

CONFIDENTIAL

April 24, 2023

Via E-Mail: Idtheft@oag.state.md.us

Attorney General Anthony G. Brown
Office of the Attorney General
Identity Theft Unit
200 St. Paul Place
Baltimore, MD 21202

Re: Data Security Incident

Dear Attorney General Brown:

FisherBroyles, LLP represents KANE Construction, Inc. (“KANE”), located at 438 N Frederick Ave Fl 4, Gaithersburg, MD 20877, with respect to a data security incident described in more detail below. KANE takes the security and privacy of the information in its control seriously and has taken steps to prevent a similar incident from occurring in the future.

1. Description of the Incident.

On or about December 23, 2022, KANE experienced a ransomware incident which may have resulted in the inadvertent exposure of personal information. KANE has since worked diligently to determine what happened and what information was involved as a result of this Incident.

While KANE did not become aware of the incident until December 23, 2022, based on the evidence available, an investigation conducted by third-party forensic specialists determined that the unauthorized activity occurred between December 1, 2022 and December 23, 2022. Following the forensic investigation, an extensive data mining exercise was conducted to identify the potentially impacted individuals and what elements of personally identifiable information may be contained therein. The investigation and data mining exercise determined that the following elements of personal information of Maryland residents were potentially accessed and/or acquired by an unauthorized individual: names, addresses, and Social Security numbers.

As of this writing, KANE has not received any reports of fraud or identity theft related to this matter.

FisherBroyles

2. Number of Maryland residents affected.

KANE discovered that the Incident may have resulted in the unauthorized exposure of information pertaining to twenty-six (26) Maryland residents. Notification letters to these individuals were mailed on April 24, 2023, via First Class Mail. A sample copy of the notification letter is attached as **Exhibit A**.

3. Steps taken.

Upon discovery of the Incident, KANE reported the Incident to law enforcement and worked with cybersecurity counsel and forensic experts to investigate how the Incident occurred and what information was potentially compromised. KANE is committed to ensuring the security of all information in its control and is taking steps to prevent a similar event from occurring in the future, including strengthening its security posture. Additionally, the notified Maryland residents whose Social Security number were potentially compromised will be offered complimentary identity theft and credit monitoring services for twelve (12) months.

4. Contact information.

KANE remains dedicated to protecting the sensitive information within its control. If you have any questions or need additional information, please do not hesitate to contact me at Richard.Reiter@fisherbroyles.com or (914) 523-2976.

Very truly yours,

Richard Reiter

Richard Reiter, Partner
FisherBroyles, LLP

Fisher Broyles

EXHIBIT A



<<Date>> (Format: Month Day, Year)

<<first_name>> <<middle_name>> <<last_name>> <<suffix>>
<<address_1>>
<<address_2>>
<<city>>, <<state_province>> <<postal_code>>
<<country>>

Notice of Data Incident

Dear <<first_name>> <<middle_name>> <<last_name>> <<suffix>>:

KANE Construction, Inc. recently experienced a data security incident which may have affected your personal information. Based on our current review, we have no indication that your personal information has been or will be used inappropriately, but we wanted to make you aware of the incident, the measures we have taken in response, and to provide details on the proactive steps you can take to help protect your information. We take the protection and proper use of your information seriously and are working to prevent a similar incident from occurring again in the future.

What Happened

On or about December 23, 2022, KANE Construction, Inc. experienced a ransomware incident. During a typical ransomware incident, cybercriminals try to “lock” an organization’s digital files in an attempt to get paid for a digital key to unlock the files. We promptly launched an investigation, engaged a national cybersecurity firm to assist in assessing the scope of the incident and took steps to mitigate the potential impact to our community. Unfortunately, these types of incidents are becoming increasingly common and even organizations with some of the most sophisticated IT infrastructure available are affected. We have worked diligently to determine what happened and what information was involved as a result of this incident. A third-party forensic investigation determined that the incident may have occurred between December 1, 2022 and December 23, 2022.

What Information Was Involved

The elements of your personal information that may have been impacted may have included, and potentially were not limited to, your: name, address, and Social Security number. Please note that we have no evidence at this time that any of your personal information has been misused as a result of the incident.

What We Are Doing

We are taking this incident seriously and are committed to strengthening our systems’ security to prevent a similar event from occurring again in the future. Additionally, out of an abundance of caution, we have arranged for you to activate, at no cost to you, identity monitoring service for twelve (12) months provided by Kroll. Kroll is a global leader in risk mitigation and response, and their team has extensive experience helping people who have sustained an unintentional exposure of confidential data. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration.

