

# NORTON ROSE FULBRIGHT

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CONSUMER PROTECTION

August 31, 2017

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**By Certified Mail  
Return Receipt Requested**

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

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

Dear Sirs or Madams:

I write on behalf of my client L'Auberge de Sedona ("L'Auberge"), to inform you of a potential security incident involving personal information for certain L'Auberge guests that may have affected two New Hampshire residents. L'Auberge will be notifying potentially affected individuals and outlining some steps they may take to help protect themselves.

L'Auberge was recently notified of a potential security incident by Sabre/SynXis, a company that operates an Internet-accessible reservation platform for the hotel industry. According to the information we have received from this vendor, an unauthorized individual was able to gain access to Sabre's systems and view certain reservation information between August 10, 2016, and March 9, 2017. The information that was accessed may have included certain payment card information belonging to certain individuals who provided card information when making reservations at L'Auberge.

L'Auberge takes the privacy of personal information seriously, and was deeply disappointed to learn that this vendor's incident could affect L'Auberge guests. Upon learning of the incident, L'Auberge promptly initiated an investigation into the incident and has communicated extensively with the vendor to learn more about what occurred. The vendor informed us that it engaged an outside forensic investigation firm to assist them in investigating and remediating the situation and has enhanced the security around its access credentials and the monitoring of

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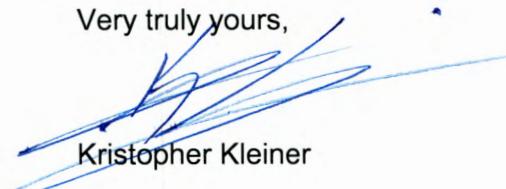
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system activity to further detect and prevent unauthorized access. In addition, the vendor has advised us that they notified law enforcement and the payment card brands of this incident.

Affected individuals are being notified via written letter. We have provided our list of individuals to Sabre's mailing vendor and are being told that the vendor will begin mailing these notices on or about September 1, 2017. A form copy of the notice being sent to the affected New Hampshire residents is included for your reference.

If you have any questions or need further information regarding this incident, please contact me at (303) 801-2758 or [kris.kleiner@nortonrosefulbright.com](mailto:kris.kleiner@nortonrosefulbright.com).

Very truly yours,

  
Kristopher Kleiner

KCK  
Enclosure



## L'AUBERGE de SEDONA

Return Mail Processing Center  
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Portland, OR 97228-6336

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### NOTICE OF DATA BREACH

Dear Valued Guest:

We are writing to you because of an incident involving unauthorized access to customer information associated with your hotel reservation(s). The privacy and protection of our guests' information is a matter we take very seriously, and we recommend that you closely review the information provided in this letter for some steps that you may take to protect yourself against potential misuse of your information.

#### **What Happened?**

We recently learned of an incident involving an unauthorized party gaining access to guest information associated with certain hotel reservations. Like many other hotels throughout the United States and worldwide, L'Auberge uses the Sabre Hospitality Solutions SynXis Central Reservations system (CRS) to facilitate the booking of hotel reservations made by guests directly through our hotel, online travel agencies, and similar booking services. Following an examination of forensic evidence, Sabre notified us on June 6th that an unauthorized party gained access to their systems and was able to view some reservation information for a subset of hotel reservations that Sabre processed on behalf of L'Auberge. The investigation determined that the unauthorized party was able to access payment card information on Sabre's system between August 10, 2016 and March 9, 2017.

Please note, the incident occurred at Sabre Hospitality Solutions, that no L'Auberge computer or network systems were affected in any way by this incident.

#### **What Information Was Involved?**

The unauthorized party was able to access payment card information for your hotel reservation(s), including cardholder name; card number; card expiration date; and, potentially, your card security code. The unauthorized party was also able, in some cases, to access certain information such as guest name, email, phone number, address, and other information. Information such as Social Security, passport, or driver's license number were not accessed.

#### **What We Are Doing?**

Sabre engaged a leading cybersecurity firm to support its investigation. Sabre also notified law enforcement and the payment card brands about this incident.

