

STATE OF NH  
DEPT OF JUSTICE  
2018 JUL -9 AM 11:31

July 6, 2018

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Via Regular Mail

**Attorney General Joseph A. Foster**  
Office of the Attorney General  
33 Capitol Street  
Concord, New Hampshire 03302

Re: Data Security Incident

Dear Attorney General Foster:

We represent Malcom and Baker, CPAs & Associates, Inc. ("Malcom and Baker") with respect to an incident involving the potential exposure of certain personal information described in detail below.

**1. Nature of the possible security breach or unauthorized use or access**

On May 24, 2018, Malcom and Baker became aware of emails that were being sent from a business email account that it did not send. Malcom and Baker immediately commenced an investigation and engaged computer experts to determine what happened and if any information was at risk. The investigation found that there was unauthorized access to one email account. The investigation also found that the email account may have contained Malcom and Baker's clients' personal information including names and Social Security numbers. Malcom and Baker is not aware of any misuse of client information as a result of this incident. Malcom and Baker's email accounts are located on a Microsoft web based platform which is completely separate from its in-house network and Malcom and Baker has confirmed that there is no evidence of unauthorized access to any other part of its systems.

**2. Number of New Hampshire residents potentially affected**

Approximately two (2) New Hampshire residents were affected in this potential incident. Malcom and Baker sent the potentially impacted individuals letters notifying them of this incident on July 6, 2018. A copy of the notification sent to the potentially impacted individuals is included with this letter, which informs these residents about the 12 months of credit monitoring and identity theft protection services that is being offered to them.

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**3. Steps Malcom and Baker has taken or plans to take relating to the potential incident**

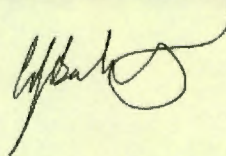
Upon learning of this issue, Malcom and Baker immediately engaged computer experts to investigate the incident. Malcom and Baker has also taken steps to continue to secure clients' information, including resetting all passwords across the organization, implementing multi factor authentication, and limiting remote access to email accounts.

**4. Other notification and contact information.**

If you have any additional questions, please contact me at [Gregory.Bautista@wilsonelser.com](mailto:Gregory.Bautista@wilsonelser.com) or (914) 872-7839.

Very Truly Yours,

**Wilson Elser Moskowitz Edelman & Dicker LLP**



Gregory J. Bautista



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Dear <<Name1>>:

We are writing to inform you of an incident that may have put the security of your information at risk. We take the security of your information very seriously and sincerely regret any inconvenience this may cause you. This letter contains information about steps you can take to protect your information and resources we are making available to help you.

On May 24, 2018, we became aware of emails that were being sent from a business email account that we did not send. We immediately commenced an investigation and engaged computer experts to determine what happened and if any information was at risk. The investigation found that there was unauthorized access to one email account. The investigation also found that the email account may have contained your personal information including your name, Social Security number, and other identification information you may have provided to us by email such as your drivers' license number or passport numbers. We are not aware of any misuse of your information as a result of this incident. Our email accounts are located on a Microsoft web based platform which is completely separate from our in-house network and we have confirmed that there is no evidence of unauthorized access to any other part of our systems.

As a precautionary measure, we have arranged for you to enroll, at no cost to you, in an online credit monitoring service (*myTrueIdentity*) for one year provided by TransUnion Interactive, a subsidiary of TransUnion, one of the three nationwide credit reporting companies.

To enroll in this service, go to the *myTrueIdentity* website at [www.mytrueidentity.com](http://www.mytrueidentity.com) and in the space referenced as "Enter Activation Code", enter the following 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 following 6-digit telephone pass code <<Insert static 6-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 <<Insert Date>>. 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.

Once you are enrolled, you will be able to obtain one year 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, change 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 to help you restore your identity and up to \$1,000,000 in identity theft insurance with no deductible. (Policy limitations and exclusions may apply.)

We want to assure you that we have continued to take steps to secure your information, including resetting all passwords across the organization, implementing multi factor authentication, and limiting remote access to email accounts. Thank you for your understanding and continued support.

Should you have any questions or concern about these services, please contact 844-666-5402 between 9 am and 9 pm ET, Monday through Friday.

Sincerely,

A handwritten signature in black ink, appearing to read "M. Baker". The signature is fluid and cursive, with the first letter of each word being capitalized and larger than the others.

Mark Baker  
President  
Malcom and Baker CPAs & Associates, Inc.

### *Additional Important Information*

**For residents of Hawaii, Michigan, Missouri, Virginia, Vermont, and North Carolina:** It is recommended by state law that you remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

**For residents of Illinois, Iowa, Maryland, Missouri, North Carolina, Oregon, and West Virginia:** It is required by state laws to inform you that 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](http://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.

**For residents of Iowa:** State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

**For residents of Oregon:** State laws advise you to report any suspected identity theft to law enforcement, including the Attorney General, and the Federal Trade Commission.

**For residents of Maryland, Rhode Island, Illinois, and North Carolina:** You can obtain information from the Maryland and North Carolina Offices of the Attorneys General and the Federal Trade Commission about fraud alerts, security freezes, and steps you can take toward preventing identity theft.

**Maryland Office of the  
Attorney General**  
Consumer Protection Division  
200 St. Paul Place  
Baltimore, MD 21202  
1-888-743-0023  
[www.oag.state.md.us](http://www.oag.state.md.us)

**Rhode Island Office of the  
Attorney General**  
Consumer Protection  
150 South Main Street  
Providence RI 02903  
1-401-274-4400  
[www.riag.ri.gov](http://www.riag.ri.gov)

**North Carolina Office of the  
Attorney General**  
Consumer Protection Division  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
1-877-566-7226  
[www.ncdoj.com](http://www.ncdoj.com)

**Federal Trade Commission**  
Consumer Response Center  
600 Pennsylvania Ave, NW  
Washington, DC 20580  
1-877-IDTHEFT (438-4338)  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)

**For residents of Massachusetts:** It is required by state law that you are informed of your right to obtain a police report if you are a victim of identity theft.

#### **For residents of all states:**

**Fraud Alerts:** You can place fraud alerts with the three credit bureaus at one of the three major credit bureaus by phone and also via Experian's or Equifax's website. 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. The contact information for all three credit bureaus is below.

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

**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, or 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, 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. The consumer reporting agency may charge a small fee to place, lift, or remove a freeze, but is free if you are a victim of identity theft or the spouse of a victim of identity theft, and you have submitted a valid police report relating to the identity theft incident to the consumer reporting agency. You may obtain a 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  
[www.freeze.equifax.com](http://www.freeze.equifax.com)  
800-525-6285

**Experian Security Freeze**  
P.O. Box 9554  
Allen, TX 75013  
[www.experian.com/freeze](http://www.experian.com/freeze)  
888-397-3742

**TransUnion (FVAD)**  
P.O. Box 2000  
Chester, PA 19022  
[freeze.transunion.com](http://freeze.transunion.com)  
800-680-7289

More information can also be obtained by contacting the Federal Trade Commission listed above.