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October 25, 2022

VIA E-MAIL (DOJ-CPB@DOJ.NH.GOV)

Attorney General John Formella
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Re: Incident Notification

Dear Attorney General Formella:

We are writing on behalf of our client, Shipyard Brewing Co. (“Shipyard”), to notify your office of a security incident. Shipyard is a brewery located in Portland, Maine.

Shipyard completed an investigation that involved unauthorized access to an employee’s email account. Upon learning of the incident, Shipyard immediately took steps to secure its email environment. A cybersecurity firm was engaged to assist with the investigation and determined that an unauthorized party was able to access the employee’s email account between May 4, 2022 and July 19, 2022.

The investigation was not able to determine which emails or attachments, if any, were viewed by the unauthorized party. Therefore, out of an abundance of caution, Shipyard conducted a thorough review of the contents of the email account to identify the specific individuals whose information was contained within the emails and attachments. It was determined, on September 20, 2022, that individuals’ names, driver’s license numbers, Social Security Numbers and/or financial account information may have been accessed. Shipyard then worked to identify the individuals whose information was potentially accessed as a result of this incident, including four (4) New Hampshire residents.

On October 25, 2022, Shipyard began mailing notification letters to the New Hampshire residents via U.S. mail in accordance with N.H. Rev. Stat. Ann. § 359-C:20.¹ A copy of the notification letter is enclosed. Shipyard is providing a telephone number for notified individuals

¹ This report is not, and does not constitute, a waiver of Shipyard’s objection that New Hampshire lacks personal jurisdiction over the company related to this matter.

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to call with any questions they may have about the incident. Shipyard is offering individuals whose Social Security numbers and/or driver's license numbers may have been involved complimentary one-year memberships to credit monitoring and identity protection services.

To help prevent this type of incident from happening again, Shipyard has implemented additional measures to enhance its existing email controls.

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

Sincerely,

M. Scott Koller
Partner

Enclosure



<<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>> <<middle_name>> <<last_name>> <<suffix>>,

We are writing to inform you of an incident that potentially involved some of your information. This notice explains the incident, measures we have taken, and provides additional steps you may consider taking in response.

What Happened?

On July 19, 2022, we observed suspicious activity in an employee's email account. We immediately took steps to secure the account, began an investigation, and a cybersecurity firm was engaged to assist. Our investigation determined that an unauthorized individual accessed two employees' accounts between May 4, 2022 and July 19, 2022. We were unable to determine whether any emails or attachments were viewed by the unauthorized party. Therefore, in an abundance of caution, we conducted a review of the contents of the email account to identify any individuals whose information may have been contained within the accounts. After a thorough review, we determined on September 20, 2022 that some of your information was contained in the account.

What Information Was Involved?

While we have no evidence that your personal information was accessed, the account contained an email or attachment that included your information, including your <<b2b_text_1 (data elements)>>.

What We Are Doing.

Following the incident, we have implemented additional measures to enhance our existing cybersecurity protocols. Additionally, we are offering you a complimentary membership to Experian's® IdentityWorksSM. This product provides you with identity detection and resolution of identity theft. It is completely free to you and enrolling in this program will not hurt your credit score. For more information on IdentityWorks, including instructions on how to activate your complimentary membership, as well as some additional steps you can take in response, please see the pages that follow this letter.

What You Can Do.

We encourage you to remain vigilant by reviewing your account statements and credit reports for any unauthorized activity over the next 12 to 24 months. If you see unauthorized charges or activity, please contact your financial institution immediately. For further details, including some additional steps you can take to help protect your information, please see the pages that follow this letter.

For More Information.

We regret this incident occurred and apologize for any inconvenience. If you have any questions, please call <<TFN>>, Monday through Friday, 9:00 a.m. to 6:30 p.m., Eastern Time, excluding major U.S. holidays.

Sincerely,

Martin Coyne
Chief Financial Officer, Shipyard Brewing Co.

To help protect your identity, we are offering a **complimentary** one-year membership to Experian IdentityWorksSM. This product helps detect possible misuse of your personal information and provides you with identity protection support focused on immediate identification and resolution of identity theft.

Activate IdentityWorks In Three Easy Steps

1. ENROLL by: <<b2b_text_6 (activation deadline)>> (Your code will not work after this date.)
2. VISIT the **Experian IdentityWorks** website to enroll: <https://www.experianidworks.com/3bcredit>
3. PROVIDE the **Activation Code**: <<Activation Code s_n>>

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 **877.288.8057**. Be prepared to provide engagement number <<b2b_text_2 (engagement #)>> 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 without needing to enroll in the product** regarding any fraud issues. Identity Restoration specialists are available to help you address credit and non-credit related fraud.

Once you enroll in Experian IdentityWorks, you will have access to the following additional features:

- **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.
- **Internet Surveillance:** Technology searches the web, chat rooms & bulletin boards 24/7 to identify trading or selling of your personal information on the Dark Web.
- **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.

Activate your membership today at <https://www.experianidworks.com/3bcredit> or call 877.288.8057 to register with the activation code above.

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 for this information. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at **877.288.8057**.

* 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

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 over the next 12 to 24 months. 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 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, 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, www.experian.com, 1-888-397-3742
- *TransUnion*, PO Box 2000, Chester, PA 19016, 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

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
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, www.transunion.com
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, 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.

Shipyard Brewing Company is located at 86 Newbury Street, Portland, Maine, (207) 761-0807.

Additional information for residents of the following states:

Maryland: You may contact and obtain information from your state attorney general at: *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, www.oag.state.md.us

New York: may contact and obtain information from these state agencies: *New York Department of State Division of Consumer Protection*, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 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>

North Carolina: You may contact and obtain information from your state attorney general at: *North Carolina Attorney General's Office*, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, www.ncdoj.gov

Rhode Island: This incident involves 2 individuals in Rhode Island. Under Rhode Island law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze, as described above. You may contact and obtain information from your state attorney general at: *Rhode Island Attorney General's Office*, 150 South Main Street, Providence, RI 02903, 1-401-274-4400, www.riag.ri.gov