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September 2, 2020

Attorney General Gordon J. MacDonald
Office of New Hampshire Attorney General
Attn: Security Breach Notification
33 Capitol Street
Concord, NH 03301
DOJ-CPB@doj.nh.gov

Re: *TCW, Inc. - Notice of Data Incident*

Dear Attorney General MacDonald:

I serve as outside legal counsel to TCW, Inc. (“TCW”), which is a commercial transportation and trucking company. TCW’s principal place of business is located at 22 Stanley Street, Nashville, TN 37210.³

This correspondence is to notify you of a recent security incident where a TCW employee inadvertently sent an email to all current TCW employees at their company provided “tcwonline.com” email addresses which included a spreadsheet containing TCW employee information. Due to the risk that personally identifiable information (“PII”) could have been accessed or acquired during the incident, in an abundance of caution, notification letters are being sent via U.S. Mail to 2 residents of your State on or about September 2, 2020. The notification letters include instructions for activating one (1) year of credit monitoring services at no cost to the residents. The PII that was potentially at risk included first and last names, Social Security numbers, and Driver’s License numbers. A sample notification letter is enclosed for your reference and includes -

- A description of the security incident;
- Steps taken to investigate;
- Steps taken to mitigate any potential harm to employees and/or consumers;
- Instructions for activation of 1 year of free identity theft protection services that include credit monitoring and a \$1 million insurance reimbursement policy to all consumers who received notification;

³ By providing this notice, TCW 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.

- Instructions on how to place a security freeze on the recipient's consumer credit report; and
- Instructions regarding how to obtain more information about this event, etc.

TCW is fully committed to protecting consumer privacy and the confidentiality of personal information. We will follow-up this correspondence with any forms or other documents that may need to be completed. Please contact me if you require any additional information regarding this incident.

Best regards,

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC



Alex Koskey

Enclosure:

Exhibit 1: Sample Notification Letter sent to 2 residents



Return Mail Processing
PO Box 589
Claysburg, PA 16625-0589

September 2, 2020

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SAMPLE A SAMPLE - TCW - LETTER A
APT 123
123 ANY ST
ANYTOWN, US 12345-6789



Dear Sample A Sample,

TCW, Inc. (“TCW”) is writing to inform you of an incident which may have involved your employee information and to provide you with information regarding the steps we are taking in response to the incident.

On August 7, 2020, a TCW employee inadvertently sent an email to all current TCW employees at their company provided “tcwonline.com” email addresses which included a spreadsheet attachment containing TCW employee information. Within minutes, TCW recognized that the email was sent by mistake, attempted a recall of the email, and notified all employees to delete the email. TCW then proceeded to review all email user accounts, delete the email from the inbox, and permanently delete the email from each user’s system. Within hours, TCW confirmed that the email at issue had been permanently deleted from all email accounts. Our review of the incident revealed that the information potentially involved included your first and last name and your data elements.

We have no reason to believe that there has been any inappropriate use of your personal information. However, in order to help protect you as a valued current or former employee of TCW, and give you peace of mind, we are offering you one (1) year of free credit monitoring and identity theft protection through Experian. You must activate the Experian product by the activation date for it to be effective. We have also included some additional steps that you can take to protect yourself, as you deem appropriate.

If you have additional questions about this incident, please call (855) 662-8108, toll-free, between 9:00 a.m. and 11:00 p.m., Eastern Time, Monday through Friday and between 11:00 a.m. and 8:00 p.m. Eastern Time on Saturday or Sunday (excluding major U.S. holidays). This was an inadvertent error and we are taking steps to enhance our security measures and prevent something like this from happening in the future. We are fully committed to protecting your personal information and sincerely apologize for any concern this may have caused you.

Sincerely,

Ben Banks

Ben Banks,
Vice President

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STEPS YOU CAN TAKE TO PROTECT YOUR INFORMATION

Below are instructions on how to enroll in the complimentary credit monitoring services that we are offering:

To help protect your identity, we are offering a complimentary one-year membership of Experian's® IdentityWorksSM. This product provides you with superior 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: 11.30.20** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **activation code: ABCDEFGHI**

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 **855-662-8108** by **11.30.20**. Be prepared to provide engagement number **DB22208** 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** 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*
- **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**:** 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 **855-662-8108**. 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 one year 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. You will also find self-help tips and information about identity protection at this site.

