

**BakerHostetler**

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**CONSUMER PROTECTION**

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August 31, 2018

**Via Overnight Mail**

Joseph Foster  
Office of the Attorney General  
33 Capitol Street  
Concord, New Hampshire 03301

*Re: Incident Notification*

Dear Attorney General Foster:

I am writing on behalf of our client, Posternak Blankstein & Lund, LLP (“Posternak”), to notify you of a security incident involving three New Hampshire residents.

On June 29, 2018, Posternak learned through a forensic investigation into a phishing incident, that an unknown individual had gained access to a Posternak employee’s email account. On July 30, 2018, Posternak learned the identities of the individuals whose personal information was in the employee’s email account and what information may have been affected. Although, to date, Posternak does not know if any sensitive personal information was accessed without permission, it is providing notification to potentially affected individuals out of an abundance of caution. The information that could have been accessed in the employee’s account includes the individuals’ names and one or more of the following data elements for three New Hampshire residents: Social Security number and financial account and routing number.

On August 31, 2018, Posternak will begin mailing written notifications to potentially affected individuals. These individuals include three New Hampshire residents who are being notified of the incident in writing in accordance with N.H. Rev. Stat. Ann. § 359-C:20 in substantially the same form as the enclosed letter.<sup>1</sup> Posternak is offering eligible individuals a complimentary one-year membership in credit monitoring and identity theft protection services

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<sup>1</sup> This report does not waive Posternak’s objection that New Hampshire lacks personal jurisdiction regarding the company related to this matter.

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through Experian. Posternak has provided a telephone number for potentially affected individuals to call with any questions they may have.

On August 31, 2018, Posternak will also begin notifying third parties that provided Posternak with data relating to additional individuals whose information may have been affected by this incident. Posternak is offering to provide notification services, call center services, and required regulator notifications, on behalf of these third parties. Posternak will also offer eligible individuals a complimentary one-year membership in credit monitoring and identity theft protection services through Experian. If any party accepts Posternak's offer with respect to a New Hampshire resident, Posternak will submit a supplemental regulatory notice to this office.

To help prevent something like this from happening in the future, Posternak has taken steps to enhance its existing network and email security, including providing continued training to their employees on data security and the dangers of phishing emails.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink that reads "David E. Kitchen". The signature is written in a cursive style and is positioned above the printed name.

David E. Kitchen  
Partner

Enclosure



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

[Redacted]

August 31, 2018

Dear [Redacted]:

Posternak Blankstein & Lund LLP (“Posternak”) understands the importance of protecting individuals’ personal information. We are writing to inform you that we recently identified and addressed a security incident that may have involved your information. This notice explains the incident, measures we have taken, and some steps you can take in response.

On June 29, 2018, we learned through an ongoing forensic investigation into a phishing incident that an unauthorized party had obtained access to an email account belonging to a Posternak attorney. Upon first learning of the phishing incident, we immediately secured and enhanced security for the employee account, changed the account password, and commenced an internal investigation. We also engaged a professional forensic security firm to assist with the investigation. The investigation determined that an unauthorized person had accessed the employee email account, but the investigation was unable to determine the scope of information that may have been accessed or acquired. While we have no indication that your information has been misused, we are providing you this notice out of an abundance of caution so that you understand the nature of your information that was contained in the email account and can take steps to help protect yourself. The email account contained documents transmitted by debtors or lawyers involved in bankruptcy matters and which contained your name and Social Security number.

We encourage you to remain vigilant by reviewing your account statements for any unauthorized activity. You should also review the additional information on the following pages on ways to protect yourself. We have arranged for you to receive a complimentary one-year membership of Experian’s® IdentityWorks<sup>SM</sup> Credit 3B. This product helps detect possible misuse of your personal information and provides you with identity protection services focused on immediate identification and resolution of identity theft. IdentityWorks<sup>SM</sup> Credit 3B is completely free to you and enrolling in this program will not hurt your credit score. For more information on identity theft prevention and IdentityWorks<sup>SM</sup> Credit 3B, including instructions on how to activate your complimentary one-year membership, please see the additional information provided in this letter.

