



MULLEN  
COUGHLIN<sup>LLC</sup>  
ATTORNEYS AT LAW

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Tampa, FL 33607

April 13, 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](mailto:idtheft@oag.state.md.us)

**Re: Notice of Data Event**

To Whom It May Concern:

We represent Encino Energy, LLC (“Encino”) located at 5847 Felipe Street, Suite 400, Houston, TX 77057, and are writing to notify your office of an incident that may affect the security of certain personal information relating to one (1) Maryland resident. This notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Encino 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**

Encino discovered suspicious activity on its computer systems, and it quickly disconnected these systems from the network and commenced an intensive investigation. The investigation determined that an unauthorized actor had access to certain Encino systems from December 21 to December 24, 2022. Because the investigation determined that there was unauthorized access to the Encino network, it initiated a review of its systems to determine the type of information potentially at risk and to whom it related. Following its initial review, it worked diligently to identify and populate address information for any potentially affected individuals to provide notice to any potentially affected individuals.

The information that may have been subject to unauthorized access includes name, Social Security number, bank account information, and driver’s license number.

### **Notice to Maryland Resident**

On or about April 13, 2023, Encino provided written notice of this incident to one (1) Maryland 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, Encino investigated and responded to the incident, assessed the security of Encino systems, and identified potentially affected individuals. Further, Encino notified federal law enforcement regarding the event. Encino is reviewing and enhancing its system and network security protocols to reduce the likelihood of a similar future event. Encino is providing access to credit monitoring services for one (1) year, through Experian, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Encino is providing impacted individuals with guidance on how to better protect against identity theft and fraud. Encino is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, information on protecting against tax fraud, 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.

Encino is also providing written notice of this incident to relevant regulators, as required.

### **Contact Information**

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-2190.

Very truly yours,

Kevin M. Mekler of  
MULLEN COUGHLIN LLC

KMK/ajl  
Enclosure

# **EXHIBIT A**



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

April 13, 2023

J2994-L01-0000001 T00001 P001 \*\*\*\*\*SCH 5-DIGIT 12345



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



## NOTICE OF [Extra1]

Dear Sample A. Sample:

The purpose of this letter is to notify you about a recent data incident that may involve some of your information. This notice provides you with information about the incident, our response, and additional steps you may take to protect your information, should you determine it is appropriate to do so.

**What Happened?** Encino Energy, LLC (“Encino”) discovered suspicious activity on our computer systems. We quickly disconnected these systems from the network and commenced an intensive investigation. The investigation determined that an unauthorized actor had access to certain Encino systems from December 21 to December 24, 2022. Because the investigation determined that there was unauthorized access to the Encino network, we initiated a review of our systems to determine the type of information potentially at risk and to whom it related. Following our initial review, we worked diligently to identify and populate address information for any potentially affected individuals. Although the nature and extent of the unauthorized access, including whether it impacts you, remain under investigation, in an abundance of caution, we are notifying you about the event before the investigation is complete so that you may take steps to protect your information.

**What Information Was Involved?** The information related to you contained in the affected files and therefore potentially impacted as a result of this event included your name, social security number, home address, date of birth, bank account information, and driver’s license number.

**What We Are Doing.** We take this incident very seriously. Information privacy and security are among our highest priorities, and we have strict security measures in place to protect information in our care. Upon discovering this incident, we quickly took steps to investigate and respond, including reviewing and enhancing our system and network security protocols to reduce the likelihood of a similar future event. We reported this incident to federal law enforcement and are notifying potentially affected individuals and relevant regulators as required. Moreover, as an added precaution, we are offering access to 12 months of credit monitoring and identity theft protection services through Experian, at no cost to you.

**What You Can Do.** We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and explanation of benefits and monitoring your free credit reports for suspicious activity. You may also review and consider the information and resources outlined in the below “Steps You Can Take to Help Protect Personal Information.”

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**For More Information.** If you have additional questions, please call our dedicated assistance line at **(833) 420-2862** (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). You may write to Encino at 5847 Felipe Street, Suite 400, Houston, TX 77057 with any additional questions you may have.

Sincerely,

Encino Energy, LLC

## STEPS YOU CAN TAKE TO HELP PROTECT PERSONAL INFORMATION

### Enroll in Monitoring Services

To help protect your identity, we are offering a complimentary 12-month membership of Experian's IdentityWorks. 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/credit>
- Provide your activation code: **ABCDEFGHI**

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 **(833) 420-2862** by July 31, 2023. Please be prepared to provide engagement number **B089341** as proof of eligibility for the identity restoration services by Experian.

### **ADDITIONAL DETAILS REGARDING YOUR 12-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.<sup>1</sup>
- 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 ExtendCARE: You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- Up to \$1 Million Identity Theft Insurance<sup>2</sup>: 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 **(833) 420-2862**. 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).

### 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](http://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.

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<sup>1</sup> Offline members will be eligible to call for additional reports quarterly after enrolling.

<sup>2</sup> 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.



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:

| <b>Equifax</b>                                                                                                                  | <b>Experian</b>                                                             | <b>TransUnion</b>                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <a href="https://www.equifax.com/personal/credit-report-services/">https://www.equifax.com/personal/credit-report-services/</a> | <a href="https://www.experian.com/help/">https://www.experian.com/help/</a> | <a href="https://www.transunion.com/credit-help">https://www.transunion.com/credit-help</a> |
| 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](http://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 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 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](http://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.

