



MULLEN
COUGHLIN
ATTORNEYS AT LAW

STATE OF NH
DEPT OF JUSTICE
2018 NOV 16 AM 10:49

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1275 Drummers Lane, Suite 302
Wayne, PA 19087

November 12, 2018

VIA REGULAR MAIL

Attorney General Gordon J. MacDonald
Office of the New Hampshire Attorney General
Attn: Security Breach Notification
33 Capitol Street
Concord, NH 03301

Re: Notice of Data Event

Dear Attorney General MacDonald:

Our office represents McKenna & Sachs LLC (“McKenna & Sachs”) located at 110 Post Rd., Darien, Connecticut 06820. We write to notify you of an event that may affect the security of personal information relating to one (1) resident. The investigation into this matter is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, McKenna & Sachs does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

Background

On May 30, 2018, a McKenna & Sachs staff member began to receive reports from certain clients of a suspicious email they received from her email account. McKenna & Sachs immediately changed the email account password and began an investigation to determine the scope and nature of the issue with the assistance of an outside computer forensics expert. On June 22, 2018, the investigation confirmed the email account was logged into by an unknown actor in May of 2018, possibly as the result of an email phishing attack. The investigation was not able to determine whether any email messages or file attachments stored in her email account were actually viewed by the unknown actor. Because those items could have been subject to unauthorized access and include sensitive personal information about certain tax clients and other associated individuals, McKenna & Sachs notified potentially affected individuals.

The investigation determined the following types of PII relating to one (1) resident was stored within the impacted email account: name and Social Security number. Those individuals are

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affiliated with McKenna & Sachs's customer business, Enterprise Analysis Corporation, who was provided notice of this incident on September 28, 2018.

Notice to New Hampshire Resident

On November 12, 2018, McKenna & Sachs mailed written notice of this incident to all potentially impacted individuals on behalf of Enterprise Analysis Corporation. Written notice is being provided in substantially the same form as the letter attached here as **Exhibit A**. On November 12, 2018, McKenna & Sachs provided copies of these letters via email to Enterprise Analysis Corporation.

Other Steps Taken and To Be Taken

McKenna & Sachs is offering individuals impacted by this event with access to two (2) years of complimentary credit monitoring and identity restoration services. Additionally, McKenna & Sachs is providing potentially impacted individuals with guidance on how to better protect against identity theft and fraud, including information on how to place a fraud alert and security freeze on one's credit file, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state attorney general, and law enforcement to report attempted or actual identity theft and fraud. McKenna & Sachs implemented the encryption of email messages containing personal information and the use of multi-factor authentication for logging into email accounts and is reviewing other security measures and is working to implement additional safeguards. In addition to providing this notice to your office, McKenna & Sachs is providing notice to other state regulators, as required.

Contact Information

Should you have any questions regarding this preliminary notification, please contact me at (267) 930-4801.

Very truly yours,

A handwritten signature in black ink, appearing to read "Alexander Walker". The signature is fluid and cursive, with a large initial "A" and "W".

Alexander Walker of
MULLEN COUGHLIN LLC

Enclosure

EXHIBIT A

McKenna & Sachs, LLC
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 Breach

Dear <<Name 1>>:

McKenna & Sachs, LLC ("M&S") is writing to inform you of an incident that may affect the security of your personal information. We take this incident very seriously and are providing you with information and access to resources so that you can better protect against the possibility of misuse of your personal information, should you feel it is appropriate to do so.

Who is McKenna & Sachs/Why Do They Have My Personal Information? According to our records, you are currently or were previously affiliated with <<Business related to individual>>, a business to whom we provide tax preparation or other services. We received your personal information as part of providing those services to that business.

What Happened? On May 30, 2018, I began to receive reports from certain M&S clients of a suspicious email they received from my M&S email account. I immediately changed my email account password, and M&S began an investigation to determine what happened with the assistance of an outside computer forensics expert. We learned my M&S email account was logged into by an unknown actor in May of 2018, possibly as the result of an email phishing attack. The investigation was not able to determine whether any email messages or file attachments stored in my email account were actually viewed by the unknown actor. Because those items could have been subject to unauthorized access and include sensitive personal information about employees or other individuals associated with my client businesses, M&S is making you aware of this incident in an abundance of caution.

What Information Was Involved? M&S undertook an exhaustive review of the contents of my email account and our internal records to determine whether any sensitive personal information was exposed and the individuals to whom that information relates. We determined the following types of your personal information were stored within the impacted email address: your name, address, and Social Security number.

What We Are Doing. M&S takes this incident and the security of information in our care very seriously. In addition to the investigation detailed above, we have implemented the encryption of email messages containing personal information and the use of multi-factor authentication for logging into email accounts. We are also reviewing other security measures and are working to implement additional safeguards.

