BAGLEY | RHODY

ESTATE AND BUSINESS LAW

February 17, 2023

Sent via email only: DOJ-CPB@doj.nh.gov

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

RE: Bagley & Rhody, P.C. - Notice of Cyber Incident

Dear Sir/Madam:

We (Bagley & Rhody, P.C.) are writing to notify your office of a cyber incident pursuant to N.H. Rev. Stat. Ann. § 359-C:20. On or about January 20, 2023, Bagley & Rhody, P.C. experienced a network intrusion that may have resulted in unauthorized access to certain data.

Upon discovery, Bagley & Rhody, P.C. immediately secured its network and engaged a third-party forensic firm to investigate the incident. On February 1, 2023, after a thorough investigation, Bagley & Rhody, P.C. discovered that one New Hampshire resident may have been impacted in this incident. We emailed a notice to this individual on February 17, 2023. In the notice, we offered the New Hampshire resident complimentary monitoring services for 12 months. A sample of the notice is attached hereto for your reference.

Please contact me if you have any questions.

Very truly yours,

Matthew S. Ballard
mballard@bagleyrhody.com

MSB:naw
Enc.

1788 Forest Drive | Annapolis, MD 21401 | www.bagleyrhody.com
410-573-1626 (Phone) | 410-269-8086 (Fax)

EXHIBIT A

BAGLEY | RHODY

ESTATE AND BUSINESS LAW

February 17, 2023

Sent via email only – [redacted]

[redacted]

RE: Notice of Data Breach

Dear [redacted]:

We recently discovered a data breach that may have involved some of your personal information. Following is a summary of what occurred and the information that may have been obtained related to you.

What happened

On January 27, 2023, we learned that an attacker gained access to a staff member's email account. When we discovered this breach, we took immediate steps to secure our systems and block further access, which were successful in preventing ongoing and additional access by the attacker. Since learning of the breach, an investigation began to understand the nature and scope of the incident. Thereafter we have taken additional steps to enhance security and monitoring of our systems and are reaching out to the handful of individuals whose information may have been accessed.

What information was involved

We believe this to have been a very targeted attack to gather information to allow the attackers to try to contact our bank to provide access to accounts and to try to initiate fraudulent wire transfers. Our bank immediately notified us and their fraud department upon receipt of a suspicious email and the attacker's attempt to gain access to accounts and initiate fraudulent wire transfers were unsuccessful. [redacted]

We believe, however, that the attacker gained access to the following information related to you:

[redacted]

1788 Forest Drive | Annapolis, MD 21401 | www.bagleyrhody.com
410-573-1626 (Phone) | 410-269-8086 (Fax)

What are we doing

We continue to take steps to enhance the security of our systems to prevent this type of issue from happening again.

What you can do

We are offering you free identity protection services with IDX. Enrollment instructions from IDX are enclosed. We encourage you to contact IDX with any questions and to enroll in the free identity protection services by calling 1-800-939-4170 or going to https://app.idx.us/account-creation/protect and using the following Enrollment Code: [redacted]. IDX representatives are available Monday through Friday from 9 am - 9 pm Eastern Time. Please note the deadline to enroll is October 1, 2023.

We also encourage you to remain vigilant by reviewing your account statements and credit reports. Please see the additional information below for steps you may take to protect your information.

You can request a fraud alert or security freeze by contacting one of the three national credit reporting agencies:

Equifax
P.O. Box 740256
Atlanta, GA 30348
www.equifax.com

Experian
P.O. Box 9554
Allen, TX 75013
www.experian.com

TransUnion
P.O. Box 2000
Chester, PA 19016
www.transunion.com

You have rights under the federal Fair Credit Reporting Act. These include, among others, the right to know what is in your credit file; the right to dispute incomplete or inaccurate information; and the right to ask for a credit score.