Due to privacy laws, we cannot register you directly. Please note that the identity monitoring services might not be available for individuals who do not have a credit file with the credit bureaus or an address in the United States (or its territories) and a valid Social Security number. Activating this service will not affect your credit score.

What You Can Do

Visit <https://enroll.krollmonitoring.com> to activate and take advantage of your identity monitoring services.

You have until <<b2b_text_6 (activation date)>> to activate your identity monitoring services.

Membership Number: <<Membership Number s_n>>

For more information about Kroll and your Identity Monitoring services, you can visit info.krollmonitoring.com.

Additional information describing your services is included with this letter.

At this time, we are not aware of anyone experiencing fraud as a result of this incident. As data incidents are increasingly common, we encourage you to always remain vigilant, monitor your accounts, and immediately report any suspicious activity or suspected misuse of your personal information. Additionally, we recommend that you review the following page, which contains important additional information about steps you can take to safeguard your personal information, such as the implementation of fraud alerts and security freezes.

For More Information

Please know that the protection of your personal information is a top priority, and we understand the inconvenience and concern this incident may cause. If you have any questions, please do not hesitate to contact Ray Catalucci at (240) 720-6880 / rcatalucci@kaneconstruction.com and/or Emily Schettler at (240) 720-6890 / eschettler@kaneconstruction.com.

Sincerely,

KANE Construction, Inc.



TAKE ADVANTAGE OF YOUR IDENTITY MONITORING SERVICES

You have been provided with access to the following services from Kroll:

Single Bureau Credit Monitoring

You will receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.

Fraud Consultation

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

Identity Theft Restoration

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.

Kroll's activation website is only compatible with the current version or one version earlier of Chrome, Firefox, Safari and Edge.

To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.

Additional Important Information

For residents of Hawaii, Michigan, Missouri, North Carolina, Vermont, Virginia, and Wyoming: It is recommended by state law that you remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

For residents of Illinois, Iowa, Maryland, Missouri, North Carolina, Oregon, and West Virginia: It is required by state laws to inform you that you may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report from each of the three nationwide credit reporting agencies. To order your free credit report, please visit www.annualcreditreport.com, or call toll-free at 1-877-322-8228. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available at <https://www.consumer.ftc.gov/articles/0155-free-credit-reports>) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

For residents of Vermont: If you do not have internet access but would like to learn more about how to place a security freeze on your credit report, contact the Vermont Attorney General's Office at 802-656-3183 (800-649-2424 toll free in Vermont only).

For residents of New Mexico: Individuals interacting with credit reporting agencies have rights under the Fair Credit Reporting Act. We encourage you to review your rights under the Fair Credit Reporting Act by visiting https://files.consumerfinance.gov/f/documents/bcfp_consumer-rights-summary_2018-09.pdf, or by requesting information in writing from the Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

For Residents of Washington, D.C.: You can obtain information about steps to take to avoid identity theft from the Office of the Attorney General for the District of Columbia at: 441 4th Street, NW, Washington, DC 20001; 202-727-3400; www.oag.dc.gov.

For residents of Iowa: State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

For residents of Oregon: State laws advise you to report any suspected identity theft to law enforcement, including the Attorney General, and the Federal Trade Commission.

For residents of Maryland, Rhode Island, Illinois, New York, and North Carolina: You can obtain information from the Maryland and North Carolina Offices of the Attorney General and the Federal Trade Commission about fraud alerts, security freezes, and steps you can take toward preventing identity theft.

Maryland Office of the Attorney General Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202
1-888-743-0023 www.oag.state.md.us

Rhode Island Office of the Attorney General Consumer Protection, 150 South Main Street, Providence, RI 02903
1-401-274-4400 www.riag.ri.gov

North Carolina Office of the Attorney General Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC
27699-9001 1-877-566-7226 www.ncdoj.com

Federal Trade Commission Consumer Response Center, 600 Pennsylvania Ave, NW Washington, DC 20580
1-877-IDTHEFT (438-4338) www.ftc.gov/idtheft

New York Office of Attorney General Consumer Frauds & Protection, The Capitol, Albany, NY 12224 1-800-771-7755
<https://ag.ny.gov/consumer-frauds/identity-theft>

For residents of Massachusetts and Rhode Island: It is required by state law that you are informed of your right to obtain a police report if you are a victim of identity theft.

For residents of all states:

Fraud Alerts: You can place fraud alerts with the three credit bureaus by phone and online with Equifax (https://assets.equifax.com/assets/personal/Fraud_Alert_Request_Form.pdf); TransUnion (<https://www.transunion.com/fraud-alerts>); or Experian (<https://www.experian.com/fraud/center.html>). A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. As of September 21, 2018, initial fraud alerts last for one year. Victims of identity theft can also get an extended fraud alert for seven years. The phone numbers for all three credit bureaus are at the bottom of this page.

