



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

Josh Brian
Office: (267) 930-2405
Fax: (267) 930-4771
Email: JBrian@mullen.law

3001 N. Rocky Point Drive East, Suite 200
Tampa, FL 33607

January 19, 2023

VIA E-MAIL

Office of the Attorney General
Attn: Security Breach Notification
200 St. Paul Place
Baltimore, MD 21202
E-mail: idtheft@oag.state.md.us

Re: Notice of Data Event

To Whom It May Concern:

We represent Ferguson Wellman Capital Management, Inc. ("Ferguson Wellman") located at 888 Southwest Fifth Avenue, Suite 1200, Portland, Oregon 97204, and write to notify your office of an event that may affect the security of certain information related to approximately two (2) Maryland residents. This notice may be supplemented if material facts are learned subsequent to its submission. By providing this notice, Ferguson Wellman does not waive any rights or defenses regarding the applicability of Maryland law, the applicability of the Maryland data event notification statute, or personal jurisdiction.

Nature of the Data Event

On or about December 22, 2022, Ferguson Wellman identified that its computer network was damaged by an unauthorized party. In response, it began an investigation to determine the scope of what occurred. On January 11, 2023, Ferguson Wellman identified that certain files containing individuals' Social Security numbers and/or financial account numbers may have been accessed without authorization.

Notice to Maryland Residents

On or about January 19, 2023, Ferguson Wellman began providing written notice of this event to approximately two (2) Maryland 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 identifying the event, Ferguson Wellman began an investigation to assess the scope of the event, the security of its systems, and identify potentially affected individuals. Further, Ferguson Wellman notified federal law enforcement regarding the event. Ferguson Wellman is evaluating additional safeguards to mitigate risk of reoccurrence. Ferguson Wellman is providing access to credit monitoring services for two (2) years, through Experian, to individuals whose information was potentially affected by this event, at no cost to these individuals.

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

Ferguson Wellman is providing written notice of this event 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 event, please contact us at (267) 930-2405.

Very truly yours,

A handwritten signature in black ink, reading "Joshua P. Brian". The signature is fluid and cursive, with the first name "Joshua" and last name "Brian" clearly legible.

Josh Brian of
MULLEN COUGHLIN LLC

JPB/scs
Enclosure

EXHIBIT A



FERGUSON WELLMAN CAPITAL MANAGEMENT

Investment Excellence • Lifelong Relationships

<<Date>>

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

<<Address 1>>

<<Address 2>>

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

<<Variable Text 1>>

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

We write to inform you about an event that affected our computer network, our response to this event, and steps you may take should you feel it is appropriate to do so.

What Happened? On December 22, 2022, we identified our computer network was damaged by an unauthorized party. In response, we began an investigation to determine what occurred. We learned on January 11 that certain information about our clients was accessed without authorization on or about December 21, 2022.

What Information Was Involved? We took steps to secure the data that was accessed and do not have any evidence to suggest your information was viewed or otherwise subject to misuse. However, we did identify client names, Social Security numbers, and financial account numbers among the accessed data. We stress that your assets are held by a third-party custodian (Charles Schwab, US Bank, etc.) and have not been impacted by this incident. We use third-party custodians as a critical “safety wall” to separate and protect client assets.

What We Are Doing. We take this event and the security of information in our care seriously. As part of our ongoing commitment to the privacy of information, we are evaluating additional technical security measures, and existing policies and procedures to mitigate reoccurrence of this type of event. Further, we are offering complimentary credit monitoring and identity protection services to you. Please see below for information about how to access the services.

What You Can Do. As always, we encourage all of our Ferguson Wellman, West Bearing and Octavia Group clients to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and free credit reports for suspicious activity and to detect errors. We also recommend you review the “Steps You Can Take To Protect Personal Information” section of this letter. Further, you may enroll in the offered complimentary credit monitoring and identity protection services. The enrollment instructions are in the next section of this letter. Please note, due to privacy restrictions, we are unable to automatically enroll you in the complimentary monitoring services.

Other Information. We discovered damage to the software used to generate our performance reports. We have a separate program in place to generate detailed and accurate performance reports. Our planned migration to

this new reporting system is occurring sooner than anticipated. We know that our reporting is extremely important to you, and we look forward to your feedback on these reports.

For More Information. If you have questions about this matter, please contact us at (800) 327-5765, or reach out to your portfolio manager directly.

Sincerely,

Ferguson Wellman Capital Management

Enclosure

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Enroll in Monitoring Services

To help protect your identity, we are offering a complimentary 24-month membership of Experian's IdentityWorksSM. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- Ensure that you **enroll by: July 31, 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: <<Activation Code>>**

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at **877-890-9332** by **July 31, 2023**. Be prepared to provide engagement number **B084237** 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.¹
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration agents 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.
- **Up to \$1 Million Identity Theft Insurance²:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at **877-890-9332**. 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 (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 this Identity Restoration support 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. You will also find self-help tips and information about identity protection at this site.

¹ Offline members will be eligible to call for additional reports quarterly after enrolling.

² 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 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 credit freeze, you 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 you are a victim of identity theft.

Should you 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	1-833-395-6938
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, 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. 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 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, 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 violators. 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.