MULLEN COUGHLIN LLC
ATTORNEYS AT LAW

RECEIVED
JAN 13 2023
By

426 W. Lancaster Avenue, Suite 200
Devon, PA 19333

January 9, 2023

VIA U.S. MAIL

Consumer Protection Bureau
Office of the New Hampshire Attorney General
33 Capitol Street
Concord, NH 03301

Re: Notice of Data Event

To Whom It May Concern:

We represent Meriplex Communications, Ltd. ("Meriplex") located at 10111 Richmond Ave., Suite 500, Houston, Texas, 77042, and are writing on behalf of our customer, Malaga Bank, FSB, located at 2514 Via Tejon, Palos Verdes Estates, CA 90275 to notify your office of an incident that may affect the security of certain personal information relating to one (1) New Hampshire 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, Meriplex 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 on behalf of itself or Malaga Bank.

Nature of the Data Event

On or about August 30, 2022, Meriplex, as the company that provides Malaga Bank with certain IT support services, became aware of suspicious activity on its network related to Malaga's files by a now former employee of Meriplex. Meriplex took immediate action to secure their systems, including terminating the employee, notifying state and federal law enforcement, and launching an investigation with third-party forensic specialists. As a result of that investigation, Meriplex learned that certain account information related to individuals associated with Malaga Bank was downloaded by the former employee without authorization, including the names and Social Security numbers of New Hampshire resident.

Notice to New Hampshire Resident

On or about January 9, 2023, Meriplex provided written notice of this incident to one (1) New Hampshire resident. Written notice is being provided in substantially the same form as the letter attached here as ***Exhibit A***. Meriplex's investigation into this incident is ongoing and this notification may be supplemented if it is determined that a significant number of additional New Hampshire resident are impacted.

Other Steps Taken and To Be Taken

Upon discovering the event, Meriplex moved quickly to investigate and respond to the incident, assess the security of Meriplex systems, and identify potentially affected clients, including Malaga Bank. Further, Meriplex notified federal and state law enforcement regarding the event. Meriplex is also working to implement additional safeguards such as password rotation, data loss prevention, USB restrictions, and a review of all system accesses. Additionally, Meriplex is providing additional training to its employees. Meriplex, on behalf of Malaga Bank, is providing access to credit monitoring services for twenty-four (24) months, through Equifax, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Meriplex, on behalf of Malaga Bank, is providing impacted individuals with guidance on how to better protect against identity theft and fraud. Meriplex is providing individuals with 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.

Meriplex, on behalf of Malaga Bank, is providing written notice of this incident to relevant state regulators, as necessary, and to the three major credit reporting agencies, Equifax, Experian, and TransUnion. Meriplex is aware that law enforcement is currently investigating the event in response to Meriplex's notification regarding the event.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at .

Very truly yours,

Jeffrey J. Boogay of
MULLEN COUGHLIN LLC

JJB/kld
Enclosure

EXHIBIT A

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>>:

Meriplex is writing to inform you of a recent incident that may impact the privacy of some of your personal information. Meriplex has access to your information because we provide some remote IT services to Malaga Bank. We would like to inform you of what happened, how we are handling it, and steps you may take to protect against any misuse of your information, should you choose to do so.

What Happened? On August 30, 2022, Meriplex became aware of suspicious activity by one of its employees. Meriplex took immediate action to secure its systems, including terminating the employee, notifying state and federal law enforcement, and launching an investigation with third-party forensic specialists. As a result of that investigation, Meriplex learned that certain information about some customers of Malaga Bank was downloaded by Meriplex's former employee without authorization. An analysis of the data involved was initiated on September 26, 2022.

What Information Was Involved? Information downloaded by this individual included your name and Social Security number. Although we have no evidence currently to indicate any information was subject to actual or attempted misuse following the unauthorized download, we are proactively informing all impacted individuals.

What We Are Doing. The confidentiality, privacy, and security of the information we maintain is one of our highest priorities. In response to this event, Meriplex has implemented additional controls such as password rotation, data loss prevention, USB restrictions, and a review of all system accesses. We are notifying potentially impacted individuals, including you, to offer services and resources to stay protected against any potential consequences. As a precaution, we invite you to take advantage of immediate access to credit monitoring and identity theft protection services for twenty-four (24) months at no cost to you, through Equifax. You can find information about how to enroll in these services in the enclosed "*Steps You Can Take to Help Better Protect Your Information*" document.

What You Can Do. 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 and to detect errors. If you see charges or activity that you did not authorize, contact the relevant financial institution or credit bureau to report the activity immediately. You may also review the information contained in the attached "*Steps You Can Take to Help Better Protect Your Information*" document.

