



Harter Secrest & Emery LLP

ATTORNEYS AND COUNSELORS

WWW.HSELAW.COM

July 21, 2023

**CONFIDENTIAL
VIA EMAIL**

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

Re: Notification of Security Incident
NOVAIR USA Corporation

To Whom it may concern:

Harter Secrest & Emery LLP represents NOVAIR USA Corporation (“Novair”), a manufacturer of oxygen and nitrogen generators, gas separation systems, and healthcare air and vacuum equipment located at 814 Wurlitzer Drive, North Tonawanda, New York 14120. In late April 2023, Novair became aware of suspicious activity relating to an employee’s electronic mailbox. Once it became aware of this activity, an investigation was undertaken by an outside forensics firm that confirmed the incident was limited to a small number (three) employee electronic mailboxes. As a result of this incident, an unknown and unauthorized actor had potential access to these affected mailboxes between February 25, 2023 and April 26, 2023. A comprehensive investigation and review of the mailbox contents continued through on or about July 5, 2023, which revealed that certain personal information, including the name, payment card information, and payment card access information of approximately 2 MD residents was located within the subject mailboxes.

Once the incident was discovered, Novair immediately took steps to address it. Working with the outside forensics firm, Novair reacted swiftly to the incident and has no reason to believe that its systems are otherwise currently at risk. In order to protect against similar incidents, Novair is taking several precautionary measures, such as changing passwords and modifying internal e-mail settings and controls, including through the implementation of multi-factor authentication.

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The affected Maryland residents will receive written notice by way of letter dated July 21, 2023, which will be mailed to the address of the affected individuals. A template of the notice being sent is enclosed with this letter.

Novair is offering the affected Maryland residents twenty-four (24) month(s) of Equifax Complete™ Premier fraud detection and credit monitoring services at no cost. A description of this product is set forth in the attached notification letter.

Should you have any questions, please contact me using the below information. Thank you.

Very truly yours,

Harter Secrest & Emery LLP

A handwritten signature in blue ink, appearing to read "Dan Altieri", is positioned above the printed name.

Daniel J. Altieri

Partner

DIRECT DIAL: 716.844.3741
EMAIL: DALTIERI@HSELAW.COM

DJA:
Enclosure



Secure Processing Center
P.O. Box 3826
Suwanee, GA 30024

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July 21, 2023

NOTICE OF DATA BREACH

Dear <<Name 1>>,

We are writing to inform you that Novair USA Corp. ("Novair") was recently the victim of an e-mail security incident that could potentially have resulted in access to some of your personal information. In an effort to keep you informed, details follow below.

WHAT HAPPENED

In late April, Novair became aware of suspicious activity relating to an employee's electronic mailbox. Once we became aware of this activity, an investigation was undertaken that ultimately confirmed that an unknown and unauthorized actor had potential access to a limited number of employee electronic mailboxes between February 25, 2023 and April 26, 2023.

WHAT INFORMATION WAS INVOLVED

A comprehensive review of the impacted mailboxes continued through on or about July 5, 2023, which revealed the existence of certain personal information, including your <<Breached elements>>, that could have been affected. Although we do not know what, if any at all, personal information may have been viewed by the unauthorized third party, Novair is providing this notice as a conservative measure.

WHAT WE ARE DOING

In order to protect against similar incidents in the future, we are taking several precautionary measures, such as changing passwords and modifying internal e-mail settings and controls.

WHAT YOU CAN DO

It is always a good idea to consider some or all of the below actions to help reduce your risk of identity theft:

- Remain vigilant, especially over the next 12 months, and review your bank accounts, credit card bills and free credit reports for unauthorized activity. Promptly report any suspected identity theft to your local law enforcement agency, the U.S. Federal Trade Commission, your State Attorney General, your financial institution, and to the Fraud Alert phone line of a consumer reporting agency. You can obtain information about fraud alerts and security freezes by contacting the three national reporting agencies below:
 - **Equifax**, P.O. Box 740256, Atlanta, GA 30374, www.equifax.com, 1-800-525-6285;
 - **Experian**, P.O. Box 4500, Allen, TX 75013, www.experian.com, 1-888-397-3742; and
 - **TransUnion**, 2 Baldwin Place, P.O. Box 1000, Chester, PA 19016, www.transunion.com, 1-800-680-7289.

- Periodically obtain credit reports from each nationwide credit reporting agency and have information relating to fraudulent transactions deleted.
- Place a fraud alert on your credit file by contacting any of the three credit reporting agencies listed above. A fraud alert temporarily, for a period of 365 days, requires potential creditors to take additional steps to verify your identity before issuing credit in your name.
- Place a security freeze on your consumer report. A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. However, a security freeze may delay your ability to obtain credit. Please contact one of the three credit reporting agencies listed above for further information.
- Request and carefully review your free annual consumer credit report by visiting www.annualcreditreport.com or by calling 1-877-322-8228.

You can also contact the Federal Trade Commission to obtain information about preventing identity theft and, specifically, setting up fraud alerts and security freezes. The contact information for the Federal Trade Commission is as follows: Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, D.C. 20580, www.ftc.gov, 1-877-382-4357.

OTHER IMPORTANT INFORMATION

As a result of this incident, we would like to offer you a complimentary 24-month membership of Equifax Credit Watch™ Gold. To activate your membership and start monitoring your personal information, please visit www.equifax.com/activate and enter your unique Activation Code <<Activation Code>>. The enrollment deadline is <<Enrollment deadline>>.

Once enrolled, you will have access to the following features:

- Credit monitoring with email notifications of key changes to your Equifax credit report
- Daily access to your Equifax credit report
- WebScan notifications when your personal information, such as Social Security Number, credit/debit card or bank account numbers are found on fraudulent Internet trading sites
- Automatic fraud alerts, which encourages potential lenders to take extra steps to verify your identity before extending credit, plus blocked inquiry alerts and Equifax credit report lock
- Identity Restoration to help restore your identity should you become a victim of identity theft, and a dedicated Identity Restoration Specialist to work on your behalf
- Up to \$1,000,000 of identity theft insurance coverage for certain out of pocket expenses resulting from identity theft¹

¹ The Identity Theft Insurance benefit is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company, under group or blanket policies issued to Equifax, Inc., or its respective affiliates for the benefit of its Members. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

FOR MORE INFORMATION

If you have any questions regarding this incident, please call our dedicated toll-free response line that we have set up to respond to questions at 833-627-2716. The response line is available Monday through Friday, 9 am to 9 pm Eastern Time. Additionally, our mailing address is 814 Wurlitzer Drive, North Tonawanda, New York 14120.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Longuil".

John Longuil
Chief Executive Officer
Novair

For Maryland residents, for more information about how to prevent identity theft, you may contact the Maryland Attorney General's Office at 200 St. Paul Place, Baltimore, MD 21202, (410) 576-6300, 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 agencies 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, for more information about how to prevent identity theft, you can contact the New York Department of State Division of Consumer Protection (New York State Division of Consumer Protection, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001; (518) 474-8583; <https://dos.ny.gov/consumer-protection>) or the New York State Attorney General (New York State Attorney General's Office, The Capitol, Albany, NY 12224-0341; (800) 771-7755; (212) 416-8433; <https://ag.ny.gov>).

For North Carolina residents, for more information about how to prevent identity theft, you may contact the North Carolina Attorney General at 9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-566-7226 or 1-919-716-6400, and www.ncdoj.gov.