



Laura K. Funk  
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Dallas, Texas 75201  
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Direct: 972.942.5696

February 28, 2022

**VIA ELECTRONIC MAIL**

Attorney General John Formella  
Office of the Attorney General  
Consumer Protection Bureau  
33 Capitol Street  
Concord, NH 03301  
Email: [DOJ-CPB@DOJ.NH.GOV](mailto:DOJ-CPB@DOJ.NH.GOV)

Re: Notice of Data Security Incident

Dear Attorney General Formella:

Lewis Brisbois Bisgaard & Smith LLP represents Somero Enterprises, Inc. (“Somero”) in connection with a data security incident described in greater detail below. The purpose of this letter is to notify you of the incident in accordance with New Hampshire’s data breach notification statute.

**1. Nature of the Security Incident**

Somero is a manufacturer of machinery used in horizontal concrete placement. In November of 2021, Somero learned of unusual activity involving an employee email account. Upon discovery, Somero immediately secured its email environment and launched an investigation. Somero engaged a digital forensics firm to assist with the process and to determine whether personal information may have been accessed or acquired without authorization. As a result of this investigation, Somero learned that the email account was accessed without authorization.

Somero then conducted a comprehensive review of the contents of the account and, on December 8, 2021, learned that the account contained personal information belonging to certain individuals. Somero then worked diligently to evaluate potentially impacted data elements and confirm identities of potentially impacted individuals. That process was completed on January 27, 2022. Somero then worked to identify current address information required to provide notice of the incident to such individuals.

**2. Type of Information and Number of New Hampshire Residents Involved**

The incident involved personal information for approximately **one (1)** New Hampshire resident. The information involved in the incident may differ depending on the individual but may include name, Social Security number, and driver's license or state identification number.

The affected individuals will receive a letter notifying them of the incident and providing additional steps they can take to protect their personal information. The notification letters were sent via U.S. First-Class Mail on February 24, 2022. A sample copy of the notification letter sent to the affected individuals is attached.

### **3. Measures Taken to Address the Incident**

In response to the incident, Somero retained cybersecurity experts and launched a forensics investigation to determine the source and scope of the compromise. Additionally, Somero is notifying the affected individuals and providing them with steps they can take to protect their personal information. For the individuals whose Social Security numbers may have been impacted by the incident, Somero is also offering complimentary credit and identity monitoring services. Specifically, since the incident occurred, Somero has completed the following:

- 1). Performed password resets on the compromised account, as well as any other employees who received the suspicious email;
- 2). Implemented corporate-wide cybersecurity training and phishing campaigns; and
- 3). Contacted Mimecast to determine why its spam filter did not successfully catch the phishing email to mitigate the likelihood of a future incident.

Additionally, Somero is in the process of evaluating the potential migration of all mail clients to the Cloud.

### **4. Contact Information**

Somero is dedicated to protecting the sensitive information within its control. If you have any questions or need additional information regarding this incident, please do not hesitate to contact me at 972.942.5696 or via email at [Laura.Funk@lewisbrisbois.com](mailto:Laura.Funk@lewisbrisbois.com)

Sincerely,



Laura K. Funk of  
LEWIS BRISBOIS BISGAARD & SMITH LLP

Encl: Sample Notification Letter



Somero Enterprises, Inc.  
10300 SW Greenburg Rd.  
Suite 570  
Portland, OR 97223

<<First Name>> <<Last Name>>  
<<Address1>> <<Address2>>  
<<City>>, <<State>> <<Zip>>

February 24, 2022

**Notice of <<Variable Text 1>>**

Dear <<First Name>> <<Last Name>>,

We are writing to inform you of a recent data security incident experienced by Somero Enterprises, Inc. (“Somero”) that may have involved your information. This communication is being provided out of an abundance of caution, as we have no evidence of any misuse or attempted misuse of your personal information. Please read carefully as this letter contains background information about the incident, the type of information involved, and steps you can take to protect your information.

