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BakerHostetler

CONSUMER PROTECTION Baker & Hostetler LLP

11601 Wilshire Boulevard
Suite 1400
Los Angeles, CA 90025-0509
T 310.820.8800
F 310.820.8859
www.bakerlaw.com

March 17, 2020

M. Scott Koller
direct dial: 310.979.8427
mskoller@bakerlaw.com

VIA OVERNIGHT MAIL

Attorney General Gordon MacDonald
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Re: Incident Notification

Dear Sir or Madam:

We are writing on behalf of our client, Mark Nichols, CPA, to notify your office of a security incident involving 55 New Hampshire residents.

On December 24, 2019, Mr. Nichols learned that an unauthorized individual may have accessed the email account of one of his employees. When Mr. Nichols first learned of this incident, he took immediate steps to secure the information and changed the employee's account password. Mr. Nichols also conducted a thorough investigation to determine what happened, who was impacted, and what information may have been affected. He determined that the email account contained a message with some personal information, including the names; social security numbers; or financial account numbers and routing numbers, pin, access codes or passwords to financial accounts of these New Hampshire residents. It is important to note that no internal network systems were accessed and that the incident is limited to a single email account. There is no evidence that the data in the email accounts was misused, or event accessed. And, there has been no reports of fraudulent transactions associated with this incident.

On March 13, 2020, Mr. Nichols began mailing written notifications to the potentially affected New Hampshire residents in accordance with N.H. Rev. Stat. § 359-C:20 in substantially the same form as the enclosed letter.¹ Mr. Nichols is offering 12 months of complimentary identity theft

¹ This notice does not waive Mr. Nichols's objection that New Hampshire lacks personal jurisdiction over it regarding any claims relating to this incident.

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protection services through Experian's Identity Works.SM This product helps detect possible misuse of personal information and provides potentially affected New Hampshire residents with identity protection services that are focused on the immediate identification and resolution of identity theft. Mr. Nichols also provided a telephone number for potentially affected individuals to call with any questions they may have about the incident.

To help prevent an incident like this from happening in the future, Mr. Nichols is taking steps to enhance their existing security protocols and is re-educating its staff regarding the protection of sensitive information.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script that reads "M. Scott Koller".

M. Scott Koller
Partner

Enclosure



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>>

Dear <<Name>>:

<<CA letter header>>

Securing and protecting individuals' confidential information is a top priority for Landmark Financial Services Group, LLC and Nichols & Company CPA PC. and it is a responsibility that we take very seriously. Regrettably, I am writing to inform you of an incident involving some of that information. While we have no evidence that your information has been misused in any way, out of an abundance of caution, we wanted to notify you regarding this incident.

What Happened

On December 24, 2019, we learned that an unauthorized individual may have accessed an employee's email account that contained some of your personal information. When we first learned of this incident, we took immediate steps to secure the information and changed the employee's account password. A thorough investigation was conducted to determine what happened, who was impacted and what information may have been affected. It is important to note that no internal network systems were accessed. The incident is limited to an email account. We wanted to let you know this occurred and to assure you we take it very seriously.

What Information Was Involved

Our investigation has determined that the affected email account contained a message with some of your personal information, including your name, <<PII affected>>.

What We Are Doing

To help prevent a similar incident in the future, we have taken several steps to enhance our existing security protocols and are reeducating our employees regarding the protection of sensitive information.

What You Can Do

We encourage you to remain vigilant by reviewing your account statements for any unauthorized activity. To assist you in protecting your identity, we have arranged for you to receive a complimentary one-year membership of Experian's® IdentityWorksSM. This product helps detect possible misuse of your personal information and provides you with identity protection services focused on immediate identification and resolution of identity theft. IdentityWorks is completely free to you and enrolling in this program will not hurt your credit score. For more information on identity theft prevention and IdentityWorks, including instructions on how to activate your complimentary one-year membership, please see the additional information provided in this letter. <<medical information>>

For More Information

Your confidence and trust are important to us, and we sincerely apologize for any inconvenience or concern this may have caused. If you have any questions, please call (866) 977-0776 Monday through Friday from 9:00 a.m. to 9:00 p.m. Eastern Time.

Sincerely,

A handwritten signature in black ink that reads "Mark". The letters are cursive and slightly slanted to the right.

Mark Nichols
Principal, Landmark Financial Services Group, LLC
President, Nichols & Company CPA PC

Additional Details Regarding Your 12-MONTH EXPERIAN IDENTITYWORKS Membership

While Identity Restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorksSM as a complimentary one-year membership. This product provides you with identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

- Ensure that you **enroll by:** <<Deadline to enroll>> (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **activation code:** <<Enrollment Code>>

If you have questions about the product, need assistance with identity or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 877-890-9332 by <<Deadline to enroll>>. Be prepared to provide engagement number <<Engagement Number>> as proof of eligibility for the identity restoration services by Experian.

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 file for indicators of fraud.
- **Identity Restoration:** Identity Restoration agents 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.
- **\$1 Million Identity Theft Insurance**:** Provides coverage for certain costs and unauthorized electronic fund transfers.

What you can do to protect your information: There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to www.ExperianIDWorks.com/restoration for this information.

* Offline members will be eligible to call for additional reports quarterly after enrolling

** Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. (AIG). The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity over the next 12 to 24 months. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit www.annualcreditreport.com or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

- *Equifax*, P.O. Box 740241, Atlanta, GA 30374, www.equifax.com, 1-800-685-1111
- *Experian*, P.O. Box 2002, Allen, TX 75013, www.experian.com, 1-888-397-3742
- *TransUnion*, P.O. Box 2000, Chester, PA 19016, www.transunion.com, 1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

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

Fraud Alerts and Credit or Security Freezes:

Fraud Alerts: There are two types of general fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report.

For those in the military who want to protect their credit while deployed, an Active Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for prescreened credit card offers for two years, unless you ask them not to.

Credit or Security Freezes: You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

How do I place a freeze on my credit reports? There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- **Experian Security Freeze**, P.O. Box 9554, Allen, TX 75013, www.experian.com
- **TransUnion Security Freeze**, P.O. Box 2000, Chester, PA 19016, www.transunion.com
- **Equifax Security Freeze**, P.O. Box 105788, Atlanta, GA 30348, www.equifax.com

You'll need to supply your name, address, date of birth, Social Security number and other personal information. After receiving your freeze request, each credit bureau will provide you with a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

How do I lift a freeze? A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.

If you opt for a temporary lift because you are applying for credit or a job, and you can find out which credit bureau the business will contact for your file, you can save some time by lifting the freeze only at that particular credit bureau. Otherwise, you need to make the request with all three credit bureaus.

<<For RI residents>>
<<Other State Information>>