things, reviewing your account statements and monitoring 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 should also promptly report any fraudulent activity or any suspected incidents of identity theft to proper law enforcement authorities, including the police and your state's attorney general, as well as the Federal Trade Commission ("FTC").

You may wish to review the tips provided by the FTC on fraud alerts, security/credit freezes and steps you can take to avoid identity theft. For more information and to contact the FTC, please visit [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or call 1-877-ID-THEFT (1-877-438-4338). You may also contact the FTC at Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

**Credit Reports:** You may obtain a free copy of your credit report once every 12 months from each of the three national credit reporting agencies by visiting [www.annualcreditreport.com](http://www.annualcreditreport.com), by 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 can print a copy of the request form at <https://www.annualcreditreport.com/manualRequestForm.action>.

Alternatively, you may elect to purchase a copy of your credit report by contacting one of the three national credit reporting agencies. Contact information for the three national credit reporting agencies for the purpose of requesting a copy of your credit report or for general inquiries is as follows:

Equifax 1-866-349-5191 <a href="http://www.equifax.com">www.equifax.com</a> P.O. Box 740241 Atlanta, GA 30374	Experian 1-888-397-3742 <a href="http://www.experian.com">www.experian.com</a> P.O. Box 2002 Allen, TX 75013	TransUnion 1-800-888-4213 <a href="http://www.transunion.com">www.transunion.com</a> P.O. Box 2000 Chester, PA 19016
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**Fraud Alerts:** You may want to consider placing a fraud alert on your credit report. A fraud alert is free and will stay on your credit report for one (1) year. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any new accounts in your name. To place a fraud alert on your credit report, contact any of the three national credit reporting agencies using the contact information listed above. Additional information is available at [www.annualcreditreport.com](http://www.annualcreditreport.com).

**Credit and Security Freezes:** You may have the right to place a credit freeze, also known as a security freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies as specified below to find out more information:

Equifax Security Freeze 1-888-298-0045 <a href="https://www.equifax.com/personal/credit-report-services/credit-freeze/">https://www.equifax.com/personal/credit-report-services/credit-freeze/</a> P.O. Box 105788 Atlanta, GA 30348	Experian Security Freeze 1-888-397-3742 <a href="https://www.experian.com/freeze/center.html">https://www.experian.com/freeze/center.html</a> P.O. Box 9554 Allen, TX 75013	TransUnion Security Freeze 1-888-909-8872 <a href="https://www.transunion.com/credit-freeze">https://www.transunion.com/credit-freeze</a> P.O. Box 160 Woodlyn, PA 19094
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This notification was not delayed by law enforcement.

**Iowa Residents:** Iowa residents can contact the Office of the Attorney general to obtain information about steps to take to avoid identity theft from the Iowa Attorney General's office at: Office of the Attorney General of Iowa, Hoover State Office Building, 1305 E. Walnut Street, Des Moines IA 50319, 515-281-5164.

**Maryland Residents:** Maryland residents can contact the Office of the Attorney General to obtain information about steps you can take to avoid identity theft from the Maryland Attorney General's office at: Office of the Attorney General, 200 St. Paul Place, Baltimore, MD 21202, (888) 743-0023, <http://www.marylandattorneygeneral.gov/>.

**New Mexico:** Individuals have rights under the Fair Credit Reporting Act. We encourage you to review your rights under the Fair Credit Reporting Act by visiting [https://files.consumerfinance.gov/f/documents/bcftp\\_consumer-rights-summary\\_2018-09.pdf](https://files.consumerfinance.gov/f/documents/bcftp_consumer-rights-summary_2018-09.pdf), or by requesting information in writing from the Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

**New York State Residents:** New York residents can obtain information about preventing identity theft from the New York Attorney General's Office at: Office of the Attorney General for the State of New York, Bureau of Consumer Frauds & Protection, The Capitol, Albany, New York 12224-0341; <https://ag.ny.gov/consumer-frauds/identity-theft>; (800) 771-7755.

**North Carolina Residents:** North Carolina residents can obtain information about preventing identity theft from the North Carolina Attorney General's Office at: North Carolina Attorney General's Office, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001; 877-5-NO-SCAM (Toll-free within North Carolina); 919-716-6000; [www.ncdoj.gov](http://www.ncdoj.gov).

**Oregon Residents:** You are advised to report any suspected identity theft to law enforcement, including the Federal Trade Commission and the Oregon Attorney General. For more information on security locks, you can visit the Oregon Department of Consumer and Business Services website at [dfr.oregon.gov/financial/protect/Pages/stolen-identity.aspx](http://dfr.oregon.gov/financial/protect/Pages/stolen-identity.aspx) and click "Place a credit freeze."