



Nixon Peabody LLP
1300 Clinton Square
Rochester, NY 14604-1792

Jenny L. Holmes
Counsel

Attorneys at Law
nixonpeabody.com
@NixonPeabodyLLP

March 12, 2023

Certified Mail

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

RECEIVED

MAR 20 2023

CONSUMER PROTECTION

RE: Notice of Data Breach

To Whom It May Concern:

I write on behalf of Topspin Partners, L.P. ("Topspin"), located at 96 IU Willets Road, Old Westbury, New York 11568, to notify your office of a recent incident that may affect the security of certain personal information relating to approximately two (2) New Hampshire residents. By providing this notice, Topspin not waive any rights or defense regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

Nature of the Incident

On or about January 17, 2023, Topspin discovered that it was a victim of a ransomware attack. Topspin immediately worked to secure its systems with the assistance of third-party forensic specialists, and commenced an investigation into the nature and scope of the incident. By January 18, 2023, the attack was contained and by January 20, 2023, all data was restored from comprehensive backups. On or about February 15, 2023, Topspin was provided sufficient forensic information to conclude that Social Security numbers of certain New Hampshire residents may have been affected.

As of now, the personal information of New Hampshire residents that may have been affected includes

Notification to New Hampshire Residents

Topspin notified all potentially affected individuals, including the affected Vermont residents, via written notice dated March 7, 2023. This notification includes information about the incident and measures that can be taken to protect themselves. A draft copy of the notification is enclosed with this letter.

Steps Taken

Upon learning of this incident, Topspin immediately notified the Federal Bureau of Investigation. Topspin is offering all potentially impacted individuals, including New Hampshire residents, the opportunity to enroll in a complimentary twenty-four (24) month three bureau credit monitoring plan, IdentityWorks, through Experian. A sample copy of the notification letter is attached hereto.

Contact Information

Should you have any questions regarding this notification or other aspects of this incident, please contact me at .

Sincerely,

Jenny L. Holmes

Enclosure



Return Mail Processing
PO Box 999
Suwanee, GA 30024

1 1 119 *****SNGLP

SAMPLE A. SAMPLE - L01

[EXTRA1]

[EXTRA2]

APT ABC



123 ANY ST

ANYTOWN, US 12345-6789



March 7, 2023

RE: Important Security Notification. Please read this entire letter.

Dear Sample A. Sample:

Topspin Partners LP and Topspin Associates LP (collectively, "Topspin") recently discovered an incident that may affect the security of your personal information. We want to provide you with information about the incident, steps we are taking in response, and steps you may take to guard against identity theft and fraud, should you feel it is appropriate to do so.

What Happened? On January 17, 2023, Topspin was the victim of a ransomware attack. We were able to successfully shut down our servers by January 18, 2023. Because we maintain comprehensive backups, we were able to restore all of our data by January 20, 2023.

What Information Was Involved? While we do not have any evidence that the cybercriminal accessed specific files, we do believe that the cybercriminal viewed a drive containing files that may have contained personal information, such as your yourself. We are notifying you out of an abundance of caution so that you can protect yourself.

What Are We Doing? We take the protection of your personal information seriously. Upon learning about this incident, Topspin immediately notified the Federal Bureau of Investigation through their Internet Crime Complaint (IC3) portal, and we were contacted by an FBI agent the following day from whom we sought advice. Next, we retained a cybersecurity firm to conduct a comprehensive investigation into the attack and to ensure that it is fully remediated, to the extent possible. We are also working with experienced legal counsel to help us investigate the breach and ensure that we are protecting individual safety and following the law.

To help protect your identity, we are offering complimentary access to Experian IdentityWorksSM for 24 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 24 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 24-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 June 30, 2023 (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bcredit>
- 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 (833) 420-2818 by June 30, 2023. Be prepared to provide engagement number [redacted] as proof of eligibility for the Identity Restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 24-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, Equifax and Transunion files 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.

What You Can Do. Please review the enclosed *Information about Identity Theft Protection* for additional information on how to protect against identity theft and fraud. You may also take advantage of the complimentary identity protection services being offered.

For More Information. We sincerely regret any inconvenience or concern caused by this incident. If you have further questions or concerns, or would like an alternative to enrolling online, please call (833) 420-2818 toll-free Monday through Friday from 8 am – 10 pm Central, or Saturday and Sunday from 10 am – 7 pm Central (excluding major U.S. holidays). Be prepared to provide your engagement number [redacted].

Sincerely,

Steven J. Winick, Managing Director
Topspin Partners, L.P.
Topspin Associates, L.P.

* 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.

