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July 21, 2023

VIA E-MAIL

Office of the New Hampshire Attorney General
Consumer Protection & Antitrust Bureau
33 Capitol Street
Concord, NH 03301
E-mail: DOJ-CPB@doj.nh.gov

Re: Notice of Data Event

To Whom It May Concern:

We represent Westat, Inc. (“Westat”) located at 1600 Research Boulevard, Rockville, MD 20850. We are writing to notify your office of an event that may affect the security of certain personal information relating to sixty (60) New Hampshire residents on behalf of Westat. By providing this notice, Westat 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 May 31, 2023 and again in June 2023, Progress Software Corp. publicly disclosed zero-day vulnerabilities that impacted the MOVEit Transfer tool. As a user of that tool, Westat moved quickly to apply available patching and undertook recommended mitigation steps. Westat promptly launched an investigation, with the assistance of third-party cybersecurity specialists, to determine the potential impact of the vulnerabilities’ presence on the MOVEit Transfer server and on the data housed on the server. The investigation determined that an unknown actor exploited a vulnerability, accessed the MOVEit Transfer server between May 28 and May 29, 2023, and exfiltrated certain Westat Human Resources files from the MOVEit server during that time.

Westat subsequently undertook a time-consuming and detailed review of the data stored on the server at the time of this incident to understand the contents of that data and to whom that data relates. Through this review, Westat determined that certain information related to residents of New Hampshire was present on the server at the time of the event. Although there is no evidence

that this information was used for identity theft or fraud, Westat is notifying individuals in an abundance of caution.

The personal information that could have been subject to unauthorized access includes

Notice to New Hampshire Residents

On or about July 21, 2023, Westat provided written notice of this event to potentially affected individuals. This mailing includes notice to approximately sixty (60) 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

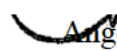
Upon discovering the event, Westat moved quickly to investigate and respond to the event, assess the security of Westat systems, and notify potentially affected individuals. Westat is providing access to credit monitoring services for _____ through IDX, to individuals whose personal information was potentially impacted by this event, at no cost to these individuals.

Additionally, Westat 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. Westat is providing individuals with information on how to place fraud alerts and credit freezes on their credit files, 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.

Contact Information

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

Very ~~truly~~ yours,


Angelina W. Freind of
MULLEN COUGHLIN LLC

AWF:mah
Enclosure

EXHIBIT A



<<Return Mail Address>>

<<Name 1>> <<Name 2>>

<<Address 1>>

<<Address 2>>

<<Date>>

<<City>>, <<State>> <<Zip>>

<<Country>>

NOTICE OF [DATA EVENT] / [DATA BREACH]

Dear <<Name 1>> <<Name 2>>:

Westat, Inc. (“Westat”) is writing to inform you of a data security incident that involved our third-party vendor, Progress MOVEit (“MOVEit”), a managed file transfer service provider. Although this incident was limited to a single server, we wanted to provide you with information on the MOVEit incident and the resources available to you to help protect your information, should you determine it is appropriate to do so.

What Happened? Westat utilizes MOVEit to manage data storage and transfers. MOVEit recently announced a zero-day vulnerability that impacted a large number of organizations across various industries, including Westat. On May 30, 2023, Westat detected unusual activity occurring in the MOVEit instance. We immediately took steps to ensure the security of our environment, and with the assistance of third-party forensic specialists, conducted an investigation to determine the nature and scope of the activity.

The investigation determined that certain data stored on the MOVEit server may have been copied without authorization between May 28 and May 29, 2023. We conducted a detailed review of data involved to determine the type of information present and to whom it related. We recently confirmed that your information was present in the impacted data, and was accessed or acquired during the MOVEit incident.

What Information Was Involved? were present in the impacted files. We have no evidence that any of your information was used for identity theft or fraud.

What We Are Doing. We take this incident and the obligation to safeguard the information in our care very seriously. After discovering the incident, we promptly took steps to confirm our system security, and engaged with a third-party forensic specialist to assist in conducting a comprehensive investigation. Further, we have implemented all the patches to date. As an added precaution, we are offering of credit monitoring and identity restoration services through IDX. If you wish to activate these complimentary services, you may follow the instructions included in the attached *Steps You Can Take to Help Protect Personal Information*. We encourage you to enroll in these services as we are unable to act on your behalf to do so.

What You Can Do. 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 and to detect errors over the next 12 to 24 months.

For More Information. If you have additional questions or concerns, please feel free to call us at [TFN]. We are available [call center hours] You may also write to Westat at Attn: Human Resources, 1600 Research Boulevard, Rockville, MD 20850.

Sincerely,

Human Resources
Westat, Inc.

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Enroll in Monitoring Services

- 1. Website and Enrollment.** Scan the QR image or go to [www.idx.com](#) and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.
- 2. Activate the credit monitoring** provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.
- 3. Telephone.** Contact IDX at **[TFN]** to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.

Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order a free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. Consumers may also directly contact the three major credit reporting bureaus listed below to request a free copy of their credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit 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 consumers are the victim of identity theft, they are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should consumers wish to place a fraud alert, please contact any of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a “credit freeze” on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer’s express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in a consumer’s name without consent. However, consumers should be aware that using a credit freeze to take control over who gets access to the personal and financial information in their credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application they make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, consumers cannot be charged to place or lift a credit freeze on their credit report. To request a credit freeze, individuals may need to provide some or all of the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to 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, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if they are a victim of identity theft.

Should consumers wish to place a credit freeze or fraud alert, please contact the three major credit reporting bureaus listed below:

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
1-888-298-0045	1-888-397-3742	1-800-916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016

Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094
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Additional Information

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and 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. Consumers can obtain further information on how to file such a complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, consumers will likely need to provide some proof that they have been a victim. Instances of known or suspected identity theft should also be reported promptly to law enforcement and the relevant state Attorney General. This notice has not been delayed by law enforcement.

For District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, D.C. 20001; 202-727-3400; and oag.dc.gov.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and <https://www.marylandattorneygeneral.gov/>.

For New Mexico residents, consumers have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in their credit file has been used against them, the right to know what is in their credit file, the right to ask for their credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to consumers' files is limited; consumers must give consent for credit reports to be provided to employers; consumers may limit "prescreened" offers of credit and insurance based on information in their credit report; and consumers may seek damages from violators. Consumers 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 consumers to review their rights pursuant to the Fair Credit Reporting Act by visiting 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 New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov>.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; www.riag.ri.gov; and 1-401-274-4400. Under Rhode Island law, individuals have the right to obtain any police report filed in regard to this event. There are approximately 46 Rhode Island residents that may be impacted by this event.