You may contact the FTC or your state's regulatory authority to obtain additional information about avoiding identity theft. The FTC can be reached at the following address:

Federal Trade Commission, Consumer Response Center
600 Pennsylvania Avenue, NW
Washington, DC 20580
1-877-IDTHEFT (438-4338)
www.ftc.gov/idtheft

You may also obtain information from the Maryland Office of the Attorney General about steps you can take to avoid identity theft. You may contact the Maryland Attorney General at:

Maryland Office of the Attorney General
Consumer Protection Division
200 St. Paul Place
Baltimore, MD 21202
888-743-0023
410-576-6300
www.oag.state.md.us

Other states: you can find information on how to contact your state attorney general at www.naag.org/naag/attorneys-general/whos-my-ag.php

For more information

We take our responsibility to safeguard personal information seriously. We regret any inconvenience or concern this incident may cause you and remain committed to protecting the privacy and security of personal information.

If you have any questions about this situation, please do not hesitate to contact me.

Sincerely,

Matthew S. Ballard
mballard@bagleyrhody.com

Enc.

IDX
The Privacy Platform

Recommended Steps to help Protect your Information

1. **Website and Enrollment.** Go to https://app.idx.us/account-creation/protect 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 1-800-939-4170 to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.

4. **Review your credit reports**. We recommend that you remain vigilant by reviewing account statements and monitoring credit reports. Under federal law, you also are entitled every 12 months to one free copy of your credit report from each of the three major credit reporting companies. To obtain a free annual credit report, go to www.annualcreditreport.com or call 1-877-322-8228. You may wish to stagger your requests so that you receive a free report by one of the three credit bureaus every four months.

If you discover any suspicious items and have enrolled in IDX identity protection, notify them immediately by calling or by logging into the IDX website and filing a request for help.

If you file a request for help or report suspicious activity, you will be contacted by a member of our ID Care team who will help you determine the cause of the suspicious items. In the unlikely event that you fall victim to identity theft as a consequence of this incident, you will be assigned an ID Care Specialist who will work on your behalf to identify, stop and reverse the damage quickly.

You should also know that you have the right to file a police report if you ever experience identity 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 you have been a victim. A police report is often required to dispute fraudulent items. You can report suspected incidents of identity theft to local law enforcement or to the Attorney General.

5. **Place Fraud Alerts** with the three credit bureaus. If you choose to place a fraud alert, we recommend you do this after activating your credit monitoring. You can place a fraud alert at one of the three major credit bureaus by phone and also via Experian's or Equifax's website. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. The contact information for all three bureaus is as follows:

Credit Bureaus

Equifax Fraud Reporting	Experian Fraud Reporting	TransUnion Fraud Reporting
1-866-349-5191	1-888-397-3742	1-800-680-7289
P.O. Box 105069	P.O. Box 9554	P.O. Box 2000
Atlanta, GA 30348-5069	Allen, TX 75013	Chester, PA 19022-2000
www.equifax.com	www.experian.com	www.transunion.com

It is necessary to contact only ONE of these bureaus and use only ONE of these methods. As soon as one of the three bureaus confirms your fraud alert, the others are notified to place alerts on their records as well. You will receive confirmation letters in the mail and will then be able to order all three credit reports, free of charge, for your review. An initial fraud alert will last for one year.

Please Note: No one is allowed to place a fraud alert on your credit report except you.

6. Security Freeze. By placing a security freeze, someone who fraudulently acquires your personal identifying information will not be able to use that information to open new accounts or borrow money in your name. You will need to contact the three national credit reporting bureaus listed above to place the freeze. Keep in mind that when you place the freeze, you will not be able to borrow money, obtain instant credit, or get a new credit card until you temporarily lift or permanently remove the freeze. There is no cost to freeze or unfreeze your credit files.

7. You can obtain additional information about the steps you can take to avoid identity theft from the following agencies. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them.

Maryland Residents: Office of the Attorney General of Maryland, Consumer Protection Division 200 St. Paul Place Baltimore, MD 21202, www.oag.state.md.us/Consumer, Telephone: 1-888-743-0023.

All US Residents: Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW Washington, DC 20580, www.consumer.gov/idtheft, 1-877-IDTHEFT (438-4338), TTY: 1-866-653-4261.