

Representing Management Exclusively in Workplace Law and Related Litigation

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September 22, 2016

VIA OVERNIGHT MAIL
AND FAX: (603) 271-2110

Mr. Joseph Foster
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Re: Data Incident Notification

Dear Attorney General Joseph Foster:

Please be advised that on September 19, 2016, Tulley Automotive Group ("Company") learned that an unauthorized person improperly accessed the payroll records of certain employees stored on its payroll vendor's (Paylocity's) systems. The Company contacted Paylocity and the Nashua Police to investigate. The investigation thus far shows that in some cases the intruder attempted to modify direct deposit banking information using the credentials of a Tulley employee. The Company's safeguards were able to prevent the misappropriation of funds, but the intruder was able to access personal information of certain individuals including Social Security number and bank account information.

It appears that a total of 43 individuals were affected, including 39 residents of New Hampshire. Upon discovering the incident, the Company took prompt steps to determine its scope and safeguard its systems. This included changing passwords, limiting access to suspicious IP addresses and tightening Paylocity access management protocols. The Company provided an initial alert to all employees (See Attachment A) and will be sending a follow-up communication to affected employees shortly (See Attachment B).

As set forth in the attached letter, the Company is taking steps to help affected individuals protect the security of their personal information, including providing 12 months of credit monitoring services at no cost. Also, in addition to continuing to monitor this situation, the Company is reexamining its current data privacy and security policies and procedures to find ways of reducing the risk of future data incidents of this kind, this includes retraining employees about

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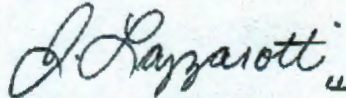
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email best practices. Should the Company become aware of any significant developments concerning this situation, we will inform you.

Sincerely,

JACKSON LEWIS P.C.



Joseph J. Lazzarotti

Encl.

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4837-2598-0470, v. 3

EXHIBIT "A"

To All Employees,

It has come to our attention that our payroll system (Paylocity) has been compromised.

Both Paylocity and the Nashua Police are investigating.

We will keep you up to date as we receive any further information.

In the interim, beginning next week there will be no direct deposits. If you have any automatic withdrawals please plan accordingly.

For your safety, please monitor your personal accounts. If you see any unusual activity in your accounts, please notify HR immediately.

It is unfortunate that this has impacted our Tulley Family. We are working with Paylocity and the Nashua Police to resolve this issue.

Sincerely,

Mark Tulley

EXHIBIT "B"



Dear :

On **September 16, 2016**, we informed you about a compromise to our payroll records and that we were working with our payroll vendor (Paylocity) and the Nashua Police to investigate. We are writing to update you and provide additional information concerning the incident.

Our investigation remains ongoing, however, on **September 19, 2016**, we discovered that someone improperly accessed the payroll records of certain employees, including yours stored on Paylocity's systems. The investigation shows that in some cases the intruder attempted to modify direct deposit banking information. Safeguards we had in place thwarted those efforts, however, the intruder was able to access personal information of certain individuals, including yours, such as name, Social Security number, and bank account information.

We also are writing to provide you information concerning steps you can take to protecting yourself and minimize misuse of your personal information. We recommend you remain vigilant to incidents of fraud and identity theft and consider taking one or more of the following steps to protect your personal information:

- **We are working to make available to you credit monitoring services at no cost for 12 months. We expect to provide the enrollment information to you shortly.**
- **Contacting the nationwide credit-reporting agencies as soon as possible to:**
 - Add a fraud alert statement to your credit file at all three national credit-reporting agencies: Equifax, Experian, and TransUnion. The credit-reporting agencies may be reached at: Equifax, P.O. Box 740256, Atlanta, GA 30374, (800) 525-6285, www.equifax.com; Experian, P.O. Box 9554, Allen, TX 75013, (888) 397-3742, www.experian.com/consumer; TransUnion, P.O. Box 2000, Chester, PA 19022, (800) 888-4213, www.transunion.com. You only need to contact one of the three agencies; your request will be shared with the other two agencies. This fraud alert will remain on your credit file for 90 days.
 - Request a "security freeze" which prohibits, with certain specific exceptions, the credit reporting agencies from releasing your credit report or any information from it without your express authorization. You can request a freeze by requesting one in writing by certified mail to the credit reporting agency. There is no fee to place the freeze for senior citizens 65 years of age and older and victims of identity theft. However, to prove you are a victim, you must send a valid copy of a police report, investigative report, or a complaint to a law enforcement agency about unlawful use of your personal information by another person. Otherwise, there may be a cost to place, remove or temporary lift of a security freeze.
 - Remove your name from mailing lists of pre-approved offers of credit for approximately six months.

TULLEY

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- Receive a free copy of your credit report by going to www.annualcreditreport.com.
- Change passwords and use available safeguards to protect critical accounts.
- If you aren't already doing so, please pay close attention to all bills and credit-card charges you receive for items you did not contract for or purchase. Review all of your bank account statements frequently for checks, purchases or deductions not made by you. Note that even if you do not find suspicious activity initially, you should continue to check this information periodically since identity thieves sometimes hold on to stolen personal information before using it.

Again, we apologize for this situation and any inconvenience it may cause you. We treat all sensitive employee information in a confidential manner and are proactive in the careful handling of such information.

If you have questions or concerns you can contact Mark Tulley at 603-821-8728 or via email at mark@tulley.com. Again, we apologize for this situation and any inconvenience it may cause you.

Sincerely,
Mark Tulley