#### **What You Can Do?**

You should remain vigilant for incidents of fraud and identity theft by regularly reviewing your account statements and monitoring free credit reports for any unauthorized activity. If you discover any suspicious or unusual activity on your accounts, be sure to report it immediately to your financial institutions, as major credit card companies have rules that restrict them from requiring you to pay for fraudulent charges that are timely reported.

In addition, you may contact the Federal Trade Commission (FTC) or law enforcement, such as your state attorney general, to report incidents of identity theft or to learn about steps you can take to protect yourself from identity theft. You can contact the FTC at:

Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
(877) IDTHEFT (438-4338)  
<https://www.identitytheft.gov/>

If you find that your information has been misused, the FTC encourages you to file a complaint with the FTC and to take these additional steps: (1) close the accounts that you have confirmed or believe have been tampered with or opened fraudulently; and (2) file and keep a copy of a local police report as evidence of the identity theft crime.

#### *Obtain Your Credit Report*

You should also monitor your credit reports. You may periodically obtain credit reports from each nationwide credit reporting agency. If you discover inaccurate information or a fraudulent transaction on your credit report, you have the right to request that the credit reporting agency delete that information from your credit report file.

In addition, under federal law, you are entitled to one free copy of your credit report every 12 months from each of the three nationwide credit reporting agencies. You may obtain a free copy of your credit report by going to [www.AnnualCreditReport.com](http://www.AnnualCreditReport.com) or by calling (877) 322-8228. You also may complete the Annual Credit Report Request Form available from the FTC at <https://www.consumer.ftc.gov/articles/pdf-0093-annual-report-request-form.pdf>, and mail it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. You may also contact any of the three major credit reporting agencies to request a copy of your credit report.

#### *Place a Fraud Alert or Security Freeze on Your Credit Report File*

In addition, you may obtain information from the FTC and the credit reporting agencies about fraud alerts and security freezes. A fraud alert can make it more difficult for someone to get credit in your name because it tells creditors to follow certain procedures to protect you, but it also may delay your ability to obtain credit. If you suspect you may be a victim of identity theft, you may place a fraud alert in your file by calling just one of the three nationwide credit reporting agencies listed below. As soon as that agency processes your fraud alert, it will notify the other two agencies, which then must also place fraud alerts in your file. An initial fraud alert will last 90 days. An extended alert stays on your file for seven years. To place either of these alerts, a consumer reporting agency will require you to provide appropriate proof of your identity, which may include your Social Security number. If you ask for an extended alert, you will have to provide an identity theft report.

Also, you can contact the nationwide credit reporting agencies regarding if and how you may place a security freeze on your credit report. A security freeze prohibits a credit reporting agency from releasing information from your credit report without your prior written authorization, which makes it more difficult for unauthorized parties to open new accounts in your name. However, please be aware that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing, or other services. The credit reporting agencies have 3 business days after receiving a request to place a security freeze on a consumer's credit report. You may be charged to place or lift a security freeze. Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company.

You may contact the nationwide credit reporting agencies at:

Equifax  
P.O. Box 105788  
Atlanta, GA 30348  
(800) 525-6285  
[www.equifax.com](http://www.equifax.com)

Experian  
P.O. Box 9554  
Allen, TX 75013  
(888) 397-3742  
[www.experian.com](http://www.experian.com)

TransUnion  
P.O. Box 2000  
Chester, PA 19016  
(800) 680-7289  
[www.transunion.com](http://www.transunion.com)

Please see the following pages for certain state-specific information.

**For More Information**

We deeply apologize for any inconvenience caused by this incident. If you have any questions regarding this incident or if you desire further information or assistance, please do not hesitate to contact the Sabre Hospitality Line at 888-721-6305.

