



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

426 W. Lancaster Avenue, Suite 200
Devon, PA 19333

November 6, 2023

VIA E-MAIL

Office of the New Hampshire Attorney General
Consumer Protection & Antitrust Bureau
33 Capitol Street
Concord, NH 03301
E-mail: DOJ-CPB@doj.nh.gov

Re: Notice of Data Event

To Whom It May Concern:

We represent Next Financial Group, Inc. (“NFG”) located at 11740 Katy Freeway Suite 600, Houston, Texas 77079, and write to notify your office of an event that may affect the security of certain information relating to approximately nineteen (19) New Hampshire residents. This notice may be supplemented if significant new facts are learned subsequent to its submission. By providing this notice, NFG does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

Nature of the Data Event

On May 10, 2023, NFG became aware of potential unauthorized access to a financial professional’s computer at one of its brokerage branch offices. NFG launched an investigation into the nature and scope of the event with outside cybersecurity and digital forensics specialists. NFG also reported the event to federal law enforcement. The investigation indicated there was unauthorized access to certain online portals accessible through the computer that contained client information; however, NFG was unable to confirm what specific information may have been impacted due to the unavailability of certain data. Therefore, NFG is providing notice in an abundance of caution because of the uncertain nature of the event. NFG coordinated with the investment advisory firm to investigate the event and identify potentially affected individuals to provide notice. This investigation ended on or around October 23, 2023.

The information that could have been subject to unauthorized access includes

Notice to New Hampshire Residents

On or about November 6, 2023, NFG provided written notice of this event to potentially affected individuals, including approximately nineteen (19) New Hampshire residents. Written notice is being provided in substantially the same form as the letter attached as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon becoming aware of the event, NFG moved quickly to investigate and respond, assess the security of its systems, and identify potentially affected individuals. NFG is also working to implement additional safeguards and training to its employees. NFG is providing access to credit monitoring services for _____, through Experian, to individuals whose personal information was potentially affected by this event, at no cost to these individuals. NFG also established a toll-free assistance line to address questions or concerns from notified individuals.

Additionally, NFG is providing potentially affected individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. NFG is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state attorney general, and law enforcement to report attempted or actual identity theft and fraud. NFG is also providing written notice of this event to appropriate state regulators.

Contact Information

Should you have any questions regarding this notification or other aspects of the data event, please contact us at _____.

Very truly yours,

Samuel Sica, III of
MULLEN COUGHLIN LLC

SZS/jzs
Enclosure

EXHIBIT A



Return Mail Processing
PO Box 589
Claysburg, PA 16625-0589

November 6, 2023

K2796-L01-0000001 T00001 P001 *****SCH 5-DIGIT 12345



SAMPLE A SAMPLE - L01 ADULT
APT ABC
123 ANY STREET
ANYTOWN, ST 12345-6789



[Extra1 -Notice of Data Breach]

Dear Sample A. Sample:

Next Financial Group, Inc. (“NFG”) is providing notice of an event that may affect the security of some of your information. NFG is providing you with information about the event, our response, and additional measures you can take to help protect your information, should you feel it appropriate to do so.

What Happened? On May 10, 2023, NFG became aware of potential unauthorized access on an NFG professional’s computer. We immediately launched an investigation into the nature and scope of the event with outside cybersecurity specialists. We also reported the event to federal law enforcement. The investigation indicated there was unauthorized access to certain online portals accessible through the computer that contained client information; however, NFG was unable to confirm what specific information may have been impacted due to the unavailability of certain data. Therefore, NFG is providing this notice in an abundance of caution because of the uncertain nature of the event.

What Information Was Involved? We determined that the following types of information related to you may have been impacted during the event:

What We Are Doing. We take this event and the security of information in our care seriously. Upon becoming aware of this event, we took steps to swiftly investigate and respond, assess the security of the device and any related accounts, and notify any potentially affected individuals. NFG is also reviewing and enhancing our technical and administrative safeguards, as well as our information security policies and procedures.

As an additional precaution, we are offering you access to ## months of complimentary monitoring and identity restoration services through Experian. Details of this offer and instructions on how to activate these services are enclosed with this letter.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your free credit reports for suspicious activity and to detect errors over the next and to report any suspicious activity the appropriate financial institution. Please also review the enclosed *Steps You Can Take to Help Protect Personal Information*, which contains information on what you can do to safeguard against possible misuse of your information. You may also enroll in the complimentary monitoring services that we are offering.

For More Information. If you have additional questions, you may call our toll-free assistance line at 1-877-653-0549 Monday through Friday from 9:00 am to 11:00 pm and Saturday through Sunday from 11:00 am to 8:00 pm Eastern (excluding U.S. holidays). You may also write to NFG at Attention Legal Department, Next Financial 11740 Katy Freeway Suite 600, Houston, TX 77079.

Sincerely,

Next Financial Group, Inc.

¹ NEXT Financial Group, Inc (“NEXT Financial”) (“NEXT”) is a registered broker-dealer (Member FINRA/SIPC) and SEC Registered Investment Advisor. Atria Wealth Solutions, Inc (“Atria”) is not a registered broker-dealer or Registered Investment Advisor and does not provide investment advice. NEXT is a subsidiary of Atria.

STEPS YOU CAN TAKE TO HELP PROTECT PERSONAL INFORMATION

Enroll in Monitoring Services

To help protect your identity, we are offering complimentary access to Experian IdentityWorksSM ## months.

If you believe there was fraudulent use of your information as a result of this event and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. 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 from the date of the event (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).

Please note that Identity Restoration is available to you for ## 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

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary ##-month membership. This product provides you with superior identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this event, or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at _____ Be prepared to provide engagement number _____ as proof of eligibility for the Identity Restoration services by Experian.

Additional details regarding your ##-month Experian IdentityWorks membership

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.²
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related 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 Insurance³:** Provides coverage for certain costs and unauthorized electronic fund transfers.

² Offline members will be eligible to call for additional reports quarterly after enrolling.

³ 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.

Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order a free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. Consumers may also directly contact the three major credit reporting bureaus listed below to request a free copy of their credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit file at no cost. An initial fraud alert is a one-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If consumers are the victim of identity theft, they are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should consumers wish to place a fraud alert, please contact any of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a “credit freeze” on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer’s express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in a consumer’s name without consent. However, consumers should be aware that using a credit freeze to take control over who gets access to the personal and financial information in their credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application they make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, consumers cannot be charged to place or lift a credit freeze on their credit report. To request a credit freeze, individuals may need to provide some or all of the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver’s license or ID card, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if they are a victim of identity theft.

Should consumers wish to place a credit freeze or fraud alert, please contact the three major credit reporting bureaus listed below:

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
1-888-298-0045	1-888-397-3742	1-800-916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state attorney general. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. Consumers can obtain further information on how to file such a complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud. To file a report with law enforcement for identity theft, consumers will

likely need to provide some proof that they have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and the relevant state attorney general. This notice has not been delayed by law enforcement.

For New Mexico residents, consumers have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in their credit file has been used against them, the right to know what is in their credit file, the right to ask for their credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to consumers' files is limited; consumers must give consent for credit reports to be provided to employers; consumers may limit "prescreened" offers of credit and insurance based on information in their credit report; and consumers may seek damages from violators. Consumers may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active-duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage consumers to review their rights pursuant to the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

For New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov>.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.