



MULLEN
COUGHLIN^{LLC}
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April 11, 2024

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 Messner Reeves LLP (“Messner Reeves”) located at 1550 Wewatta Street, Suite 710 Denver, CO 80202, and write to notify your office of an incident that may affect the security of certain personal information relating to one (1) Maryland resident. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Messner Reeves 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 or about August 5, 2023, Messner Reeves became aware of suspicious activity potentially involving its network and promptly began a forensic investigation. The investigation determined that certain systems were intermittently accessed by an unknown actor between July 17 and August 5, 2023. During this period, certain files were copied. Messner Reeves undertook a thorough review of the files to identify what specific information was present in the files and to whom it relates. Due to the nature and complexity of the files, the review was a time and resource intensive process. The review was completed on March 29, 2024 and Messner Reeves determined that the information related to the Maryland resident that was within the files includes name, Social Security number, and medical information.

Notice to Maryland Resident

On or about April 11, 2024, Messner Reeves began providing written notice of this incident to approximately one (1) Maryland resident. 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, Messner Reeves investigated and responded to the incident, assessed the security of Messner Reeves systems, and identified potentially affected individuals. Further, Messner Reeves notified federal law enforcement regarding the event. Messner Reeves is also implementing additional safeguards and training to its employees. Messner Reeves is providing access to credit monitoring services for one (1) year, through IDX, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Messner Reeves 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 insurance companies, health care providers, and/or financial institutions. Messner Reeves 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.

Messner Reeves is providing written notice of this incident to relevant state and federal 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) 930-2190.

Very truly yours,

A handwritten signature in black ink, appearing to read 'K. Mekler', with a long horizontal flourish extending to the right.

Kevin M. Mekler of
MULLEN COUGHLIN LLC

KMK/cml

Enclosure

EXHIBIT A



Return to IDX:
4145 SW Watson Avenue, Suite 400
Beaverton, OR 97005

<<First Name>> <<Last Name>>
<<Address 1>> <<Address 2>>
<<City>>, <<State>> <<Zip>>

Enrollment Code: <<XXXXXXXXXX>>

To Enroll, Scan the QR Code Below:



Or Visit:

<https://response.idx.us/messnerreeves>

April 11, 2024

<<Variable Header>>

Dear <<First Name>> <<Last Name>>:

Messner Reeves LLP (“Messner Reeves”) is a law firm that provides legal services to a diverse group of clients. We are writing to notify you of a data incident that may impact the privacy of some of your information we received in the course of our practice.

What Happened? Messner Reeves became aware of suspicious activity potentially involving our network and promptly began an investigation. Our investigation determined that certain systems were intermittently accessed by an unknown actor between July 17 and August 5, 2023. During this period, certain files were copied. We undertook a thorough review of the files to identify what specific information was present in the files and to whom it relates. This review was recently completed, and it identified information relating to you. Since then, we have been working to notify potentially impacted individuals, including you.

What Information Was Involved? Your name and <<Variable Data>> were present in the impacted files.

What We Are Doing. We take this event and the security of all information in our care very seriously. Upon learning of the suspicious activity, Messner Reeves took immediate action to investigate and respond. The investigation included confirming the security of our network, reviewing the relevant files and systems, notifying potentially affected business partners/clients, and notifying federal law enforcement. As part of our ongoing commitment to the privacy and the security of information in our care, Messner Reeves will continue to review our existing policies and procedures.

As an added precaution, we are offering <<12/24>> months of credit monitoring and identity protection services through IDX, A ZeroFox Company. If you wish to activate these complimentary services, you may follow the instructions included in the attached *Steps You Can Take to Protect Personal Information*.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements, explanations of benefits, and monitoring your free credit reports for suspicious activity and to detect errors. Suspicious activity should be promptly reported to relevant parties including insurance companies, health care providers, and/or financial institutions. Additional information and resources may be found below in the *Steps You Can Take to Protect Personal Information* section of this notice.

For More Information. If you have additional questions or concerns, please feel free to call our designated call center at 1-888-392-6491. We are available 7 am to 7 pm Mountain Time, Monday through Friday, except on major US holidays. You may also write to Messner Reeves at Messner Reeves Data Response Team at 1550 Wewatta St. Suite 710 Denver, CO 80202.

Yours Very Truly,

Messner Reeves

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Enroll in Monitoring Services

1. Website and Enrollment. Go to <https://response.idx.us/messnerreeves> and follow the instructions for enrollment using your Enrollment Code: <<XXXXXXXX>>.

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 1-888-392-6491 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

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. **Messner Reeves cannot monitor this information on your behalf.**

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 their 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 to file a report with law enforcement for identity theft, consumers may need to provide 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 District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, D.C. 20001; (202) 442-9828; and oag.dc.gov.

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 Mexico residents, consumers have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in their credit file has been used against them, the right to know what is in their credit file, the right to ask for their credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to consumers' files is limited; consumers must give consent for credit reports to be provided to employers; consumers may limit "prescreened" offers of credit and insurance based on information in their credit report; and consumers may seek damages from violators. Consumers 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 consumers to review their 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, 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.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; www.riag.ri.gov; and 1-401-274-4400. Under Rhode Island law, individuals have the right to obtain any police report filed in regard to this event. There are approximately <<#>> Rhode Island residents that may be impacted by this event.