

Dominic A. Paluzzi
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July 10, 2024

VIA EMAIL

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

Re: Ellingson Companies – Incident Notification

Dear Sir or Madam:

McDonald Hopkins PLC represents Ellingson Holdings and its subsidiaries, ECI Contracting and Ellingson Drainage, Inc. (collectively, “Ellingson Companies”), located at 56113 State Highway 56, West Concord, MN 55985. I am writing to provide notification of a cybersecurity incident that impacted Ellingson Companies and may affect the security of personal information of approximately two (2) Maryland residents. By providing this notice, Ellingson Companies does not waive any rights or defenses regarding the applicability of Maryland law or personal jurisdiction.

On January 24, 2024, Ellingson Companies identified a potential cybersecurity incident involving unauthorized access to a limited number of employees’ email accounts. Upon learning of this issue, Ellingson Companies contained the incident and immediately commenced a prompt and thorough investigation. As part of the investigation, Ellingson Companies worked very closely with external cybersecurity professionals experienced in handling these types of incidents. Following the forensic investigation, Ellingson Companies determined that the contents of a limited number of email accounts were subject to access and acquisition by an unauthorized individual between December 23, 2023 and January 27, 2024. Ellingson Companies conducted an extensive manual review of the affected data and, on June 10, 2024, discovered the potentially impacted data contained residents’ personal information, including name and Social Security number.

Ellingson Companies is not aware of any reports of identity fraud or improper use of personal information as a direct result of this incident. Nevertheless, out of an abundance of caution, Ellingson Companies wanted to inform you (and affected residents) of the incident and to explain the steps that it is taking to help safeguard the affected residents against identity fraud. Ellingson Companies is providing the affected residents with written notification of this incident, commencing on or about July 9, 2024, in substantially the same form as the letter attached hereto as **Exhibit A**. Ellingson Companies is offering the affected residents complimentary one-year memberships with a credit monitoring service, for those with a Social Security number involved.

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Ellingson Companies is also advising the affected residents about the process for placing fraud alerts and/or security freezes on their credit files and obtaining free credit reports. The affected residents are also being provided with the contact information for the consumer reporting agencies and the Federal Trade Commission.

At Ellingson Companies, protecting the privacy of personal information is a top priority. Ellingson Companies is committed to maintaining the privacy of personal information in its possession and has taken many precautions to safeguard it. Ellingson Companies continually evaluates and modifies its practices and internal controls to enhance the security and privacy of personal information.

Should you have any additional questions, please contact me at (248) 220-1356 or dpaluzzi@mcdonaldhopkins.com.

Sincerely,



Dominic A. Paluzzi

Encl.

Exhibit A



EllingsonCompanies.com | 888.527.2294

IMPORTANT INFORMATION
PLEASE REVIEW CAREFULLY

<<Date>> (Format: Month Day, Year)

<<first_name>> <<middle_name>> <<last_name>> <<suffix>>
<<address_1>>
<<address_2>>
<<city>>, <<state_province>> <<postal_code>>
<<country>>

<<b2b_text_1 (VARIABLE HEADING)>>

Dear <<first_name>>:

The privacy and security of the personal information entrusted to us is of the utmost importance to Ellingson Companies. We are writing to provide you with information regarding an information incident that potentially affected the security of some of your personal information. As such, we wanted to provide you with information about the incident, explain the services we are making available to you, and let you know that we continue to take significant measures to protect your information.

What Happened?

On January 24, 2024, Ellingson Companies detected an information security incident involving unauthorized access to a limited number of employees' email accounts.

What We Are Doing.

Upon learning this, we contained the incident and commenced a prompt and thorough investigation. As part of the investigation, we engaged third-party cybersecurity professionals experienced in handling these type of incidents. The investigation aimed to determine the nature and scope of the incident and whether any personal information was accessed and/or acquired by an unauthorized party.

Following the forensic investigation, we determined that the contents of a limited number of email accounts were subject to access and acquisition by an unauthorized individual between December 23, 2023 and January 27, 2024. We conducted an extensive manual review of the affected data and, on June 10, 2024, we discovered the potentially impacted data contained your personal information.

What Information Was Involved?

One or more of the files potentially acquired by the unauthorized party contained your <<b2b_text_2 (name and data elements)>><<b2b_text_3 (data elements cont.)>>.

What You Can Do.

We have no evidence that any of your information has been misused. Nevertheless, out of an abundance of caution, we have secured the services of Kroll to provide identity monitoring at no cost to you for <<Monitoring Term Length (Months)>> months. Kroll is a global leader in risk mitigation and response, and their team has extensive experience helping people who have sustained an unintentional exposure of confidential data. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration.

Visit <https://enroll.krollmonitoring.com> to activate and take advantage of your identity monitoring services.

