



MULLEN
COUGHLIN_{LLC}
ATTORNEYS AT LAW

RECEIVED
MAY 03 2021
CONSUMER PROTECTION

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

April 23, 2021

VIA U.S. MAIL

Consumer Protection Bureau
Office of the New Hampshire Attorney General
33 Capitol Street
Concord, NH 03301

Re: Notice of Data Event

Dear Sir or Madam:

We represent Perkins & Co (“Perkins”) located at 1211 SW 5th Ave #1000 Portland, OR 97204. Perkins provides tax and accounting services to its many clients. We write on behalf of the Perkins clients listed on **Exhibit A** to notify your office of an incident that may affect the security of some personal information relating to 176 New Hampshire residents. This notice may be supplemented where additional Perkins clients request notice be provided on their behalf. By providing this notice, Perkins 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 or about December 3, 2020, Netgain Technologies (“Netgain”), a vendor Perkins uses for hosting its data in the cloud, alerted Perkins to the fact that Netgain suffered a ransomware attack. Upon learning of the incident, Perkins was in regular communication with Netgain to determine the full impact of the Netgain incident as it relates to Perkins’ and Perkins’ clients’ data as quickly as possible.

On January 15, 2021, Netgain confirmed the following: between November 8, 2020 and December 3, 2020, an unauthorized actor accessed Netgain servers that store Perkins’ files, including Perkins’ clients’ files, some of which the unauthorized actor copied and stole. The unauthorized actor also encrypted Netgain files and demanded a ransom payment be made by Netgain in exchange for the decryption key, as well as the return of stolen files. Netgain paid an undisclosed ransom and the unauthorized actor returned the stolen files and provided Netgain with the decryption key. Per

Netgain, law enforcement, and the cybersecurity specialists that Netgain engaged, the attacker group that the unauthorized actor is thought to be affiliated with is not known to publicly post any stolen data, nor keep any copies of stolen data once the ransom is paid. Nevertheless, Perkins considers any data that was accessible to or acquired by the attacker to be at risk. Perkins did confirm with Netgain that Netgain has taken steps to further safeguard against future threats, including implementing additional advanced threat protection tools, resetting passwords, reviewing and restricting access rights, and hardening network security rules and protocols.

In addition, Perkins continues to conduct its own detailed review to determine what information should be considered at risk as a result of the Netgain ransomware incident. This includes a lengthy and time-consuming review of its internal records to identify the individuals whose sensitive information may have been contained in data stored on the Netgain systems identified that were involved in the incident. In addition, Perkins is working with a data mining vendor tasked with conducting a programmatic and manual review of all files contained on the impacted systems to determine the types of personal information stored therein and identify the individuals to whom the personal information relates.

As Perkins' data mining effort is still underway, it is possible Perkins may identify additional impacted clients and affiliated individuals requiring notice in the future, and we will supplement this notice accordingly if so.

On December 3, 2021, Perkins began providing its data owner clients, from which Perkins receives PII in relation to the services it provides them, with notice of this incident and offered to notify potentially impacted client-affiliated individuals and applicable state regulators on the client data owners' behalf. In order to provide notice on behalf of Perkins clients, Perkins requested that all client-affiliated individuals' address information be provided so that notice letters could be submitted in a timely fashion. At this point in time, Perkins has confirmed that personal information relating to the impacted data owner clients shown in **Exhibit A**, attached hereto, is potentially at risk. This information may vary by individual, but includes name, address, Social Security number, employee identification number, date of birth, and benefit/retirement plan account information.

Notice to New Hampshire Residents

On April 23, 2021, Perkins will begin mailing written notice of this incident to affected New Hampshire residents on behalf of its impacted client data owners in substantially the same form as the letter attached hereto as **Exhibit B**.

Other Steps Taken and To Be Taken

Upon discovering the event, Perkins moved quickly to investigate and respond to the incident and notify potentially affected individuals. Perkins is providing potentially impacted individuals with access to complimentary credit monitoring and identity restoration services through ID Experts for twelve (12) months.

Additionally, Perkins is providing impacted 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. Perkins is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, information on protecting against tax fraud, 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.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4801.

