



MULLEN
COUGHLIN_{LLC}

STATE OF NH
DEPT OF JUSTICE
2018 JUL -3 AM 11:26

Alexander Walker
Office: 267-930-4801
Fax: 267-930-4771
Email: awalker@mullen.law

1275 Drummers Lane, Suite 302
Wayne, PA 19087

June 29, 2018

VIA U.S. MAIL

Attorney General Gordon J. MacDonald
Office of the New Hampshire Attorney General
Attn: Security Breach Notification
33 Capitol Street
Concord, NH 03301

Re: Notice of Data Event

Dear Attorney General MacDonald:

We represent the accounting firm Waller & Associates, Inc. ("Waller & Associates"), 953 Mt. Hermon Road, Suite 102, Salisbury, MD 21804, and write to provide notice to your office of an incident that may affect the security of personal information relating to certain New Hampshire residents. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Waller & Associates does not waive any rights or defenses regarding the applicability of New Hampshire law, the New Hampshire data event notification statute, or personal jurisdiction.

Nature of the Data Event

In February 2018, Waller & Associates identified certain clients' 2017 tax returns were being rejected when filed with the IRS. Waller & Associates immediately launched an investigation, with the support of a third-party computer forensic investigation firm, and contacted the IRS.

This investigation determined that intermittently between April 29, 2016 and February 21, 2018 an unauthorized actor(s) gained access to certain areas of Waller & Associates' network that stored data containing personal information of certain Waller & Associates clients and other individuals associated with those clients. On June 6, 2018, the investigation confirmed the population of potentially impacted individuals. The types of personal information potentially impacted in relation to this incident include the following: name, date of birth, address, Social Security number, wage/income information, and, for some individuals, financial account information (such as bank account number and routing number).

Notice to New Hampshire Residents

On June 29, 2018, Waller & Associates began mailing written notice of this incident to the affected taxpayer clients and other individuals associated with those clients, including six (6) New Hampshire residents. Written notice will be provided in substantially the same form as the letter attached hereto as *Exhibit A*.

Other Steps Taken and to Be Taken

Upon discovering this incident, Waller & Associates promptly began an investigation with the assistance of a third-party computer forensics expert to determine the nature and scope of this incident, including identifying the clients and spouses and/or dependents who may be affected, putting in place resources to assist them, and providing them with notice of this incident.

Waller & Associates is providing potentially affected individuals access to 12 months of credit monitoring and identity restoration services, through AllClear ID. Additionally, Waller & Associates is providing potentially impacted individuals with guidance on how to better protect against identity theft and fraud, including information on how to place a fraud alert and security freeze on one's credit file, information on protecting against tax fraud, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of identity theft and fraud by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

Waller & Associates reported this incident to, and has been cooperating with, the IRS. Waller & Associates is also notifying other state regulators as required.

Waller & Associates is reviewing existing security measures and working to implement additional safeguards for personal information stored within its systems.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at 267-930-4801.


Very truly yours,



Alexander Walker of
MULLEN COUGHLIN LLC

EXHIBIT A

00001
JOHN Q. SAMPLE
1234 MAIN STREET
ANYTOWN US 12345-6789



00001
ACD1234

June 29, 2018

Re: Notice of Data Breach

Dear John Sample:

Waller & Associates, Inc. (“Waller & Associates”) is writing to inform you of an incident that may affect the security of your personal information. We take this incident very seriously and are providing you with information and access to resources so that you can better protect against the possibility of misuse of your personal information, should you feel it is appropriate to do so.

What Happened? In February 2018, we identified certain clients’ 2017 tax returns were being rejected when filed with the IRS. We investigated with the support of a third-party forensic investigation firm to determine what caused the issues and how our clients may be affected. We also promptly reported the issue to the IRS and are cooperating with their investigation. Through the ongoing investigation, it was recently determined that an unauthorized actor(s) gained access to certain areas of our network, including areas that store your personal information. The unauthorized access occurred intermittently between April 29, 2016 and February 21, 2018.

What Information Was Involved? On June 6, 2018, we confirmed that the unauthorized actor(s) may have accessed the following information related to you: name, date of birth, address, Social Security number, wage/income information, and financial account information, if provided to us for purposes of filing your tax returns.

What We Are Doing. The confidentiality, privacy, and security of our client information is one of our highest priorities. As part of our ongoing commitment to the security of personal information in our care, we are reviewing our existing security measures and are working to implement additional safeguards.

We are also offering you access to 12 months of complimentary credit monitoring and identity protection services through AllClear ID. The cost of this service will be paid for by Waller & Associates. Instructions on how to enroll in the credit monitoring and identity protection services can be found in the enclosed *Privacy Safeguards Information*.