You have until <<b2b_text_6 (activation deadline)>> to activate your identity monitoring services.

Membership Number: <<Membership Number s_n>>

For more information about Kroll and your Identity Monitoring services, you can visit info.krollmonitoring.com.

Additional information describing your services is included with this letter.

This letter also provides precautionary measures you can take to protect your personal information, including placing a Fraud Alert and Security Freeze on your credit files, and obtaining a free credit report. Additionally, you should always remain vigilant in reviewing your financial account statements and credit reports for fraudulent or irregular activity on a regular basis. The enclosed, "Other Important Information", provides further details regarding what you can do.

For More Information.

If you have any further questions regarding this incident, please call our dedicated and confidential toll-free response line that we have set up to respond to questions at <<TFN>>. This response line is staffed with professionals familiar with this incident and knowledgeable on what you can do to protect against potential misuse of your information. The response line is available Monday through Friday, from 8:00 a.m. to 5:30 p.m. Central Time, excluding major U.S. holidays. Please have your membership number ready.

Please accept our apologies that this incident occurred. We are committed to maintaining the privacy of personal information in our possession and have taken many precautions to safeguard it. We continually evaluate and modify our practices and internal controls to enhance the security and privacy of your personal information.

Sincerely,

Ellingson Companies

56113 State Highway 56

West Concord, MN 55985

– OTHER IMPORTANT INFORMATION –



1. Take advantage of your identity monitoring services.

You have been provided with access to the following services from Kroll:

Single Bureau Credit Monitoring

You will receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.

Fraud Consultation

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

Identity Theft Restoration

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.

Kroll's activation website is only compatible with the current version or one version earlier of Chrome, Firefox, Safari and Edge.

To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.

2. Placing a Fraud Alert.

Whether or not you choose to enroll in the complimentary credit monitoring, we recommend that you place a one-year "Fraud Alert" on your credit files, at no charge. A fraud alert tells creditors to contact you personally before they open any new accounts. To place a fraud alert, call any one of the three major credit bureaus at the numbers listed below. As soon as one credit bureau confirms your fraud alert, they will notify the others.

Equifax

P.O. Box 105069
Atlanta, GA 30348-5069
[www.equifax.com/personal/
credit-report-services/credit-fraud-alerts/](http://www.equifax.com/personal/credit-report-services/credit-fraud-alerts/)
(888) 378-4329

Experian

P.O. Box 9554
Allen, TX 75013
[www.experian.com/fraud/
center.html](http://www.experian.com/fraud/center.html)
(888) 397-3742

TransUnion

Fraud Victim Assistance Department
P.O. Box 2000
Chester, PA 19016
www.transunion.com/fraud-alerts
(800) 680-7289

3. Consider Placing a Security Freeze on Your Credit File.

If you are very concerned about becoming a victim of fraud or identity theft, you may request a "Security Freeze" be placed on your credit file at no cost. A security freeze prohibits, with certain specific exceptions, the consumer reporting agencies from releasing your credit report or any information from it without your express authorization. You may place a security freeze on your credit report by sending a request in writing, by mail, to all three nationwide credit reporting companies. To find out more on how to place a security freeze, you can use the following contact information:

Equifax Security Freeze

P.O. Box 105788
Atlanta, GA 30348-5788
[www.equifax.com/personal/
credit-report-services/credit-freeze/](http://www.equifax.com/personal/credit-report-services/credit-freeze/)
(800) 349-9960
(888) 298-0045

Experian Security Freeze

P.O. Box 9554
Allen, TX 75013
[www.experian.com/freeze/
center.html](http://www.experian.com/freeze/center.html)
(888) 397-3742

TransUnion Security Freeze

P.O. Box 160
Woodlyn, PA 19094
www.transunion.com/credit-freeze
(888) 916-8800

In order to place the security freeze, you will need to supply your name, address, date of birth, Social Security number and other personal information such as copy of a government issued identification. After receiving your freeze request, each credit reporting company will send you a confirmation letter containing a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

If you do place a security freeze *prior* to enrolling in the credit monitoring service as described above, you will need to remove the freeze in order to sign up for the credit monitoring service. After you sign up for the credit monitoring service, you may refreeze your credit file. Please be aware that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing, or other services.

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 www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf or www.ftc.gov.

4. Obtaining a Free Credit Report.

Under federal law, you are entitled to one free credit report every 12 months from each of the above three major nationwide credit reporting companies. Call **1-877-322-8228** or request your free credit reports online at www.annualcreditreport.com. Once you receive your credit reports, review them for discrepancies. Identify any accounts you did not open or inquiries from creditors that you did not authorize. Verify all information is correct. If you have questions or notice incorrect information, contact the credit reporting company.

