

# Morgan Lewis

## Mark L. Krotoski

Partner  
+1.650.843.7212  
mark.krotoski@morganlewis.com

## VIA EMAIL

October 8, 2021

Attorney General John M. Formella  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301  
Email: [doj-cpb@doj.nh.gov](mailto:doj-cpb@doj.nh.gov)

Re: Notice of Data Breach

Dear Attorney General Formella:

On behalf of MTG USA, Inc., pursuant to N.H. Rev. Stat. § 359-C:19 *et seq.*, we are writing to notify you of a data security incident involving three (3) New Hampshire residents.

### **Name and Address of Business and the Type of Business**

MTG USA, Inc. (“MTG”) is a beauty and wellness company offering unique products to its consumers. MTG is located at 177 E Colorado Boulevard Suite 200, Pasadena, CA 91105.

### **Nature of the Security Incident**

An attacker placed malicious code and JavaScript on the MTG website which was designed to capture payment card information.

MTG engaged a PCI Forensic Investigator (PFI) to investigate and to discover and determine the scope of the breach. MTG took a number of key initial steps to mitigate the incident including suspending credit card transactions from its ecommerce site and then unilaterally shutting down the site and preventing any credit card transactions pending the PFI investigation. On September 9, 2021, the PFI completed its investigation and confirmed that cardholder data may have been exposed during June 25, 2020 and June 15, 2021.

### **What Information Was Involved?**

The personal information that was involved included payment card information for certain orders placed on the company website. The information involved includes the name, address, and credit card information.

Additionally, there was no other personal information including medical or health insurance information, biometric data, or user name or email address along with a password or security question and answer.

## **Morgan, Lewis & Bockius LLP**

1400 Page Mill Road  
Palo Alto, CA 94304  
United States

 +1.650.843.4000  
 +1.650.843.4001

Attorney General John M. Formella

October 8, 2021

Page 2

**Response to the Incident**

MTG launched a comprehensive investigation, suspended credit card transactions, moved the server offline and engaged a third-party forensic specialist to determine the nature and scope of the incident. In particular, MTG engaged a PCI Forensic Investigator (PFI) to investigate and to discover and determine the scope of the breach. On September 9, 2021, the PFI completed its investigation and confirmed that cardholder data may have been exposed during June 25, 2020 and June 15, 2021. MTG separately engaged a specialist to advise on security issues.

MTG selected a new payment gateway, Shopify. MTG will not collect, use, store, or transmit card holder data from its site. Shopify satisfies the Payment Card Industry Data Security Standard (PCI DSS) at Level 1. MTG has also elected security controls on the Shopify platform which exceed the minimum required settings, including (a) requiring multi-factor authentication for all administrative users; (b) enforcing longer password requirements than Shopify standards; (c) enforcing strict least-privilege rights for MTG USA Shopify user accounts; and (d) enabling address-matching fraud detection features available in the Shopify platform.

The three (3) New Hampshire residents were notified on September 16, 2021. A sample notification letter is attached.

**Identity Theft Protection**

MTG is providing the affected individuals, free of charge, 24 months of identity theft protection services through Experian's® IdentityWorks<sup>SM</sup>. This product provides identity detection and resolution of identity theft. The potentially impacted individuals have not been asked or required to waive any right of private action as a condition of accepting the credit monitoring services.

**Contact Information**

If you have any questions concerning this matter, please contact me on behalf of MTG at (650) 843-7212, or [mark.krotoski@morganlewis.com](mailto:mark.krotoski@morganlewis.com).

Sincerely,



Mark L. Krotoski

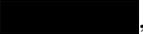
Enclosure

Sample Individual Notification

September 16, 2021



Re: Notice of Data Security Incident

Dear ,

MTG greatly values the relationship we have with you and understands the importance of protecting your personal information. We are writing to inform you of a data security incident that occurred on our website [www.ReFaUSA.com](http://www.ReFaUSA.com). While we have no evidence that any of your personal information was accessed, acquired or misused, out of an abundance of caution, we are providing you notice as a potentially impacted party and outlining proactive steps to protect important personal information. This letter also describes credit protection services we are providing to you free of charge.

### **What Happened?**

After MTG became aware about suspicious activity, we launched a comprehensive investigation, suspended credit card transactions, moved the server offline and engaged a third-party forensic specialist to determine the nature and scope of the incident.

On September 9, 2021, the investigation concluded that the incident occurred between June 25, 2020, and June 15, 2021, potentially exposing certain transactions. MTG reported this security incident to law enforcement.

### **What Information Was Involved?**

According to the forensic firm, the information in this cyber incident concerns payment card information for certain orders placed on our website. The information involved includes the name, address, and credit card information.

We want to clarify that we do not store full credit card information beyond the completion of the sales transaction. There was no other personal information involved in this incident.

### **What We Are Doing**

MTG takes the protection of your personal information very seriously. First, it was important to us to let you know about this matter.

Second, while we have no evidence indicating that your personal information has been accessed, acquired or used, to help protect your identity, we are offering a complimentary two-year membership for Experian's® IdentityWorks<sup>SM</sup>. This product provides you with identity detection and resolution of identity theft. The Attachment to this letter provides detailed instructions on how you can activate your membership and start monitoring your personal information.

