

JONES DAY

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JEVRETT@JONESDAY.COM

May 6, 2024

BY E-MAIL

Office of the Attorney General
Attention: Attorney General Anthony Brown
200 St. Paul Place
Baltimore, MD 21202
IDTheft@oag.state.md.us

Re: Notice of Data Security Incident

Dear Attorney General Brown:

I am writing on behalf of our client Fundera Inc. (“Fundera”), to inform you of a data security incident involving the personal information of residents of Maryland.

On or around January 25, 2024, Fundera became aware of unusual activity related to some of Fundera’s customers who went through its business loan application process. Fundera immediately launched an investigation and determined that, between January 20 and February 10, 2024, an unidentified party gained access to and acquired information that was provided to Fundera as part of the loan process. Fundera promptly conducted a diligent review of its records to determine what personal information may have been accessed. On April 26, 2024, Fundera identified 59 residents of Maryland whose personal information was accessed.

Based upon Fundera’s investigation to date, Fundera has determined that personal information involved in the incident may have included individual’s names and one or more of the following: address, phone number, email address, social security number, date of birth, taxpayer identification number/EIN, driver’s license or other government identification. The investigation identified no indication that PINS or other codes necessary to access financial accounts were impacted.

Upon discovery of this incident, Fundera immediately disabled access to the information. It also implemented safeguards to augment security controls to reduce the chance of a similar event occurring in the future. While there is no indication of any identity theft or fraud occurring as a result of this incident, Fundera also is offering notice recipients the opportunity to enroll in two years of complimentary credit monitoring services.

Attached is a sample of the letter that Fundera is providing to Maryland residents by U.S. mail. Fundera’s corporate headquarters is located at 55 Hawthorne Street, 10th Floor, Suite 1, San Francisco, California 94105.

Attorney General Brown
May 6, 2024
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Please do not hesitate to contact me if you have any questions.

Sincerely,

Jennifer C. Everett

Jennifer C. Everett

Encl.



Secure Processing Center
P.O. Box 3826
Suwanee, GA 30024

<<First Name>> <<Last Name>>

<<Address 1>>

<<Address 2>>

<<City>><<State>><<Zip>>

<<Date>>

Postal IMB Barcode

Re: Notice of Data Security Incident

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

Fundera, Inc. is writing to inform you of a recent incident involving your personal information.

While we have no indication of any identity theft or fraud as a result of this incident, we want to let you know what happened, our response, and the steps you can take to protect your information.

What Happened. When you apply for a commercial business loan or other line of credit for your business with Fundera, our third-party lending partners are authorized to access your information for the purpose of reviewing and approving your loan application. On January 25, 2024, we became aware of unusual activity related to some of the customers who went through our business loan application process.

Based on our investigation to date, we determined that an unidentified party gained access to and acquired information that was provided to Fundera in connection with the loan process. We promptly conducted a diligent review to determine what personal information may have been accessed.

What Information Was Involved. The personal information involved in this incident may have included your name and one or more of the following: address, phone number, email address, social security number, date of birth, taxpayer identification number/EIN, driver's license or other government identification. The information involved did not include a PIN or other code necessary to access your financial accounts.

What We Are Doing. We value your privacy and sincerely regret any inconvenience this incident may have caused you. Upon discovery of the incident, we immediately disabled access to the information. We also implemented safeguards to augment security controls to reduce the chance of a similar event occurring in the future. Although we have no evidence of identity theft or fraud as a result of the incident, as a precaution, we are offering you 24-months of credit and identity monitoring services at no charge to you. You must enroll by <<Enrollment Deadline>>.

What You Can Do. Please review the enclosed "Steps You Can Take to Protect Your Information" which describes the services we are offering, how to activate them, and provides other details on how to protect yourself. We encourage you to remain vigilant against the potential for identity theft and fraud and to monitor your accounts and credit reports for any suspicious activity.



For More Information. If you have any questions, please call toll-free 1-888-326-0863, available 6 a.m. to 6 p.m. Pacific, Monday through Friday, excluding holidays.

Sincerely,

Brandon McDonough
Vice President, Fundera



STEPS YOU CAN TAKE TO PROTECT YOUR INFORMATION

Enroll in Complimentary Credit and Identity Monitoring

We have made arrangements with CyEx Identify Defense to provide you with 24-months of credit and identity monitoring services.

