

BakerHostetler

Baker & Hostetler LLP

1170 Peachtree Street
Suite 2400
Atlanta, GA 30309-7676

T 404.459.0050
F 404.459.5734
www.bakerlaw.com

John P. Hutchins
direct dial: 404.946.9812
jhutchins@bakerlaw.com

November 4, 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, Trustees of Amherst College (“Amherst College”), to notify your office of a cybersecurity incident. Amherst College’s headquarters are located at 220 South Pleasant Street, Amherst, MA 01002.

Amherst College recently concluded an investigation into suspicious activity involving employees’ email accounts. Upon discovering this activity, Amherst College promptly secured the email accounts, commenced an investigation with the assistance of a forensic firm, and took measures to address the incident. The investigation determined that an unauthorized actor gained access to some internal email accounts between May 18, 2022, and May 23, 2022. A thorough review of data in the email accounts was conducted, and it was determined that one or more of the email accounts contained the personal information, including the name, Social Security number, financial account information, and date of birth of eleven New Hampshire residents.

Beginning today, Amherst College will mail notification letters to the New Hampshire residents via U.S. First-Class mail in accordance with N.H. Rev. Stat. Ann. § 359-C:20. A sample copy of the notification letter is enclosed. Amherst College is offering the New Hampshire residents whose Social Security number is involved one year of complimentary credit monitoring services through Experian. Amherst College has also established a dedicated, toll-free call center for individuals to call with questions regarding the incident.

To reduce the risk of a similar incident from occurring in the future, Amherst College is enhancing its existing security protocols and technical safeguards.

November 4, 2022

Page 2

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

Sincerely,

John P. Hutchins
Partner

Enclosure



Amherst College

Return Mail Processing Center
P.O. Box 6336
Portland, OR 97228-6336

<<MailID>>
<<Name 1>>
<<Name 2>>
<<Address 1>>
<<Address 2>>
<<Address 3>>
<<Address 4>>
<<City>><<State>><<Zip>>
<<Country>>

<<Date>>

Dear <<Name 1>>:

Amherst College recently addressed a security incident that involved some of your information. This letter explains the incident, the measures we have taken, and some steps you may consider taking in response.

We recently concluded an investigation into suspicious activity involving employees' email accounts. Upon discovering this activity, we promptly secured the email accounts, commenced an investigation with the assistance of a forensic firm, and took measures to address the incident. Our investigation determined that an unauthorized actor gained access to some of our internal email accounts between May 18, 2022, and May 23, 2022. We conducted a review of data in the email accounts and determined that one or more of the email accounts contained some of your personal information, including your <<variable data>>.

We are also offering you a complimentary one-year membership with Experian's® IdentityWorksSM. This product helps detect possible misuse of your personal information and provides you with identity protection support. For more information on IdentityWorksSM, including instructions on how to activate your complimentary one-year membership, as well as some additional steps you may consider taking to protect your personal information, please see the additional information provided in this letter.

We encourage you to remain vigilant by reviewing your account statements and credit reports for any unauthorized activity. If you see charges or activity you did not authorize, please contact the relevant financial institution or credit bureau reporting the activity immediately.

We regret any inconvenience or concern this incident may cause. We are enhancing our existing security protocols and technical safeguards to help prevent unauthorized access to our systems in the future. We have established a dedicated call center to help answer any questions you may have about the incident. Please call 877-861-8499, Monday through Friday, between 9:00 a.m. and 9:00 p.m. Eastern time for up-to-date information about the incident.

Sincerely,

Christine Whalley
Chief Information Security Officer

Activate IdentityWorks Credit 3B Now in Three Easy Steps

To activate your membership and start monitoring your personal information please follow the steps below:

1. ENROLL by: **January 11, 2023** (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**: <<Code>>

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 **877.288.8057** by **January 11, 2023**. Be prepared to provide engagement number **B079173** 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 Credit 3B.

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, 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.
- **\$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 **877.288.8057**. 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

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. 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.identitytheft.gov

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 credit bureaus, 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 do so.

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.

Trustees of Amherst College can be reached at (413) 542-2000. Its mailing address is 220 South Pleasant Street Amherst, MA, 01002.

Additional information for residents of the following states:

New York: You 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