



MULLEN
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November 15, 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 McFadyen Consulting Group (“McFadyen”) located at 8229 Boone Blvd. Suite 820, Vienna, VA 22182, and is writing to notify your office of an incident that may affect the security of certain personal information relating to two (2) Maryland residents. By providing this notice, McFadyen 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 August 7, 2023, McFadyen became aware of suspicious activity on its network. McFadyen immediately launched an investigation to confirm the full nature and scope of the activity. The investigation determined that certain files on McFadyen’s systems were or may have been accessed or copied without authorization between May 23, 2023 and August 7, 2023. McFadyen thereafter undertook a time intensive and thorough review of the documents at risk, and recently completed this process.

The information that could have been subject to unauthorized access includes name, Social Security number, Passport number, Driver's License number, and/or financial account information.

Notice to Maryland Residents

On or about November 15, 2023, McFadyen provided written notice of this incident to two (2) 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, McFadyen moved quickly to investigate and respond to the incident, assess the security of McFadyen systems, and identify potentially affected individuals. Further, McFadyen notified federal law enforcement regarding the event. McFadyen is also working to implement additional safeguards and training to its employees. McFadyen 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, McFadyen 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 their credit card company and/or bank. McFadyen 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.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4784.

Very truly yours,

Jeffrey J. Boogay of
MULLEN COUGHLIN LLC

JJB/asm
Enclosure

EXHIBIT A

MCFADYEN
D I G I T A L

THE MARKETPLACE EXPERTS

Return Mail Processing
PO Box 999
Suwanee, GA 30024

1147 *****SINGLP

SAMPLE A. SAMPLE - L01

APT ABC



123 ANY ST

ANYTOWN, US 12345-6789



November 15, 2023

Re: [Extra1]

Dear Sample A. Sample:

McFadyen Consulting Group (“McFadyen”) is writing to inform you of a recent incident that may impact the privacy of some of your personal information. While we are unaware of any attempted or actual misuse of your information, we are providing you with information about the incident, our response, and steps you may take to protect against any misuse of your information, should you feel it necessary to do so.

What Happened? On August 7, 2023, McFadyen became aware of suspicious activity on its network. We immediately launched an investigation to confirm the full nature and scope of the activity. The investigation determined that certain files on McFadyen’s systems were or may have been accessed or copied without authorization between May 23, 2023 and August 7, 2023. We thereafter undertook a time intensive and thorough review of the documents at risk, and recently completed this process.

What Information Was Involved? The following personal information about you may have been present in the impacted files: your name and [Extra2]. Although we have no evidence to indicate any information was subject to actual or attempted misuse, McFadyen is providing this notice to all impacted individuals out of an abundance of caution.

What We Are Doing. We take this incident and the security of your information seriously. This letter provides resources to assist you in protecting your personal information. We are also working to review our existing policies and procedures and restoring our network from the ground up to implement additional security measures. As an added precaution, we are offering you access to 12 months of credit monitoring services through Experian at no cost to you. We encourage you to enroll in these services, as we are not able to act on your behalf to enroll you. Please review the instructions contained in the attached *Steps You Can Take to Help Better Protect Your Information* for additional information on these services.

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 and to detect errors. You may also review the information contained in the attached *Steps You Can Take to Help Better Protect Your Information*.

For More Information. We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, please call our dedicated assistance line at 833-541-1361, 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). Be prepared to provide your engagement number B108090. We take this incident very seriously and sincerely regret any inconvenience or concern this incident may have caused you.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Richard Frank'.

Richard “Chip” Frank
Chief Financial Officer

STEPS YOU CAN TAKE TO HELP BETTER PROTECT YOUR INFORMATION

Enroll in Monitoring Services

To help protect your identity, we are offering complimentary access to Experian IdentityWorksSM for 12 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 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.

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-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** January 31, 2024 (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 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 833-541-1361 by January 31, 2024. Be prepared to provide engagement number B108090 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.*
- **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 ExtendCARETM:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance^{**}:** Provides coverage for certain costs and unauthorized electronic fund transfers.

* Offline members will be eligible to call for additional reports quarterly after enrolling.

** 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.

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 a free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. Consumers may also directly contact the three major credit reporting bureaus listed below to request a free copy of their 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 consumers are the victim of identity theft, they are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should consumers wish to place a fraud alert, please contact any 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 a consumer’s name without consent. However, consumers should be aware that using a credit freeze to take control over who gets access to the personal and financial information in their credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application they make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, consumers cannot be charged to place or lift a credit freeze on their credit report. To request a credit freeze, individuals may need to provide some or all of 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 they are a victim of identity theft.

Should consumers wish to place a credit freeze or fraud alert, 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
1-888-298-0045	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

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 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. Consumers can obtain further information on how to file such a complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, consumers will likely need to provide some proof that they have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and the relevant 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; 1-410-576-6300 or 1-888-743-0023; and <https://www.marylandattorneygeneral.gov/>.

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.