

BakerHostetler

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CONSUMER PROTECTION

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April 30, 2020

VIA OVERNIGHT MAIL

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

Gerald J. Ferguson
direct dial: 212.589.4238
gferguson@bakerlaw.com

Re: Incident Notification

Dear Sir:

We are writing on behalf of our client, MBS Textbook Exchange, LLC (MBS), to notify you of a data security incident. MBS hosts the e-commerce platform, inSite, for university and college bookstore websites.

On February 19, 2020, MBS received reports some customers were experiencing issues making payments using inSite. MBS launched an investigation into this incident with the assistance of a well-known cybersecurity forensic firm.

Through this investigation, completed on April 7, 2020, MBS identified unauthorized code designed to capture cardholder data had been inserted in the inSite web servers. The unauthorized code was present on bookstore websites using InSite at various times between February 18, 2020 and February 21, 2020. During this time period, the unauthorized code could have captured cardholder data entered during the checkout process by customers who placed orders on websites using inSite. MBS' investigation concluded that the unauthorized code was only capable of potentially capturing customer names, payment card numbers, expiration dates, and card security codes (CVV).

Beginning on April 8, 2020, MBS provided written notification of this incident to the university and colleges that use inSite on their bookstore websites and offered to provide notice to the potentially affected members and regulatory agencies on their behalf. Between April 8, 2020 and April 26, 2020, several university and college bookstores responded affirmatively to MBS' offer. Some of the responses to the offer were delayed due to the fact that all of the university and college bookstores are closed due to the COVID-19 pandemic.

Beginning on April 30, 2020, MBS will mail a notification letter via United States Postal Service First-Class mail to one (1) New Hampshire resident whose cardholder data may have been involved in this incident, in accordance with N.H. Rev. Stat. § 359-C:20. A copy of the notification letter is enclosed.

Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Denver
Houston Los Angeles New York Orlando Philadelphia Seattle Washington, DC

To help prevent a similar incident from occurring in the future, MBS has removed the unauthorized code from the inSite web servers, enhanced its data security protocols, and implemented procedures to further safeguard inSite and all MBS systems.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Gerald J. Ferguson". The signature is written in a cursive style with a long horizontal line extending from the end.

Gerald J. Ferguson

Enclosure



<<Date>> (Format: Month Day, Year)

<<first_name>> <<middle_name>> <<last_name>> <<suffix>>
<<address_1>>
<<address_2>>
<<city>>, <<state_province>> <<postal_code>>
<<country >>

Dear <<first_name>> <<middle_name>> <<last_name>> <<suffix>>,

MBS Textbook Exchange, LLC (MBS) provides e-commerce services called inSite to <<b2b_text_1 (MBS Customer Name)>>'s online bookstore (Bookstore). We are notifying you of an incident that may have involved your cardholder data. This notice explains the incident, measures MBS has taken to further protect its systems and your cardholder data, and some steps you can take in response. This incident did not involve institutional or Bookstore servers. MBS agreed to provide the required notifications about this incident, including notice to the payment card networks and to law enforcement.

MBS operates the inSite e-commerce platform used by the Bookstore's website. On February 19, 2020, MBS received reports some customers were experiencing issues making payments using inSite. MBS launched an investigation into this incident with the assistance of a well-known cybersecurity forensic firm.

Through this investigation, completed on April 7, 2020, MBS identified unauthorized code designed to capture cardholder data had been inserted in the inSite web servers. The unauthorized code was present on the website MBS operates for the Bookstore at various times between February 18, 2020 and February 21, 2020. During this time period, the unauthorized code could have captured cardholder data entered during the checkout process by customers who placed orders on the Bookstore's website. Our investigation concluded that the unauthorized code was only capable of potentially capturing customer names, payment card numbers, expiration dates, and card security codes (CVV). We are notifying you because you placed an order on the website MBS operates for the Bookstore using a payment card ending in <<b2b_text_2 (Card #)>>, during this period.

We encourage you to always closely review your payment card statements for any unauthorized charges. Immediately report any unauthorized charges to the bank that issued your card because payment card network rules generally provide cardholders are not responsible for unauthorized charges when timely reported. Information on additional steps you can take can be found on the following pages.

To help prevent a similar incident from occurring in the future, MBS has removed the unauthorized code from the website MBS operates for Bookstore, enhanced MBS's data security protocols, and implemented procedures to further safeguard inSite and all MBS systems.

We regret that this incident occurred and apologize for any inconvenience. If you have questions, please call **1-844-978-2449**, Monday – Friday, from **9:00 a.m. to 6:30 p.m.**, Eastern Daylight Time.

Sincerely,

David Henderson
President

Additional information for residents of the following states:

Connecticut: You may contact and obtain information from your state attorney general at: *Connecticut Attorney General's Office*, 165 Capitol Ave., Hartford, CT 06106, 1-860-808-5318, www.ct.gov/ag

District of Columbia: The mailing address for MBS' headquarters is 2711 West Ash Street, Columbia, MO 65203. You may contact and obtain information from your attorney general at: *Office of the Attorney General for the District of Columbia*, 441 4th Street, NW, Washington, DC 20001, 1-202-727-3400, www.oag.dc.gov

Maryland: The mailing address for MBS' headquarters is 2711 West Ash Street, Columbia, MO 65203. You may contact and obtain information from your state attorney general at: *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, www.oag.state.md.us

New York: You may contact and obtain information from these state agencies: *New York Department of State Division of Consumer Protection*, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>; and *New York State Office of the Attorney General*, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

North Carolina: You may contact and obtain information from your state attorney general at: *North Carolina Attorney General's Office*, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, www.ncdoj.gov

West Virginia: You have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described above. You also have a right to place a security freeze on your credit report, as described above.

A Summary of Your Rights Under the Fair Credit Reporting Act: The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Your major rights under the FCRA are summarized below. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

- You must be told if information in your file has been used against you.
- You have the right to know what is in your file.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.
- 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 reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
- You have a 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.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.