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June 30, 2023

 **NORTON ROSE FULBRIGHT** 2023

CONSUMER PROTECTION

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United States

**Via Certified Mail**

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**Re: Legal Notice of Information Security Incident**

Dear Sir or Madam:

I am writing on behalf of my client, REALM IDx, Inc. ("REALM") and its subsidiary, Ambry Genetics Corporation ("Ambry"), (collectively, together with REALM, the "Company"), to inform you of a cybersecurity incident at the Company's third-party vendor, Vitality. Vitality provides employee wellness benefits to Company's employees.

On May 31, 2023, Progress Software Corporation ("Progress") announced a previously unknown (zero-day) vulnerability affecting its MOVEit Transfer application (the "Incident"). Many organizations globally were affected by this vulnerability because of the wide use of the MOVEit Transfer application for business purposes. On June 5, 2023, Vitality informed Company that they were one of the organizations impacted by the Incident. Vitality conducted a robust review of the data in the MOVEit application and identified the files that contained personal information belonging to certain former and current employees of Company, including 2 New Hampshire residents. The personal information includes name and Social Security number.

Today, June 30, 2023, Vitality, on behalf of Company, will begin mailing notification letters to the 2 New Hampshire residents and will be offering s of complimentary credit monitoring and fraud protection services. A copy of the notice letter is attached. Note that Vitality emailed current employees on June 22, 2023 information about the incident and enrollment information for the complimentary credit monitoring and fraud protection services. Vitality is also providing a telephone number for the individuals to call with any questions regarding the Incident.

According to Vitality, all available patches provided by Progress have been applied and Vitality is following all recommendations published by Progress. As an extra precaution, Vitality implemented a password reset on every account that accesses the MOVEit server, along with additional security measures.

If you have any questions or need further information regarding this Incident, please do not hesitate to contact me.

Respectfully submitted,

Will Daugherty  
Enclosure

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June 30, 2023



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SAMPLE A SAMPLE - L01 AMBRY-REALM VG ACTIVE  
APT ABC  
123 ANY STREET  
ANYTOWN, ST 12345-6789



**RE: NOTICE OF DATA BREACH  
PLEASE READ THIS ENTIRE LETTER.**

Dear Sample A. Sample,

Vitality supports employee wellness benefits and is a proud partner of Ambry Genetics and REALM IDx. We take our partnership very seriously, which is why we are reaching out to you directly. We wanted to bring your attention to a recent cyber situation that is impacting several companies around the globe.

What Happened?

On May 30, 2023, Progress Software Corporation announced a previously unknown (zero-day) vulnerability affecting its MOVEit Transfer application. Many organizations globally were affected by this vulnerability because of the wide use of the MOVEit Transfer application for business purposes.

This was a cybersecurity attack directed against Progress Software Corporation, a third-party provider of services. The zero-day vulnerability impacted organizations across all industries, in many geographies around the world, and was not publicly known until Progress Software Corporation announced the vulnerability five days later.

Vitality was one of the organizations impacted by this attack. We quickly remedied any vulnerabilities across our systems.

What We Are Doing

Vitality was one of the organizations impacted by this attack. We quickly remedied any vulnerabilities across our systems. We took immediate action and temporarily disabled access to MOVEit to protect our members' data privacy and began forensics investigations to evaluate any impact. Our organization's security team conducted a thorough forensic analysis to ensure that no other servers or systems inside of the broader Vitality network were impacted. We restored our server from backup to a point in time when the vulnerability was not active. We applied all available patches provided by MOVEit which fixed the vulnerability, as well as followed all recommendations published by MOVEit. As an extra precaution, we implemented a password reset on every account that accesses the server, along with additional security measures.

What Information Was Involved?

As an employee of Ambry Genetics or REALM IDx, it has been determined that as a result of this attack, some of your personal information that was stored with Vitality to process employee wellness benefits may have been affected.

What You Can Do.

Out of an abundance of caution, we wanted to make you aware of the incident, explain the services we are making available to help safeguard you against identity fraud, and suggest steps that you should take as well. To protect you from potential misuse of your information, we are offering a complimentary membership of Experian IdentityWorks<sup>SM</sup> Credit 1B. This product helps detect possible misuse of your personal information and provides you with IdentityWorks<sup>SM</sup> Credit 1B services focused on immediate identification and resolution of identity theft. IdentityWorks Credit 1B 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 Credit 1B, including instructions on how to activate your complimentary two-year membership, please see the additional information provided in this letter.

This letter also provides other precautionary measures you can take to protect your personal information, including placing a Fraud Alert and/or Security Freeze on your credit files, and/or obtaining a free credit report. Additionally, you should always remain vigilant in reviewing your financial account statements and credit reports for fraudulent or irregular activity on a regular basis. To the extent it is helpful, we have also provided information on protecting your medical information on the following pages.

For More Information.

Please accept our apologies that this incident occurred. We are committed to maintaining the privacy of personal and protected health information in our possession and have taken many precautions to safeguard it. We continually evaluate and modify our practices and internal controls to enhance the security and privacy of your personal information.

**If you have any further questions regarding this incident, please call our dedicated and confidential toll-free response line that we have set up to respond to questions at 1-800-809-6642. Be prepared to provide engagement number B096642.** This response line is staffed with professionals familiar with this incident and knowledgeable on what you can do to protect against misuse of your information. The response line is available Monday through Friday, 8:00am - 10:00pm (Central Time), Saturday through Sunday, 10:00am - 7:00pm (Central Time).

