

CIPRIANI & WERNER

A PROFESSIONAL CORPORATION

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May 2, 2024

Via Email (idtheft@oag.state.md.us)

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

RE: Security Breach Notification

To Whom It May Concern:

We serve as counsel for Spinal Elements, Inc. (“Spinal Elements”), located at 3115 S Melrose Dr, Ste 200, Carlsbad, CA 92010. We write to provide notification of a recent data security incident. By providing this notice, Spinal Elements does not waive any rights or defenses under Maryland law, including the data breach notification statute.

On March 7, 2024, Spinal Elements observed unauthorized changes to direct deposit accounts maintained by payroll provider, Paycor, and alerted Paycor. On March 29, 2024, Paycor notified Spinal Elements that Paycor had discovered on March 18, 2024, that an unauthorized party gained access to Spinal Element’s Paycor administrator account and attempted to initiate fraudulent changes to several Spinal Elements employees’ direct deposit information. This activity was detected and reversed before any funds could be dispersed. Paycor has since indicated that they have conducted an investigation and determined that certain limited information relating to Spinal Elements employees may have been accessed without authorization.

At this time, Spinal Elements is aware of information related to one Maryland resident and Spinal Elements employee who may have been impacted by this incident, including that resident’s name in combination with bank account and routing number.

Spinal Elements will be notifying the potentially impacted Maryland resident and Spinal Elements employee of this incident via First Class mail on May 2, 2024. A copy of the notice is attached as ***Exhibit A***. Spinal Elements has no reason to believe any information has been misused because of this incident. However, in an abundance of caution, Spinal Elements has offered the

potentially impacted resident of Maryland complimentary access to 12 months of credit monitoring and identity protection services.

In response to this incident, Spinal Elements' Paycor administrator credentials have been changed and Spinal Elements is reviewing its policies and procedures related to data protection.

Thank you for your attention to this matter and please contact me should you have any questions.

Very truly yours,

CIPRIANI & WERNER, P.C.

A handwritten signature in black ink, appearing to read 'D Haier', with a stylized flourish at the end.

Daniel Haier, Esq.

610-215-2288

dhaier@c-wlaw.com



Return Address

«First_Name» «Last_Name»
«Address_1»
«City», «StateProvince» «ZIPPostal_Code»
«CountryRegion»

May 2, 2024

NOTICE OF DATA BREACH

Dear «First_Name» «Last_Name»:

Spinal Elements Inc. writes to notify you of an incident that may affect the privacy of certain information related to a small number of our employees. We take this incident seriously and are providing you information about the incident, our response, and steps you can take to help protect your information.

What Happened? On March 7, 2024, Spinal Elements observed unauthorized changes to direct deposit accounts maintained by payroll provider, Paycor, and alerted Paycor. On March 29, 2024, Paycor notified Spinal Elements that Paycor had discovered on March 18, 2024, that an unauthorized party gained access to Spinal Element's Paycor administrator account and attempted to initiate fraudulent changes to several Spinal Elements employees' direct deposit information. This activity was detected and reversed before any funds could be dispersed. Paycor has since indicated that they have conducted an investigation and determined that certain limited information relating to Spinal Elements employees may have been accessed without authorization.

What Information Was Involved? Paycor's investigation determined that certain limited information may have been accessed without authorization, including your name in combination with [REDACTED].

What We Are Doing. In response to this incident, our Paycor administrator credentials have been changed and we are reviewing our policies and procedures related to data protection. Please note we have no evidence of misuse of any of the information described above. However, as you know, we have already provided out employees with complimentary access to LifeLock credit monitoring and identity protection services available in an abundance of caution.

What You Can Do. We encourage you to enroll in the complimentary credit monitoring and identity protection services we have made available to you. If you have not already enrolled, please refer to the instructions on the following page titled *Steps You Can Take to Help Protect Your Information*.

For More Information. We understand you may have questions about this incident. You may call [REDACTED] at [REDACTED] or write to us at 3115 S Melrose Dr., Ste 200, Carlsbad, CA 92010.

The privacy and security of information is important to us. We regret any concern this incident may cause you.

Sincerely,

Spinal Elements, Inc.

