



**MULLEN
COUGHLIN_{LLC}**
ATTORNEYS AT LAW

RECEIVED

MAR 29 2021

CONSUMER PROTECTION

Samuel Sica, III
Office: (267) 930-4802
Fax: (267) 930-4771
Email: ssica@mullen.law

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

March 22, 2021

VIA FIRST-CLASS 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 L.B. Foster Company ("L.B. Foster"), located at 415 Holiday Drive, Suite 100, Pittsburgh, PA 15220, and are writing to notify your office of an incident that may affect the security of personal information relating to approximately one (1) New Hampshire resident. This notice may be supplemented if new significant facts are learned subsequent to its submission. By providing this notice, L.B. Foster does not waive any rights or defenses regarding the applicability of New Hampshire law or personal jurisdiction.

Nature of the Data Event

L.B. Foster recently learned its network had been impacted by a malware attack. L.B. Foster immediately launched an investigation with the assistance of third-party computer forensic specialists to determine the nature and scope of the event. L.B. Foster quickly worked to: (1) secure the systems; (2) restore access to the information so it could continue to operate without disruption and (3) investigate what happened and whether this resulted in any unauthorized access to, or theft of, personal information by the unknown actor. L.B. Foster also notified federal law enforcement. Through the investigation, L.B. Foster determined that the unknown actor gained access to certain systems between September 30, 2020 and October 4, 2020. The investigation determined that certain files on those systems were viewed and taken by the unknown actor.

L.B. Foster then worked with third-party specialists to perform a comprehensive review of all information impacted by the unknown actor to determine the identities of the individuals whose information may have been impacted. L.B. Foster then conducted a manual review of its records to confirm the identities and contact information for potentially impacted individuals. On or about February 19, 2021, L.B. Foster confirmed the identity of the individual who had information affected by this incident.

The personal information impacted by this event for New Hampshire resident may include the following: name and Social Security number.

Notice to New Hampshire Resident

On March 22, 2021, L.B Foster, began providing written notice of this incident to potentially affected individual, which includes approximately one (1) New Hampshire resident. Written notice was provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon discovering its network had been impacted by a malware attack, L.B. Foster moved to identify those that may be affected, put in place resources to assist them, and provide them with notice of this incident. L.B. Foster also implemented additional safeguards to protect the security of information in its system.

L.B. Foster is providing written notice to those individuals who may be affected by this incident. This notice includes an offer of complimentary access to credit monitoring and identity restoration services for 24 months through TransUnion, and the contact information for a dedicated call center for potentially affected individuals to contact with questions or concerns regarding this incident. Additionally, L.B. Foster is providing potentially impacted individuals with guidance on how to better protect against identity theft and fraud, including 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. L.B. Foster is also providing written notice of this incident to other regulators, as necessary.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4802.

Very truly yours,



Samuel Sica of
MULLEN COUGHLIN LLC

EXHIBIT A



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>>

Re: Notice of Data Breach

Dear <<Name 1>>:

L.B. Foster Company ("L.B. Foster") writes to inform you of a recent event that may affect the security of some of your information. While we have no evidence of any actual misuse of any information as a result of this incident, this notice provides information about the incident, our response and efforts to secure our environment, and resources available to you to help protect your information from possible misuse, should you feel it necessary to do so.

What Happened? On October 4, 2020, L.B. Foster discovered that its network had been impacted by a malware attack that encrypted certain systems. L.B. Foster immediately launched an investigation to determine the nature and scope of the event. Through our investigation, we determined that the unknown actor gained access to certain systems between September 30, 2020, and October 4, 2020. The investigation determined that certain files on those systems were accessed and exfiltrated by the unknown actor. On February 19, 2021, we confirmed address information for affected individuals to provide notifications.

What Information Was Involved? Our investigation determined that the information exfiltrated included your name and <<variable text>>.

What We Are Doing. The confidentiality, privacy, and security of information in our care are among our highest priorities, and we take this incident very seriously. L.B. Foster implemented new security policies and procedures to reduce the risk of similar future events. Although we do not have any indication of identity theft or fraud as a result of this incident, we are offering credit monitoring and identity theft protection services through TransUnion for 24 months at no cost to you as an added precaution. We also notified federal law enforcement and will be notifying state regulators, as required.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud and to review your account statements and credit reports for suspicious activity, and to report any suspicious activity immediately to your bank or financial institution. Additional information and resources are included in the enclosed *Steps You Can Take to Help Protect Your Information*. You may also enroll in the complimentary credit monitoring services available to you. Enrollment instructions are attached to this letter.

For More Information. If you have additional questions, please contact our dedicated assistance line at 855-435-0529 between the hours of 9:00 a.m. to 9:00 p.m. Eastern Time (except U.S. holidays). You may also write to L.B. Foster Company at 415 Holiday Drive, Suite 100, Pittsburgh, PA 15220.

We sincerely regret any inconvenience or concern this incident may cause.

Sincerely,

L.B. Foster Company

Steps You Can Take to Help Protect Your Information

Complimentary Two-Year myTrueIdentity Credit Monitoring Service

As a safeguard, we have arranged for you to enroll, at no cost to you, in an online credit monitoring service (myTrueIdentity) for two years provided by TransUnion Interactive, a subsidiary of TransUnion,[®] one of the three nationwide credit reporting companies.

How to Enroll: You can sign up online or via U.S. mail delivery

Enrollment Instructions

- To enroll in this service, go to the myTrueIdentity website at www.MyTrueIdentity.com and, in the space referenced as "Enter Activation Code," enter the 12-letter Activation Code <<Insert Unique 12-letter Activation Code>> and follow the three steps to receive your credit monitoring service online within minutes.
- If you do not have access to the Internet and wish to enroll in a similar offline, paper-based credit monitoring service, via U.S. mail delivery, please call the TransUnion Fraud Response Services toll-free hotline at 1-855-288-5422. When prompted, enter the six-digit telephone passcode <<Insert static six-digit Telephone Pass Code>> and follow the steps to enroll in the offline credit monitoring service, add an initial fraud alert to your credit file, or to speak to a TransUnion representative if you believe you may be a victim of identity theft.
- You can sign up for the online or offline credit monitoring service anytime between now and <<Enrollment Deadline>>. Due to privacy laws, we cannot register you directly. Please note that credit monitoring services might not be available for individuals who do not have a credit file with TransUnion or an address in the United States (or its territories) and a valid Social Security number. Enrolling in this service will not affect your credit score.

ADDITIONAL DETAILS REGARDING YOUR 24-MONTH COMPLIMENTARY CREDIT MONITORING SERVICE:

Once you are enrolled, you will be able to obtain two years of unlimited access to your TransUnion credit report and credit score.

The daily credit monitoring service will notify you if there are any critical changes to your credit file at TransUnion, including fraud alerts, new inquiries, new accounts, new public records, late payments, changes of address, and more.

The service also includes access to an identity restoration program that provides assistance in the event that your identity is compromised and up to \$1,000,000 in identity theft insurance with no deductible. (Policy limitations and exclusions may apply.)

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
888-298-0045	888-397-3742	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 may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and 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. This notice has not been delayed by law enforcement.

For District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th St NW Washington, D.C. 2001; 202-727-3400; and oag@dc.gov.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and www.oag.state.md.us.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 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. There are no Rhode Island residents impacted by this incident.

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 bureaus 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 by visiting 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 New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov/>.