



MULLEN
COUGHLIN_{LLC}
ATTORNEYS AT LAW

RECEIVED

OCT 04 2021

CONSUMER PROTECTION

Kevin M. Mekler
Office: (267) 930-2190
Fax: (267) 930-4771
Email: Kmekler@mullen.law

3001 N. Rocky Point Drive East, Suite 200
Tampa, FL 33607

September 29, 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 Scrap Metal Services, LLC (“SMS”) located at 415 East 151st Street, East Chicago, IN 46312, and are writing to notify your office of an incident that may affect the security of some personal information relating to one (1) New Hampshire resident. The investigation into this matter is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, SMS 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 August 5, 2021, Scrap Metal Services, LLC (“SMS”) discovered unusual activity on certain of our computer systems. SMS quickly disconnected these systems from the network and commenced an intensive investigation that included working with third-party forensic specialists. This investigation determined that certain of SMS systems were subject to access by an unknown actor sometime between July 28, 2021 and August 5, 2021. SMS initiated an exhaustive review of its systems to identify potentially impacted data and determine the type of information and to whom it related. Following its initial review, SMS worked through September 21, 2021 to identify and populate address information for any potentially affected individuals.

The information that could have been subject to unauthorized access includes name and driver’s license.

Notice to New Hampshire Resident

On or about September 29, 2021, SMS began providing written notice of this incident to all affected individuals, which includes one (1) New Hampshire resident. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon discovering the event, SMS moved quickly to investigate and respond to the incident, assess the security of SMS systems, and notify potentially affected individuals. SMS is also working to implement additional safeguards to reduce the likelihood of similar events in the future. Further, SMS notified law enforcement. SMS is also providing access to credit monitoring services for one (1) year, through IDX, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, SMS is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including information for individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. SMS 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) 930-2190.

Very truly yours,



Kevin M. Mekler of
MULLEN COUGHLIN LLC

KMK/mep
Enclosure

EXHIBIT A


Scrap Metal Services
P.O. Box 989728
West Sacramento, CA 95798-9728

To Enroll, Please Call:
(833) 513-2610
Or Visit:
<https://response.idx.us/enrollscrapmetalservices>
Enrollment Code: <<ENROLLMENT>>

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

September 29, 2021

NOTICE OF <<Variable Data 1 Re Line>>

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

The purpose of this letter is to notify you about a recent data incident that may involve some of your information. This notice provides you with information about the incident, our response, and additional steps you may take to protect your information, should you determine it is appropriate to do so.

What Happened? On August 5, 2021, Scrap Metal Services, LLC (“SMS”) discovered unusual activity on certain of our computer systems. SMS quickly disconnected these systems from the network and commenced an intensive investigation that included working with third-party forensic specialists. This investigation determined that certain of SMS systems were subject to access by an unknown actor sometime between July 28, 2021 and August 5, 2021. SMS initiated an exhaustive review of its systems to identify potentially impacted data and determine the type of information and to whom it related. Following its initial review, SMS worked through September 21, 2021 to identify and populate address information for any potentially affected individuals.

What Information Was Involved? The involved SMS systems contained your name and driver’s license number. SMS is currently unaware of any actual or even attempted misuse of information.

What We Are Doing. We take this incident very seriously. Information privacy and security are among our highest priorities, and we have strict security measures in place to protect information in our care. Upon discovering this incident, we quickly took steps to investigate and respond, including reviewing and enhancing our existing policies and procedures to reduce the likelihood of a similar future event. SMS reported this incident to federal law enforcement and is notifying individuals and relevant regulators as required. Moreover, as an added precaution, SMS is offering complimentary access to credit monitoring and identity restoration services to potentially impacted individuals out of an abundance of caution because your information was determined to be present in the systems that may have been accessed during the incident.

What You Can Do. SMS encourages you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and explanation of benefits and monitoring your free credit reports for suspicious activity. You may also review and consider the information and resources outlined in the below “Steps You Can Take to Help Protect Personal Information.”

For More Information. If you have additional questions, please call our dedicated assistance line at (833) 513-2610 (toll free), Monday through Friday, from 9 am - 9 pm Eastern Time (excluding U.S. holidays). You may write to SMS at 415 East 151st Street, East Chicago, IN 46312 with any additional questions you may have.

Sincerely,

Scrap Metal Services, LLC

STEPS YOU CAN TAKE TO HELP PROTECT PERSONAL INFORMATION

Enroll in Credit Monitoring and Identity Restoration Services

1. **Website and Enrollment.** You can enroll in the free identity protection services by calling (833) 513-2610 or going to <https://response.idx.us/enrollscrapmetalservices> and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.
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.

Please note the deadline to enroll is December 29, 2021.

Monitor Your Accounts

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

Consumers have the right to place an initial or extended "fraud alert" on a credit 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 three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a "credit freeze" on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer's express authorization. The credit 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 credit 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 credit freeze on your credit report. To request a security freeze, you will need to provide the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to 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, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if you are a victim of identity theft.

Should you wish to place a credit freeze, please contact the three major credit reporting bureaus listed below:

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
888-298-0045	1-888-397-3742	833-395-6938
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and 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. This notice has not been delayed by law enforcement.

For District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, DC 20001; 202-727-3400; and oag@dc.gov.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and www.oag.state.md.us.

For 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 bureaus 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 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. We encourage you to 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.

For New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov/>.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.