

RECEIVED

MAY 22 2017

CONSUMER PROTECTION

May 18, 2017

Lindsay B. Nickle  
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Lindsay.Nickle@wilsonelser.com

Attorney General Joseph A. Foster  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03302

Re: Data Security Incident

Dear Attorney General Foster:

We represent Neeley-Nemeth, LLP d/b/a Barton Oaks Dental Group ("Barton Oaks"), located in Austin, Texas, with respect to a recent potential data security incident described in more detail below. Barton Oaks takes the security and privacy of the information in its control very seriously, and is taking steps to prevent a similar incident from occurring in the future.

**1. Nature of the security incident.**

On March 23, 2017, Barton Oaks incurred a ransomware attack in which certain of its servers and PCs were encrypted. Barton Oaks immediately took action by contacting both the FBI and a cybersecurity firm, which conducted an investigation. After searching Barton Oaks's hard drives, they felt that there was a very low probability that any of its data was copied, viewed, or compromised. Because Barton Oaks takes the security of all patients and their information very seriously, it has decided to treat this incident as one that may have resulted in the disclosure of patient medical and personal information (including patients' name, addresses, dates of birth, Social Security numbers, and medical information).

**2. Number of New Hampshire residents affected.**

A total of two (2) residents of New Hampshire were affected by this security incident. Notification letters to these individuals were mailed on May 18, 2017, by first class mail. A sample copy of the notification letter is included with this letter.

**3. Steps taken relating to the incident.**

Barton Oaks takes the security of all information in its systems very seriously, and has implemented security best practices to prevent a similar event from occurring in the future. Barton Oaks is also offering potentially impacted individuals credit monitoring and identity theft protection services for one year, at no cost to the individual, through Equifax®. Notice is also being provided to the credit reporting agencies.

Bank of America Plaza, 901 Main Street, Suite 4800 • Dallas, Texas 75202 • p 214.698.8000 • f 214.698.1101

Albany • Atlanta • Austin • Baltimore • Beaumont • Boston • Chicago • Dallas • Denver • Edwardsville • Garden City • Hartford • Houston • Kentucky • Las Vegas  
London • Los Angeles • Miami • Michigan • Milwaukee • New Jersey • New Orleans • New York • Orlando • Philadelphia • San Diego • San Francisco • Stamford  
Virginia • Washington, DC • West Palm Beach • White Plains

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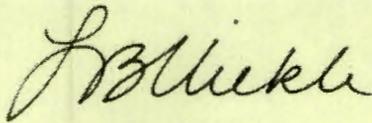
**4. Contact information.**

Barton Oaks remains dedicated to protecting the sensitive information in its control. If you have any questions or need additional information, please do not hesitate to contact me at (214) 698-8093 or [Lindsay.Nickle@wilsonelser.com](mailto:Lindsay.Nickle@wilsonelser.com).

Please let us know if you have any questions.

Best regards,

**Wilson Elser Moskowitz  
Edelman & Dicker LLP**



Lindsay B. Nickle

Enclosure



Barton Oaks  
DENTAL GROUP

Return Mail Processing Center  
P.O. Box 6336  
Portland, OR 97228-6336

<<Mail ID>>  
<<Name 1>>  
<<Address 1>>  
<<Address 2>>  
<<City>><<State>><<Zip>>

<<Date>>

Re: Notice of Data Security Incident

To <<Name 1>>:

We are writing to inform you of a data security incident at Barton Oaks Dental Group ("Barton Oaks").

On March 23, 2017, Barton Oaks incurred a ransomware attack in which certain of our servers, and PCs were encrypted. We immediately took action by contacting both the FBI and a cybersecurity firm, which conducted an investigation. After searching our hard drives, they felt that there was a very low probability that any of our data was copied. Because we take the security of all patients and their information very seriously, we have decided to treat this incident as one that may have resulted in the disclosure of your medical and personal information (which includes your name, address, date of birth, Social Security number, and medical information).

While we are not aware of the misuse of any information potentially involved in this incident, we are notifying you out of caution. As a precautionary measure to safeguard your information from potential misuse, we have partnered with Equifax® to provide its Equifax Credit Watch™ Silver identity theft protection product for one year at no charge to you. A description of this product is provided in the attached material, which also contains instructions about how to enroll (including your personal activation code). If you choose to take advantage of this product, it will provide you with comprehensive credit file monitoring, automated alerts of key changes to your credit report, and up to \$25,000 in identity theft insurance with no deductible. You must complete the enrollment process by August 17, 2017. We strongly recommend enrolling in this product at our expense.

We have completed the implementation of every hardware, software and procedural recommendation provided by the cybersecurity firm which we retained as a result of this incident. During this transition we were advised to leave certain systems off, which impeded our ability to contact you. We are now confident that our systems and data are secure.

We take the security of all information in our systems very seriously, and we have implemented security best practices to prevent a similar event from occurring in the future. We apologize for our limited ability to communicate with you and the cumbersome nature of our appointment management over the last month.

We sincerely regret any inconvenience or concern that this matter may cause you. We remain dedicated to protecting your information. Please do not hesitate to call 1-888-742-8338, Monday through Friday, 8:00 a.m. to 8:00 p.m. Central Time if you have questions about this event.

Sincerely,

Drs. Neeley, Nemeth, Hayashi, Grimm and Bradley

## About the Equifax Credit Watch<sup>™</sup> Silver identity theft protection product

Equifax Credit Watch will provide you with an “early warning system” to changes to your credit file. Note: You must be over age 18 with a credit file in order to take advantage of the product.