Monitoring: You should always remain vigilant and monitor your accounts for suspicious or unusual activity.

Security Freeze: You also have the right to place a security freeze on your credit report. A security freeze is intended to prevent credit, loans, and services from being approved in your name without your consent. To place a security freeze on your credit report, you need to make a request to each consumer reporting agency. You may make that request by certified mail, overnight mail, regular stamped mail, or by following the instructions found at the websites listed below. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse or a minor under the age of 16, 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 five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. 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, display your name and current mailing address, and the date of issue. As of September 21, 2018, it is free to place, lift, or remove a security freeze. You may also place a security freeze for children under the age of 16. You may obtain a free security freeze by contacting any one or more of the following national consumer reporting agencies:

Equifax Security Freeze

P.O. Box 105788
Atlanta, GA 30348
equifax.com/personal/credit-report-services/
1-800-349-9960

Experian Security Freeze

P.O. Box 9554
Allen, TX 75013
experian.com/freeze/center.html
1-888-397-3742

TransUnion Security Freeze

P.O. Box 160
Woodlyn, PA 19094
transunion.com/credit-freeze
1-888-909-8872

More information can also be obtained by contacting the Federal Trade Commission listed above.



<<Date>> (Format: Month Day, Year)

<<first_name>> <<middle_name>> <<last_name>> <<suffix>>
<<address_1>>
<<address_2>>
<<city>>, <<state_province>> <<postal_code>>
<<country>>

Notice of Data Incident

Dear <<first_name>> <<middle_name>> <<last_name>> <<suffix>>:

KANE Construction, Inc. recently experienced a data security incident which may have affected your personal information. Based on our current review, we have no indication that your personal information has been or will be used inappropriately, but we wanted to make you aware of the incident, the measures we have taken in response, and to provide details on the proactive steps you can take to help protect your information. We take the protection and proper use of your information seriously and are working to prevent a similar incident from occurring again in the future.

What Happened

On or about December 23, 2022, KANE Construction, Inc. experienced a ransomware incident. During a typical ransomware incident, cybercriminals try to “lock” an organization’s digital files in an attempt to get paid for a digital key to unlock the files. We promptly launched an investigation, engaged a national cybersecurity firm to assist in assessing the scope of the incident and took steps to mitigate the potential impact to our community. Unfortunately, these types of incidents are becoming increasingly common and even organizations with some of the most sophisticated IT infrastructure available are affected. We have worked diligently to determine what happened and what information was involved as a result of this incident. A third-party forensic investigation determined that the incident may have occurred between December 1, 2022 and December 23, 2022.

What Information Was Involved

The elements of your personal information that may have been impacted may have included, and potentially were not limited to, your: name, address, and Social Security number. Please note that we have no evidence at this time that any of your personal information has been misused as a result of the incident.

What We Are Doing

We are taking this incident seriously and are committed to strengthening our systems’ security to prevent a similar event from occurring again in the future. Additionally, out of an abundance of caution, we have arranged for you to activate, at no cost to you, identity monitoring service for twelve (12) months provided by Kroll. Kroll is a global leader in risk mitigation and response, and their team has extensive experience helping people who have sustained an unintentional exposure of confidential data. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration.

Due to privacy laws, we cannot register you directly. Please note that the identity monitoring services might not be available for individuals who do not have a credit file with the credit bureaus or an address in the United States (or its territories) and a valid Social Security number. Activating this service will not affect your credit score.

What You Can Do

Visit <https://enroll.krollmonitoring.com> to activate and take advantage of your identity monitoring services.

You have until <<b2b_text_6 (activation date)>> to activate your identity monitoring services.

Membership Number: <<Membership Number s_n>>

For more information about Kroll and your Identity Monitoring services, you can visit info.krollmonitoring.com.

Additional information describing your services is included with this letter.

At this time, we are not aware of anyone experiencing fraud as a result of this incident. As data incidents are increasingly common, we encourage you to always remain vigilant, monitor your accounts, and immediately report any suspicious activity or suspected misuse of your personal information. Additionally, we recommend that you review the following page, which contains important additional information about steps you can take to safeguard your personal information, such as the implementation of fraud alerts and security freezes.

For More Information

Please know that the protection of your personal information is a top priority, and we understand the inconvenience and concern this incident may cause. If you have any questions, please do not hesitate to contact Ray Catalucci at (240) 720-6880 / rcatalucci@kaneconstruction.com and/or Emily Schettler at (240) 720-6890 / eschettler@kaneconstruction.com.

Sincerely,

KANE Construction, Inc.



