



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

RECEIVED

OCT 06 2020

CONSUMER PROTECTION

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

October 1, 2020

VIA U.S. MAIL

Consumer Protection Bureau
Office of the New Hampshire Attorney General
33 Capitol Street
Concord, NH 03301

Re: Notice of Blackbaud Data Event

Dear Sir or Madam:

We represent Kimball Union Academy located at 64 Main Street, Meriden, NH 03770, and are writing to notify your office of an incident that may affect the security of some personal information relating to twenty-nine (29) 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, Kimball Union Academy 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 Thursday, July 16, 2020, Kimball Union Academy received notification from one of its third-party vendors, Blackbaud, Inc. ('Blackbaud'), of a cyber incident. Blackbaud is a cloud computing provider that offers customer relationship management and financial services tools to organizations, including Kimball Union Academy.

Blackbaud reported that, in May 2020, it experienced a ransomware incident that resulted in encryption of certain Blackbaud systems. Blackbaud reported the incident to law enforcement and worked with forensic investigators to determine the nature and scope of the incident. Following its investigation, Blackbaud notified its customers that an unknown actor may have accessed or acquired certain Blackbaud customer data at some point before Blackbaud locked the threat actor out of the environment on May 20, 2020.

Upon learning of the Blackbaud incident, Kimball Union Academy immediately commenced an investigation to determine what, if any, sensitive Kimball Union Academy data was potentially involved. This investigation included working diligently to gather further information from Blackbaud to understand the scope of the incident. On or about August 5, 2020, Kimball Union Academy received further information from Blackbaud on the incident. Because Blackbaud failed to provide a list of the potentially affected Kimball Union Academy data, however, Kimball Union Academy was forced to undertake a comprehensive analysis of the information Blackbaud provided and the data stored on the systems identified by Blackbaud to confirm what records could have been accessible to the threat actor and to identify the individuals associated with the records.

On or about August 27, 2020, Kimball Union Academy confirmed that personal information may have been present in the involved Blackbaud systems at the time of the incident. Kimball Union Academy worked to confirm the appropriate contact information for the individuals associated with this personal information and this process concluded on September 22, 2020.

The type of personal information that could have been subject to unauthorized access as a result of the Blackbaud incident includes the name, address, and Social Security number of twenty-nine (29) New Hampshire residents.

Notice to New Hampshire Residents

On October 1, 2020, Kimball Union Academy provided written notice of the Blackbaud incident to twenty-nine (29) 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, Kimball Union Academy moved quickly to investigate and respond to the incident, including working with Blackbaud to learn more about the incident and determine what Kimball Union Academy data may be involved. Kimball Union Academy then worked diligently to identify and notify those individuals whose information may have been affected. Kimball Union Academy is providing access to credit monitoring services for 1 year through ID Experts to individuals whose Social Security number was potentially affected by this incident, at no cost to these individuals. Kimball Union Academy is also providing potentially impacted individuals with guidance on how to better protect against identity theft and fraud, including providing individuals with information on how to place a fraud alert and security freeze on one's credit file, 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.

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Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4799.

Very truly yours,

A handwritten signature in black ink that reads "Sian M Schafle". The signature is written in a cursive style with a period at the end.

Sian M. Schafle of
MULLEN COUGHLIN LLC

SMS/ken
Enclosure

EXHIBIT A



October 1, 2020

[contact]

[address]

[city, state, zip]

Kimball Union Academy writes to inform you of a recent incident involving Blackbaud, Inc. (“Blackbaud”) a third-party vendor that Kimball Union Academy uses for database assistance in donor relations and fundraising operations. On July 16, 2020, Kimball Union Academy received notification from Blackbaud of a cyber incident that Blackbaud uncovered in May 2020. The confidentiality, privacy, and security of information in our care are among our highest priorities, and we take this incident very seriously.

Upon receiving notice of the cyber incident, Kimball Union Academy immediately began an investigation to better understand the incident and any impact on Kimball Union Academy’s data. This notice provides information about the Blackbaud incident, our response, and resources available to you to help protect your company’s information from possible misuse, should you feel it necessary to do so.

What Happened? Blackbaud reported that, in May 2020, two months before notifying Kimball Union Academy, it discovered a ransomware incident that resulted in encryption of certain Blackbaud systems. Blackbaud reported the incident to law enforcement and worked with forensic investigators to determine the nature and scope of the incident. Blackbaud notified its customers, including Kimball Union Academy, that a cybercriminal may have accessed or acquired certain Blackbaud customer data before Blackbaud locked the actor out of its environment on May 20, 2020.

