

BakerHostetler

Baker & Hostetler LLP

RECEIVED

MAR 26 2021

CONSUMER PROTECTION

March 25, 2021

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

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

Re: *Incident Notification*

Dear Attorney General MacDonald:

We are writing on behalf of our client, Miller's Ale House, Inc. ("Miller's") to notify you of a security incident involving a New Hampshire resident.

On December 30, 2020, Miller's identified unusual network activity. Miller's immediately took steps to secure the network and began an investigation with the assistance of a cybersecurity firm. The investigation identified unauthorized access to devices in the Miller's network and the use of a program to copy files and send them to an external device. Miller's has also been working with law enforcement and the operator of the service that hosts the external device to have access to the files shut off and attempt to determine if anyone ever viewed the files. Miller's performed a thorough review of the files to determine whether they contained information regarding individuals. The review, which was completed on February 24, 2021, identified files that contained information regarding current and former Miller's employees. Further review and analysis was needed to identify all individuals and locate addresses for those individuals. The information in the files included the name, Social Security number, and the account number provided for a direct deposit for one New Hampshire resident.

On March 25, 2021, Miller's will mail a notification letter to the New Hampshire residents pursuant to N.H. Rev. Stat. Ann. § 359-C:20¹, in substantially the same form as the enclosed letter. Miller's is offering the individual a complimentary one-year membership to credit monitoring and

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

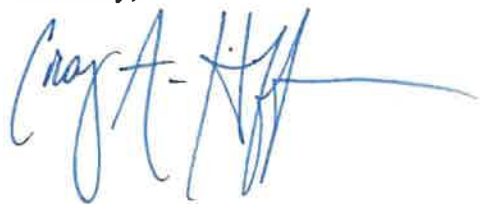
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identity theft protection services. Miller's has also established a dedicated, toll-free call center where all individuals may obtain more information regarding the incident.

To help prevent something like this from happening again, Miller's has implemented and will continue to implement enhanced network security protocols.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Craig A. Hoffman". The signature is stylized and includes a long horizontal flourish extending to the right.

Craig A. Hoffman
Partner

Enclosure

Miller's Ale House
5750 Major Boulevard, Suite 400
Orlando, FL, U.S. 32819
(407) 547-1120

<<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>>:

Miller's Ale House understands the importance of protecting personal information. We are writing to inform you of an incident that may have involved some of your information. This notice explains the incident, measures we have taken, and steps you can take in response.

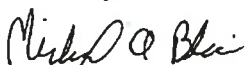
We identified signs of a security incident on December 30, 2020. We immediately began taking steps to address it by conducting an investigation, working with a cybersecurity firm to determine what had occurred, and identifying measures to enhance the security of the network. We also notified law enforcement and are cooperating with their investigation.

The investigation identified unauthorized access to devices in our network and the use of a program to copy files and send them to an external device. We have been working with law enforcement and the operator of the service that hosts the external device to have access to the files shut off and attempt to determine if anyone ever viewed the files. We also began a thorough review of the files to determine whether they contained information regarding individuals. The review, which was completed on February 24, 2021, identified files that contained information regarding some current and former employees. The information in the files included your name and Social Security number, and for some individuals the account number provided for a direct deposit as an employee of Miller's Ale House.

We wanted to notify you of this incident and assure you that we take it seriously. As a precaution, we have arranged for you to receive a complimentary one-year membership to Kroll's identity monitoring service at no cost to you for one year. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration. Instructions on how to activate your complimentary one-year membership, as well as some additional steps you can take in response, please see the additional information provided in this letter.

We regret that this occurred and apologize for any inconvenience. We are implementing additional measures to further enhance the security of our network. If you have additional questions, please call 1-855-484-1186, Monday through Friday, between 9:00 a.m. and 6:30 p.m. Eastern Time.

Sincerely,



Michael Blair
Chief Financial Officer

TAKE ADVANTAGE OF YOUR IDENTITY MONITORING SERVICES

Visit <https://enroll.idheadquarters.com> to activate and take advantage of your identity monitoring services.

You have until *June 23, 2021* to activate your identity monitoring services.

Membership Number: <<Member ID>>

You have been provided with access to the following services from Kroll:

Single Bureau Credit Monitoring

You will receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.

Fraud Consultation

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

Identity Theft Restoration

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.

Kroll's activation website is only compatible with the current version or one version earlier of Chrome, Firefox, Safari and Edge.

To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.

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. 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*, PO Box 740241, Atlanta, GA 30374, www.equifax.com, 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, www.experian.com, 1-888-397-3742
- *TransUnion*, PO 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 pre-screened 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**, PO Box 9554, Allen, TX 75013, www.experian.com
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, www.transunion.com
- **Equifax Security Freeze**, PO 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.

Additional information for residents of the following states:

Maryland: 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

Rhode Island: This incident involves **XXX individuals in Rhode Island**. Under Rhode Island law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze, as described above. You may contact and obtain information from your state attorney general at: *Rhode Island Attorney General's Office*, 150 South Main Street, Providence, RI 02903, 1-401-274-4400, www.riag.ri.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.

New Mexico: 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 NW, 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.