



MULLEN  
COUGHLIN<sup>LLC</sup>  
ATTORNEYS AT LAW

RECEIVED

JUN 15 2020

CONSUMER PROTECTION

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1275 Drummers Lane, Suite 302  
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June 10, 2020

**VIA U.S. MAIL**

Consumer Protection Bureau  
Office of the New Hampshire Attorney General  
33 Capitol Street  
Concord, NH 03301

**Re: Notice of Data Event**

Dear Sir or Madam:

We represent Waterfront Enterprises LLC and Fullen Dock & Warehouse LLC (hereinafter “Enstructure”<sup>1</sup>) located at 16 Laurel Ave., Suite #300, Wellesley, MA 02481, and are writing to notify your office of an incident that may affect the security of some personal information relating to twelve (12) New Hampshire residents. The investigation into this matter is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Enstructure does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

**Nature of the Data Event**

On January 14, 2020, Enstructure discovered suspicious activity related to an employee’s email account. Upon discovery, Enstructure immediately launched an investigation, with the aid of forensic investigators, to determine the nature and scope of the activity. The investigation determined that there was unauthorized access to several employees’ email accounts between January 7, 2020 and January 20, 2020. Enstructure undertook a lengthy and labor-intensive process to identify the personal information contained in the affected email accounts. On March 20, 2020, Enstructure received the list of potentially impacted individuals which was missing address information for a large percentage of the population and notification was unable to be provided without this address information. Enstructure then undertook a laborious review of its internal records to locate the addresses for the affected individuals. While the investigation was unable to confirm whether any information was accessed in the affected email accounts, Enstructure provided notice to individuals whose information

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<sup>1</sup> Enstructure LLC is the parent company of Waterfront Enterprises LLC and Fullen Dock & Warehouse LLC.

was contained in the affected email accounts. The affected email accounts contained the following information related to potentially affected individuals: name and Social Security number.

### **Notice to New Hampshire Residents**

On or about June 10, 2020, Enstructure provided written notice of this incident to affected individuals, which includes twelve (12) New Hampshire residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

### **Other Steps Taken and To Be Taken**

Upon discovering the event, Enstructure moved quickly to investigate and respond to the incident, assess the security of Enstructure's systems, and notify potentially affected individuals. Enstructure immediately changed passwords for the impacted accounts and implemented additional security safeguards. Enstructure is also providing individuals whose personal information was potentially affected by this incident with access to one year of credit monitoring services through Kroll at no cost to the individuals.

Enstructure is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. Enstructure is also providing individuals with information on how to place a fraud alert and security freeze on one's credit file, 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 fraud and identity theft 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. Additionally, Enstructure is notifying any regulator as required.

### **Contact Information**

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4777.

Very truly yours,



Brian Fox of  
MULLEN COUGHLIN LLC

BFF/smm  
Enclosure

# EXHIBIT A

<<Date>> (Format: Month Day, Year)

<<first\_name>> <<middle\_name>> <<last\_name>> <<suffix>>  
<<address\_1>>  
<<address\_2>>  
<<city>>, <<state\_province>> <<postal\_code>>  
<<country >>

## Re: Notice of Data Security Incident

Dear <<first\_name>> <<middle\_name>> <<last\_name>> <<suffix>>,

Waterfront Enterprises LLC and Fullen Dock & Warehouse LLC (together, “we” or “us”) would like to advise you of an incident that may affect the security of some of your personal information. We are providing you with information and access to resources so you can better protect against the possibility of the misuse of your personal information should you feel it is appropriate to do so.

**What Happened?** On January 14, 2020, we discovered suspicious activity related to an employee’s email account. Upon investigation, we determined that there was unauthorized access to several of our employees’ email accounts between January 7, 2020 and January 20, 2020. We undertook a lengthy and labor-intensive process to identify the personal information contained in the affected email accounts. While the investigation was unable to confirm whether any information was accessed in the affected email accounts, we are providing notice to you because we confirmed that your information was present in the affected email accounts at the time of the incident.

**What Information Was Involved?** While we were unable to confirm whether your information was actually accessed by the unauthorized individual, our investigation confirmed that the information present in the affected email accounts includes your: <<b2b\_text\_1(Impacted Data)>>.

**What We Are Doing.** We take this incident and the security of information in our care very seriously. We have reviewed our existing security measures and implemented additional safeguards to prevent similar incidents from occurring in the future. This incident has been reported to certain state regulators, and Attorneys General, as required.

As an added precaution, we are offering you access to 12 months of complimentary identity monitoring services through Kroll. Instructions on how to activate the identity monitoring services can be found in the enclosure to this letter.

