



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

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July 14, 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 JJ Powell, Inc. ("JJ Powell") located at 109 W Presqueisle Street, Philipsburg, PA 16866, and are writing to notify your office of an incident that may affect the security of certain personal information relating to fifteen (15) Maryland residents. This notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, JJ Powell 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 February 20, 2023, JJ Powell became aware of suspicious activity affecting certain systems within its network. JJ Powell immediately took steps to secure its systems and launched an investigation to confirm the full nature and scope of the activity and to restore functionality to the affected systems. The investigation determined that an unknown actor gained access to certain JJ Powell systems beginning on February 20, 2023. Although the investigation was unable to confirm which files were potentially impacted, JJ Powell undertook a review of potentially impacted information on its systems to identify sensitive information contained in any potentially at-risk files. Once this review was complete, JJ Powell worked to locate address information for potentially affected individuals so that notice could be provided. This process was completed on June 16, 2023.

The information that could have been subject to unauthorized access includes name, and Social Security number.

### **Notice to Maryland Residents**

On or about July 14, 2023, JJ Powel provided written notice of this incident to fifteen (15) 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 discovering the event, JJ Powel moved quickly to investigate and respond to the incident, assess the security of JJ Powel systems, and identify potentially affected individuals. Further, JJ Powel notified federal law enforcement regarding the event. JJ Powel is also working to implement additional safeguards and training to its employees. JJ Powel 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, JJ Powel is providing impacted individuals with guidance on how to better protect against identity theft and fraud. JJ Powel 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.

JJ Powel 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 (267) 930-4842.

Very truly yours,

Vincent F. Regan of  
MULLEN COUGHLIN LLC

VFR/kzf  
Enclosure

# **EXHIBIT A**



<<Return Mail Address>>

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

<<Address 1>>

<<Address 2>>

<<Date>>

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

<<Country>>

## NOTICE OF [SECURITY INCIDENT] / [DATA BREACH]

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

JJ Powell, Inc. ("JJ Powell") writes to notify you of a recent event that may have impacted some of your information. We are providing you with information about the event, our response to it, and resources available to you to help protect your information, should you feel it appropriate to do so.

**What Happened?** On February 20, 2023, JJ Powell became aware of suspicious activity affecting certain systems within our network. We immediately took steps to secure our systems and launched an investigation to confirm the full nature and scope of the activity and to restore functionality to the affected systems. The investigation determined that an unknown actor gained access to certain JJ Powell systems beginning on February 20, 2023. Although the investigation was unable to confirm which files were potentially impacted, we undertook a review of potentially impacted information on our systems to identify sensitive information contained in any potentially at-risk files. Once this review was complete, we worked to locate address information for potentially affected individuals so that notice could be provided. This process was completed on June 16, 2023.

**What Information Was Involved?** The information related to you that may have been affected includes your name and [data elements].

**What We Are Doing.** Safeguarding the privacy of information in our care and the security of our network are among our highest priorities. Upon learning of this event, we moved quickly to investigate and respond, assess the security of our systems, and notify potentially affected individuals. We also notified the Federal Bureau of Investigation of this event. As part of our ongoing commitment to the security of information within our care, we are reviewing our existing policies and procedures regarding cybersecurity and evaluating additional measures and safeguards to protect against this type of event in the future. We are also implementing additional network security measures to further enhance our network security. We are providing you access to complimentary credit monitoring services, as well.

**What You Can Do.** We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your free credit reports for suspicious activity. You may also review the information contained in the attached *Steps You Can Take to Protect Your Information*. There, you will find more information on the credit monitoring and identity restoration services we are making available to you. We encourage you to activate these services as we are not able to act on your behalf to activate them for you.

**For More Information.** We understand that you may have questions about this event that are not addressed in this letter. If you have additional questions, please call our toll-free dedicated assistance line at xxx-xxx-xxxx, Monday through Friday 9 am – 11 pm EDT, Saturday and Sunday 11 am – 8 pm EDT (excluding major U.S. holidays).

Sincerely,

JJ Powell, Inc.  
R. Keith Powell  
CEO

## STEPS YOU CAN TAKE TO PROTECT YOUR INFORMATION

### Enroll in Identity Monitoring

To help protect your identity, we are offering complimentary access to Experian IdentityWorks<sup>SM</sup> for [12/24] 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 [12/24] 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](http://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 [12/24]-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** [Enrollment End Date] (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: [Enrollment URL]
- Provide your **activation code**: [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 [Experian TFN] by [Enrollment End Date]. Be prepared to provide engagement number [B#####] as proof of eligibility for the Identity Restoration services by Experian.

### **ADDITIONAL DETAILS REGARDING YOUR [12/24]-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 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 ExtendCARE<sup>TM</sup>:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance<sup>\*\*</sup>:** Provides coverage for certain costs and unauthorized electronic fund transfers.

### 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.

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<br>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<br>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 [www.marylandattorneygeneral.gov/](http://www.marylandattorneygeneral.gov/). JJ Powell is located at 109 W Presqueisle Street, Philipsburg, PA 16866.

*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](http://www.ncdoj.gov).