May 7, 2021

Anjali C. Das, Esq.
312.821.6164 (direct)
Anjali.Das@WilsonElser.com

Via electronic-mail: *DOJ-CPB@doj.nh.gov*; *AttorneyGeneral@doj.nh.gov*

Attorney General Gordon McDonald
Consumer Protection Bureau
Office of the Attorney General
33 Capitol Street
Concord, New Hampshire 03302

Notice of Data Breach

Re:	**Our Client**	**:**	**Internal Medicine Associates of Jasper, PC, dba Prestige Medical Group**
	Matter	**:**	**March 8, 2021 Data Security Incident**
	Wilson Elser File #	**:**	**15991.00946**

Dear Attorney General McDonald:

We represent Internal Medicine Associates of Jasper, PC, dba Prestige Medical Group ("IMAJ"), located in Jasper, Georgia, with respect to a data security incident described in more detail below. IMAJ takes the security and privacy of the information in its control seriously, and has taken steps to prevent a similar incident from occurring in the future.

This letter will serve to inform you of the nature of the security breach, what information may have been compromised, the number of New Hampshire residents being notified, and the steps that IMAJ has taken in response to this incident. We have also enclosed hereto a sample of the notification made to the potentially impact individuals, which includes an offer of free credit monitoring.

1. Nature of the Security Incident

On March 8, 2021, Internal Medicine Associates of Jasper, PC, dba Prestige Medical Group ("IMAJ") detected and stopped a network security incident. IMAJ immediately shut off all access to the network and engaged a specialized third-party forensic incident response firm to assist with securing the environment. IMAJ's network has been secured and remediated.

IMAJ initiated a comprehensive investigation into what sensitive data could have been compromised. This investigation concluded on April 2, 2021.

Although IMAJ found no evidence that specific personal information has been specifically accessed for misuse, it is possible that patients' full name, mailing address, birthdate, social security number, and medical information could have been exposed to the cybercriminal.

As of this writing, IMAJ has not received any reports of related identity theft since the date of the incident (March 8, 2021 to present).

2. Number of New Hampshire Residents Affected

A total of one (1) resident of New Hampshire was potentially affected by this security incident. A notification letter to this individual was mailed on May 5, 2021, by first class mail. A sample copy of the notification letter is included with this letter.

3. Steps Taken

Upon detecting this incident, IMAJ moved quickly to initiate a response, which included engaging third-party cybersecurity and IT specialists to secure IMAJ's network environment and conduct a comprehensive investigation into the incident. IMAJ has been working with law enforcement to help respond to this incident. IMAJ has reviewed and altered its policies and procedures relating to the security of its systems and servers, as well as its information life cycle management.

Although IMAJ is not aware of any evidence of misuse of personal information, IMAJ extended to all potentially impacted individuals an offer for free credit monitoring and identity theft protection through IDX. This service will include 12 months of credit monitoring, along with a fully managed id theft recovery service, should the need arise.

4. Contact Information

IMAJ remains dedicated to protecting the sensitive information in its control. If you have any questions or need additional information, please do not hesitate to contact Michael E. Kar, Esq. at: Michael.Kar@WilsonElser.com or 212.915.5535.

Very truly yours,

Wilson Elser Moskowitz Edelman & Dicker LLP

Anjali C. Das
Anjali C. Das, Esq.

cc: Wilson Elser LLP
Attn: Michael E. Kar, Esq.

Enclosures: *Sample notification letters*

Return Mail Processing Center
P.O. Box 6336
Portland, OR 97228-6336

<<Mail ID>>
<<Name 1>>
<<Name 2>>
<<Address 1>>
<<Address 2>>
<<Address 3>>
<<Address 4>>
<<Address 5>>
<<City>><<State>><<Zip>>
<<Country>>

<<Date>>

Notice of Data Breach

Dear <<Name 1>>,

We are writing in order to inform you of an incident that may have exposed your sensitive personal information. We take the security of your personal information seriously and want to provide you with information and resources you can use to protect your information.

What Happened and What Information was Involved:

On March 8, 2021, Internal Medicine Associates of Jasper, PC, dba Prestige Medical Group ("IMAJ") detected and stopped a network security incident. We immediately shut off all access to the network and engaged a specialized third-party forensic incident response firm to assist with securing the environment. IMAJ's network has been secured and remediated.

We initiated a comprehensive investigation into what sensitive data could have been compromised. Although we have found no evidence that your information has been specifically accessed for misuse, it is possible that your full name, mailing address, birthdate, social security number, electronic health record data, and other medical information could have been exposed to the cybercriminal. We maintain this employee and medical information on our system for standard payroll, patient care, and administrative purposes.

