MULLEN COUGHLIN LLC
ATTORNEYS AT LAW

RECEIVED
MAR 06 2023
CONSUMER PROTECTION

426 W. Lancaster Avenue, Suite 200
Devon, PA 19333

February 28, 2023

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

To Whom It May Concern:

We represent Berkshire Farm Center & Services for Youth ("Berkshire") located at 13640 State Route 22, Canaan, NY 12029 and write to notify your office of an incident that may affect the security of certain personal information relating to one (1) New Hampshire Resident. This notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Berkshire 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 July 15, 2022, Berkshire learned of suspicious activity impacting certain servers. Upon learning of the suspicious activity, Berkshire promptly took steps to secure its systems and launched an investigation, with the assistance of third-party cyber security specialists, to determine the nature and scope of the activity. The forensic investigation determined that certain files within its systems were accessed by an unauthorized actor. After learning that certain files within its systems were accessed by an unauthorized actor, Berkshire conducted an in-depth and comprehensive review of the files to determine what information was contained within, and to whom the information relates. Once this extensive review concluded, Berkshire then undertook an extensive and comprehensive review to identify appropriate contact information for potentially affected individuals so to provide written notice.

The information that could have been subject to unauthorized access includes name and financial account information.

Notice to New Hampshire Resident

On February 28, 2023, Berkshire provided written notice of this incident to one (1) New Hampshire Resident. 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, Berkshire moved quickly to investigate and respond to the incident, assess the security of Berkshire systems, and identify potentially affected individuals. Further, Berkshire notified federal law enforcement regarding the event. Berkshire is also working to implement additional safeguards and training to its employees. Berkshire is providing access to credit monitoring services one (1) year, through Experian, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Berkshire is providing impacted individuals with guidance on how to better protect against identity theft and fraud. Berkshire is 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.

Berkshire is providing notice of this incident to relevant state and federal regulators, as necessary, and to the three major credit reporting agencies, Equifax, Experian, and TransUnion. Berkshire also notified law enforcement of this incident.

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,

Richard Aponte-Boyd of
MULLEN COUGHLIN LLC

RAB/rmm
Enclosure

EXHIBIT A

BERKSHIRE
FARM CENTER & SERVICES FOR YOUTH

Return Mail Processing
PO Box 589
Claysburg, PA 16625-0589

February 28, 2023

J0874-L03-0000003 T00001 P001 ********SCH 5-DIGIT 12345
SAMPLE A SAMPLE - L03 STAFF NOTICE
APT ABC
123 ANY STREET
ANYTOWN, ST 12345-6789

Dear Sample A. Sample:

Berkshire Farm Center & Services for Youth ("Berkshire") writes to inform you of a recent event that may have affected some of your personal information. Although there is no indication that your personal information was misused as a result of the event, we are providing you with information about the event, our response to it, and resources available to you to help protect your information, should you feel it appropriate to do so.

What Happened? On July 15, 2022, Berkshire learned of suspicious activity impacting certain servers. Upon learning of the suspicious activity, we promptly took steps to secure our systems and launched an investigation, with the assistance of third-party cyber security specialists, to determine the nature and scope of the event. Our investigation determined that certain files within our systems were accessed by an unauthorized actor.

After learning that certain files within our systems were accessed by an unauthorized actor, we conducted an in-depth and comprehensive review of the files to determine what information was contained within, and to whom the information relates. Once this extensive review concluded, we then undertook an extensive and comprehensive review to identify appropriate contact information for potentially affected individuals to provide written notice. We are notifying you because the investigation determined certain information relating to you, as a current or former employee of Berkshire, may have been accessed by the unauthorized actor.

What Information Was Involved? The information that may have been viewed as a result of the event includes your name, address, and financial account information. At this time, we have no indication that your information was subject to actual or attempted misuse as a result of the event.

What We Are Doing. The confidentiality, privacy, and security of information within our care is among Berkshire's highest priorities. Upon learning of the event, we promptly launched an investigation with the assistance of third-party cyber security specialists to confirm the nature and scope of the event. Although we had policies and procedures surrounding data security in place at the time of the incident, as part of our ongoing commitment to the security of information, we are also reviewing and improving existing policies and procedures. We also notified regulatory authorities, as required by law. Additionally, we notified law enforcement and are actively cooperating with its investigation.

As an added precaution, we are also offering you access to [Extra2] months of complimentary credit monitoring services through Experian. Individuals who wish to receive these services must enroll by following the attached enrollment instructions.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements, explanation of benefits, and credit reports for suspicious activity over the next 12 to 24 months. You may also review the information contained in the attached *Steps You Can Take to Help Protect Your Information* to learn helpful tips on steps you can take to protect against possible misuse should you feel it appropriate to do so. There you will find more information on the credit monitoring services we are making available to you. While Berkshire will cover the cost of these services, you will need to complete the activation process.

For More Information. We understand you may have questions about this event that are not addressed in this letter. If you have additional questions, or need assistance, please call our dedicated assistance line at 800-859-9132, toll-free Monday through Friday from 9 am – 11 pm Eastern, or Saturday and Sunday from 11 am – 8 pm Eastern (excluding major U.S. holidays). Be prepared to provide engagement number ENGAGE#. You can also write to Berkshire at 13460 State Route 22, Canaan, NY, 12029.

We apologize for any concern or inconvenience this event may have caused you.

Sincerely,

Berkshire Farm Center & Services for Youth

Steps You Can Take to Help Protect Personal Information

To help protect your identity, we are offering complimentary access to Experian IdentityWorks℠ for [Extra2] months.

If you believe there was fraudulent use of your information as a result of this incident and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. If, after discussing your situation with an agent, it is determined that identity restoration support is needed then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred from the date of the incident (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that Identity Restoration is available to you for [Extra2] months from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration.

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary [Extra2]-month membership. This product provides you with superior identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

- Ensure that you **enroll by** May 31, 2023 (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: https://www.experianidworks.com/credit
- Provide your **activation code**:

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident, or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 800-859-9132 by May 31, 2023. Be prepared to provide engagement number as proof of eligibility for the Identity Restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR [Extra2]-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP

A credit card is not required for enrollment in Experian IdentityWorks. You can contact Experian immediately regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.*
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **$1 Million Identity Theft Insurance**:** Provides coverage for certain costs and unauthorized electronic fund transfers.

* Offline members will be eligible to call for additional reports quarterly after enrolling.

** The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

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 your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your 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 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 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 your name without your consent. However, you should be aware that using a credit 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 credit freeze on your credit report. To request a security freeze, you will need to provide 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 you are a victim of identity theft.

Should you wish to place a credit freeze, 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
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

Additional Information

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may 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 also encourages those who discover that their information has been misused to file a complaint with them. You can obtain further information on how to file

such a complaint by way of the contact information listed above. 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 report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement.

For California residents: Visit the California Office of Privacy Protection (www.oag.ca.gov/privacy) for additional information on protection against identity theft.

For Kentucky residents: Office of the Attorney General of Kentucky, 700 Capitol Avenue, Suite 118 Frankfort, Kentucky 40601, www.ag.ky.gov, Telephone: 1-502-696-5300.

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 www.oag.state.md.us. You may obtain information from these sources and/or the Federal Trade Commission using the contact information noted above about steps you can take to avoid identity theft.

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 bureaus 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, 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 Oregon residents: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, www.doj.state.or.us/, Telephone: 877-877-9392.

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, you have the right to obtain any police report filed in regard to this incident. There are 2 Rhode Island residents impacted by this incident.

For All U.S. residents: Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW Washington, DC 20580, www.consumer.gov/idtheft, 1-877-IDTHEFT (438-4338).