STEPS YOU CAN TAKE TO HELP PROTECT YOUR INFORMATION

Spinal Elements, Inc. has retained Norton LifeLock to provide one year of complimentary LifeLock Advantage™ identity theft protection.

To activate your membership online and get protection at no cost to you:

1. You will need a Promo Code (contact HR) and Member ID: [REDACTED] which have been assigned specifically to you, for one-time use.
2. To begin, please click on the following URL:
[REDACTED]
3. Enter The enrollment ID from Above and click Apply.
4. Once enrollment is completed, you will receive a confirmation email (be sure to follow ALL directions in this email).

Alternatively, to activate your membership over the phone, please call: [REDACTED] You will have until 06/11/2024 to enroll in this service.

Once you have completed the LifeLock enrollment process, the service will be in effect. Your LifeLock Advantage™ membership includes:

- LifeLock Identity Alert™ System†
- Dark Web Monitoring**
- LifeLock Privacy Monitor™
- USPS Address Change Verification
- Lost Wallet Protection
- Reduced Pre-Approved Credit Card Offers
- Fictitious Identity Monitoring
- Court Records Scanning
- Data Breach Notifications
- Credit, Checking and Savings Account Activity Alerts†**
- 24/7 Live Member Support
- U.S.-Based Identity Restoration Specialists
- Stolen Funds Reimbursement up to \$100,000 †††
- Personal Expense Compensation up to \$100,000 †††
- Coverage for Lawyers and Experts up to \$1 million †††
- One-Bureau Credit Monitoring¹**
- One-Bureau Annual Credit Report & Credit Score¹**

The credit score provided is a VantageScore 3.0 credit score based on Equifax data. Third parties use many different types of credit scores and are likely to use a different Adtype of credit score to assess your creditworthiness.

1 If your plan includes credit reports, scores, and/or credit monitoring features (“Credit Features”), two requirements must be met to receive said features: (i) your identity must be successfully verified with Equifax; and (ii) Equifax must be able to locate your credit file and it must contain sufficient credit history information. IF EITHER OF THE FOREGOING REQUIREMENTS ARE NOT MET YOU WILL NOT RECEIVE CREDIT FEATURES FROM ANY BUREAU. If your plan also includes Credit Features from Experian and/or TransUnion, the above verification process must also be successfully completed with Experian and/or TransUnion, as applicable. If verification is successfully completed with Equifax, but not with Experian and/or TransUnion, as applicable, you will not receive Credit Features from such bureau(s) until the verification process

is successfully completed and until then you will only receive Credit Features from Equifax. Any credit monitoring from Experian and TransUnion will take several days to begin after your successful plan enrollment. No one can prevent all identity theft or cybercrime. † LifeLock does not monitor all transactions at all businesses. ** These features are not enabled upon enrollment. Member must take action to get their protection. ††† Reimbursement and Expense Compensation, each with limits of up to \$100,000 for Advantage. And up to \$1 million for coverage for lawyers and experts if needed. Benefits under the Master Policy are issued and covered by United Specialty Insurance Company (State National Insurance Company, Inc. for NY State members). Policy terms, conditions and exclusions at: LifeLock.com/legal.

Should you wish to place a fraud alert or credit freeze, please contact the three major credit reporting bureaus listed below:

TransUnion 1-800-680-7289 www.transunion.com TransUnion Fraud Alert P.O. Box 2000 Chester, PA 19016-2000 TransUnion Credit Freeze P.O. Box 160 Woodlyn, PA 19094	Experian 1-888-397-3742 www.experian.com Experian Fraud Alert P.O. Box 9554 Allen, TX 75013 Experian Credit Freeze P.O. Box 9554 Allen, TX 75013	Equifax 1-888-298-0045 www.equifax.com Equifax Fraud Alert P.O. Box 105069 Atlanta, GA 30348-5069 Equifax Credit Freeze P.O. Box 105788 Atlanta, GA 30348-5788
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Additional Information

You can further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the credit reporting bureaus, the Federal Trade Commission (FTC), or your state Attorney General. The FTC also encourages those who discover that their information has been misused to file a complaint with them. The FTC may be reached at 600 Pennsylvania Ave. NW, Washington, D.C. 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261.

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, your state Attorney General, and the FTC. This notice has not been delayed by law enforcement.