Equifax Credit Watch provides you with the following key features and benefits:

- Comprehensive credit file monitoring and automated alerts of key changes to your **Equifax** credit report
- Wireless alerts and customizable alerts available (available online only)
- One copy of your Equifax Credit Report<sup>™</sup>
- Up to \$25,000 in identity theft insurance with \$0 deductible, at no additional cost to you †
- Live agent Customer Service 7 days a week from 8 a.m. to 3 a.m. to assist you in understanding the content of your Equifax credit information, to provide personalized identity theft victim assistance, and help initiate an investigation of inaccurate information.
- 90 day Fraud Alert placement with automatic renewal functionality\* (available online only)

**How to Enroll:** To sign up online for **online delivery** go to: [www.myservices.equifax.com/silver](http://www.myservices.equifax.com/silver)

1. **Welcome Page:** Enter the Activation Code provided at the top of this page in the “Activation Code” box and click the “Submit” button.
2. **Register:** Complete the form with your contact information (name, gender, home address, date of birth, Social Security Number and telephone number) and click the “Continue” button.
3. **Create Account:** Complete the form with your email address, create a User Name and Password, check the box to accept the Terms of Use and click the “Continue” button.
4. **Verify ID:** The system will then ask you up to four security questions to verify your identity. Please answer the questions and click the “Submit Order” button.
5. **Order Confirmation:** This page shows you your completed enrollment. Please click the “View My Product” button to access the product features.

† Identity Theft Insurance underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. The description herein 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. This product is not intended for minors (under 18 years of age)

\* The Automatic Fraud Alert feature made available to consumers by Equifax Information Services LLC and fulfilled on its behalf by Equifax Consumer Services LLC

### ***Additional Important Information***

**For residents of Hawaii, Michigan, Missouri, Virginia, Vermont, and North Carolina:** It is recommended by state law that you remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

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**For residents of Illinois, Iowa, Maryland, Missouri, North Carolina, Oregon, and West Virginia:**

It is required by state laws to inform you that you may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report from each of the nationwide three credit reporting agencies. To order your free credit report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com), or call toll-free at 1-877-322-8228. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available at <https://www.consumer.ftc.gov/articles/0155-free-credit-reports>) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

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**For residents of Iowa:**

State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

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**For residents of Oregon:**

State laws advise you to report any suspected identity theft to law enforcement, including the Attorney General, and the Federal Trade Commission.

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**For residents of Maryland, Rhode Island, Illinois, and North Carolina:**

You can obtain information from the Maryland and North Carolina Offices of the Attorneys General and the Federal Trade Commission about fraud alerts, security freezes, and steps you can take toward preventing identity theft.

**Maryland Office of the  
Attorney General**  
Consumer Protection Division  
200 St. Paul Place  
Baltimore, MD 21202  
1-888-743-0023  
[www.oag.state.md.us](http://www.oag.state.md.us)

**Rhode Island Office  
of the Attorney General**  
Consumer Protection  
150 South Main Street  
Providence RI 02903  
1-401-274-4400  
[www.riag.ri.gov](http://www.riag.ri.gov)

**North Carolina Office  
of the Attorney General**  
Consumer Protection Division  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
1-877-566-7226  
[www.ncdoj.com](http://www.ncdoj.com)

**Federal Trade Commission**  
Consumer Response Center  
600 Pennsylvania Ave, NW  
Washington, DC 20580  
1-877-IDTHEFT (438-4338)  
[www.ftc.gov/bcp/edu/  
microsites/idtheft](http://www.ftc.gov/bcp/edu/microsites/idtheft)

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**For residents of Massachusetts:**

It is required by state law that you are informed of your right to obtain a police report if you are a victim of identity theft

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**For residents of all states:**

**Fraud Alerts:** You can place fraud alerts with the three credit bureaus at one of the three major credit bureaus by phone and also via Experian's or Equifax's website. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. The contact information for all three credit bureaus is below:

**Monitoring:** You should always remain vigilant and monitor your accounts for suspicious or unusual activity.

**Security Freeze:** You also have the right to place a security freeze on your credit report. A security freeze is intended to prevent credit, loans and services from being approved in your name without your consent. To place a security freeze on your credit report, you need to make a request to each consumer reporting agency. You may make that request by certified mail, overnight mail, or regular stamped mail, or by following the instructions found at the websites listed below. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, display your name and current mailing address, and the date of issue. The consumer reporting agency may charge a small fee to place, life, or remove a freeze, but is free if you are a victim of identity theft or the spouse of a victim of identity theft, and you have submitted a valid police report relating to the identity theft incident to the consumer reporting agency. You may obtain a security freeze by contacting any one or more of the following national consumer reporting agencies:

**Equifax Security Freeze**  
P.O. Box 105788  
Atlanta, GA 30348  
[www.freeze.equifax.com](http://www.freeze.equifax.com)  
800-525-6285

**Experian Security Freeze**  
P.O. Box 9554  
Allen, TX 75013  
[www.experian.com/freeze](http://www.experian.com/freeze)  
888-397-3742

**TransUnion (FVAD)**  
P.O. Box 2000  
Chester, PA 19022  
[freeze.transunion.com](http://freeze.transunion.com)  
888-680-7289

More information can also be obtained by contacting the Federal Trade Commission listed above.