



STATE OF NH  
DEPT OF JUSTICE  
2017 MAR 31 AM 11:05

March 29, 2017

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*Via Regular Mail*

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

Re: Data Security Incident

Dear Attorney General Foster:

We represent Maloney & Kennedy, PLLC with respect to an incident involving the potential exposure of certain personal information described in detail below.

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

On February 15, 2017, Maloney & Kennedy determined that some clients' tax returns had been filed by an unknown third-party. Upon learning of this issue, Maloney & Kennedy immediately contacted the IRS and retained computer experts to investigate the cause of this incident. The investigation determined that personally identifiable information ("PII"), including names, Social Security Numbers and certain tax information may have been compromised.

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

Approximately 533 New Hampshire residents were affected in this incident. The potentially impacted individuals were sent letters notifying them of this incident on March 29, 2017. A copy of the notification sent to the potentially impacted individuals is included with this letter, which informs these New Hampshire residents about the 12 months of credit monitoring and identity theft protection services that is being offered to them.

**3. Steps you have taken or plan to take relating to the incident**

Upon learning of this incident, Maloney & Kennedy immediately contacted the IRS and took steps to inform all affected individuals of this incident. In addition, Maloney & Kennedy has taken steps to prevent similar events from occurring in the future, including instituting additional security protocols.

1133 Westchester Avenue • White Plains, NY 10604 • p 914.323.7000 • f 914.323.7001

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**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

**MALONEY & KENNEDY, PLLC**  
**Certified Public Accountants**

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Return Mail Processing Center  
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<<Name 1>>  
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Activation Code: <<Code>>

March 29, 2017

Dear <<Name 1>>:

In today's environment, stories of sophisticated attacks on computer systems are all too frequent. We are writing to inform you of an incident at our firm that may have resulted in the disclosure of your name and Social Security number. We take the security of your information very seriously and sincerely apologize for any inconvenience this incident may cause. This letter contains steps you can take to protect your information and resources we are making available to help you.

On February 15, 2017, Maloney & Kennedy, PLLC, became aware that some clients' tax returns had been filed by an unknown third party. It appears that the IRS did not process any of those returns. Upon learning of this issue, we immediately contacted the IRS and began an investigation. We retained computer experts to review our systems and identify what occurred. The investigation determined that information including your name, address and Social Security number and 2015 tax information may have been accessed by an unknown third party. Out of an abundance of caution, we provided the IRS with information to monitor your account for suspicious activity.

In addition, because we value you and the safety of your information, we have arranged with Equifax Personal Solutions to help you protect your identity and your credit information at no cost to you. The steps to follow are:

1. Enroll in Equifax Credit Watch™ Gold identity theft protection product. This product is being provided to you at no cost for one year.
2. Additionally, you may choose to adopt an increased level of protection by placing a fraud alert on your credit file at Equifax and the other two credit reporting agencies.

Enroll in Equifax Credit Watch™ Gold

Equifax Credit Watch will provide you with an "early warning system" to changes to your credit file and help you to understand the content of your Equifax credit file. The key features and benefits are listed below.

Equifax Credit Watch provides you with the following benefits:

- Comprehensive credit file monitoring of your Equifax credit report with daily notification of key changes to your credit file
- Wireless alerts and customizable alerts available (available online only)
- Access to your Equifax Credit Report™
- Up to \$25,000 in identity theft insurance with \$0 deductible, at no additional cost to you
- Live agent Customer Service 7 days a week from 8 a.m. to 3 a.m. to assist you in understanding the content of your Equifax credit information, to provide personalized identity theft victim assistance, and help initiate an investigation of inaccurate information
- 90 day Fraud Alert placement with automatic renewal functionality (available online only)

### How to Enroll

To sign up online for **online delivery** go to [www.myservices.equifax.com/gold](http://www.myservices.equifax.com/gold):

1. **Welcome Page:** Enter the Activation Code provided at the top of your letter in the "Activation Code" box and click the "Submit" button.
2. **Register:** Complete the form with your contact information (name, gender, home address, date of birth, Social Security Number and telephone number) and click the "Continue" button.
3. **Create Account:** Complete the form with your email address, create a User Name and Password, check the box to accept the Terms of Use and click the "Continue" button.
4. **Verify ID:** The system will then ask you up to four security questions to verify your identity. Please answer the questions and click the "Submit Order" button.
5. **Order Confirmation:** This page shows you your completed enrollment. Please click the "View My Product" button to access the product features.

To sign up by phone for **US Mail delivery**, dial 1-866-937-8432 for access to the Equifax Credit Watch automated enrollment process. Note that all credit reports and alerts will be sent to you via US Mail only.

1. **Activation Code:** You will be asked to enter your enrollment code as provided at the top of this letter.
2. **Customer Information:** You will be asked to enter your home telephone number, home address, name, date of birth and Social Security Number.
3. **Permissible Purpose:** You will be asked to provide Equifax with your permission to access your credit file and to monitor your file. Without your agreement, Equifax cannot process your enrollment.
4. **Order Confirmation:** Equifax will provide a confirmation number with an explanation that you will receive your Fulfillment Kit via the US Mail (when Equifax is able to verify your identity) or a Customer Care letter with further instructions (if your identity can not be verified using the information provided). Please allow up to 10 business days to receive this information.

We want to assure you that we have taken steps to prevent a similar event from occurring in the future, including instituting additional security protocols. Some of these protocols will mean our flow of information will be somewhat more cumbersome (such as additional passwords) but it appears necessary in today's world.

We sincerely regret any inconvenience that this incident may cause you, and remain dedicated to protecting your personal information. Should you have any questions or concerns, please contact 844-469-3792 between 9:00 am and 9:00 p.m. Eastern.

Of course, you should also feel free to contact the two of us or Jan, Jess or Trish.

Sincerely,



Richard J. Maloney, CPA



Kevin C. Kennedy, CPA  
Partners  
Maloney & Kennedy, PLLC

### ***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.

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### **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 nationwide three 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.

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### **For residents of Iowa:**

State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

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### **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.

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### **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/bcp/edu/microsites/idtheft](http://www.ftc.gov/bcp/edu/microsites/idtheft)

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### **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

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### **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.equifax.com/help/credit-freeze/en\\_cp](http://www.equifax.com/help/credit-freeze/en_cp)  
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  
[www.transunion.com](http://www.transunion.com)  
888-680-7289

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