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April 22, 2021

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VIA E-MAIL (ATTORNEYGENERAL@DOJ.NH.GOV)

The Honorable Gordon MacDonald
Attorney General of the State of New Hampshire
Office of the Attorney General
33 Capitol Street
Concord, New Hampshire 03301

Re: Notification of a Data Security Incident

Dear Attorney General MacDonald:

We represent Merrick & Company (“Merrick”) in connection with a recent incident that may have affected the personal information of one (1) New Hampshire resident, and we provide this notice on behalf of Merrick pursuant to N.H. REV. STAT. ANN. § 359-C:20. We will supplement this notice, if necessary, with any new, significant facts discovered subsequent to its submission. While Merrick is notifying you of this incident, Merrick does not waive any rights or defenses relating to the incident, this notice, or the applicability of New Hampshire law on personal jurisdiction.

NATURE OF THE SECURITY INCIDENT

Merrick recently discovered that, between December 16, 2020 and January 4, 2021, an unauthorized third party gained access to certain Merrick employees’ email accounts. Upon discovering the incident, Merrick secured the potentially affected email accounts to prevent further access. Since an unknown third party accessed the email accounts, Merrick audited the accounts to determine if the accounts contained personal information. On March 23, 2021, Merrick confirmed the affected accounts contained a New Hampshire resident’s name and Social Security number.

Although Merrick is not aware of any fraud or misuse of personal information as a result of the incident, Merrick provided notice of the incident to the potentially affected individual.

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April 22, 2021

NOTIFICATION OF THE INCIDENT

Merrick provided notice of the incident to the potentially affected New Hampshire resident by letter today, April 22, 2021. Enclosed is a copy of the notice that Merrick sent to the affected individual via first-class United States mail.

STEPS TAKEN RELATING TO THE INCIDENT

Upon learning of the incident, Merrick promptly conducted an internal investigation and engaged a forensic security firm to confirm the security of its email and computer systems. Merrick is undertaking efforts to reduce the risk of a similar incident occurring in the future, including enhancing its technical security measures. Finally, as discussed above, Merrick provided notice of the incident to the potentially affected individual with information on how they can protect themselves against identity theft. Merrick also included an offer for twelve (12) months of complimentary credit monitoring and identity theft protection services in the notification letter.

CONTACT INFORMATION

Please do not hesitate to contact me if you have any questions or if I can provide you with any further information concerning this matter.

Very truly yours,

Michael J. Waters

Enclosure



MERRICK®

Dear [REDACTED]

Re: Notice of a Data Breach

Merrick & Company (“Merrick”) values and respects the privacy of your information, which is why we are writing to advise you of a recent incident that may have involved some of your personal information. We have no reason to believe that your personal information has been misused and do not know if any of your information was ever viewed or acquired. We are writing to advise you about the incident and to provide you with guidance on what you can do to protect yourself, should you feel it is appropriate to do so.

What Happened? We recently learned that an unauthorized third party gained access to certain Merrick employees’ email accounts. The unauthorized access occurred during various periods between December 16, 2020, and January 4, 2021. Since an unknown party had access to the email accounts, we searched the email accounts for any personal information contained in them.

What Information Was Involved? On March 23, 2021, we confirmed the impacted accounts contained personal information that included your [REDACTED].

What We Are Doing. Upon learning of the incident, we promptly contained the incident by securing the email accounts to prevent further access. We also engaged a leading forensic security firm to investigate and confirm the security of our email and computer systems. In addition, we have taken steps to reduce the risk of this type of incident occurring in the future, including enhancing our technical security measures.

What You Can Do. Although we are not aware of any instances of fraud or identity theft, we are offering a complimentary one-year membership of Experian IdentityWorksSM Credit 3B. 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 Credit 3B 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 Credit 3B, including instructions on how to activate your complimentary one-year membership, please see the additional information provided in this letter.**

Other Important Information. We know that there have been a significant number of fraudulent unemployment claims under various States’ Departments of Labor (DOL) during the pandemic. There is no reason to believe that this incident is in any way tied to the DOL or any other instance of fraud or identity theft. While we have no evidence that your personal information has been misused, you can find more information on steps to protect yourself against identity theft or fraud in the enclosed *Additional Important Information* sheet.

We value the trust you place in us to protect your privacy, take our responsibility to safeguard your personal information seriously, and apologize for any inconvenience or concern this incident might cause. For further information and assistance, please call [REDACTED] from 7:00 AM – 4:30 PM Mountain, Monday through Friday, excluding some U.S. holidays.

Sincerely,



To help protect your identity, we are offering a **complimentary** one-year membership of Experian IdentityWorksSM Credit 3B. This product helps detect possible misuse of your personal information and provides you identity protection support focused on immediate identification and resolution of identity theft.

