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October 9, 2023

Via Electronic Mail: Idtheft@oag.state.md.us

Attorney General Brian Frosh
Office of the Attorney General
Attn: Security Incident Notification
200 St. Paul Place
Baltimore, MD 21202



Re: Client : Engelman Berger, PC
Matter : Data Security Incident

Dear Attorney General Frosh:

We represent Engelman Berger, PC ("Engelman Berger") with respect to a potential data security incident described in more detail below. Engelman Berger 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.

This letter will serve to inform you of the nature of the security breach, the number of Maryland residents that were potentially affected, what information has been compromised, and the steps that Engelman Berger is taking to secure the integrity of its systems. We have also enclosed hereto samples of the notifications made to the potentially impacted individuals, which includes an offer of free credit monitoring.

1. Nature of the Security Incident

Engelman Berger is a law firm in Phoenix, Arizona. Their contact information is as follows: 2800 N Central Ave, Suite 1200, Phoenix, Arizona 85004; (602) 271-9090.

On February 3, 2023, an Engelman Berger employee fell victim to an email scheme, and inadvertently allowed an unauthorized party to install a remote access application tool on his work computer. This action allowed the unauthorized party to gain limited access to Engelman Berger's network. Upon discovering the incident, Engelman Berger promptly engaged third-party forensic

specialists to assist the firm with securing the environment and investigating the extent of the unauthorized activity.

After a forensic investigation and extensive electronic discovery that concluded on September 19, 2023, Engelman Berger determined an unauthorized third party may have accessed the following personal information during this incident: first and last name; Social Security number; driver's license or state identification card number; account, credit or debit card number, in combination with any required security or access code or password; or usernames, email addresses, or any other account holder information in combination with any password or security questions and answers that would permit access to an online account. Notably, the types of information affected were different for each individual, and not every individual had all the above listed elements exposed.

As of this writing, we have no evidence and have not received any reports of related identity theft since the discovery of the incident.

2. Maryland Residents Notified

One (1) Maryland residents was potentially affected by this incident. Individual notification letters were mailed to all impacted individuals on October 5, 2023, by first class mail. A sample copy of the notification letter is included with this letter.

3. Steps Taken

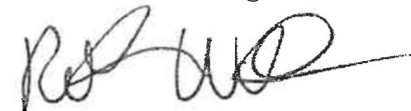
Although Engelman Berger is not aware of any evidence of misuse of personal information, Engelman Berger has extended to all potentially impacted individuals an offer for free credit monitoring and identity theft protection through CyberScout. This service will include 12 months of credit monitoring, along with a fully managed identity theft recovery service, should the need arise. Engelman Berger has changed passwords, strengthened password requirements, and implemented multi-factor authentication. Engelman Berger is also conducting appropriate employee retraining to ensure this incident does not occur again.

4. Contact Information

Engelman Berger remains dedicated to protecting the sensitive information in its control. If you have any questions or need additional information, please do not hesitate to contact me at Robert.F.Walker@LewisBrisbois.com or 470.419.8126.

Very truly yours,

Lewis Brisbois Bisgaard & Smith LLP



Robert Walker, Esq.

cc: Lewis Brisbois LLP
Attn: Erica J. Lloyd, Esq.

Enclosures: *Sample Notification Letter*

Engelman Berger, PC
c/o Cyberscout
1 Keystone Ave., Unit 700
Cherry Hill, NJ 08003
DB-07996

Via First-Class Mail

[REDACTED]
[REDACTED]
[REDACTED]

October 5, 2023

Notice of Data Security Incident

Dear [REDACTED],

Engelman Berger, PC (“Engelman Berger”) is a law firm located in Phoenix, Arizona. Engelman Berger is writing to inform you of an incident that may have exposed your personal information. Engelman Berger takes the security of personal information seriously and wants to provide you with information and resources you can use to protect your information. You are receiving this letter because you were involved in a transaction handled by an attorney currently or previously employed by Engelman Berger and/or Bonnett Fairbourn Friedman & Balint, PC.¹

What Happened:

On February 3, 2023, an Engelman Berger employee fell victim to an email scheme, and inadvertently allowed an unauthorized party to install a remote access application tool on his work computer. This action allowed the unauthorized party to gain limited access to Engelman Berger’s network. Upon discovering the incident, Engelman Berger promptly engaged third-party forensic specialists to assist the firm with securing the environment and investigating the extent of the unauthorized activity.