**What Happened?** On November 16, 2021, Somero identified potential unauthorized access to an employee’s email account. After becoming aware of this activity, we took steps to secure our digital environment and engaged a leading cybersecurity firm to assist with an investigation. That investigation concluded that this was an isolated incident and was not indicative of any systemic issues within our network. On December 8, 2021, the investigation determined personal information may have been accessed without authorization. After a thorough review of all potentially accessed information within the user’s email account, on January 27, 2022, we determined that some of your personal information may have been involved in this incident.

**What Information Was Involved.** The information may have included your name, <<Variable Text 2>>.

**What We Are Doing.** As soon as we were informed of this incident, we took the measures referenced above. As part of the response process, we implemented additional measures to reduce the risk of a similar incident occurring in the future. Further, we are providing you notice of this potential incident and steps you can take to protect your personal information.

**What You Can Do.** You can review the resources provided on the following pages for additional steps to protect your personal information.

**For More Information.** If you have any questions regarding the incident, please call 1-800-939-4170 between 9:00am to 9:00pm Eastern Time from Monday to Friday.

The security of your information is our top priority at Somero, and we are committed to safeguarding your data and privacy. Please accept our sincere apologies and know that we deeply regret any concern or inconvenience that this may cause you.

Sincerely,

A handwritten signature in black ink, appearing to read "V. LiCausi". The signature is fluid and cursive, with a large initial "V" and a long, sweeping underline.

Vincenzo LiCausi  
Chief Financial Officer  
Somero Enterprises, Inc.

## Steps You Can Take to Protect Your Personal Information

**Review Your Account Statements and Notify Law Enforcement of Suspicious Activity:** As a precautionary measure, we recommend that you remain vigilant by reviewing your account statements and credit reports closely. If you detect any suspicious activity on an account, you should promptly notify the financial institution or company with which the account is maintained. You also should promptly report any fraudulent activity or any suspected incidence of identity theft to proper law enforcement authorities, your state attorney general, and/or the Federal Trade Commission (FTC).

**Copy of Credit Report:** You may obtain a free copy of your credit report from each of the three major credit reporting agencies once every twelve (12) months by visiting <http://www.annualcreditreport.com/>, calling toll-free 1-877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You also can contact one of the following three national credit reporting agencies:

**Equifax**

P.O. Box 105851  
Atlanta, GA 30348  
1-800-525-6285  
[www.equifax.com](http://www.equifax.com)

**Experian**

P.O. Box 9532  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

**TransUnion**

P.O. Box 1000  
Chester, PA 19016  
1-800-916-8800  
[www.transunion.com](http://www.transunion.com)

**Fraud Alert:** You may want to consider placing a fraud alert on your credit report. An initial fraud alert is free and will stay on your credit file for at least one year. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any accounts in your name. To place a fraud alert on your credit report, contact any of the three credit reporting agencies identified above. Additional information is available at <http://www.annualcreditreport.com>.

**Security Freeze:** You have the right to put a security freeze on your credit file for up to one year at no cost. This will prevent new credit from being opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A security freeze is designed to prevent potential creditors from accessing your credit report without your consent. As a result, using a security freeze may interfere with or delay your ability to obtain credit. You must separately place a security freeze on your credit file with each credit reporting agency. In order to place a security freeze, you may be required to provide the consumer reporting agency with information that identifies you including your full name, Social Security number, date of birth, current and previous addresses, a copy of your state-issued identification card, and a recent utility bill, bank statement or insurance statement.

**Additional Free Resources:** You can obtain information from the consumer reporting agencies, the FTC, or from your respective state Attorney General about fraud alerts, security freezes, and steps you can take toward preventing identity theft. You may report suspected identity theft to local law enforcement, including to the FTC or to the Attorney General in your state.