Activate IdentityWorks Credit 3B Now in Three Easy Steps

1. ENROLL by: [REDACTED] (Your code will not work after this date.)

2. VISIT the **Experian IdentityWorks website** to enroll: [REDACTED]

3. PROVIDE the **Activation Code**: [REDACTED]

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at [REDACTED]. Be prepared to provide engagement number [REDACTED] as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS CREDIT 3B MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks Credit 3B.

You can contact Experian **immediately without needing to enroll in the product** regarding any fraud issues. Identity Restoration specialists are available to help you address credit and non-credit related fraud.

Once you enroll in Experian IdentityWorks, you will have access to the following additional features:

- **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, Equifax and Transunion files for indicators of fraud.
- **Experian IdentityWorks ExtendCARETM:** 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.

Activate your membership today at [REDACTED]

or call [REDACTED] to register with the activation code above.

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. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at [REDACTED].

* 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 in this document 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 Important Information

As a precautionary measure, we recommend that you remain vigilant to protect against potential fraud and/or identity theft by, among other things, reviewing your account statements and monitoring credit reports closely. If you detect any suspicious activity on an account, you should promptly notify the financial institution or company with which the account is maintained. You should also promptly report any fraudulent activity or any suspected incidents of identity theft to proper law enforcement authorities, including the police and your state's attorney general, as well as the Federal Trade Commission ("FTC").

You may wish to review the tips provided by the FTC on fraud alerts, security/credit freezes and steps you can take to avoid identity theft. For more information and to contact the FTC, please visit www.ftc.gov/idtheft or call 1-877-ID-THEFT (1-877-438-4338). You may also contact the FTC at Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

Credit Reports: You may obtain a free copy of your credit report once every 12 months from each of the three national credit reporting agencies by visiting www.annualcreditreport.com, by calling toll-free 1-877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You can print a copy of the request form at <https://www.annualcreditreport.com/manualRequestForm.action>.

Alternatively, you may elect to purchase a copy of your credit report by contacting one of the three national credit reporting agencies. Contact information for the three national credit reporting agencies for the purpose of requesting a copy of your credit report or for general inquiries is as follows:

Equifax 1-866-349-5191 www.equifax.com P.O. Box 740241 Atlanta, GA 30374	Experian 1-888-397-3742 www.experian.com P.O. Box 9554 Allen, TX 75013	TransUnion 1-800-888-4213 www.transunion.com P.O. Box 1000 Chester, PA 19016
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Fraud Alerts: You may want to consider placing a fraud alert on your credit report. A fraud alert is free and will stay on your credit report for one (1) year. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any new accounts in your name. To place a fraud alert on your credit report, contact any of the three national credit reporting agencies using the contact information listed above. Additional information is available at www.annualcreditreport.com.

Credit and Security Freezes: You may have the right to place a credit freeze, also known as a security freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies as specified below to find out more information:

Equifax Security Freeze 1-888-298-0045 www.equifax.com P.O. Box 105788 Atlanta, GA 30348	Experian Security Freeze 1-888-397-3742 www.experian.com P.O. Box 9554 Allen, TX 75013	TransUnion Security Freeze 1-888-909-8872 www.transunion.com P.O. Box 160 Woodlyn, PA 19094
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Individuals interacting with credit reporting agencies have rights under the Fair Credit Reporting Act. We encourage you to review your rights under the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by requesting information in writing from the Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. NW, Washington, DC 20580.

A law enforcement investigation did not delay this notice.

Iowa Residents: Iowa residents can contact the Office of the Attorney general to obtain information about steps to take to avoid identity theft from the Iowa Attorney General's office at: Office of the Attorney General of Iowa, Hoover State Office Building, 1305 E. Walnut Street, Des Moines IA 50319, 515-281-5164.

Maryland Residents: Maryland residents can contact the Office of the Attorney General to obtain information about steps you can take to avoid identity theft from the Maryland Attorney General's office at: Office of the Attorney General, 200 St. Paul Place, Baltimore, MD 21202, (888) 743-0023, <http://www.marylandattorneygeneral.gov/>.

New York State Residents: New York residents can obtain information about preventing identity theft from the New York Attorney General's Office at: Office of the Attorney General for the State of New York, Bureau of Consumer Frauds & Protection, The Capitol, Albany, New York 12224-0341; <https://ag.ny.gov/consumer-frauds/identity-theft>; (800) 771-7755.

North Carolina Residents: North Carolina residents can obtain information about preventing identity theft from the North Carolina Attorney General's Office at: North Carolina Attorney General's Office, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001; 877-5-NO-SCAM (Toll-free within North Carolina); 919-716-6000; www.ncdoj.gov.

Vermont Residents: If you do not have internet access but would like to learn more about how to place a security freeze on your credit report, contact the Vermont Attorney General's Office at 802-656-3183 (800-649-2424 toll free in Vermont only).