As of this writing, IMAJ has not received any reports of related identity theft since the date of the incident (March 8, 2021 to present).

What We Are Doing:

Upon detecting this incident, we moved quickly to initiate our incident response, which included conducting an investigation with the assistance of third-party forensic specialists and confirming the security of our network environment. We have been working with law enforcement to respond to this incident. We have reviewed and altered our policies and procedures relating to the security of our systems and servers, as well as our information life cycle management.

We have also secured free credit monitoring services for all affected individuals, as set forth in full below.

What You Can Do:

We value the safety of your personal and health information and are therefore providing you with access to Single Bureau Credit Monitoring services at no charge. These services provide you with alerts for <<CM Length>> from the date of enrollment when changes occur to your credit file. This notification is sent to you the same day that the change or update takes place with the bureau. In addition, we are providing you with proactive fraud assistance to help with any questions that you might have.

Representatives are available for 90 days from the date of this letter, to assist you with questions regarding this incident, between the hours of 9:00 am to 9:00 pm Eastern Time, Monday through Friday. Please call the help line at 855-535-1789 and supply the representative with your unique code listed below. To extend these services, enrollment in the monitoring services described above is required.

To Register your account and activate your services:

1. Type the following URL into your browser: https://www.cs2protect.com or cs2protect.com.
2. Click the "Sign Up" button and follow the instructions to create your account.
3. Enter your information and the following Access Code to complete your registration:
<<Access Code>>
4. Next, click the "Use Now" link on the Monitoring Services tile to verify your identity and activate your monitoring services.

Important – you must register your account and activate your monitoring services within 90 days from the date of this letter, otherwise your ability to access the services will expire.

Again, at this time, there is no evidence that your information has been misused. However, we encourage you to take full advantage of this service offering. Representatives have been fully versed on the incident and can answer questions or concerns you may have regarding protection of your personal information.

* Services marked with an "*" require an internet connection and e-mail account and may not be available to minors under the age of 18 years of age. Please note that when signing up for monitoring services, you may be asked to verify personal information for your own protection to confirm your identity.

For More Information:

Enclosed you will find additional information regarding the resources available to you, and the steps that you can take to further protect your personal information.

We recognize that you may have questions not addressed in this letter. If you have additional questions, please call the contact number listed above.

Internal Medicine Associates of Jasper, PC values the security of your personal health data, and we apologize for any inconvenience that this incident has caused.

Sincerely,

Dr. Anil Yadav
President
Internal Medicine Associates of Jasper, PC

Additional Information

Credit Reports: You may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report from each of the three nationwide credit reporting agencies. To order your free credit report, please visit www.annualcreditreport.com, or call toll-free at 1-877-322-8228. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available at https://www.consumer.ftc.gov/articles/0155-free-credit-reports) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

Security Freeze: You also have the right to place a security freeze on your credit report. A security freeze is intended to prevent credit, loans, and services from being approved in your name without your consent. To place a security freeze on your credit report, you need to make a request to each consumer reporting agency. You may make that request by certified mail, overnight mail, regular stamped mail, or by following the instructions found at the websites listed below. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse or a minor under the age of 16, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, display your name and current mailing address, and the date of issue. As of September 21, 2018, it is free to place, lift, or remove a security freeze. You may also place a security freeze for children under the age of 16. You may obtain a free security freeze by contacting any one or more of the following national consumer reporting agencies:

Equifax Security Freeze P.O. Box 105788 Atlanta, GA 30348 1-800-349-9960 https://www.equifax.com/personal/credit-report-services/credit-freeze/	**Experian Security Freeze** P.O. Box 9554 Allen, TX 75013 1-888-397-3742 www.experian.com/freeze/center.html	**TransUnion Security Freeze** P.O. Box 160 Woodlyn, PA 19094 1-800-909-8872 www.transunion.com/credit-freeze

Fraud Alerts: You can place fraud alerts with the three credit bureaus by phone and online with:

- Equifax (https://assets.equifax.com/assets/personal/Fraud_Alert_Request_Form.pdf);
- TransUnion (https://www.transunion.com/fraud-alerts); or
- Experian (https://www.experian.com/fraud/center.html).

A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. As of September 21, 2018, initial fraud alerts last for one year. Victims of identity theft can also get an extended fraud alert for seven years. The phone numbers for all three credit bureaus are located above.

Monitoring: You should always remain vigilant and monitor your accounts for suspicious or unusual activity.

File Police Report: You have the right to file or obtain a police report if you experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide proof that you have been a victim. A police report is often required to dispute fraudulent items. You can generally report suspected incidents of identity theft to local law enforcement or to the Attorney General.