* 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 TO PROTECT YOURSELF

We also remind you to remain vigilant for incidents of fraud or identity theft by reviewing account statements and credit reports for unauthorized activity. **Residents of the United States are entitled to one free credit report annually from each of the three major credit reporting agencies.** To order your free credit reports, visit www.annualcreditreport.com or call toll-free (877) 322-8228. 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 should also 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.

You may want to consider placing a fraud alert on your credit report. There are two types of 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.

- **Initial Alert:** You may ask that an initial alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. A fraud alert does not impact your ability to get a loan or credit, but rather alerts a business that your personal information may have been compromised and requires the business to verify your identity before issuing you credit. Although this may cause some delay if you are applying for credit, it may protect against someone else obtaining credit in your name. An initial fraud alert stays on your credit report for at least 90 days
- **Extended Alert:** 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. You can place a fraud alert on your credit report by contacting any of the three national credit reporting agencies. The agency that you contacted must notify the other two agencies.

Additionally, you have the right to put a **credit freeze**, also known as a security freeze, on your credit file, free of charge, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate a freeze. A security freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a security freeze, potential creditors and other third parties will not be able to access your credit report unless you temporarily lift the freeze. Therefore, using a security freeze may delay your ability to obtain credit. There is no fee to place or lift a security freeze. However, unlike a fraud alert, you must separately place a security freeze on your credit file at each of the three national credit reporting agencies.

Below are the toll-free numbers and addresses for the three largest credit reporting agencies:

Equifax
P.O. Box 74021
Atlanta, GA 30374
1-800-685-1111
www.equifax.com

Experian
P.O. Box 2002
Allen, TX 75013
1-888-397-3742
www.experian.com

TransUnion
P.O. Box 1000
Chester, PA 19016
1-800-916-8800
www.transunion.com

Below is the toll-free number, address and website address for the Federal Trade Commission, which you may contact to obtain further information on how to protect yourself from identity theft and how to repair identity theft:

Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue, NW
Washington, DC 20580
1-877-IDTHEFT (438-4338)
www.ftc.gov/idtheft

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For residents of Hawaii, Michigan, Missouri, Virginia, Vermont and North Carolina: It is recommended by state law that you remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

For residents of Illinois, Iowa, Maryland, Missouri, North Carolina, Oregon and West Virginia: It is required by state law to inform you that you may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report using the contact information listed above.

For residents of Iowa: State law advises you to report any suspected identity theft to law enforcement or the Attorney General.

For residents of Oregon: State laws advise you to report any suspected identity theft to law enforcement, including the Attorney General, and the Federal Trade Commission.

For residents of Maryland, Rhode Island, Illinois and North Carolina: You can obtain information from the Maryland and North Carolina Offices of the Attorney General and the Federal Trade Commission about fraud alerts, security freezes, and steps you can take toward preventing identity theft.

Maryland Office of the Attorney General
Consumer Protection Division
200 St. Paul Place
Baltimore, MD 21202
1-888-743-0023
www.oag.state.md.us

Rhode Island Office of the Attorney General
Consumer Protection
150 South Main Street
Providence, RI 02903
1-401-274-4400
www.riag.ri.gov

Office of the Illinois Attorney General
Identity Theft Hotline
100 W Randolph St, Fl. 12
Chicago, IL 60601
1-866-999-5630
www.illinoisattorneygeneral.gov

North Carolina Office of the Attorney General
Consumer Protection Division
9001 Mail Service Center
Raleigh, NC 27699-9001
1-877-566-7226
www.ncdoj.com

For residents of Massachusetts and Rhode Island: It is required by state law that you are informed of your right to obtain a police report if you are a victim of identity theft.

For residents of Connecticut, Massachusetts, Rhode Island and West Virginia: You also have the right to place a security freeze on your credit report by contacting any of the credit bureaus list