Very truly yours,

A handwritten signature in black ink, appearing to read "ATW", written in a cursive style.

Alexander T. Walker of
MULLEN COUGHLIN LLC

ATW/MLL/mep

EXHIBIT A

Perkins Clients

- COLUMBIA SPORTSWEAR COMPANY
- HANNA ANDERSSON LLC
- LACROSSE FOOTWEAR INC.
- MINI PET MART INC.
- VESTAS AMERICA HOLDING INC.
- WAFERTECH LLC

EXHIBIT B



C/O IDX
 P.O. Box 989728
 West Sacramento, CA 95798-9728

To Enroll, Please Call:
 1-833-933-1103
 Or Visit:
<https://app.idx.us/account-creation/protect>
 Enrollment Code: <<ENROLLMENT>>

<<FIRST NAME>> <<LAST NAME>>
 <<ADDRESS1>>
 <<ADDRESS2>>
 <<CITY>>, <<STATE>> <<ZIP>>

April 23, 2021

Re: Notice of Data Breach

Dear <<FIRST NAME>> <<LAST NAME>>:

On behalf of <<NAME OF EBP CLIENT ENTITY>>, Perkins & Co (“Perkins”) is writing to notify you of a recent cybersecurity incident that may impact the security of your personal information. Although Perkins is unaware at this time of any actual or attempted misuse of your personal information, we are providing you with details about the incident, our response, and steps you can take to better protect your personal information, should you feel it appropriate to do so.

Who is Perkins & Co / Why Do You Have My Information? Perkins provides audit services to the employee benefit plan of <<NAME OF EBP CLIENT ENTITY>> and we understand you to be a current or former employee or plan participant. As part of those services, Perkins handles information relating to employee and benefits plan participants’ personal information. This cybersecurity incident occurred with Netgain, Perkins’ third-party data hosting vendor. **Please know that this incident did not impact the computer systems of <<NAME OF EBP CLIENT ENTITY>>.**

What Happened? On December 3, 2020, Netgain alerted Perkins that they had shut down their systems and began working with outside cybersecurity specialists because of a ransomware attack on their systems that impacted our normal business operations.

On January 15, 2021, Netgain confirmed the following: Between November 8, 2020 and December 3, 2020, an attacker accessed servers storing Perkins’ client files, some of which they copied and stole. They also encrypted files and demanded to be paid a ransom by Netgain in exchange for returning copies of stolen files and providing a key to access encrypted files. Netgain paid a ransom and the attacker returned the files they had stolen, along with a decryption key. According to Netgain, law enforcement and the cybersecurity specialists they engaged indicated that this attacker is not known to post the data, nor keep any copies of it once a ransom is paid. However, we know that there are no guarantees, and we still consider any data viewed or stolen by the attacker to be at risk.

What Information Was Involved? Data relating to the employee benefit plan audit was stored on a server that Netgain reports was accessed by the attacker, though there is no indication Perkins was intentionally targeted in this attack. Due to your status as a plan participant or current/former employee of a Perkins employee benefit plan audit client, we believe the following types of your personal information may have been viewed and/or stolen by the attacker: name, Social Security number, employee identification number, date of birth, and benefit/retirement plan account information.

What Perkins is Doing. Perkins takes the security and privacy of the personal information entrusted to us very seriously. In addition to our actions addressed above, we have partnered with an outside “data mining” vendor to determine precisely what and whose personal information may have been impacted by this incident. We confirmed that Netgain has taken

steps to further safeguard against future threats, including implementing additional advanced threat protection tools, resetting passwords, reviewing and restricting access rights, and hardening network security rules and protocols. Further, Perkins is retaining an expert consultant to help provide our firm and clients with an even higher level of data security. Perkins reported this incident to applicable state data privacy regulatory authorities.

As an added precaution, **we are offering you access to complimentary credit monitoring and identity restoration services** through IDX for a period of <<months (##)>>. Individuals who wish to receive these services must enroll by following the attached enrollment instructions.