As an added precaution, we are also offering you access to 24 months of complimentary credit monitoring and identity protection services through Transunion. The cost of this service will be paid for by M&S. Instructions on how to enroll in the credit monitoring and identity protection services can be found in the enclosed *Privacy Safeguards Information*.

What Can You Do? You can review the enclosed *Privacy Safeguards Information* for additional information on how to better protect against identity theft and fraud. You can also enroll to receive the complimentary credit monitoring and identity restoration services described above.

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 call 877-804-6497, Monday through Friday, 9:00 a.m. to 9:00 p.m. ET.

The security of your information is a top priority for McKenna & Sachs. We sincerely regret any inconvenience or concern this incident has caused you.

Sincerely,

Dee A. Sachs

Dee A. Sachs, CPA
McKenna & Sachs, LLC

PRIVACY SAFEGUARDS INFORMATION

Enroll in the Credit Monitoring and Identity Restoration Services.

As an added precaution, we have arranged to have TransUnion protect your identity for 24 months at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next 24 months.

As a safeguard, we have arranged for you to enroll, at no cost to you, in an online three-bureau credit monitoring service (*myTrueIdentity*) for two years 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 and in the space referenced as "Enter Activation Code", enter the following unique 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, three-bureau 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 Unique 6-Digit 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 <<Enrollment Deadline>>. 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 two years of unlimited access to your TransUnion credit report and credit score. The daily three-bureau credit monitoring service will notify you if there are any critical changes to your credit files at TransUnion®, Experian® and Equifax®, 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 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.)

Contact the IRS. You can contact the IRS at www.irs.gov/Individuals/Identity-Protection for helpful information and guidance on steps you can take to prevent a fraudulent tax return from being filed in your name and what to do if you become the victim of such fraud. You can also visit www.irs.gov/uac/Taxpayer-Guide-to-Identity-Theft for more information.

Monitor Your Accounts.

Credit Reports. We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your free credit reports for suspicious activity. 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.

Fraud Alerts. At no charge, you can also have these credit bureaus place a "fraud alert" on your file that alerts creditors to take additional steps to verify your identity prior to granting credit in your name. Note, however, that because it tells creditors to follow certain procedures to protect you, it may also delay your ability to obtain credit while the agency verifies your identity. As soon as one credit bureau confirms your fraud alert, the others are notified to place fraud alerts on your file. Should you wish to place a fraud alert, or should you have any questions regarding your credit report, please contact any one of the agencies listed below:

Equifax
P.O. Box 105069
Atlanta, GA 30348
1-800-525-6285
www.equifax.com

Experian
P.O. Box 2002
Allen, TX 75013
1-888-397-3742
www.experian.com

TransUnion
P.O. Box 2000
Chester, PA 19016
1-800-680-7289
www.transunion.com

Security Freeze. You may also place a security freeze on your credit reports. A security freeze prohibits a credit bureau from releasing any information from a consumer's credit report without the consumer's written authorization. However, please be advised that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing, or other services. If you have been a victim of identity theft and you provide the credit bureau with a valid police report, it cannot charge you to place, lift, or remove a security freeze. In all other cases, a credit bureau may charge you a fee to place, temporarily lift, or permanently remove a security freeze. Fees vary based on where you live, but commonly range from \$3 to \$15. You will need to place a security freeze separately with each of the three major credit bureaus listed above if you wish to place a freeze on all of your credit files. In order to request a security freeze, you will need to supply your full name, address, date of birth, Social Security number, current address, all addresses for up to five previous years, email address, a copy of your state identification card or driver's license, and a copy of a utility bill, bank or insurance statement, or other statement proving residence. To find out more on how to place a security freeze, you can use the following contact information:

Equifax Security Freeze
P.O. Box 105788
Atlanta, GA 30348
1-800-685-1111
www.freeze.equifax.com

Experian Security Freeze
P.O. Box 9554
Allen, TX 75013
1-888-397-3742
www.experian.com/freeze/

TransUnion
P.O. Box 2000
Chester, PA 19016
1-888-909-8872
www.transunion.com/

Additional Information. You can further educate yourself regarding identity theft, security freezes, fraud alerts, and the steps you can take to protect yourself against identity theft and fraud by contacting 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); and TTY: 1-866-653-4261. The Federal Trade Commission encourages those who discover that their information has been misused to file a complaint with them. 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 crime report or incident report with law enforcement for identity theft, you will likely need to provide some kind of proof that they have been a victim. Instances of known or suspected identity theft should be reported to law enforcement, the Federal Trade Commission, and your state Attorney General. This notice has not been delayed as the result of a law enforcement investigation.

For Maryland residents, the Attorney General can be reached at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-888-743-0023; and www.oag.state.md.us. **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 North Carolina residents**, the 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.