

RECEIVED

JUN 26 2020

CONSUMER PROTECTION



MULLEN
COUGHLIN LLC
ATTORNEYS AT LAW

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1275 Drummers Lane, Suite 302
Wayne, PA 19087

June 18, 2020

VIA U.S. 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 Le Duff America, Inc. ("Le Duff"), 12201 Merit Drive Suite 900, Dallas, Texas 75251, and are writing to notify you of a recent incident that may affect the security of the personal information of approximately seventeen (17) New Hampshire residents. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Le Duff does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data incident notification statute, or personal jurisdiction.

Nature of the Data Event

On September 21, 2019, Le Duff became aware of suspicious activity relating to certain employee email accounts, and immediately launched an investigation to determine what may have happened. Working together with a leading computer forensics specialist, their investigation determined that an unauthorized individual(s) accessed several employee email accounts between August 28, 2019 and September 21, 2019.

Because the investigation was unable to determine which email messages in the accounts may have been viewed or acquired by the unauthorized actor(s), Le Duff reviewed the entire contents of the impacted email accounts to identify what personal information was accessible to the unauthorized actor(s). On or about February 6, 2020, Le Duff identified the individuals potentially impacted by this incident after a thorough programmatic and manual review of the email accounts. Once they confirmed the individuals who were potentially impacted, Le Duff worked to identify current mailing addresses for the impacted individuals and began preparing an accurate written notice of this incident.

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The types of personal information relating to New Hampshire residents determined to be stored within the impacted email accounts were not identical for every potentially affected individual, and they included the following: name, Social Security number and employer-assigned ID number or password.

Notice to New Hampshire Residents

On June 18, 2020, Le Duff began mailing written notice of this incident to potentially impacted individuals, including approximately seventeen (17) New Hampshire residents. Such notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken

Le Duff is offering the affected individuals complimentary access to one (1) year of free credit monitoring and identity restoration services through Experian. Additionally, Le Duff is providing potentially affected individuals with information on how to protect against identity theft and fraud, including information on how to contact the Federal Trade Commission and law enforcement to report any attempted or actual identity theft and fraud. In addition to providing notice of this incident to you, Le Duff will be providing notice to other state regulators.

Le Duff has taken several immediate steps to protect against similar incidents in the future. Upon learning of this incident, Le Duff quickly changed all employee email account passwords and took steps to confirm the security of the impacted accounts. Le Duff also conducted additional employee training, and is reviewing its policies and procedures relating to data security. Le Duff is continuing to monitor its systems to ensure they are secure.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security incident, please contact me at (267) 930-4775.

Very truly yours,



Christopher J. DiLenno of
MULLEN COUGHLIN LLC

CJD:RAB
Enclosure

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 <<Variable Data 2>>

Dear <<Name 1>>:

Le Duff America, Inc. (“Le Duff”) writes to notify you of a recent incident that may affect the security of some of your personal information. While there is currently no evidence that your information has been misused as a result of this incident, we are providing you with information about the incident, our response to it, and information related to what you may do to better protect your personal information, should you feel it appropriate to do so.

What Happened? Le Duff became aware of unusual activity involving certain employee email accounts. Le Duff immediately began an investigation with the assistance of third-party computer specialists. The investigation determined that certain employee email accounts were accessed without authorization between August 28, 2019 and September 21, 2019. While the investigation did not determine that personal information had been viewed by an unauthorized actor, Le Duff could not rule out the possibility of such activity. Therefore, Le Duff immediately began a thorough review of the contents of the email accounts to determine whether sensitive information was present in the accounts at the time of the incident. The results of the email account review indicated that your personal information was present in an affected email account at the time of the incident. To date, we are unaware of any actual or attempted misuse of your personal information as a result of this incident.

What Information Was Involved? Our investigation determined that at the time of the incident the email accounts contained information including your name and <<Breached Elements>>.

What Are We Doing. Information privacy and security are among our highest priorities. Le Duff has strict security measures in place to protect information in our care. Upon learning of this incident, we quickly took steps to confirm the security of our systems, including our employee email accounts. We reset passwords for Le Duff email accounts, implemented increased security measures for email account access, conducted additional employee training, and are currently reviewing our policies and procedures relating to data security. As a precautionary matter, we provided notice to relevant regulatory authorities.

While to date we have no evidence of actual or attempted misuse of your information as a result of this incident, we are notifying you so that you may take further steps to better protect your personal information, should you feel it is appropriate to do so.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and monitor your credit reports for suspicious activity. Although we are not aware of any fraudulent misuse of your information, we arranged to have Experian monitor your identity for 1 year at no cost to you as an added precaution. Please review the instructions contained in the attached “Steps You Can Take to Protect Your Information” to enroll in and receive these services. Le Duff America will cover the cost of this service, however, you will need to enroll yourself in the credit monitoring service if you would like to do so.

For More Information. We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, please contact our dedicated assistance line at 855-907-2098, Monday through Friday from 8:00 a.m. to 8:00 p.m. Central Time. You may also write to Le Duff America, Inc. at 12201 Merit Dr., Suite 900, Dallas, Texas 75251 or contact us by email at LegalNotices@leduffamerica.com.

Le Duff takes the privacy and security of the personal information in our care seriously. Please let us know if you have any questions.



Christine Johnson
Vice President, General Counsel and Secretary
Le Duff America, Inc.

Steps You Can Take to Protect Your Information

Enroll in Credit Monitoring

To help protect your identity, we are offering a complimentary one-year membership of Experian's® IdentityWorksSM. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- Ensure that you enroll by: <<Enrollment Deadline>> (Your code will not work after this date.)
- Visit the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bcredit>
- Provide your 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 **877.288.8057** by <<Enrollment Deadline>>. Be prepared to provide engagement number <<Engagement #>> as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP:

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

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™:** 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.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at **877.288.8057**. If, after discussing your situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that this Identity Restoration support is available to you for one year from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration. You will also find self-help tips and information about identity protection at this site.

Monitor Accounts

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.

Credit Reports. 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.

* 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.

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.);
2. Social Security number;
3. Date of birth;
4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior 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.);
7. 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 2002
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. This notice has not been delayed by law enforcement.

For Maryland residents, the Attorney General can be contacted by mail at 200 St. Paul Place, Baltimore, MD, 21202; toll-free at 1-888-743-0023; by phone at (410) 576-6300; consumer hotline (410) 528-8662; and online at www.marylandattorneygeneral.gov.

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 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 provides resources regarding identity theft protection and security breach response at www.ag.ny.gov/internet/privacy-and-identity-theft. The New York Attorney General can be contacted by phone at 1-800-771-7755; toll-free at 1-800-788-9898; and online at www.ag.ny.gov.

For North Carolina Residents: The North Carolina Attorney General can be contacted by mail at 9001 Mail Service Center, Raleigh, NC 27699-9001; toll-free at 1-877-566-7226; by phone at 1-919-716-6400, and online at www.ncdoj.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, 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 approximately 7 Rhode Island residents impacted by this incident.

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DEPT OF JUSTICE
STATE OF WISCONSIN