

Buchanan Ingersoll & Rooney PC

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August 6, 2019

VIA E-MAIL

Attorney General Gordon MacDonald
New Hampshire Department of Justice
33 Capitol Street
Concord, NH 03301
Email: attorneygeneral@doj.nh.gov

Re: Notification of Data Security Incident

Dear Attorney General MacDonald:

I represent Vitagene, Inc. (“Vitagene”), located in San Francisco, California. This letter is being sent pursuant to N.H. Rev. Stat. §§359-C:19-21, because on July 1, 2019, Vitagene learned that some customers’ personal information was potentially accessible to unauthorized persons online. We believe approximately 14 residents of New Hampshire may have been affected. The incident may have involved unauthorized access to certain customer wellness recommendation reports which included customers’ name, email address, date of birth, and certain health data such as referring doctor, partial genetic trait information and related wellness recommendations. The incident may have also involved unauthorized access to a portion of certain customer’s raw genotype data that was generally stored without personal identifiers. In some limited cases a first name (but not last name) was associated with a particular partial genotype data file.

Preliminary information indicates that a security configuration may have exposed information contained in an archive customer database containing some customer information from the 2015 to 2017 time period. This database was from an older product that is no longer offered. In response to this incident Vitagene sought the counsel of cybersecurity and data privacy experts, and has performed a forensic investigation. Vitagene is also taking additional measures to secure its systems from cyber security incidents occurring in the future.

August 6, 2019

Page - 2 -

Vitagene is in the process of notifying the affected New Hampshire residents via the attached letter, and is providing twelve (12) months of complimentary identity monitoring services to the affected residents through IDExperts®. Please contact me should you have any questions.

Very truly yours,

A handwritten signature in cursive script that reads "Kyle D. Black".

Kyle D. Black

KDB/
0097502-000001
Enclosure



VITAGENE

C/O ID Experts
PO Box 4219
Everett WA 98204

ENDORSE



1 FIRST NAME LAST NAME
ADDRESS1
ADDRESS2
CSZ
COUNTRY

SEQ
CODE 2D

BREAK

To Enroll, Please Call:
833-300-6933
Or Visit:
<https://ide.myidcare.com/vitagene>
Enrollment Code:
<<XXXXXXXXXX>>

August 6, 2019

Subject: Notice of Data Breach

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

Vitagene, Inc. (“Vitagene”) takes the privacy and security of your personal information very seriously. That is why we are contacting you regarding a recent data security incident. We are writing to inform you of the incident, offer you twelve (12) months of identity protection services at no cost to you, and provide information to you about steps that can be taken to help protect your personal information.

What Happened? On July 1, 2019, we learned initial information regarding a data security incident that may have affected your personal information. On that date we learned that an archive database containing a subset of the customer wellness recommendation reports generated between 2015 to 2017 and certain related data was potentially accessible to unauthorized individuals. We immediately conducted an investigation into the matter, and although we have no information that your information has been misused, we want you to be aware of the incident and to follow the steps detailed below to minimize the chance of any fraudulent activity in the future.

What Information Was Involved? The information involved in this incident may have included your name, email address, date of birth, and certain health data such as referring doctor, partial genetic trait data and summary information, and related health recommendations. At this time we do not have reason to believe that this incident involved any password, credit card or other sensitive personal or financial information such as social security number.

What Are We Doing? Upon learning of the incident, we sought the counsel of cybersecurity and data privacy experts, and have performed a forensic investigation. We have also begun the implementation of additional internal procedures and safeguards to minimize the chance an incident like this could occur in the future. Although we have no information that your information was misused, out of an abundance of caution, we are offering you identity protection services at no cost to you through IDExperts®, a leader in risk mitigation and response. These services include: twelve (12) months of fully managed identity theft recovery services, a \$1,000,000 insurance reimbursement policy, and exclusive educational materials. With this protection, IDExperts® will help you to resolve issues if your identity is compromised.

What You Can Do to Protect Your Information: You should follow the recommendations on following page regarding steps you can take to help protect your personal information. We also encourage you to contact IDExperts® with any questions and to enroll in the free services provided by calling 833-300-6933 or by going to <https://ide.myidcare.com/vitagene> and using the Enrollment Code provided in this letter. IDExperts® representatives are available to assist you Monday through Friday from 6 am - 6 pm Pacific Time.

We encourage you to take full advantage of this service offering. IDExperts® representatives are fully versed on the incident and can answer questions or concerns you may have.

For More Information: Further information about how to protect your personal information appears on the following page. If you have questions or need assistance, please call IDExperts® at 833-300-6933 Monday through Friday from 6 am – 6 pm Pacific Time, and please have your Enrollment Code ready.

We take the security of all information that we store in our systems very seriously. Please accept our sincere apologies and know that we deeply regret any worry or inconvenience this may cause you.

Sincerely,

Vitagene Team

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 and review 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 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 (the “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 12 months by visiting <http://www.annualcreditreport.com/>, calling toll-free 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 can also 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	Experian P.O. Box 9532 Allen, TX 75013 1-888-397-3742 www.experian.com	TransUnion P.O. Box 1000 Chester, PA 19016 1-877-322-8228 www.transunion.com	Free Annual Report P.O. Box 105281 Atlanta, GA 30348 1-877-322-8228 annualcreditreport.com
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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 90 days. 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: In some U.S. states, you have the right to put a security freeze on your credit file. 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. There is no fee to place, lift or remove the security freeze. 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 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. Residents of Maryland, North Carolina, and Rhode Island can obtain more information from their Attorneys General using the contact information below.

Federal Trade Commission 600 Pennsylvania Ave, NW Washington, DC 20580 consumer.ftc.gov , and www.ftc.gov/idtheft 1-877-438-4338	Maryland Attorney General 200 St. Paul Place Baltimore, MD 21202 oag.state.md.us 1-888-743-0023	North Carolina Attorney General 9001 Mail Service Center Raleigh, NC 27699 ncdoj.gov 1-877-566-7226	Rhode Island Attorney General 150 South Main Street Providence, RI 02903 http://www.riag.ri.gov 401-274-4400
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You also have certain rights under the Fair Credit Reporting Act (FCRA): These rights include knowing what is in your file; disputing incomplete or inaccurate information; and requiring consumer reporting agencies correct or delete inaccurate, incomplete, or unverifiable information. For more information about the FCRA, please visit <https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf>.



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