Information about Identity Theft Protection

Order Your Free Credit Report

To order your free annual credit report, visit www.annualcreditreport.com, call toll-free at (877) 322-8228, or complete the Annual Credit Report Request Form on the U.S. Federal Trade Commission's (FTC) website at www.ftc.gov and mail it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. The three credit bureaus (Equifax, Experian, and TransUnion) provide free annual credit reports only through the website, toll-free number, or request form. You may also purchase a copy of your credit report by contacting any of the credit reporting agencies below:

- Equifax www.equifax.com (800) 685-1111
- Experian www.experian.com (888) 397-3742
- TransUnion www.transunion.com (800) 916-8800

Upon receiving your credit report, review it carefully. Errors may be a warning sign of possible identity theft. Here are a few tips of what to look for:

- Look for accounts you did not open.
- Look in the "inquiries" section for names of creditors from whom you have not requested credit. Some companies bill under names other than their store or commercial names; the credit bureau will be able to tell if this is the case.
- Look in the "personal information" section for any inaccuracies in information (such as home address and Social Security Number).

If you see anything you do not understand, call the credit bureau at the telephone number on the report. You should notify the credit bureaus of any inaccuracies in your report, whether due to error or fraud, as soon as possible so the information can be investigated and, if found to be in error, corrected. If there are accounts or charges you did not authorize, immediately notify the appropriate credit bureau by telephone and in writing. Information that cannot be explained should also be reported to your local police or sheriff's office because it may signal criminal activity. We encourage you to take advantage of these protections and remain vigilant for incidents of fraud and identity theft, including regularly reviewing and monitoring your credit reports and account statements.

If you detect any unauthorized transactions in any of your financial accounts, promptly notify the appropriate payment card company or financial institution. If you detect any incidence of identity theft or fraud, promptly report the matter to your local law enforcement authorities (from whom you can obtain a police report), state Attorney General, and the Federal Trade Commission (FTC). You can contact the FTC to learn more about how to protect yourself from becoming a victim of identity theft by using the contact information below:

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

Placing a Security Freeze

You have a 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.

You can place, temporarily lift, or permanently remove a security freeze on your credit report online, by phone, or by mail. You will need to provide certain personal information, such as address, date of birth, and Social Security number to request a security freeze and may be provided with a unique personal identification number (PIN) or password, or both, that can be used by you to authorize the removal or lifting of the security freeze. Information on how to place a security freeze with the credit reporting agencies is also contained in the links below:

- <https://www.equifax.com/personal/credit-report-services/>
- <https://www.experian.com/freeze/center.html>
- <https://www.transunion.com/credit-freeze>

The following information must be included when requesting a security freeze (note that, if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past 5 years; and (5) any

applicable incident report or complaint with a law enforcement agency. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, and display your name, current mailing address, and the date of issue.

Fees associated with placing, temporarily lifting, or permanently removing a security freeze no longer apply at nationwide consumer reporting agencies.

Placing a Fraud Alert

To protect yourself from possible identity theft, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a one-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. You may obtain additional information from the FTC and the credit reporting agencies listed above about placing a fraud alert and/or security freeze on your credit report.

State-Specific Information

Residents may obtain information about preventing identity theft from the following state agencies:

<p>Arizona Arizona Attorney General's Office 2005 N. Central Avenue Phoenix, AZ 85004 azag.gov/ (602) 542-5025</p>	<p>California Attorney General's Office California Department of Justice P.O. Box 944255 Sacramento, CA 94244 oag.ca.gov/</p>
<p>Connecticut Connecticut Attorney General 165 Capitol Avenue Hartford, CT 06106 portal.ct.gov/AG (860) 808-5318</p>	<p>District of Columbia District of Columbia Attorney General 400 6th Street NW Washington, D.C. 20001. oag.dc.gov/ (202) 727-3400</p>
<p>Florida Florida Attorney General Department of Legal Affairs PL-01 The Capitol Tallahassee, FL 32399 myfloridalegal.com/ (850) 414-3990</p>	<p>Hawaii Office of Consumer Protection 235 S. Beretania Street, Suite #800 Honolulu, HI 96813 cca.hawaii.gov/ocp/ (808) 974-4000</p>
<p>New Hampshire Consumer Protection Bureau, Office of the Attorney General 33 Capitol Street Concord, NH 03301 Doj.nh.gov (603) 271-3658</p>	<p>New Jersey Department of Law and Public Safety P.O. Box 080 Trenton, NJ 08625 nj.gov/njsp/index.shtml 1-800-962-1253</p>
<p>New York Office of the New York Attorney General The Capitol Albany, NY 12224 Ag.ny.gov/ 1-800-771-7755</p> <p>The New York Department of State, Division of Consumer Protection dos.nysits.acsitefactory.com/consumer-protection</p>	<p>Oregon Oregon Department of Justice 1162 Court Street NE, Salem, OR 97301-4096 doj.state.or.us 1-877-877-9392</p>
<p>Pennsylvania Pennsylvania Office of Attorney General Strawberry Square Harrisburg, PA 17120 attorneygeneral.gov/ (717) 787-3391</p>	<p>South Carolina The Honorable Alan Wilson P.O. Box 11549 Columbia, S.C. 29211 scag.gov (803) 734-9916</p>