FTC and Attorneys General: 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.

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), TTY: 1-866-653-4261. 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. This notice has not been delayed by law enforcement.

For Maryland residents, the Attorney General can be contacted at 200 St. Paul Place, 16th Floor, Baltimore, MD 21202, 1-888-743-0023, and www.oag.state.md.us.

For New Mexico residents, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the 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 credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you get based on information in your credit report; and you may seek damages from violators. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights

pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act at www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

For North Carolina residents, the Attorney General can be contacted at 9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-566-7226 or 1-919-716-6400, and www.ncdoj.gov.

For New York residents, the Attorney General may be contacted at Office of the Attorney General, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, and https://ag.ny.gov/.

For Rhode Island residents, the Rhode Island Attorney General can be reached at 150 South Main Street, Providence, Rhode Island 02903, www.riag.ri.gov, and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident.

Return Mail Processing Center
P.O. Box 6336
Portland, OR 97228-6336

<<Mail ID>>
Parent/Guardian of
<<Name 1>>
<<Name 2>>
<<Address 1>>
<<Address 2>>
<<Address 3>>
<<Address 4>>
<<Address 5>>
<<City>><<State>><<Zip>>
<<Country>>

<<Date>>

Notice of Data Breach

Dear Parent or Guardian of <<Name 1>>,

We are writing in order to inform you of an incident that may have exposed your child's sensitive personal health information. We take the security of personal information seriously and want to provide you with information and resources you can use to protect this sensitive information.

What Happened and What Information was Involved:

On March 8, 2021, Internal Medicine Associates of Jasper, PC, dba Prestige Medical Group ("IMAJ") detected and stopped a network security incident. We immediately shut off all access to the network and engaged a specialized third-party forensic incident response firm to assist with securing the environment. IMAJ's network has been secured and remediated.

We initiated a comprehensive investigation into what sensitive data could have been compromised. Although we have found no evidence that your child's information has been specifically accessed for misuse, it is possible that your child's full name, mailing address, birthdate, social security number, and medical information could have been exposed to the cybercriminal. We maintain this patient information on our system for patient care purposes.

As of this writing, IMAJ has not received any reports of related identity theft since the date of the incident (March 8, 2021 to present).

What We Are Doing:

Upon detecting this incident, we moved quickly to initiate our incident response, which included conducting an investigation with the assistance of third-party forensic specialists and confirming the security of our network environment. We have been working with law enforcement to respond to this incident. We have reviewed and altered our policies and procedures relating to the security of our systems and servers, as well as our information life cycle management.

We have also secured identity protection services for all affected individuals, as set forth in full below.

What You Can Do:

We value the safety of your personal information and are therefore providing you with access to the following services: Representatives are available for 90 days from the date of this letter, to assist you with questions regarding this incident, between the hours of 9:00 am to 9:00 pm Eastern Time, Monday through Friday. Please call 855-535-1789 and supply the representative with your unique code listed below. To extend these services, enrollment in the monitoring services described below is required.

Additionally, we are providing the parents of impacted minor dependents with access to Cyber Monitoring* services for your minor child for <<CM Length>> at no charge. Cyber monitoring will look out for your child's personal data on the dark web and alert you if their personally identifiable information is found online. Included is a suite of services which monitors your social media accounts for inappropriate activity and posts which could be perceived as violent, using profanity or categorized as cyberbullying or discriminatory.

To enroll in Cyber Monitoring services at no charge, please log on to https://www.myidmanager.com and follow the instructions provided. When prompted please provide the following unique code to receive services: <<Access Code>>. Please enroll using the information for the child that you are wanting to be monitored. In order for you to receive the monitoring services described above, you must enroll within 90 days from the date of this letter.

Again, at this time, there is no evidence that your information has been misused. However, we encourage you to take full advantage of this service offering. Representatives have been fully versed on the incident and can answer questions or concerns you may have regarding protection of your personal information.

* Services marked with an "*" require an internet connection and e-mail account. Please note that when signing up for monitoring services, you may be asked to verify personal information for your own protection to confirm your identity.

For More Information:

Enclosed you will find additional information regarding the resources available to you and your minor child, and the steps that you can take to further protect your personal health information.

We recognize that you may have questions not addressed in this letter. If you have additional questions, please call the contact number listed above.

Internal Medicine Associates of Jasper, PC values the security of your personal health data, and we apologize for any inconvenience that this incident has caused.