After a forensic investigation and extensive electronic discovery that concluded on September 19, 2023, Engelman Berger determined an unauthorized third party may have accessed certain individuals’ personal information during this incident.

As of this writing, Engelman Berger has not received any reports of misuse of information and/or related identity theft since the date the incident was discovered.

What Information Was Involved:

As stated above, Engelman Berger found no evidence that your information has been misused. However, it is possible that an unauthorized third party accessed the following information: first and last name, address, and Social Security number. Engelman Berger had acquired this information as part of its standard operational and/or representative purposes in operating a law firm.

¹ Bonnett Fairbourn Friedman & Balint, PC was another law firm located in Phoenix, Arizona that has closed and stopped doing business.

What Engelman Berger Is Doing:

Data security is among Engelman Berger's highest priorities. Upon detecting this incident, the firm moved quickly to initiate a response, which included conducting an investigation with the assistance of third-party IT specialists and confirming the security of our environment.

Engelman Berger is providing you with access to Single Bureau Credit Monitoring/Single Bureau Credit Report/Single Bureau Credit Score services at no charge. These services provide you with alerts for twelve (12) months from the date of enrollment when changes occur to your credit file. This notification is sent to you the same day that the change or update takes place with the bureau. Finally, Engelman Berger is providing you with proactive fraud assistance to help with any questions that you might have or in the event that you become a victim of fraud. These services will be provided by Cyberscout through Identity Force, a TransUnion company specializing in fraud assistance and remediation services.

What You Can Do:

To enroll in Credit Monitoring services at no charge, please log on to <https://secure.identityforce.com/benefit/engelmanberger> and follow the instructions provided. When prompted please provide the following unique code to receive services: [REDACTED]

In order for you to receive the monitoring services described above, you must enroll within 90 days from the date of this letter. The enrollment requires an internet connection and e-mail account and may not be available to minors under the age of 18 years of age. Please note that when signing up for monitoring services, you may be asked to verify personal information for your own protection to confirm your identity.

For More Information:

Engelman Berger encourages you to take full advantage of these services. Enclosed you will find additional materials regarding the resources available to you, and the steps you can take to further protect your personal information.

Representatives of Cyberscout are available for 90 days from the date of this letter, to assist you with questions regarding this incident, between the hours of 8:00 a.m. to 8:00 p.m. Eastern time, Monday through Friday, excluding holidays. Please call the help line at 1-800-405-6108 and supply the fraud specialist with your unique code listed above.

Engelman Berger values the security of your personal data and understands the concern and inconvenience that this incident may have caused.

Sincerely,

Engelman Berger

Additional Information

Credit Reports: 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.

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 1-888-298-0045 https://www.equifax.com/personal/credit-report-services/credit-freeze/	Experian Security Freeze P.O. Box 9554 Allen, TX 75013 1-888-397-3742 www.experian.com/freeze/center.html	TransUnion Security Freeze P.O. Box 160 Woodlyn, PA 19094 1-800-916-8800 www.transunion.com/credit-freeze
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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 listed above.

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

File Police Report: You have the right to file or obtain a police report if you experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide proof that you have been a victim. A police report is often required to dispute

fraudulent items. You can generally report suspected incidents of identity theft to local law enforcement or to the Attorney General.

FTC and Attorneys General: You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself, by contacting the consumer reporting agencies, the Federal Trade Commission, or your state Attorney General.

The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580, www.identitytheft.gov, 1-877-ID-THEFT (1-877-438-4338), 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. This notice has not been delayed by law enforcement.

For District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, D.C. 20001; 202-727-3400; and oag.dc.gov.

For Maryland residents, the Maryland Attorney General can be contacted at 200 St. Paul Place, 16th Floor, Baltimore, MD 21202, 1-888-743-0023, and www.oag.state.md.us.

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 North Carolina residents, the Attorney General can be contacted at 9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-566-7226 or 1-919-716-6400, and www.ncdoj.gov.

For New York residents, the Attorney General may be contacted at Office of the Attorney General, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, and <https://ag.ny.gov/>.

For Rhode Island residents, the Rhode Island Attorney General can be reached at 150 South Main Street, Providence, Rhode Island 02903, www.riag.ri.gov, and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are no Rhode Island residents that may be impacted by this event.