**Federal Trade Commission**

600 Pennsylvania Ave, NW  
Washington, DC 20580  
[consumer.ftc.gov](http://consumer.ftc.gov), and  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)  
1-877-438-4338

**Florida Attorney General**

Office of the Attorney General  
Department of Legal Affairs  
PL-01 The Capitol  
Tallahassee, FL  
1-800-435-7352

**Michigan Attorney General**

Consumer Protection Division  
G. Mennen Williams Building  
525 W Ottawa Street  
P.O. Box 30213  
Lansing, MI 48909  
517-335-7622

**North Carolina Attorney General**

9001 Mail Service Center  
Raleigh, NC 27699  
[ncdoj.gov](http://ncdoj.gov)  
1-877-566-7226

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



Somero Enterprises, Inc.  
10300 SW Greenburg Rd.  
Suite 570  
Portland, OR 97223

To Enroll, Please Call:  
1-800-939-4170  
Or Visit:  
<https://app.idx.us/account-creation/protect>  
Enrollment Code: <<XXXXXXXXXX>>

<<First Name>> <<Last Name>>  
<<Address1>> <<Address2>>  
<<City>>, <<State>> <<Zip>>

February 24, 2022

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**What Information Was Involved?** The information may have included your name, <<Variable Text 2>>.

**What We Are Doing.** As soon as we were informed of this incident, we took the measures referenced above. As part of the response process, we implemented additional measures to reduce the risk of a similar incident occurring in the future. We are also providing you with information about steps you can take to help protect your information, and out of an abundance of caution, we are offering you identity theft protection services through IDX. These identity protection services include: 12 months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed identity theft recovery services. With this protection, IDX will help you resolve issues if your identity is compromised.

**What You Can Do.** We encourage you to contact IDX with any questions and to enroll in free identity protection services by calling 1-800-939-4170 or going to <https://app.idx.us/account-creation/protect> and using the Enrollment Code provided above. IDX representatives are available between 9:00am to 9:00pm Eastern Time from Monday to Friday. Please note that the deadline to enroll is May 24, 2022. In addition, you can review the resources provided on the following pages for additional steps to protect your personal information.

**For More Information.** If you have any questions regarding the incident or would like assistance with enrolling in the credit and identity monitoring services, please call 1-800-939-4170 between 9:00am to 9:00pm Eastern Time from Monday to Friday.

The security of your information is our top priority at Somero, and we are committed to safeguarding your data and privacy. Please accept our sincere apologies and know that we deeply regret any concern or inconvenience that this may cause you.

Sincerely,

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Vincenzo LiCausi  
Chief Financial Officer  
Somero Enterprises, Inc.



## Steps You Can Take to Protect Your Personal Information

**Review Your Account Statements and Notify Law Enforcement of Suspicious Activity:** As a precautionary measure, we recommend that you remain vigilant by reviewing your account statements and credit reports closely. If you detect any suspicious activity on an account, you should promptly notify the financial institution or company with which the account is maintained. You also should promptly report any fraudulent activity or any suspected incidence of identity theft to proper law enforcement authorities, your state attorney general, and/or the Federal Trade Commission (FTC).

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**Equifax**

P.O. Box 105851  
Atlanta, GA 30348  
1-800-525-6285  
[www.equifax.com](http://www.equifax.com)

**Experian**

P.O. Box 9532  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

**TransUnion**

P.O. Box 1000  
Chester, PA 19016  
1-800-916-8800  
[www.transunion.com](http://www.transunion.com)

**Fraud Alert:** You may want to consider placing a fraud alert on your credit report. An initial fraud alert is free and will stay on your credit file for at least one year. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any accounts in your name. To place a fraud alert on your credit report, contact any of the three credit reporting agencies identified above. Additional information is available at <http://www.annualcreditreport.com>.

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**Additional Free Resources:** You can obtain information from the consumer reporting agencies, the FTC, or from your respective state Attorney General about fraud alerts, security freezes, and steps you can take toward preventing identity theft. You may report suspected identity theft to local law enforcement, including to the FTC or to the Attorney General in your state.

**Federal Trade Commission**

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Washington, DC 20580  
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[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)  
1-877-438-4338

**Florida Attorney General**

Office of the Attorney General  
Department of Legal Affairs  
PL-01 The Capitol  
Tallahassee, FL  
1-800-435-7352

**Michigan Attorney General**

Consumer Protection Division  
G. Mennen Williams Building  
525 W Ottawa Street  
P.O. Box 30213  
Lansing, MI 48909  
517-335-7622

**North Carolina Attorney General**

9001 Mail Service Center  
Raleigh, NC 27699  
[ncdoj.gov](http://ncdoj.gov)  
1-877-566-7226

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