What You Can Do. We encourage you to remain vigilant by monitoring your accounts and reviewing the enclosed *Steps You Can Take to Help Protect Your Personal Information* for additional guidance on how to protect your personal information. There you will also find more information on the credit monitoring and identity restoration services Perkins is offering and the steps you can take to enroll to receive them.

For More Information. We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, please call our dedicated assistance line at 1-833-933-1103, available Monday through Friday, 6am to 6pm Pacific Time.

We sincerely regret any inconvenience this incident may cause you and we remain committed to safeguarding your information.

Sincerely,

Jared Holum, President
Perkins & Co

Steps You Can Take to Help Protect Your Personal Information

Enroll in Complimentary Credit Monitoring

1. Website and Enrollment. We are offering identity theft protection services through IDX, the data breach and recovery services expert. IDX identity protection services include: <<months (##)>> of tri-bureau credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed id theft recovery services. With this protection, IDX will help you resolve issues if your identity is compromised. We encourage you to contact IDX with any questions and to enroll in free identity protection services by calling 1-833-933-1103 or going to <https://app.idx.us/account-creation/protect> and using the Enrollment Code provided above. Please note, the deadline to enroll is July 23, 2021.

2. Activate the credit monitoring provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.

Monitor Your Accounts

We encourage you to remain vigilant against incidents of payment card fraud or misuse, to review your account statements, and to monitor your credit reports for suspicious activity. If you see any unauthorized or suspicious activity, promptly contact your bank, credit union, or credit card company.

Under U.S. law you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report.

Place a Security Freeze

You have the 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. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

Experian

P.O. Box 9554
Allen, TX 75013
1-888-397-3742

www.experian.com/freeze/center.html

TransUnion

P.O. Box 160
Woodlyn, PA 19094
1-888-909-8872

www.transunion.com/credit-freeze

Equifax

P.O. Box 105788
Atlanta, GA 30348-5788
1-800-685-1111

www.equifax.com/personal/credit-report-services

In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.)
2. Social Security number
3. Date of birth
4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior 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, military identification, etc.)
7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

Place a Fraud Alert

As an alternative to a security freeze, you have the right to place an initial or extended "fraud alert" on your file at no cost. An initial fraud alert is a 1-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 you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the agencies listed below:

Experian

P.O. Box 9554
Allen, TX 75013
1-888-397-3742

www.experian.com/fraud/center.html

TransUnion

P.O. Box 2000
Chester, PA 19016
1-800-680-7289

www.transunion.com/fraud-victim-resource/place-fraud-alert

Equifax

P.O. Box 105069
Atlanta, GA 30348
1-888-766-0008

www.equifax.com/personal/credit-report-services

Additional Information

You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself by contacting the consumer reporting agencies, the Federal Trade Commission, or the state Attorney General.

The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); or 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. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your state Attorney General.

Maryland Residents: Office of the Attorney General of Maryland, Consumer Protection Division 200 St. Paul Place Baltimore, MD 21202, www.oag.state.md.us/Consumer, Telephone: 1-888-743-0023. **New Mexico Residents:** You have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the 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 credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you get based on information in your credit report; and you may seek damages from a violator. You 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. You can review your 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. **New York Residents:** the Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; <https://ag.ny.gov/>. **North Carolina Residents:** Office of the Attorney General of North Carolina, Consumer Protection Division, 9001 Mail Service Center Raleigh, NC 27699-9001, www.ncdoj.gov, Telephone: 1-919-716-6400, 877-566-7226 (toll free within NC). **Oregon Residents:** Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, www.doj.state.or.us/, Telephone: 877-877-9392. **Rhode Island Residents:** Office of the Attorney General, 150 South Main Street, Providence, Rhode Island 02903, www.riag.ri.gov, Telephone: 401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are <<Number of RI Residents>> Rhode Island residents impacted by this incident. **Washington D.C. Residents:** the Office of Attorney General for the District of Columbia can be reached at: 400 6th St. NW, Washington, D.C. 20001; 1-202-442-9828; <https://oag.dc.gov>. **All US Residents:** Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW Washington, DC 20580, www.consumer.gov/idtheft, 1-877-IDTHEFT (438-4338), TTY: 1-866-653-4261.