To enroll in Identity Defense, visit app.identitydefense.com/enrollment/activate/fundera

1. Enter your unique Activation Code <<[Activation Code](#)>>
Enter your Activation Code and click 'Redeem Code'.
2. Create Your Account
Enter your email address, create your password, and click 'Create Account'.
3. Register
Enter your legal name, home address, phone number, date of birth, Social Security Number, and click 'Complete Account'.
4. Complete Activation
Click 'Continue to Dashboard' to finish enrolling.

The deadline to enroll is <<[Enrollment Deadline](#)>>. After <<[Enrollment Deadline](#)>>, the enrollment process will close, and your Identity Defense code will no longer be active. **If you do not enroll by <<[Enrollment Deadline](#)>>, you will not be able to take advantage of Identity Defense, so please enroll before the deadline.**

If you need assistance with the enrollment process or have questions regarding Identity Defense, please call Identity Defense directly at 1.866.622.9303.

You also can take steps to protect against identity theft or fraud, including monitoring your financial accounts and free credit reports for signs of suspicious activity. Information about how to obtain a free credit report, security freezes, and other guidance is provided in the "*Additional Resources*" section below, which we encourage you to review.

ADDITIONAL RESOURCES

Under the federal Fair Credit Reporting Act ("FCRA"), you are entitled to one free copy of your credit report every 12 months from each of the three nationwide credit reporting agencies. You may obtain a free copy of your credit report from each of the three credit reporting agencies by visiting www.annualcreditreport.com or by calling 1-877-322-8228. You can request information regarding fraud alerts and security freezes from the following credit reporting agencies:

- Equifax, <https://www.equifax.com/personal/credit-report-services>, 1-800-525-6285, P.O. Box 740256, Atlanta, GA 30374
- Experian, <https://www.experian.com/help>, 1-888-397-3742, P.O. Box 9554, Allen, TX 75013
- TransUnion, <https://www.transunion.com/credit-help>, 1-800-680-7289, P.O. Box 2000, Chester, PA 19016

There is no charge to place a security freeze on your credit. To place a security freeze on your credit, you may need to provide the following information:

- Your full name (including middle initial as well as Jr., Sr., II, III, etc.)
- Social Security number
- Date of birth
- The addresses where you have lived over the prior five years



- Proof of current address such as a current utility bill or telephone bill
- A legible photocopy of a government-issued identification card (state driver's license or ID card, military identification, etc.)

You can also receive information from the Federal Trade Commission ("FTC") regarding fraud alerts, security freezes, and how to avoid and report identity theft: <https://www.consumer.ftc.gov>, 1-877-438-4338, 600 Pennsylvania Avenue, NW, Washington, D.C. 20580.

Additional information:

- **For District of Columbia residents:** You may contact the D.C. Office of the Attorney General, 441 4th Street NW, Suite 1100 South, Washington DC 20001, <http://oag.dc.gov/>, 202-727-3400.
- **For Maryland residents:** You may contact the Maryland Office of the Attorney General, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, <https://www.marylandattorneygeneral.gov/>, 1-888-743-0023.
- **For Massachusetts residents:** Under Massachusetts law, you have the right to obtain any police report filed in connection with this incident.
- **For New York residents:** You may contact the New York State Office of the Attorney General, 120 Broadway, 3rd Floor New York, NY 10271, <https://ag.ny.gov>, 1-800-771-7755. You may also contact the New York Department of State Division of Consumer Protection, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, <http://www.dos.ny.gov/consumerprotection>, 1-800-697-1220.
- **For North Carolina residents:** You may contact the North Carolina Office of the Attorney General, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001, <http://www.ncdoj.gov>, 1-877-566-7226.
- **For Rhode Island residents:** Rhode Island residents may contact the Rhode Island State Office of the Attorney General; <http://www.riag.ri.gov>, 1-401-274-4400, 150 South Main Street, Providence, Rhode Island 02903. In Rhode Island you may file or obtain a police report.
- **For Iowa residents:** You may contact the Iowa Office of the Attorney General, Consumer Protection Division, Consumer Protection Division, Hoover State Office Building, 1305 East Walnut Street, Des Moines, IA 50319, <http://www.iowaattorneygeneral.gov>, 515-281-5164.
- **For Oregon residents:** You may contact the Oregon Office of the Attorney General, 1162 Court Street NE, Salem, OR 97301-4096, <http://www.doj.state.or.us>, 877-877-9392.
- **For New Mexico residents:** You have rights under the federal Fair Credit Reporting Act (FCRA). These include, among others, the right to know what is in your file; to dispute incomplete or inaccurate information; and to have consumer reporting agencies correct or delete inaccurate, incomplete, or unverifiable information. For more information about the FCRA, please visit <http://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf> or www.ftc.gov.