TAKE ADVANTAGE OF YOUR IDENTITY MONITORING SERVICES

You have been provided with access to the following services from Kroll:

Single Bureau Credit Monitoring

You will receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.

Fraud Consultation

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

Identity Theft Restoration

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.

Kroll's activation website is only compatible with the current version or one version earlier of Chrome, Firefox, Safari and Edge.

To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.

Additional Important Information

For residents of Hawaii, Michigan, Missouri, North Carolina, Vermont, Virginia, and Wyoming: It is recommended by state law that you remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

For residents of Illinois, Iowa, Maryland, Missouri, North Carolina, Oregon, and West Virginia: It is required by state laws to inform you that you may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report from each of the three nationwide credit reporting agencies. To order your free credit report, please visit www.annualcreditreport.com, or call toll-free at 1-877-322-8228. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available at <https://www.consumer.ftc.gov/articles/0155-free-credit-reports>) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

For residents of Vermont: If you do not have internet access but would like to learn more about how to place a security freeze on your credit report, contact the Vermont Attorney General's Office at 802-656-3183 (800-649-2424 toll free in Vermont only).

For residents of New Mexico: Individuals interacting with credit reporting agencies have rights under the Fair Credit Reporting Act. We encourage you to review your rights under the Fair Credit Reporting Act by visiting https://files.consumerfinance.gov/f/documents/bcfp_consumer-rights-summary_2018-09.pdf, or by requesting information in writing from the Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

For Residents of Washington, D.C.: You can obtain information about steps to take to avoid identity theft from the Office of the Attorney General for the District of Columbia at: 441 4th Street, NW, Washington, DC 20001; 202-727-3400; www.oag.dc.gov.

For residents of Iowa: State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

For residents of Oregon: State laws advise you to report any suspected identity theft to law enforcement, including the Attorney General, and the Federal Trade Commission.

For residents of Maryland, Rhode Island, Illinois, New York, and North Carolina: You can obtain information from the Maryland and North Carolina Offices of the Attorney General and the Federal Trade Commission about fraud alerts, security freezes, and steps you can take toward preventing identity theft.

Maryland Office of the Attorney General Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202
1-888-743-0023 www.oag.state.md.us

Rhode Island Office of the Attorney General Consumer Protection, 150 South Main Street, Providence, RI 02903
1-401-274-4400 www.riag.ri.gov

North Carolina Office of the Attorney General Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC
27699-9001 1-877-566-7226 www.ncdoj.com

Federal Trade Commission Consumer Response Center, 600 Pennsylvania Ave, NW Washington, DC 20580
1-877-IDTHEFT (438-4338) www.ftc.gov/idtheft

New York Office of Attorney General Consumer Frauds & Protection, The Capitol, Albany, NY 12224 1-800-771-7755
<https://ag.ny.gov/consumer-frauds/identity-theft>

For residents of Massachusetts and Rhode Island: It is required by state law that you are informed of your right to obtain a police report if you are a victim of identity theft.

For residents of all states:

Fraud Alerts: You can place fraud alerts with the three credit bureaus by phone and online with Equifax (https://assets.equifax.com/assets/personal/Fraud_Alert_Request_Form.pdf); TransUnion (<https://www.transunion.com/fraud-alerts>); or Experian (<https://www.experian.com/fraud/center.html>). A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. As of September 21, 2018, initial fraud alerts last for one year. Victims of identity theft can also get an extended fraud alert for seven years. The phone numbers for all three credit bureaus are at the bottom of this page.

Monitoring: You should always remain vigilant and monitor your accounts for suspicious or unusual activity.

Security Freeze: You also have the right to place a security freeze on your credit report. A security freeze is intended to prevent credit, loans, and services from being approved in your name without your consent. To place a security freeze on your credit report, you need to make a request to each consumer reporting agency. You may make that request by certified mail, overnight mail, regular stamped mail, or by following the instructions found at the websites listed below. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse or a minor under the age of 16, 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 five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. 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, display your name and current mailing address, and the date of issue. As of September 21, 2018, it is free to place, lift, or remove a security freeze. You may also place a security freeze for children under the age of 16. You may obtain a free security freeze by contacting any one or more of the following national consumer reporting agencies:

Equifax Security Freeze

P.O. Box 105788
Atlanta, GA 30348
equifax.com/personal/credit-report-services/
1-800-349-9960

Experian Security Freeze

P.O. Box 9554
Allen, TX 75013
experian.com/freeze/center.html
1-888-397-3742

TransUnion Security Freeze

P.O. Box 160
Woodlyn, PA 19094
transunion.com/credit-freeze
1-888-909-8872

More information can also be obtained by contacting the Federal Trade Commission listed above.