



# Harter Secrest & Emery LLP

ATTORNEYS AND COUNSELORS

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MAR 09 2020

CONSUMER PROTECTION

March 4, 2020

## CONFIDENTIAL

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

Re: Data Security Breach Notification

To Whom It May Concern:

Harter Secrest & Emery LLP represents Silver and Feldman, Attorneys at Law, an entity with a principal place of business at 3445 Winton Place, Suite 228, Rochester, New York 14623. Silver and Feldman is a law firm that provides legal services, specializing in transactional law, residential and commercial real estate, bankruptcy law, and estates. On or about February 4, 2020, Silver and Feldman discovered that a single e-mail account belonging to a Silver and Feldman partner containing certain personal information had been compromised. Later, forensic analysis revealed that one individual resident of New Hampshire may have been affected.

After forensic analysis of its systems, Silver and Feldman determined that an unknown and unauthorized actor gained access to the e-mail mailbox for the time period of November 26, 2019 through January 22, 2020. Although Silver and Feldman is not aware of exactly what information from the mailbox containing personal information may have been viewed, if any, it has determined that the information of the New Hampshire resident includes name, address, and social security number.

Once the incident was discovered, Silver and Feldman immediately took steps to address it. Silver and Feldman engaged the services of Harter Secrest & Emery LLP to provide legal counsel regarding incident response and notification. Additionally, working with an outside forensics firm, Silver and Feldman reacted swiftly to the incident and has no reason to believe that its systems are otherwise currently at risk. In order to prevent any further unauthorized access, Silver and Feldman has taken several precautionary measures, such as changing passwords and modifying internal e-mail settings and controls.

The affected New Hampshire resident received written notice contemporaneously with the delivery of this correspondence, by way of letter dated March 4, 2020, which was mailed to the address of the affected individual. A sample notice is enclosed with this letter.

Harter Secrest & Emery LLP  
ATTORNEYS AND COUNSELORS

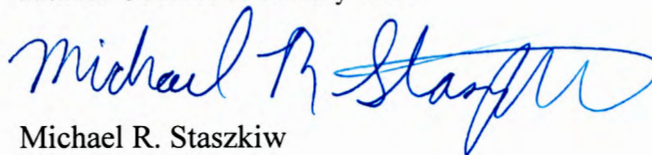
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Silver and Feldman is offering the affected individual 24 months of Experian IdentityWorks fraud detection and credit monitoring services at no cost. A description of this product is set forth in the sample notification letter.

Should you have questions, please contact me using the below information. Thank you.

Very truly yours,

Harter Secrest & Emery LLP



Michael R. Staszkiw  
DIRECT DIAL: 585.231.1243  
EMAIL: MSTASZKIW@HSELAW.COM

MRS:  
Enclosure

# SILVER & FELDMAN

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## NOTICE OF DATA BREACH

Re: Your Personal Information

Dear :

We are writing to inform you of a security incident involving a single Silver & Feldman email account. This email account contained certain of your personal information.

We are providing all affected individuals of this incident with triple-bureau credit monitoring for two years. The attached instruction sheet will provide you with important information regarding these services, as well as information on steps that can be helpful in reducing the potential risk of identity theft.

We sincerely apologize for any concern this incident may have caused you. If you have questions please contact Philip M. Silver, Partner, at 585-424-4760. We welcome your call and look forward to speaking with you directly.

Thank you.

Respectfully,

SILVER & FELDMAN

Philip M. Silver

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## **WHAT HAPPENED**

On or about February 4, 2020, we discovered that an unknown and unauthorized actor had access to a single Silver & Feldman mailbox containing personally identifiable information between November 26, 2019 and January 22, 2020. We later were able to identify your information as being part of the mailbox contents. As a result, this unauthorized third party may have accessed your personal information. Although we do not know what messages containing personal information from the inbox may have been accessed, if any at all, we are providing this notification to you as a conservative measure in an effort to keep you informed.

## **WHAT INFORMATION WAS INVOLVED**

Affected information could include your name, address, social security number, banking account number, and driver's license number. In the majority of cases observed, name, address, driver's license number, and social security number were at issue.

## **WHAT WE ARE DOING**

Rest assured that once the issue was discovered, we immediately took steps to address it. Working with an outside forensics firm, we reacted swiftly to this incident and have no reason to believe that our systems are otherwise currently at risk. In order to prevent any further unauthorized access, we have taken several precautionary measures, such as changed passwords and modified internal e-mail settings and controls.

## **WHAT YOU CAN DO**

In the meantime, you may wish to take some or all of the below actions to help reduce your risk of identity theft.

- Remain vigilant, especially over the next 12 months, and review your bank accounts, credit card bills and free credit reports for unauthorized activity. Promptly report any suspected identity theft to your local law enforcement agency, the U.S. Federal Trade Commission, the State Attorney General, your financial institution, and to the Fraud Alert phone line of a consumer reporting agency. Telephone numbers for the three national reporting agencies are:

**Equifax**  
1-800-525-6285  
P.O. Box 740256  
Atlanta, GA 30374  
[www.equifax.com](http://www.equifax.com)

**Experian**  
1-888-397-3742  
P.O. Box 4500  
Allen, TX 75013  
[www.experian.com](http://www.experian.com)

**TransUnion**  
1-800-680-7289  
2 Baldwin Place  
P.O. Box 1000  
Chester, PA 19016  
[www.transunion.com](http://www.transunion.com)

- Periodically obtain credit reports from each nationwide credit reporting agency and have information relating to fraudulent transactions deleted. Information relating to our offer of free credit monitoring for a period of two years follows below.
- Place a fraud alert on your credit file by contacting any of the three credit reporting agencies listed above. A fraud alert temporarily, for a period of 90 days, requires potential creditors to take additional steps to verify your identity before issuing credit in your name.
- Place a security freeze on your consumer report. A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. However, a security freeze may delay your ability to obtain credit. Please contact one of the three credit reporting agencies listed above for further information.
- Request and carefully review your free annual consumer credit report by visiting [www.annualcreditreport.com](http://www.annualcreditreport.com) or by calling 1-877-322-8228.
- You can also contact the Federal Trade Commission to obtain information about preventing identity theft and, specifically, setting up fraud alerts and security freezes. The contact information for the Federal Trade Commission is as follows:

**Federal Trade Commission**  
600 Pennsylvania Avenue, NW  
Washington, D.C. 20580  
1-877-382-4357  
[www.ftc.gov](http://www.ftc.gov)

### **OTHER IMPORTANT INFORMATION**

As a result of this incident, and to help protect your identity, we would like to offer you a complimentary two-year membership of Experian's® IdentityWorks<sup>SM</sup>. This product provides you with superior services pertaining to identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- Ensure that you enroll by: **May 31, 2020**. (Your code will not work after this date.)
- Visit the Experian IdentityWorks website to enroll:  
<https://www.experianidworks.com/3bcredit>.
- Provide your activation code:
- Provide the engagement number: XXXXXXXXXX

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer

care team at 877-890-9332 by **May 31, 2020**. Be prepared to provide engagement number [REDACTED] 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.<sup>1</sup>
- Credit Monitoring: Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- 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.
- Up to \$1 Million Identity Theft Insurance<sup>2</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 877-980-9332. 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 two years 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.

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<sup>1</sup> Offline members will be eligible to call for additional reports quarterly after enrolling.

<sup>2</sup> 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.

**FOR MORE INFORMATION**

If you have questions, please contact us at (585) 424-4760. Our mailing address is 3445 Winton Pl. #228, Rochester, New York 14623.

Thank you.