We apologize for any inconvenience caused by this incident. To help prevent this type of incident from happening again, we are taking significant steps to enhance our existing data security procedures and providing continued training to our employees on data security and the dangers of phishing emails. If you have questions, please call at 877-588-5667, Monday through Friday between 9:00 am and 9:00 pm Eastern Time.

Sincerely,

Adam J. Ruttenberg, Partner  
Posternak Blankstein & Lund LLP

## Activate IdentityWorks Credit 3B Now in Three Easy Steps

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. 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).

Please note that this offer is available to you for one year 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.

While Identity Restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks<sup>SM</sup> as a complimentary one year membership. This product provides you with identity detection and resolution of identity theft. To start monitoring your personal information please follow the steps below:

- Ensure that you **enroll by: 11/30/2018** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: [www.experianidworks.com/3bcredit](http://www.experianidworks.com/3bcredit)
- 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 877-890-9332 by 11/30/2018. Be prepared to provide engagement number [REDACTED] as proof of eligibility for the identity restoration services by Experian.

### **ADDITIONAL DETAILS REGARDING YOUR 12-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.\*
- **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.
- **\$1 Million Identity Theft Insurance\*\*:** Provides coverage for certain costs and unauthorized electronic fund transfers.

**What you can do to protect your information:** There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to [www.ExperianIDWorks.com/restoration](http://www.ExperianIDWorks.com/restoration) for this information.

\* Offline members will be eligible to call for additional reports quarterly after enrolling

\*\* Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. (AIG). 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

## **MORE INFORMATION ON WAYS TO PROTECT YOURSELF**

Even if you choose not to take advantage of this complimentary credit monitoring, we recommend that you remain 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)

**If you are a resident of Connecticut or Maryland** you may contact and obtain information from your state attorney general at:

*Connecticut Attorney General's Office*, 55 Elm Street, Hartford, CT 06106, 1-860-808-5318, [www.ct.gov/ag](http://www.ct.gov/ag)

*Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, [www.oag.state.md.us](http://www.oag.state.md.us), 1-888-743-0023 (toll free when calling within Maryland)  
(410) 576-6300 (for calls originating outside Maryland)

**Fraud Alerts:** There are two types of 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 at least 90 days. 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. You can place a fraud alert on your credit report by contacting any of the three national credit reporting agencies.

**Credit Freezes:** You may have the right to put a credit freeze, also known as a security freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate a freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. In addition, you may incur fees to place, lift and/or remove a credit freeze. Credit freeze laws vary from state to state. The cost of placing, temporarily lifting, and removing a credit freeze also varies by state, generally \$5 to \$20 per action at each credit reporting company. Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies as specified below to find out more information.

To place a security freeze on your credit report, you must send a written request to each of the three major reporting agencies by regular, certified, or overnight mail at the addresses below:

**Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)

**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)

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.)
1. Social Security number
2. Date of birth
3. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior five years
4. Proof of current address such as a current utility bill or telephone bill
5. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.)
6. If you are a victim of identity theft, include a copy of the police report, investigative report, or complaint to a law enforcement agency concerning identity theft

The credit reporting agencies have three (3) business days after receiving your request to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five (5) business days and provide you with a unique personal identification number ("PIN") or password or both that can be used by you to authorize the removal or lifting of the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, you must call or send a written request to the credit reporting agencies by mail and include proper identification (name, address, and Social Security number) and the PIN number or password provided to you when you placed the security freeze as well as the identity of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have three (3) business days after receiving your request to lift the security freeze for those identified entities or for the specified period of time.

To remove the security freeze, you must send a written request to each of the three credit bureaus by mail and include proper identification (name, address, and Social Security number) and the PIN number or password provided to you when you placed the security freeze. The credit bureaus have three (3) business days after receiving your request to remove the security freeze.