

# BakerHostetler

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July 29, 2021

### 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, NCH Corporation (“NCH”), to notify your office of a security incident involving New Hampshire residents. NCH is located at 2727 Chemsearch Boulevard, Irving, Texas 75062.

NCH recently concluded an investigation of an incident that caused certain systems in its network to become unavailable. Upon first identifying suspicious network activity on March 5, 2021, NCH immediately began an investigation, a cybersecurity firm was engaged, and measures were taken to address the incident and to restore its systems. NCH also notified law enforcement and worked to support its investigation.

NCH learned that there was unauthorized activity in NCH’s network between March 2, 2021 and March 5, 2021. During that time, there was unauthorized access to folders on some of NCH’s file servers.

The investigation was not able to determine which files in these folders might have been accessed, so out of an abundance of caution, NCH conducted a careful review of the folders to determine what kinds of information they contained. NCH completed this review on June 29, 2021, and determined that one or more folders contained information concerning certain current and former employees and their dependents. This information included names in combination with Social Security numbers, drivers’ license numbers, and/or passport numbers.

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Beginning on July 29, 2021, NCH will mail notification letters via First-Class mail to 29 New Hampshire residents in accordance with the Health Insurance Portability & Accountability Act (45 CFR §§ 160.103 and 164.400 *et seq.*) and/or N.H. Rev. Stat. Ann. § 359-C:20.<sup>1</sup> A copy of the notification letter is attached. NCH is offering individuals a complimentary, one-year membership to credit monitoring and identity theft protection services. NCH has also established a dedicated, toll-free call center that individuals can call to obtain more information regarding the incident.

To help prevent something like this from happening again, NCH has taken and is taking steps to enhance its existing security measures and processes, including implementing enhanced network monitoring tools.

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 "Joseph L. Bruemmer", with a long horizontal flourish extending to the right.

Joseph L. Bruemmer  
Counsel

Enclosure

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

# NCH CORPORATION

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>>

Dear <<Name 1>>:

NCH Corporation takes the privacy and security of the information we hold very seriously. We are writing to inform you that we recently identified and resolved a security incident that may have involved some of your information. This notice explains the incident, outlines the measures we have taken in response, and provides some additional steps you can take.

We identified unusual network activity that caused certain systems in our network to become unavailable. We immediately began an investigation, a cybersecurity firm was engaged, and measures were taken to address the incident and to restore the systems involved. We also notified law enforcement and worked to support its investigation.

Through the investigation, we learned that there was unauthorized activity in our network between March 2, 2021 and March 5, 2021. During that time, there was unauthorized access to folders on some of our file servers. The investigation was not able to determine which files in these folders might have been accessed, so out of an abundance of caution, we conducted a careful review of the folders to determine what kinds of information they contained. We completed this review on June 29, 2021, and determined that one or more folders contained some of your information, which included your <<Variable Data 1>>.

We wanted to notify you of this incident and to assure you we take this very seriously. As a precaution, we are offering you a complimentary one-year membership to Equifax Complete™ Premiere. This product helps detect possible misuse of your personal information and provides you with identity protection support focused on immediate identification and resolution of identity theft. Equifax Complete™ Premiere is completely free to you and we understand that enrolling in this program will not hurt your credit score. For more information on identity theft prevention and instructions on how to activate your complimentary membership, please see the additional information provided in this letter.

We regret that this incident occurred and apologize for any inconvenience. To help prevent something like this from happening again, we have taken and are taking steps to enhance our existing security measures and processes, including implementing enhanced network monitoring tools. If you have any questions, please call 866-991-0726 Monday through Friday, between 8:00 a.m. and 8:00 p.m. Central Time.

Sincerely,



Wilbur M. Gregory Jr.  
Data Protection Officer



Enter your Activation Code: <<ACTIVATION CODE>>  
Enrollment Deadline: <<ENROLLMENT DEADLINE>>

### Equifax Complete™ Premier

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

#### Key Features

- Annual access to your 3-bureau credit report and VantageScore credit scores
- Daily access to your Equifax credit report and 1-bureau VantageScore credit score
- 3-bureau credit monitoring with email notifications of key changes to your credit reports
- WebScan notifications<sup>1</sup> 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, which encourage potential lenders to take extra steps to verify your identity before extending credit, plus blocked inquiry alerts and Equifax credit report lock
- 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<sup>2</sup>
- Lost Wallet Assistance if your wallet is lost or stolen, and one-stop assistance in canceling and reissuing credit, debit and personal identification cards

#### Enrollment Instructions

Go to [www.equifax.com/activate](http://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.

**To sign up for US Mail delivery, dial 1-855-833-9162 for access to the Equifax Credit Watch Gold with 3-in-1 Credit Monitoring automated enrollment process. Note that all credit reports and alerts will be sent to you via US Mail only.**

1. **Activation Code:** You will be asked to enter your Activation Code provided above.
2. **Customer Information:** You will be asked to enter your home telephone number, home address, name, date of birth and Social Security Number.
3. **Permissible Purpose:** You will be asked to provide Equifax with your permission to access your credit file and to monitor your file. Without your agreement, Equifax cannot process your enrollment.
4. **Order Confirmation:** Equifax will provide a confirmation number with an explanation that you will receive your Fulfillment Kit via the US Mail (when Equifax is able to verify your identity) or a Customer Care letter with further instructions (if your identity cannot be verified using the information provided). Please allow up to 10 business days to receive this information.

<sup>1</sup>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. <sup>2</sup>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.

## 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](http://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](http://www.equifax.com), 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742
- *TransUnion*, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://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](http://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](http://www.experian.com)
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com)
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://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.

***If your health insurance or medical information was involved:*** It is always advisable to review any statements you may receive from your health insurer or healthcare providers. If you see charges for services that you did not receive, contact your insurer or provider immediately.

NCH Corporation is located at 2727 Chemsearch Blvd, Irving, Texas, 75062, and can be reached at 1-800-527-9919

### **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](http://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> | *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](http://www.ncdoj.gov).

**Rhode Island:** <<Variable Data 3>> 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](http://www.riag.ri.gov).

**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](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., 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.