Sincerely,

Dr. Anil Yadav
President
Internal Medicine Associates of Jasper, PC

Additional Information

Credit Reports: You may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report from each of the three nationwide credit reporting agencies. To order your free credit report, please visit www.annualcreditreport.com, or call toll-free at 1-877-322-8228. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available at https://www.consumer.ftc.gov/articles/0155-free-credit-reports) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

Security Freeze: You also have the right to place a security freeze on your credit report. A security freeze is intended to prevent credit, loans, and services from being approved in your name without your consent. To place a security freeze on your credit report, you need to make a request to each consumer reporting agency. You may make that request by certified mail, overnight mail, regular stamped mail, or by following the instructions found at the websites listed below. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse or a minor under the age of 16, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, display your name and current mailing address, and the date of issue. As of September 21, 2018, it is free to place, lift, or remove a security freeze. You may also place a security freeze for children under the age of 16. You may obtain a free security freeze by contacting any one or more of the following national consumer reporting agencies:

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Fraud Alerts: You can place fraud alerts with the three credit bureaus by phone and online with:

- Equifax (https://assets.equifax.com/assets/personal/Fraud_Alert_Request_Form.pdf);
- TransUnion (https://www.transunion.com/fraud-alerts); or
- Experian (https://www.experian.com/fraud/center.html).

A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. As of September 21, 2018, initial fraud alerts last for one year. Victims of identity theft can also get an extended fraud alert for seven years. The phone numbers for all three credit bureaus are located above.

Monitoring: You should always remain vigilant and monitor your accounts for suspicious or unusual activity.

File Police Report: You have the right to file or obtain a police report if you experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide proof that you have been a victim. A police report is often required to dispute fraudulent items. You can generally report suspected incidents of identity theft to local law enforcement or to the Attorney General.

FTC and Attorneys General: 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.

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For New Mexico residents, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the 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 credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you get based on information in your credit report; and you may seek damages from violators. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel

have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act at www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

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For New York residents, the Attorney General may be contacted at Office of the Attorney General, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, and https://ag.ny.gov/.

For Rhode Island residents, the Rhode Island Attorney General can be reached at 150 South Main Street, Providence, Rhode Island 02903, www.riag.ri.gov, and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident.

Prestige
Medical Group

Return Mail Processing Center
P.O. Box 6336
Portland, OR 97228-6336

<<Mail ID>>
<<Name 1>>
<<Name 2>>
<<Address 1>>
<<Address 2>>
<<Address 3>>
<<Address 4>>
<<Address 5>>
<<City>><<State>><<Zip>>
<<Country>>

<<Date>>

Notice of Data Breach

Dear <<Name 1>>,

We are writing in order to inform you of an incident that may have exposed your sensitive personal information. We take the security of your personal health information seriously and want to provide you with information and resources you can use to protect your information.

What Happened and What Information was Involved:

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To Register your account and activate your services:

1. Type the following URL into your browser: https://www.cs2protect.com or cs2protect.com.
2. Click the "Sign Up" button and follow the instructions to create your account.
3. Enter your information and the following Access Code to complete your registration:
<<Access Code>>
4. Next, click the "Use Now" link on the Monitoring Services tile to verify your identity and activate your monitoring services.

Important – you must register your account and activate your monitoring services within 90 days from the date of this letter, otherwise your ability to access the services will expire.

Again, at this time, there is no evidence that your information has been misused. However, we encourage you to take full advantage of this service offering. Representatives have been fully versed on the incident and can answer questions or concerns you may have regarding protection of your personal information.

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Monitoring: You should always remain vigilant and monitor your accounts for suspicious or unusual activity.

File Police Report: You have the right to file or obtain a police report if you experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide proof that you have been a victim. A police report is often required to dispute fraudulent items. You can generally report suspected incidents of identity theft to local law enforcement or to the Attorney General.

FTC and Attorneys General: 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.

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), TTY: 1-866-653-4261. 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. This notice has not been delayed by law enforcement.

For Maryland residents, the Attorney General can be contacted at 200 St. Paul Place, 16th Floor, Baltimore, MD 21202, 1-888-743-0023, and www.oag.state.md.us.

For New Mexico residents, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the 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 credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you get based on information in your credit report; and you may seek damages from violators. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel

have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act at www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

For North Carolina residents, the Attorney General can be contacted at 9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-566-7226 or 1-919-716-6400, and www.ncdoj.gov.

For New York residents, the Attorney General may be contacted at Office of the Attorney General, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, and https://ag.ny.gov/.

For Rhode Island residents, the Rhode Island Attorney General can be reached at 150 South Main Street, Providence, Rhode Island 02903, www.riag.ri.gov, and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident.