



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

1452 Hughes Road, Suite 200
Grapevine, TX 76051

April 16, 2024

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 DES Architects + Engineers (“DES”) located at 399 Bradford Street, Redwood City, California 94063, and are writing 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 should any significant facts be learned subsequent to its submission. By providing this notice, DES 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 or about October 19, 2023, DES experienced malicious encryption that impacted operations of their computer systems. DES promptly worked to secure its systems and began investigating to confirm the nature and scope of the incident, including working with cybersecurity specialists. The investigation determined that an unauthorized individual accessed DES’s network between September 7, 2023, and October 21, 2023, and downloaded certain files. DES began providing notice to potentially impacted individuals on November 10, 2023, as the investigation was ongoing. DES continued performing a comprehensive review of the impacted data identified to determine what else was affected, to whom the information related, and contact information for additional impacted individuals. This process recently completed.

The information that could have been subject to unauthorized access includes

Notice to New Hampshire Resident

On or about April 16, 2024, DES 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, DES moved quickly to investigate and respond to the incident, assess the security of DES systems, and identify potentially affected individuals. Further, DES notified federal law enforcement regarding the event. DES is also working to implement additional safeguards and training to its employees. DES is providing access to credit monitoring services for _____, through Experian, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

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

DES is providing written notice of this incident to relevant state regulators, as necessary, and to the three major credit reporting agencies, Equifax, Experian, and TransUnion.

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,

Amanda Harvey of
MULLEN COUGHLIN LLC

ANH/kzm
Enclosure

EXHIBIT A



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

April 16, 2024

L1799-L01-0000001 T00001 P001 *****SCH 5-DIGIT 12345



SAMPLE A SAMPLE - L01 INDIVIDUAL
APT ABC
123 ANY STREET
ANYTOWN, ST 12345-6789



[Notice of Data Breach/Notice of Security Incident]

Dear Sample A. Sample:

DES Architects + Engineers, Inc. (“DES”) writes to inform you of an incident that may affect the privacy of some of your information. Although DES is unaware of any actual or attempted misuse of your information, we are providing you notice of the incident, steps we are taking in response, and resources available to help you better protect your information, should you feel it is appropriate to do so.

What Happened. On or about October 19, 2023, DES experienced malicious encryption that impacted how our computer systems operated. We promptly worked to secure our systems and began investigating to confirm the nature and scope of the incident. The investigation determined that an unauthorized individual accessed our network between September 7, 2023, and October 21, 2023, and downloaded certain files. DES began providing notice to potentially impacted individuals on November 10, 2023, as the investigation was ongoing. DES continued performing a comprehensive review of the impacted data identified to determine what else was affected, to whom the information related, and contact information for additional impacted individuals. This process recently completed.

What Information Was Involved. As indicated above, DES is unaware of any actual or attempted misuse of your personal information. The information present in the impacted files included your [DATA ELEMENTS]

What We Are Doing. DES treats its responsibility to safeguard information as an utmost priority. As such, we responded promptly to this incident and worked diligently to provide you with an accurate and complete notice of the incident as soon as possible. As part of our ongoing commitment to the privacy and security of personal information in our care, we reviewed and updated existing policies and procedures relating to data protection and security. We also implemented additional security measures designed to mitigate risk associated with this incident and to limit the likelihood of future similar incidents. DES is providing notice of this incident to potentially impacted individuals and to regulators, where required.

Out of an abundance of caution, DES is providing you with ## months of complimentary access to credit monitoring and identity restoration services through Experian as well as guidance on how to protect your information, should you feel it is appropriate to do so. Although we are covering the cost of these services, due to privacy restrictions, you will need to complete the activation process yourself.

What You Can Do. Although there is no evidence of any actual or attempted misuse of your information, DES encourages you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and explanation of benefits and by monitoring your free credit reports for suspicious activity and to detect errors over the next . We also encourage you to review the information in the enclosed *Steps You Can Take to Help Protect Your Information*. There, you will find additional information about the complimentary credit monitoring services and how to enroll.

For More Information. We understand you may have questions about this incident that are not addressed in this letter. To ensure your questions are answered in a timely manner, please call our dedicated assistance line at: 833-931-5437, Monday through Friday from 8 am – 8 pm CST (excluding major U.S. holidays). You may also write to us directly at: 399 Bradford Street, Redwood City, CA 94063.

Sincerely,

Steve Mincey
CEO

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Enroll in Monitoring Services

To help protect your identity, we are offering complimentary access to Experian IdentityWorksSM for ## 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 ## 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 ##-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:

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 _____ Be prepared to provide engagement number _____ as proof of eligibility for the Identity Restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR ##-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 ExtendCARETM:** 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 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

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 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) 442-9828; and oag.dc.gov.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-576-6300 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.