Sincerely,

L'Auberge de Sedona

**IF YOU ARE AN IOWA RESIDENT:**

You may contact law enforcement or the Iowa Attorney General's Office to report suspected incidents of identity theft. This office can be reached at:

Office of the Attorney General of Iowa  
Hoover State Office Building  
1305 E. Walnut Street  
Des Moines, IA 50319  
(515) 281-5164  
[www.iowaattorneygeneral.gov](http://www.iowaattorneygeneral.gov)

**IF YOU ARE A MARYLAND RESIDENT:**

You may obtain information about avoiding identity theft from the Maryland Attorney General's Office. This office can be reached at:

Office of the Attorney General  
Consumer Protection Division  
200 St. Paul Place  
Baltimore, MD 21202  
(888) 743-0023  
[www.marylandattorneygeneral.gov](http://www.marylandattorneygeneral.gov)

**IF YOU ARE A NEW MEXICO RESIDENT:**

You have rights under the federal Fair Credit Reporting Act (FCRA). These include, among others, the right to know what is in your file; to dispute incomplete or inaccurate information; and to have consumer reporting agencies correct or delete inaccurate, incomplete, or unverifiable information. For more information about the FCRA, please visit <https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf> or [www.ftc.gov](http://www.ftc.gov).

*In Addition, New Mexico Consumers Have the Right to Obtain a Security Freeze or Submit a Declaration of Removal*

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.

The security freeze will prohibit a consumer reporting agency from releasing any information in your credit report without your expressed authorization or approval.

The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. When you place a security freeze on your credit report, you will be provided with a personal identification number, password, or similar device to use if you choose to remove the freeze on your credit report or to temporarily authorize the release of your credit report to a specific party or parties or for a specific period of time after the freeze is in place. To remove the freeze or to provide authorization for the temporary release of your credit report, you must contact the consumer reporting agency and provide all of the following:

1. the unique personal identification number, password, or similar device provided by the consumer reporting agency;
2. proper identification to verify your identity;
3. information regarding the third party or parties who are to receive the credit report or the period of time for which the credit report may be released to users of the credit report; and
4. payment of a fee, if applicable.

A consumer reporting agency that receives a request from a consumer to lift temporarily a freeze on a credit report shall comply with the request no later than three business days after receiving the request. As of September 1, 2008, a consumer reporting agency shall comply with the request within fifteen minutes of receiving the request by a secure electronic method or by telephone.

A security freeze does not apply in all circumstances, such as where you have an existing account relationship and a copy of your credit report is requested by your existing creditor or its agents for certain types of account review, collection, fraud control, or similar activities; for use in setting or adjusting an insurance rate or claim or insurance underwriting; for certain governmental purposes; and for purposes of prescreening as defined in the federal Fair Credit Reporting Act.

If you are actively seeking a new credit, loan, utility, telephone, or insurance account, you should understand that the procedures involved in lifting a security freeze may slow your own applications for credit. You should plan ahead and lift a freeze, either completely if you are shopping around or specifically for a certain creditor, with enough advance notice before you apply for new credit for the lifting to take effect. You should contact a consumer reporting agency and request it to lift the freeze at least three business days before applying. As of September 1, 2008, if you contact a consumer reporting agency by a secure electronic method or by telephone, the consumer reporting agency should lift the freeze within fifteen minutes. You have a right to bring a civil action against a consumer reporting agency that violates your rights under the Fair Credit Reporting and Identity Security Act.

To place a security freeze on your credit report, you must send a request to each of the three major consumer reporting agencies, Equifax, Experian, and TransUnion, using the contact information provided in the enclosed letter.

**IF YOU ARE A NORTH CAROLINA RESIDENT:**

You may obtain information about preventing identity theft from the North Carolina Attorney General's Office. This office can be reached at:

North Carolina Department of Justice  
Attorney General's Office  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
(877) 566-7226  
<http://www.ncdoj.gov>

**IF YOU ARE AN OREGON RESIDENT:**

You may obtain information about preventing identity theft from the Oregon Attorney General's Office. This office can be reached at:

Oregon Department of Justice  
1162 Court Street NE  
Salem, OR 97301-4096  
(503) 378-4400  
<http://www.doj.state.or.us>