Further, we decided to take a number of other steps to promote security. For example, we implemented enhanced security protocols and suspended all sales activity on our platform to ensure the threat was contained. We have decided to use a new shopping platform to handle credit card processing of orders meeting specific security requirements. The new site will be launched at: [www.ReFaUSA.com](http://www.ReFaUSA.com)

## What You Can Do

In addition to enrolling in the complimentary two-year membership of Experian's® IdentityWorks<sup>SM</sup>, we encourage you to consider these measures to monitor and protect your personal information and to remain vigilant for potential incidents of fraud and identity theft:

- **Vigilance:** Regularly monitor your financial accounts and, if you see any unfamiliar activity, promptly contact your financial institution. Monitor your credit reports, which are available free of charge, as noted below.
- **Free Annual Credit Report:** You may obtain a free annual credit report from each of the three national consumer credit reporting companies (Experian, Equifax, and TransUnion) by calling (877) 322-8228 or by logging onto [www.annualcreditreport.com](http://www.annualcreditreport.com). For more information about obtaining your free credit report, visit the Federal Trade Commission (FTC) site at: <https://www.consumer.ftc.gov/articles/free-credit-reports>.
- **Fraud Alert:** You may place a "fraud alert" on your credit file to ask creditors to contact you before they open any new accounts or change your existing accounts. A request for an initial alert or an extended alert can be made from any of the three national consumer credit reporting companies and can help detect any possible misuse of your personal information. Note that a fraud alert may protect you but also may cause delay when you seek to obtain credit. The initial fraud alert is active for 90 days and can be extended. For more information about fraud alerts and security or credit freezes, visit the FTC site at: <https://www.consumer.ftc.gov/articles/what-know-about-credit-freezes-and-fraud-alerts>.
- **Security or Credit Freeze:** You may place a security freeze, also known as a credit freeze, on your credit report free of charge. A freeze prevents an unauthorized person from using your personal identifying information to open new accounts or borrow money in your name. You will need to contact the three national consumer credit reporting companies at the toll-free telephone numbers or websites listed below. Keep in mind that when you place the freeze, you will not be able to borrow money, obtain instant credit, or get a new credit card until you temporarily lift or permanently remove the freeze.

Equifax P.O. Box 105069 Atlanta, GA 30348 (800) 525-6285 <a href="http://www.equifax.com">www.equifax.com</a>	Experian P.O. Box 4500 Allen, TX 75013 (888) 397-3742 <a href="http://www.experian.com">www.experian.com</a>	TransUnion P.O. Box 105281 Atlanta, GA 30348 (800) 680-7289 <a href="http://www.transunion.com">www.transunion.com</a>
---	--	--



We have many dreams

177 E Colorado Blvd Suite 200  
Pasadena, CA 91105  
P: 929-429-5088

- **Federal Trade Commission:** The FTC website has further information regarding preventing fraud and identity theft, including additional information about “fraud alerts” and “security freezes,” and about how to monitor and protect your credit and finances:

Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, D.C. 20580  
(202) 326-2222  
1-877-382-4357

<https://www.consumer.ftc.gov/features/feature-0014-identity-theft>

<https://www.identitytheft.gov/#/>

- **Police Report:** If you suspect that you have been the victim of identity theft, you may file or obtain a police report. The report may be filed in the location in which the offense occurred, or the city or county in which you reside.

### For More Information

We sincerely regret that this incident occurred. MTG remains committed to protecting the privacy and security of personal information of its customers and users. For questions or for additional information, please contact [MTG\\_support@mtg-usa.com](mailto:MTG_support@mtg-usa.com) or call **(855) 896-4452** (Monday – Friday from 6 a.m. to 8 p.m. PDT and on Saturday and Sunday from 8 a.m. to 5 p.m. PDT).

Sincerely,

Kazuyoshi Yonezawa  
Chief Executive Officer  
MTG USA, Inc.



We have many dreams

177 E Colorado Blvd Suite 200  
Pasadena, CA 91105  
P: 929-429-5088

### **ADDITIONAL DETAILS REGARDING YOUR 24-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP:**

To help protect your identity, we are offering a complimentary 24-month membership of Experian's® IdentityWorks<sup>SM</sup>. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- **Name:** [REDACTED]
- Ensure that you **enroll by: December 31, 2021** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **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 **(855) 896-4452** by **December 31, 2021**. Be prepared to provide engagement number [REDACTED] as proof of eligibility for the identity restoration services by Experian.

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

You can contact Experian **immediately** regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.<sup>1</sup>
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance:**<sup>2</sup> Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at **(855) 896-4452**. If, after discussing your situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

---

<sup>1</sup> Offline members will be eligible to call for additional reports quarterly after enrolling.

<sup>2</sup> The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.



We have many dreams

177 E Colorado Blvd Suite 200

Pasadena, CA 91105

P: 929-429-5088

Please note that this Identity Restoration support is available to you for 24 months from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at [www.ExperianIDWorks.com/restoration](http://www.ExperianIDWorks.com/restoration). You will also find self-help tips and information about identity protection at this site.