Kimball Union Academy has worked diligently to gather further information from Blackbaud to understand the incident. On or about August 5, 2020, Kimball Union Academy received further information from Blackbaud regarding the incident. On or about August 27, 2020, Kimball Union Academy confirmed that personal information may have been present in the involved Blackbaud systems at the time of the incident. Kimball Union Academy then worked to confirm the appropriate contact information for the individuals and companies associated with this information and this process concluded on September 22, 2020.

What Information Was Involved? Based on our investigation and information provided by Blackbaud, we understand that the involved Blackbaud systems contained your company’s name and tax ID number. Please note that, to date, we have not received any information from Blackbaud that your information was specifically accessed or acquired by the unknown actor.

What Are We Doing? The confidentiality, privacy, and security of information in our care are among our highest priorities, and we take this incident very seriously. When we were notified of this incident by Blackbaud, we immediately commenced an investigation, and as part of our ongoing commitment to the security of information in our care, we are working to review our existing policies and procedures regarding our third-party vendors, and are working with Blackbaud to evaluate additional measures and safeguards to protect against this type of incident in the future. We will also be notifying regulators, as required.

What Can You Do? We encourage you to review the enclosed Steps You Can Take to Protect Your Business Information. There you will find general information on what you can do to help protect your company’s information.

our third-party vendors, and are working with Blackbaud to evaluate additional measures and safeguards to protect against this type of incident in the future. We will also be notifying regulators, as required.

What Can You Do? We encourage you to review the enclosed *Steps You Can Take to Help Protect Your Information*. There you will find general information on what you can do to help protect your personal information. You may also enroll to receive the identity protection services we are making available to you. There is no charge to you for this service; however, you will need to enroll yourself in this service.

For More Information. We understand that you may have questions about the Blackbaud incident that are not addressed in this letter. If you have additional questions, please call [REDACTED]. You may also write to the Kimball Union Academy at P.O. Box 188, Meriden, NH 03770.

We sincerely regret any inconvenience or concern this incident has caused.

Sincerely,

[REDACTED]

Kimball Union Academy

STEPS YOU CAN TAKE TO HELP PROTECT YOUR INFORMATION

Enroll in Credit Monitoring

We are offering identity theft protection services through ID Experts®, the data breach and recovery services expert, to provide you with MyIDCare™. MyIDCare services include: 12 months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed id theft recovery services. With this protection, MyIDCare will help you resolve issues if your identity is compromised.

We encourage you to contact ID Experts with any questions and to enroll in free MyIDCare services by calling **1-800-939-4170** or going to <https://app.myidcare.com/account-creation/protect> and using the Enrollment Code **[activation code]**. MyIDCare experts are available Monday through Friday from 5 am - 5 pm Pacific Time. Please note the deadline to enroll is **[date]**.

Monitor Accounts

In general, we 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. Under U.S. law you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report.

You have the 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. The security 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 security 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 security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

Experian

P.O. Box 9554
Allen, TX 75013
1-888-397-3742
www.experian.com/freeze/center.html

TransUnion

P.O. Box 160
Woodlyn, PA 19094
1-888-909-8872
www.transunion.com/credit-freeze

Equifax

P.O. Box 105788
Atlanta, GA 30348-5788
1-800-685-1111
www.equifax.com/personal/credit-report-services

In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
1. Social Security number;
2. Date of birth;
3. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior five years;
4. Proof of current address, such as a current utility bill or telephone bill;
5. A legible photocopy of a government-issued identification card (state driver's license or ID card, military identification, etc.);
6. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

As an alternative to a security freeze, you have the right to place an initial or extended “fraud alert” on your 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 agencies listed below:

Experian

P.O. Box 9554
Allen, TX 75013
1-888-397-3742
www.experian.com/fraud/center.html

TransUnion

P.O. Box 2000
Chester, PA 19016
1-800-680-7289
www.transunion.com/fraud-victim-resource/place-fraud-alert

Equifax

P.O. Box 105069
Atlanta, GA 30348
1-888-766-0008
www.equifax.com/personal/credit-report-services

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.

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 and your state Attorney General. Blackbaud did not report that notice was delayed because of law enforcement.

For North Carolina residents, the Attorney General can be contacted at 9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-566-7226 or 1-919-716-6000, www.ncdoj.gov. You can obtain information from the Attorney General or the Federal Trade Commission about preventing identity theft.

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/>.