What Can You Do? You can review the enclosed *Privacy Safeguards Information* for additional information on how to better protect against identity theft and fraud. You can also enroll to receive the complimentary credit monitoring and identity restoration services described above.



For More Information. We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, please call 1-855-309-2065, Monday through Saturday, 9:00 a.m. to 9:00 p.m. ET.

The security of your information is a top priority for Waller & Associates. We sincerely regret any inconvenience or concern this incident has caused you.

Sincerely,

A handwritten signature in black ink that reads "Michelle L. Waller, CPA". The signature is written in a cursive style.

Michelle L. Waller, CPA
Waller & Associates, Inc.

PRIVACY SAFEGUARDS INFORMATION

Enroll in the Credit Monitoring and Identity Restoration Services.

As an added precaution, we have arranged to have AllClear ID protect your identity for 12 months at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next 12 months.

AllClear Identity Repair: This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-855-309-2065 and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

AllClear Fraud Alerts with Credit Monitoring: This service offers the ability to set, renew, and remove 90-day fraud alerts on your credit file to help protect you from credit fraud. In addition, it provides credit monitoring services, a once annual credit score and credit report, and a \$1 million identity theft insurance policy. To enroll in this service, you will need to provide your personal information to AllClear ID. You may sign up online at enroll.allclearid.com or by phone by calling 1-855-309-2065 using the following redemption code: Redemption Code.

Please note: Following enrollment, additional steps are required by you in order to activate your phone alerts and fraud alerts, and to pull your credit score and credit file. Additional steps may also be required in order to activate your monitoring options.

Contact the IRS. You can contact the IRS at www.irs.gov/Individuals/Identity-Protection for helpful information and guidance on steps you can take to prevent a fraudulent tax return from being filed in your name and what to do if you become the victim of such fraud. You can also visit www.irs.gov/uac/Taxpayer-Guide-to-Identity-Theft for more information.

Monitor Your Accounts.

Credit Reports. We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your free 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.

Fraud Alerts. At no charge, you can also have these credit bureaus place a "fraud alert" on your file that alerts creditors to take additional steps to verify your identity prior to granting credit in your name. Note, however, that because it tells creditors to follow certain procedures to protect you, it may also delay your ability to obtain credit while the agency verifies your identity. As soon as one credit bureau confirms your fraud alert, the others are notified to place fraud alerts on your file. Should you wish to place a fraud alert, or should you have any questions regarding your credit report, please contact any one of the agencies listed below:

Equifax
P.O. Box 105069
Atlanta, GA 30348
1-800-525-6285
www.equifax.com

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

TransUnion
P.O. Box 2000
Chester, PA 19016
1-800-680-7289
www.transunion.com



Security Freeze. You may also place a security freeze on your credit reports. A security freeze prohibits a credit bureau from releasing any information from a consumer's credit report without the consumer's written authorization. However, please be advised that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing, or other services. If you have been a victim of identity theft and you provide the credit bureau with a valid police report, it cannot charge you to place, lift, or remove a security freeze. In all other cases, a credit bureau may charge you a fee to place, temporarily lift, or permanently remove a security freeze. Fees vary based on where you live, but commonly range from \$3 to \$15. You will need to place a security freeze separately with each of the three major credit bureaus listed above if you wish to place a freeze on all of your credit files. In order to request a security freeze, you will need to supply your full name, address, date of birth, Social Security number, current address, all addresses for up to five previous years, email address, a copy of your state identification card or driver's license, and a copy of a utility bill, bank or insurance statement, or other statement proving residence. To find out more on how to place a security freeze, you can use the following contact information:

Equifax Security Freeze
P.O. Box 105788
Atlanta, GA 30348
1-800-685-1111
www.freeze.equifax.com

Experian Security Freeze
P.O. Box 9554
Allen, TX 75013
1-888-397-3742
www.experian.com/freeze

TransUnion
P.O. Box 2000
Chester, PA 19016
1-888-909-8872
www.transunion.com

Additional Information. You can further educate yourself regarding identity theft, security freezes, fraud alerts, and the steps you can take to protect yourself against identity theft and fraud 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); and TTY: 1-866-653-4261. The Federal Trade Commission encourages those who discover that their information has been misused to file a complaint with them. You have the right to file a police report if you ever experience identity theft or fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide some kind of proof that they have been a victim. Instances of known or suspected identity theft should be reported to law enforcement, the Federal Trade Commission, and your state Attorney General. This notice has not been delayed as the result of a law enforcement investigation.

For Maryland residents, the Attorney General can be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; (888) 743-0023; and www.oag.state.md.us.

For North Carolina residents, North Carolina residents may wish to review information provided by the North Carolina Attorney General, Consumer Protection Division at www.ncdoj.gov, by calling 877-566-7226, or writing to 9001 Mail Services Center, Raleigh, NC 27699.