

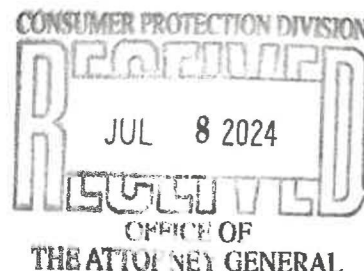


Tawana B. Johnson
600 Peachtree Street NE, Suite 4700
Atlanta, Georgia 30308
Tawana.Johnson@lewisbrisbois.com
Direct: 404.476.2089

June 28, 2024

Via First Class Mail

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



Re: Our Client : Gaia Software, LLC
Matter : February 2024 Data Security Incident
LBBS File No. : 16516.396

Dear Attorney General Brown:

We represent Gaia Software, LLC (“Gaia”), which is principally located in Colorado, with respect to a data security incident described in more detail below. Gaia is a third-party provider of electronic medical records and billing services, and has entered into a Business Associate Agreement with the Covered Entities listed on the attached Exhibit A. Gaia takes the security and privacy of the information in its control seriously, and it has taken steps to enhance its security capabilities.

This letter will serve to inform you of the nature of the incident, the number of Maryland residents being notified, what information has been compromised, and the steps that Gaia is taking to restore the integrity of its information system. We have also enclosed hereto a sample of the notification to the potentially impacted individuals, which includes an offer of free credit monitoring.

1. Nature of the Security Incident

On or about February 5, 2024, Gaia detected it was the target of a cybersecurity attack. An unauthorized third party attempted to infiltrate Gaia’s computer network and demand a ransom payment. Upon detecting the incident, Gaia moved quickly to secure its network environment and launched a thorough investigation. The investigation was performed with the help of independent IT security and forensic investigators to determine the scope and extent of the potential unauthorized access to our systems and any personal information. Gaia’s investigation concluded on April 19, 2024.

On or around April 19, 2024, Gaia provided notice of the incident to its affected clients. Since that time, Gaia has worked to provide its clients with lists of the potentially impacted individuals, prepare notification letters, perform a NCOA search to secure updated addresses for each individual, and offer credit monitoring and protection services for each individual as well as implement a call center that will assist individuals with questions they may have regarding the incident and credit monitoring offering.

Although Gaia has found no evidence information has been specifically accessed for misuse, it is possible individuals' names, mailing addresses, dates of birth, social security numbers, health insurance information, and/or protected health information, to the extent that such may have existed on the network, could have been exposed. Notably, the types of information affected were different for each individual, and not every individual had all of the elements listed above exposed.

As of the date of this writing, Gaia has not had any reports of related identity theft since the date of the incident (February 5, 2024 to present).

2. Number of Maryland Residents Affected

A total of 2,549 residents of Maryland were potentially affected by this security incident. A notification letter to these individuals is scheduled to be mailed on June 28, 2024 by first class mail including an offer of free credit monitoring. A sample copy of the notification letters are included with this letter.

3. Steps Taken

Upon learning of this incident, Gaia moved quickly to initiate a response plan, which included conducting an investigation with the assistance of third-party forensic specialists. Since then, Gaia has been working with law enforcement to help respond to the incident, along with cybersecurity experts to review all policies and procedures relating to the security of Gaia's systems.

Although Gaia is not aware of any evidence of misuse of personal information, Gaia extended to all potentially impacted individuals an offer for free credit monitoring and identity theft protection through Cyberscout, a TransUnion company. This service will include 12 months of credit monitoring, along with fully managed identity theft recovery service, should the need arise.

4. Contact Information

Gaia 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 Tawana.Johnson@lewisbrisbois.com or 404.476.2089.

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Very truly yours,

A handwritten signature in black ink, appearing to read "Tawana Johnson", written in a cursive style.

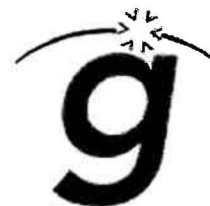
Tawana B. Johnson of
LEWIS BRISBOIS BISGAARD &
SMITH LLP

Copy: Nicholas Chauvin, Esq. (Lewis Brisbois LLP)
Enclosure: *Sample Notification Letter*

EXHIBIT A

1. ARC Dialysis
2. Dialysis Care Center
3. Deer's Head Hospital
4. FC Dialysis Holdings
5. Great Lakes Dialysis, LLC
6. Kidney Spa
7. Kidney Treatment Center of South Florida
8. Physicians Dialysis
9. Somatus Dialysis of Falls Church

Gaia Software, LLC
c/o Cyberscout
PO Box 1286
Dearborn, MI 48120-9998
Via First-Class Mail



June 28, 2024

Notice of Data Security Incident

Dear [REDACTED],

Gaia Software, LLC (“Gaia”) is a third-party software company who is contracted with AMERICARE RENAL CENTER LLC HD to provide electronic medical record and billing management software services to AMERICARE RENAL CENTER LLC HD. Gaia is writing to inform you of an incident experienced by Gaia that may have exposed your personal information. You are receiving this letter because you are a current or former patient of AMERICARE RENAL CENTER LLC HD. Please note, AMERICARE RENAL CENTER LLC HD’s systems were not compromised. Gaia takes the security of your personal information seriously and wants to provide you with information and resources you can use to protect your information going forward.

What Happened:

On or about February 5, 2024, Gaia detected it was the target of a cybersecurity attack. An unauthorized third party attempted to infiltrate Gaia’s computer network and demand a ransom payment. Upon detecting the incident, Gaia moved quickly to secure its network environment and launched a thorough investigation. The investigation was performed with the help of independent IT security and forensic investigators to determine the scope and extent of the potential unauthorized access to our systems and any personal information. Gaia’s investigation concluded on April 19, 2024.

What Information Was Involved:

Although Gaia has found no evidence your information has been specifically accessed for misuse, it is possible your name, mailing address, date of birth, social security number, health insurance information, and/or health information, to the extent that such may have existed on the network, could have been exposed. Notably, the types of information affected were different for each individual, and not every individual had all of the elements listed above exposed.

As of this writing, Gaia has not received any reports of related identity theft since the date of the incident (February 5, 2024 to present). Gaia has taken all efforts possible to mitigate any further exposure of your personal information and related identity theft.

What We Are Doing:

The security and privacy of personal data remains one of Gaia’s highest priorities. Gaia has engaged external cybersecurity experts and is taking steps to prevent a similar event from occurring in the future by implementing additional safeguards and enhanced security measures to better protect the privacy and security of information in its systems. Gaia has also reviewed and taken steps to enhance its policies and procedures relating to the security of its systems, as well as its information life cycle management.

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Additionally, in response to the incident, Gaia 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 the change or update takes place with the bureau. Gaia is also providing you with proactive fraud assistance to help with any questions you might have or in the event you become a victim of fraud. These services will be provided by Cyberscout, 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://bfs.cyberscout.com/activate> and follow the instructions provided. When prompted please provide the following unique code to receive services: **B0AA85EE4597**. 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. Please note 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:

Representatives 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 1-833-961-6572 and be prepared to supply the fraud specialist with your unique code listed above.

You are encouraged 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.

Again, Gaia values the security of the personal data it maintains, and understands the frustration, concern, and inconvenience that this incident may have caused.

Sincerely,

Bruce Thompson
CEO and Founder
Gaia Software, LLC

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 approximately 2 Rhode Island residents that may be impacted by this event.