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September 28, 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 Westat, Inc. (“Westat”) located at 1600 Research Boulevard, Rockville, Maryland 20850. Westat is writing to notify your Office of an incident that may affect the privacy of certain personal information relating to approximately two (2) Maryland residents. Westat provides research support and services pursuant to contracts with certain governmental agencies, including the Food and Nutrition Service of the US Department of Agriculture and certain state Institutional Review Boards (“IRBs”). As a result of this event, Westat is issuing notification to impacted individuals on behalf and with the permission of certain data owner IRBs. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Westat 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

Westat utilized MOVEit Transfer (“MOVEit”) third-party software to manage data it collected and/or maintained on behalf of other organizations. On May 30, 2023, Westat detected unusual activity occurring in its MOVEit instance and the following day MOVEit announced a zero-day vulnerability that had impacted a large number of companies across various industries. Westat immediately took steps to ensure the security of its environment, and with the assistance of third-party forensic specialists, conducted an investigation to determine the nature and scope of the activity.

The investigation determined that certain data stored on the MOVEit server may have been copied without authorization between May 28 and May 29, 2023. Westat conducted a detailed review of data involved to determine the type of information that was present and to whom it related. This review confirmed that certain information belonging to data owner IRBs was present in the impacted data, and was accessed or acquired during the MOVEit incident. Upon completion of this analysis, Westat notified governmental agency partners and impacted data owner IRBs and is now providing notification to impacted individuals at the direction of the data owner IRBs.

The personal information related to the Maryland residents that could have been copied by the unauthorized actor includes name, date of birth, personal health demographic information, provider information, dates of service, and account number or patient record number.

Notice to Maryland Residents

On or about September 28, 2023, Westat provided written notice of this event to two (2) Maryland residents on behalf of the data owner IRB. 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 becoming aware of the event, Westat moved quickly to investigate and respond to the incident, assess the security of Westat systems, identify potentially affected individuals, and notify governmental agency partners and data owners. Further, Westat notified federal law enforcement regarding the event. Westat is also working to implement additional safeguards and training to its employees. Westat is providing access to credit monitoring services through IDX, to certain individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Westat is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to the associated institutions. Westat is providing individuals with information on how to place a fraud alert and credit 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.

Westat is providing written notice of this incident to relevant state and federal regulators, as necessary.

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Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4782.

Very truly yours,

Angelina W. Freind of
MULLEN COUGHLIN LLC

AWF/aml
Enclosure

EXHIBIT A



To Enroll, Please Call:
1-800-939-4170
Or Visit:
<https://app.idx.us/account-creation/protect>
Enrollment Code:

To the Parent or Guardian of XXX
XXX
XXX
XXX
USA

<<Date>>

NOTICE OF DATA BREACH

To the Parent or Guardian of XXX:

Westat, Inc. (“Westat” or “We”) provides a variety of data collection and management services to several agencies, such as the Food and Nutrition Services (“FNS”), in connection to studies related to the public health, like the WIC Infant and Toddler Feeding Practices Study-2. We are writing to make you aware of a data incident that may impact the privacy of your minor’s personal information we received in connection to our relationship the FNS and the following study.

What Happened? Westat utilizes MOVEit Transfer (“MOVEit”) third-party software to manage data it collects and/or maintains on behalf of other organizations. MOVEit recently announced a zero-day vulnerability that impacted a large number of companies across various industries. On May 30, 2023, Westat detected unusual activity occurring in its MOVEit instance. Westat immediately took steps to ensure the security of its environment, and with the assistance of third-party forensic specialists, conducted an investigation to determine the nature and scope of the activity.

The investigation determined that certain data stored on the MOVEit server may have been copied without authorization between May 28 and May 29, 2023. Westat conducted a detailed review of data involved to determine the type of information present and to whom it related. This review confirmed that your minor’s information was present in the impacted data and was accessed or acquired during the MOVEit incident.

What Information Was Involved? Your minor’s name, date of birth, gender, and provider record number were present in the impacted files. We have no evidence that any of your minor’s information was used for identity theft or fraud.

What We Are Doing We take this incident and the obligation to safeguard the information in our care very seriously. After discovering the incident, we promptly took steps to confirm our system security, and engaged with a third-party forensic specialist to assist in conducting a comprehensive investigation. Further, we have implemented all the patches to date. As an added precaution, we are offering 12 months of identity protection services through IDX, A ZeroFox Company. If you wish to activate these complimentary services for your minor, you may follow the instructions included in the attached *Steps You Can Take to Help Protect Your Minor’s Personal Information*. We encourage you to enroll in these services as we are unable to act on your minor’s behalf to do so.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your minor's account statements and monitoring free credit reports for suspicious activity and to detect errors over the next 12 to 24 months.

For More Information. If you have additional questions or concerns, please feel free to call your Westat Study Liaison, Terry Aranda. She can be reached at 888-987-4926. You may also write to Westat at Westat, Inc., Attn.: Christine Borger, 1600 Research Boulevard, RB-3135, Rockville, MD 20850.

Sincerely,
Christine Borger, Feeding My Baby Study Project Director
Westat, Inc.

STEPS YOU CAN TAKE TO PROTECT YOUR MINOR'S PERSONAL INFORMATION

Enroll in Monitoring Services

- 1. Website and Enrollment.** Go to <https://app.idx.us/account-creation/protect> and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.
- 2. Activate the credit monitoring** provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.
- 3. Telephone.** Contact IDX at **1-800-939-4170** to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.

Monitor Your Accounts

Typically, credit reporting agencies do not have a credit report in a minor's name. To find out if your minor has a credit report or to request a manual search for your minor's Social Security number each bureau has its own process. To learn more about these processes or request these services, you may contact the credit bureaus by phone or in writing or you may visit the below websites:

Equifax	Experian	TransUnion
www.equifax.com/personal/education/identity-theft/child-identity-theft/	www.experian.com/help/minor-request.html	www.transunion.com/fraud-victim-resources/child-identity-theft
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

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 minor's credit report, should your minor have established credit. You may wish to stagger your requests so that you receive a free report from one of the three credit bureaus every four months.

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 one-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.

Adults and minors, 16 years or older, have the right to place a "credit freeze" on a credit report, which will prohibit a consumer reporting agency from releasing information in the credit report without express authorization. A parent or guardian also has the right to place a "credit freeze" on a minor's credit report if the child is under the age of 16. This right includes proactively placing a "credit freeze" on a minor's credit report if the minor is under 16 years old. If the nationwide credit reporting agencies don't have a credit file on the minor, they will create one so they can freeze it. This record can't be used for credit purposes. It's there to make sure the child's record is frozen and protected against potential identity theft and fraud. Pursuant to federal law, you cannot be charged to place or lift a credit freeze on a credit report. Should you wish to place a credit freeze on a credit file or proactively place a freeze on a minor's credit report, please contact the major consumer reporting agencies listed below.

To request information about the existence of a credit file in your minor's name, search for your minor's Social Security

number, please a credit freeze on your minor's credit file, place a fraud alert on your minor's credit report (if one exists), or request a copy of your minor's credit report you may be required to provide the following information:

- A copy of your driver's license or another government issued identification card, such as a state ID card, etc.;
- Proof of your address, such as a copy of a bank statement, utility bill, insurance statement, etc.;
- A copy of your minor's birth certificate;
- A copy of your minor's Social Security card;
- Your minor's full name, including middle initial and generation, such as JR, SR, II, III, etc.;
- Your minor's date of birth; and
- Previous address for the past two years

Should you wish to place a fraud alert or credit freeze, 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
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; 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/>.