Sincerely,

**Lauren Prorok**  
SVP, General Counsel  
Vitality Group

### YOUR 24 MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP

To help protect your identity, we are offering a complimentary 24-month membership of Experian's® IdentityWorks<sup>SM</sup>. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and 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 incident, or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 833-901-4630. Be prepared to provide engagement number 1234567890 as proof of eligibility for the Identity Restoration services by Experian.

### Additional details regarding your 24-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 file for indicators of fraud.
- **Identity Restoration:** Identity Restoration agents are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE<sup>SM</sup>:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance<sup>\*\*</sup>:** Provides coverage for certain costs and unauthorized electronic fund transfers.

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 at 833-901-4630. 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 Identity Restoration support is available to you for 24 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 [www.ExperianIDWorks.com/restoration](http://www.ExperianIDWorks.com/restoration). You will also find self-help tips and information about identity protection at this site.

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

\*\* 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.

## **ADDITIONAL STEPS YOU CAN TAKE**

**Free Credit Report.** Regardless of whether you choose to take advantage of the complimentary identity monitoring, 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. If you identify any unauthorized charges on your financial account statements, you should immediately report any such charges to your financial institution. 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. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available from the U.S. Federal Trade Commission's ("FTC") website at [www.consumer.ftc.gov](http://www.consumer.ftc.gov)) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281.

Contact information for the three nationwide credit reporting companies is as follows:

<b>Equifax</b>	<b>Experian</b>	<b>TransUnion</b>
Phone: 1-800-685-1111 P.O. Box 740256 Atlanta, Georgia 30348 <a href="http://www.equifax.com">www.equifax.com</a>	Phone: 1-888-397-3742 P.O. Box 9554 Allen, Texas 75013 <a href="http://www.experian.com">www.experian.com</a>	Phone: 1-888-909-8872 P.O. Box 105281 Atlanta, GA 30348-5281 <a href="http://www.transunion.com">www.transunion.com</a>

**Security Freeze.** Security freezes, also known as credit freezes, restrict access to your credit file, making it harder for identity thieves to open new accounts in your name. You can freeze and unfreeze your credit file for free. You also can get a free freeze for your children who are under 16. And if you are someone's guardian, conservator or have a valid power of attorney, you can get a free freeze for that person, too.

How will these freezes work? Contact all three of the nationwide credit reporting agencies – Equifax, Experian, and TransUnion. If you request a freeze online or by phone, the agency must place the freeze within one business day. If you request a lift of the freeze, the agency must lift it within one hour. If you make your request by mail, the agency must place or lift the freeze within three business days after it gets your request. You also can lift the freeze temporarily without a fee.

Don't confuse freezes with locks. They work in a similar way, but locks may have monthly fees. If you want a free freeze guaranteed by federal law, then opt for a freeze, not a lock.

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. You may obtain information from the credit reporting agencies and the FTC about security freezes.

**For New Mexico residents:** You may obtain a security freeze on your credit report to protect your privacy and ensure that credit is not granted in your name without your knowledge. You may submit a declaration of removal to remove information placed in your credit report as a result of being a victim of identity theft. You have a right to place a security freeze on your credit report or submit a declaration of removal pursuant to the Fair Credit Reporting and Identity Security Act. For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

**Fraud Alerts.** A fraud alert tells businesses that check your credit that they should check with you before opening a new account. 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. You may obtain additional information from the credit reporting agencies and the FTC about fraud alerts.

**Federal Trade Commission and State Attorneys General Offices.** 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 home state. You may also contact these agencies for information on how to prevent or avoid identity theft. You may contact the Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20580, [www.ftc.gov/bcp/edu/microsites/idtheft/](http://www.ftc.gov/bcp/edu/microsites/idtheft/), 1-877-IDTHEFT (438-4338).

**For Connecticut Residents:** 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).

**For District of Columbia Residents:** You may contact the Office of the Attorney General for the District of Columbia, 441 4th Street NW, Suite 1100 South, Washington, D.C. 20001, <https://oag.dc.gov>, 202-442-9828.

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

**For New York Residents:** You may contact the New York Department of State Division of Consumer Protection, One Commerce Plaza, 99 Washington Ave., Albany, NY 122310001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>; and New York State Office of the Attorney General, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>.

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

**For Rhode Island Residents:** You may contact the Rhode Island Office of the Attorney General, 150 South Main Street, Providence, RI 02903, <http://www.riag.ri.gov>, 401-274-4400.

**For Washington Residents:** You may contact the Washington State Office of the Attorney General, 1125 Washington St SE, PO Box 40100, <https://www.atg.wa.gov/consumer-issues#:~:text=Call%201%20800%20551%20,%20206%20464%206684>, Olympia, WA 98504 1-800-551-4636 (in Washington only) or 1-206-464-6684.

**For West Virginia Residents:** You may contact the office of the West Virginia Attorney General, PO Box 1789, Charleston, WV 25306-1789, <https://ago.wv.gov/consumerprotection/pages/identity-theft-prevention.aspx>, 800-368-8808.

#### **Reporting of identity theft and obtaining a police report.**

You have the right to obtain any police report filed in the United States in regard to this incident. If you are the victim of fraud or identity theft, you also have the right to file a police report.

**For Iowa Residents:** You are advised to report any suspected identity theft to law enforcement or to the Iowa Attorney General.

**For Massachusetts Residents:** You have the right to obtain a police report if you are a victim of identity theft. You also have a right to file a police report and obtain a copy of it.

**For Oregon Residents:** You are advised to report any suspected identity theft to law enforcement, the Federal Trade Commission, and the Oregon Attorney General.

**For Rhode Island Residents:** You have the right to file or obtain a police report regarding this incident.