5. Additional Helpful Resources.

Even if you do not find any suspicious activity on your initial credit reports, the Federal Trade Commission (FTC) recommends that you check your credit reports periodically. Checking your credit report periodically can help you spot problems and address them quickly.

If you find suspicious activity on your credit reports or have reason to believe your information is being misused, call your local law enforcement agency and file a police report. Be sure to obtain a copy of the police report, as many creditors will want the information it contains to absolve you of the fraudulent debts. You may also file a complaint with the FTC by contacting them on the web at www.ftc.gov/idtheft, by phone at 1-877-IDTHEFT (1-877-438-4338), or by mail at Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20580. Your complaint will be added to the FTC's Identity Theft Data Clearinghouse, where it will be accessible to law enforcement for their investigations. In addition, you may obtain information from the FTC about fraud alerts and security freezes.

If this notice letter states that your financial account information and/or credit or debit card information was impacted, we recommend that you contact your financial institution to inquire about steps to take to protect your account, including whether you should close your account or obtain a new account number.

If your personal information has been used to file a false tax return, to open an account or to attempt to open an account in your name or to commit fraud or other crimes against you, you may file a police report in the city in which you currently reside.

Consider keeping a record of your contacts. Start a file with copies of your credit reports, the police reports, any correspondence, and copies of disputed bills. It is helpful to log conversations with creditors, law enforcement officials, and other relevant parties.

Iowa Residents: You may contact law enforcement or the Iowa Attorney General's Office to report suspected incidents of identity Theft: Office of the Attorney General of Iowa, Consumer Protection Division, Hoover State Office Building, 1305 East Walnut Street, Des Moines, IA 50319, www.iowaattorneygeneral.gov, Telephone: 515-281-5164.

Maryland Residents: You may obtain information about avoiding identity theft from the Maryland Attorney General's Office: Office of the Attorney General of Maryland, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, <https://www.marylandattorneygeneral.gov/>, Telephone: 888-743-0023.

North Carolina Residents: You may obtain information about preventing identity theft from the North Carolina Attorney General's Office: Office of the Attorney General of North Carolina, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001, www.ncdoj.gov/, Telephone: 877-566-7226 (Toll-free within North Carolina), 919-716-6000.

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 www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf or www.ftc.gov.

*In Addition, New Mexico Consumers Have the Right to
Obtain a Security Freeze or Submit a Declaration of Removal*

As noted above, you may obtain a security freeze on your credit report to protect your privacy and ensure that credit is not granted in your name without your knowledge. You may submit a declaration of removal to remove information placed in your credit report as a result of being a victim of identity theft. You have a right to place a security freeze on your credit report or submit a declaration of removal pursuant to the Fair Credit Reporting and Identity Security Act.

The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. When you place a security freeze on your credit report, you will be provided with a personal identification number, password, or similar device to use if you choose to remove the freeze on your credit report or to temporarily authorize the release of your credit report to a specific party or parties or for a specific period of time after the freeze is in place. To remove the freeze or to provide authorization for the temporary release of your credit report, you must contact the consumer reporting agency and provide all of the following:

1. The unique personal identification number, password, or similar device provided by the consumer reporting agency;
2. Proper identification to verify your identity; and
3. Information regarding the third party or parties who are to receive the credit report or the period of time for which the credit report may be released to users of the credit report.

A consumer reporting agency that receives a request from a consumer to lift temporarily a freeze on a credit report shall comply with the request no later than three business days after receiving the request. As of September 1, 2008, a consumer reporting agency shall comply with the request within fifteen minutes of receiving the request by a secure electronic method or by telephone.

A security freeze does not apply in all circumstances, such as where you have an existing account relationship and a copy of your credit report is requested by your existing creditor or its agents for certain types of account review, collection, fraud control, or similar activities; for use in setting or adjusting an insurance rate or claim or insurance underwriting; for certain governmental purposes; and for purposes of prescreening as defined in the federal Fair Credit Reporting Act.

If you are actively seeking a new credit, loan, utility, telephone, or insurance account, you should understand that the procedures involved in lifting a security freeze may slow your own applications for credit. You should plan ahead and lift a freeze, either completely if you are shopping around or specifically for a certain creditor, with enough advance notice before you apply for new credit for the lifting to take effect. You should contact a consumer reporting agency and request it to lift the freeze at least three business days before applying. As of September 1, 2008, if you contact a consumer reporting agency by a secure electronic method or by telephone, the consumer reporting agency should lift the freeze within fifteen minutes. You have a right to bring a civil action against a consumer reporting agency that violates your rights under the Fair Credit Reporting and Identity Security Act.

To place a security freeze on your credit report, you must send a request to each of the three major consumer reporting agencies: Equifax, Experian, and TransUnion. You may contact these agencies using the contact information provided above.