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 our dedicated assistance line at 855-913-0436, 9am to 9pm Eastern, Monday through Friday, except major U.S Holidays. We take this incident very seriously and sincerely regret any inconvenience or concern this incident may have caused you. You can also write to Meriplex at 10111 Richmond Ave., #500, Houston, TX 77042.

Sincerely,

Aaron Biehl
Senior Vice President

Steps You Can Take to Help Better Protect Your Information

Enroll in Credit Monitoring with Equifax Credit Watch™ Gold

*Note: You must be over age 18 with a credit file to take advantage of the product.

Key Features

- Credit monitoring with email notifications of key changes to your Equifax credit report
- Daily access to your Equifax credit report
- WebScan notifications[1] when your personal information, such as Social Security Number, credit/debit card or bank account numbers are found on fraudulent Internet trading sites
- Automatic fraud alerts[2], which encourages potential lenders to take extra steps to verify your identity before extending credit, plus blocked inquiry alerts and Equifax credit report lock[3]
- Identity Restoration to help restore your identity should you become a victim of identity theft, and a dedicated Identity Restoration Specialist to work on your behalf
- Up to $1,000,000 of identity theft insurance coverage for certain out of pocket expenses resulting from identity theft[4]

Enrollment Instructions

Go to ***www.equifax.com/activate.***

Enter your unique Activation Code of <*ACTIVATION CODE*> then click "Submit" and follow these 4 steps:

1. **Register:**
   Complete the form with your contact information and click "Continue".
   If you already have a myEquifax account, click the 'Sign in here' link under the "Let's get started" header. Once you have successfully signed in, you will skip to the Checkout Page in Step 4.
2. **Create Account:**
   Enter your email address, create a password, and accept the terms of use.
3. **Verify Identity:**
   To enroll in your product, we will ask you to complete our identity verification process.
4. **Checkout:**
   Upon successful verification of your identity, you will see the Checkout Page.
   Click 'Sign Me Up' to finish enrolling.

You're done!
The confirmation page shows your completed enrollment.
Click "View My Product" to access the product features.

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[1] *WebScan searches for your Social Security Number, up to 5 passport numbers, up to 6 bank account numbers, up to 6 credit/debit card numbers, up to 6 email addresses, and up to 10 medical ID numbers. WebScan searches thousands of Internet sites where consumers' personal information is suspected of being bought and sold, and regularly adds new sites to the list of those it searches. However, the Internet addresses of these suspected Internet trading sites are not published and frequently change, so there is no guarantee that we are able to locate and search every possible Internet site where consumers' personal information is at risk of being traded.*

[2] *The Automatic Fraud Alert feature is made available to consumers by Equifax Information Services LLC and fulfilled on its behalf by Equifax Consumer Services LLC.*

[3] *Locking your Equifax credit report will prevent access to it by certain third parties. Locking your Equifax credit report will not prevent access to your credit report at any other credit reporting agency. Entities that may still have access to your Equifax credit report include: companies like Equifax Global Consumer Solutions, which provide you with access to your credit report or credit score, or monitor your credit report as part of a subscription or similar service; companies that provide you with a copy of your credit report or credit score, upon your request; federal, state and local government agencies and courts in certain circumstances; companies using the information in connection with the underwriting of insurance, or for employment, tenant or background screening purposes; companies that have a current account or relationship with you, and collection agencies acting on behalf of those whom you owe; companies that authenticate a consumer's identity for purposes other than granting credit, or for investigating or preventing actual or potential fraud; and companies that wish to make pre-approved offers of credit or insurance to you. To opt out of such pre-approved offers, visit www.optoutprescreen.com.*

[4] *The Identity Theft Insurance benefit is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company, under group or blanket policies issued to Equifax, Inc., or its respective affiliates for the benefit of its Members. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.*

Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your credit report.

Consumers have the right to place an initial or extended "fraud alert" on a credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a "credit freeze" on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer's express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a credit freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a credit freeze on your credit report. To request a security freeze, you will need to provide the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver's license or ID card, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if you are a victim of identity theft.

Should you wish to place a credit freeze, please contact the three major credit reporting bureaus listed below:

Equifax	**Experian**	**TransUnion**
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
888-298-0045	1-888-397-3742	833-395-6938
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may 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 also encourages those who discover that their information has been misused to file a complaint with them. You can obtain further information on how to file such a complaint by way of the contact information listed above. 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 report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement.

For Connecticut residents, the Connecticut Attorney General may be contacted at 110 Sherman St., Hartford, CT 06105; 1-860-808-5540; and www.portal.ct.gov.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 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 bureaus 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 violator. 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 New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or https://ag.ny.gov/.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.