**What You Can Do.** We encourage you to remain vigilant, to review your financial and other account statements, and to monitor your credit reports for suspicious activity. We also encourage you to enroll in the 12 months of complimentary identity monitoring services through Kroll. Please review the instructions contained in the enclosure to this letter to activate and receive these services. As a token of our appreciation for your continued confidence in us, we will cover the cost of these services.

**For More Information.** We understand that you may have questions about the incident that may not be addressed in this letter. If you have additional questions, or need assistance, please call 1-844-959-1775, Monday through Friday, from 9:00 am to 6:30 pm Eastern Time.

We sincerely apologize for this incident and regret any concern or inconvenience this may have caused you.

Sincerely,

Waterfront Enterprises LLC and  
Fullen Dock & Warehouse LLC

## Steps You Can Take to Help Protect Your Personal Information

To help relieve concerns and restore confidence following this incident, we have secured the services of Kroll to provide identity monitoring at no cost to you for one year. Kroll is a global leader in risk mitigation and response, and their team has extensive experience helping people who have sustained an unintentional exposure of confidential data. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration.

Visit <https://enroll.idheadquarters.com> to activate and take advantage of your identity monitoring services.

You have until **September 3, 2020** to activate your identity monitoring services.

Membership Number: <<Member ID>>

**Monitor Your Accounts.** We encourage you to remain vigilant against incidents of identity theft, to review your account statements, and to monitor your credit reports and explanation of benefits forms 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](http://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.

You have the right to place a “security freeze” on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

### **TransUnion**

P.O. Box 2000  
Chester, PA 19016  
1-800-909-8872

[www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

### **Experian**

PO Box 9554  
Allen, TX 75013  
1-888-397-3742

[www.experian.com/freeze/center.html](http://www.experian.com/freeze/center.html)

### **Equifax**

PO Box 105788  
Atlanta, GA 30348-578  
1-800-685-1111

[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver's license or ID card, military identification, etc.);
7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft;

The credit reporting agencies have one (1) to three (3) business days after receiving your request to place a security freeze on your credit file report, based upon the method of the request. The credit bureaus must also send written confirmation to you within five (5) business days and provide you with the process by which you may remove the security freeze, including an authentication mechanism. Upon receiving a direct request from you to remove a security freeze and upon receiving proper identification from you, the consumer reporting agency shall remove a security freeze within one (1) hour after receiving the request by telephone for removal or within three (3) business days after receiving the request by mail for removal.

As an alternative to a security freeze, you have the right to place an initial or extended “fraud alert” on your file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the agencies listed below:

**TransUnion**

P.O. Box 2000  
Chester, PA 19106  
1-800-680-7289  
[www.transunion.com/fraud-victim-resource/place-fraud-alert](http://www.transunion.com/fraud-victim-resource/place-fraud-alert)

**Experian**

P.O. Box 2002  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com/fraud/center.html](http://www.experian.com/fraud/center.html)

**Equifax**

P.O. Box 105069  
Atlanta, GA 30348  
1-888-766-0008  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

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

**For Maryland residents**, the Attorney General can be contacted at 200 St. Paul Place, 16th Floor, Baltimore, MD 21202, 1-410-528-8662, [www.oag.state.md.us](http://www.oag.state.md.us). **For New Mexico residents**, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting agencies must correct or delete inaccurate, incomplete or unverifiable information; consumer reporting agencies may not report outdated negative information; access to your file is limited; you must give your consent for credit reports to be provided to employers; you may limit "prescreened" offers of credit and insurance you get based on information in your credit report; and you may seek damages from violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting [www.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf), or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580. **For North Carolina residents**, the Attorney General can be contacted at 9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-566-7226 or 1-919-716-6000, [www.ncdoj.gov](http://www.ncdoj.gov). You can obtain information from the Attorney General or the Federal Trade Commission about preventing identity theft. **For Rhode Island residents**, the Rhode Island Attorney General can be reached at: 150 South Main Street, Providence, Rhode Island 02903; [www.riag.ri.gov](http://www.riag.ri.gov), 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are 41 Rhode Island residents impacted by this incident. **For New York residents**, the Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; <https://ag.ny.gov/>.

## **TAKE ADVANTAGE OF YOUR IDENTITY MONITORING SERVICES**

You have been provided with access to the following services from Kroll:

### **Single Bureau Credit Monitoring**

You will receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you will have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.

### **Fraud Consultation**

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

### **Identity Theft Restoration**

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.