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February 24, 2017

VIA U.S. MAIL

Attorney General Joseph Foster
Office of the New Hampshire Attorney General
Attn: Security Breach Notification
33 Capitol Street
Concord, NH 03301

STATE OF NH
DEPT OF JUSTICE
2017 FEB 27 PM 12:18

Re: Notice of Data Security Incident

Dear Attorney General Foster:

We represent the United States Anti-Doping Agency, 5555 Tech Center Drive, Suite 200, Colorado Springs, CO, 80919 (“USADA”), and are writing to notify you of a data security incident that may affect the security of the personal information of four (4) New Hampshire residents. By providing this notice, USADA does not waive any rights or defenses regarding the applicability of New Hampshire law or personal jurisdiction.

Nature of the Cyber Security Incident

On October 6, 2016, we discovered that the documents released by a group of hackers known as Fancy Bears contained information that appeared to have come from the email address of a USADA employee. Up until that point, Fancy Bears had been releasing information allegedly obtained from the World Anti-Doping Agency (“WADA”) related to certain athletes from around the world. The information was related to therapeutic use exemptions (TUEs) and as such, we immediately launched an internal investigation and retained third-party forensic experts to assist in the investigation of the incident.

The information released regarding the athletes included their name, diagnosis, treatment and prescription information, as well as number of TUE applications submitted by the athlete, date of birth and the name of the doctor assigned to review the athlete’s TUE application. The information released by Fancy Bears does **not** include any further personal information, e.g. the athlete’s Social Security number, bank account or credit card information, cell phone number or address.

Notice to New Hampshire Residents

Initial notice of the incident was provided via email to athletes on October 11, 2016. On February 16, 2017, USADA began mailing notice letters to affected athletes which includes four (4) New Hampshire residents. The notice will be provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken

USADA is offering affected athletes complimentary access to twelve (12) months of free CSID Protector services, which includes CyberAgent® Internet Surveillance, and Identity Theft Insurance. Additionally, USADA is providing affected athletes with information on how to contact the Federal Trade Commission and law enforcement to report any attempted or actual identity theft and fraud.

Contact Information

Should you have any questions regarding this notification or other aspects of the cyber security incident, please contact me at (267) 930-4775.

Very Truly Yours,

A handwritten signature in black ink, appearing to read 'C. Dilenno', written in a cursive style.

Christopher J. Dilenno of
MULLEN COUGHLIN LLC

CJD:bo
Enclosure

Exhibit A



Preserving the integrity of competition. Inspiring true sport. Protecting the rights of athletes.

First Name
Address
City, State Zip Code

RE: Notice of Data Breach

Dear [First Name Last Name,

My name is Travis Tygart, CEO of the United States Anti-Doping Agency (USADA), and I hope this note finds you well. I'm writing today to follow-up on my communication with you regarding an incident that affects the security of certain personal information of yours. With that said, I just want to take a few moments to provide you with some more information about the incident and let you know what steps we've taken since our last correspondence.

What Happened? As you know, a group of hackers known as Fancy Bears have been releasing information – which we understand was obtained from the World Anti-Doping Agency (WADA) – related to certain athletes, including yourself, from around the world. On October 6, 2016, we also discovered that the documents released by Fancy Bears contained information that appeared to have come from the email address of a USADA employee. The information was related to therapeutic use exemptions (TUEs), and as such, we immediately launched an internal investigation and retained third-party forensic experts to assist in the investigation of the incident.

What Information Was Involved? As previously relayed, we were able to determine that the information released about you was your name, diagnosis, treatment and prescription information, as well as number of TUE applications submitted, your date of birth, and the name of the doctor assigned to review your TUE application. **Please note that the information released by Fancy Bears does NOT include any further personal information, e.g. your Social Security number, bank account or credit card information, cell phone number, or address.**

What We Are Doing. The most important thing I hope to leave you with from this correspondence is that we take this incident and the security of your personal information very seriously. And as such, in addition to notifying you and the other individuals potentially impacted by this incident, we are offering complimentary access to twelve (12) months of free CSID Protector services, which includes CyberAgent® Internet Surveillance, and Identity Theft Insurance. The enclosed Other Important Information contains instructions on how to enroll and receive these free services, as well as expert advice on how to better protect against identity theft and fraud. We have also notified certain state regulators and federal law enforcement of this incident. Upon investigation, U.S. law enforcement agencies were able to confirm that Fancy Bears is connected with the Russian government and responsible for a number of other hacks in the U.S.

U.S. Anti-Doping Agency

5555 Tech Center Drive, Suite 200, Colorado Springs, CO 80919 | Tel: 719.785.2000 | Fax: 719.785.2001

usada@usada.org | www.usada.org



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What You Can Do. We encourage you to consider enrolling to receive the free credit monitoring and identity restoration services, as well as to take some time to review the information on how you can protect yourself, which can be found in the enclosed Other Important Information sheet.

For More Information. Please contact Ryan Madden at rmadden@usada.org or 719-785-2024.

Although we've discussed this previously, I want to reiterate that you have done absolutely nothing wrong. You followed the TUE process as required and we sincerely regret any inconvenience or concern this incident may have caused you. Please also know that we wish to help in any way possible and are available at your convenience anytime should you wish to discuss this in more depth.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Tygart", with a horizontal line extending to the right.

Travis T. Tygart



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OTHER IMPORTANT INFORMATION

While we continue to investigate the incident, you may take action directly to further protect against possible identity theft.

To help you monitor your information, we have contracted with CSID to provide one year of CSID Protector services, which includes CyberAgent® Internet Surveillance, and Identity Theft Insurance at no cost to you upon your enrollment via the following sign-up process:

- Visit <https://www.csid.com/csidl1protector> to complete a secure sign up process and answer some questions to confirm your identity.
- Submit your PIN Code: [CODE] This PIN Code can only be used once and cannot be transferred to another individual.
- Activate your CSID Protector coverage by no later than October 21, 2017.

Additionally, Identity Restoration services are available to you as of December 15, 2016, with no further action required. If you are a victim of fraud, simply call CSID at (877) 926-1113 by no later than October 21, 2017 and a dedicated Identity Theft Restoration agent will help you restore your identity. Please provide the PIN Code in this letter as proof of eligibility.

We encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, and to monitor your credit reports for suspicious activity. Under U.S. law you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report, or to discuss your free credit at:

Equifax
P.O. Box 105069
Atlanta, GA 30348
800-525-6285
www.equifax.com

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

TransUnion
P.O. Box 2000
Chester, PA 19022-2000
800-680-7289
www.transunion.com

You can further educate yourself regarding identity theft, fraud alerts, and the steps you can take to protect yourself, by contacting the Federal Trade Commission or your state Attorney General. The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580, www.identitytheft.gov, 1-877-ID-THEFT (1-877-438-4338); TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. Instances of known or suspected identity theft should also be reported to law enforcement. This notice has not been delayed due to a law enforcement investigation.