

STATE OF NH  
DEPT OF JUSTICE

2021 FEB 24 PM 12: 06

**BakerHostetler**

**Baker&Hostetler LLP**

2929 Arch Street  
Cira Centre, 12th Floor  
Philadelphia, PA 19104-2891

T 215.568.3100  
F 215.568.3439  
www.bakerlaw.com

Daniel A. Pepper  
direct dial: 215.564.2456  
dpepper@bakerlaw.com

February 23, 2021

**VIA OVERNIGHT MAIL**

Attorney General Gordon MacDonald  
New Hampshire Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301

*Re: Notice of Security Incident*

Dear Attorney General MacDonald:

We are writing on behalf of our client, Potter Homes, Inc. ("Potter") to provide notice of a security incident involving New Hampshire residents.<sup>1</sup> Potter is a custom home builder located in Bonita Springs, Florida.

Potter concluded its investigation of a security incident involving unauthorized access to certain employees' email accounts. Upon learning of the incident, Potter Homes immediately took steps to secure the email accounts and launched an investigation with the assistance of an outside IT security firm.

Through this investigation, Potter determined that an unauthorized party accessed the email accounts between October 13, 2020 and October 23, 2020. The investigation did not determine which emails or attachments, if any, were accessed by the unauthorized person; however, Potter was unable to rule out this possibility. As part of its investigation, Potter conducted a comprehensive review of the contents of the accounts that could have been viewed or accessed to identify individuals whose information may have been accessible to the unauthorized party. On

---

<sup>1</sup> This notice is not, and does not constitute, a waiver of Potter's objection that New Hampshire lacks personal jurisdiction over it regarding any claims related to this data security incident.

Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Denver  
Houston Los Angeles New York Orlando Philadelphia Seattle Washington, DC

Attorney General MacDonald  
February 23, 2021  
Page 2


February 2, 2021, Potter determined that an email or attachment in the accounts contained the names and financial account numbers belonging to two (2) New Hampshire residents.

Beginning on February 23, 2021, Potter will mail notification letters to the New Hampshire residents in substantially the same form as the enclosed letter via U.S. First-Class mail in accordance with N.H. Rev. Stat. § 359-C:20(c). Potter has established a dedicated, toll-free call center where individuals may obtain more information regarding the incident.

To help prevent something like this from happening again, Potter is conducting a comprehensive review of its cybersecurity defenses and protocols and providing additional cybersecurity training to all employees with access to personal information.

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

Sincerely,

  
Daniel A. Pepper  
Partner



<<Date>> (Format: Month Day, Year)

<<first\_name>> <<middle\_name>> <<last\_name>> <<suffix>>  
<<address\_1>>  
<<address\_2>>  
<<city>>, <<state\_province>> <<postal\_code>>  
<<country >>

Dear <<first\_name>>:

Potter Homes, Inc. is committed to protecting the confidentiality and security of the personal information we receive and maintain. We are writing to inform you of a security incident that may have involved some of your information. This notice explains the incident, measures we have taken, and some steps you can take in response.

On February 2, 2021, we concluded our investigation of a security incident involving unauthorized access to certain employees' email accounts. Upon discovering this incident, Potter Homes immediately secured the accounts and launched an investigation with the assistance of an outside IT security firm. Through this investigation, Potter Homes determined that the unauthorized access occurred between October 13, 2020 and October 23, 2020.

Our investigation was not able to determine which emails or attachments, if any, were accessed by the unauthorized person. We, therefore, conducted a comprehensive review of the contents of the email accounts that could potentially have been accessed by the unauthorized party. Through this review, we determined that an email or attachment in one or more of the email accounts contained you: <<b2b\_text\_1(ImpactedData)>>

To date, we have no evidence that your information was viewed or misused by the unauthorized party. However, out of an abundance of caution, we want to let you know this happened and assure you that we take this matter very seriously. We encourage you to remain vigilant by reviewing your financial account statements for any unauthorized activity. If you see charges or activity you did not authorize, please contact your financial institution immediately. For more information on identity theft prevention, please see the additional information provided in this letter.

We regret any inconvenience or concern this incident may cause you. To help prevent something like this from happening again, we are conducting a comprehensive review of our cybersecurity defenses and protocols and providing additional cybersecurity training to all of our employees with access to personal information. If you have any questions regarding this data security incident, please call [1-XXX-XXX-XXXX](tel:1-XXX-XXX-XXXX) between 9:00 a.m. and 6:30 p.m. Eastern time.

Sincerely,

Nathan Johnson  
CFO  
Potter Homes Inc.

## 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.