

James J. Giszczak
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July 18, 2024

VIA EMAIL: Idtheft@oag.state.md.us

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

Re: Encore Bank – Incident Notification

Dear Sir / Madam:

McDonald Hopkins represents Encore Bank. I am writing to provide notification of an incident that may affect the security of personal information of approximately four (4) Maryland residents. By providing notice, Encore Bank does not waive any rights or defenses regarding the applicability of Maryland law or personal jurisdiction.

Encore Bank detected unauthorized access to an employee's email account that occurred on November 6, 2023. This incident resulted in the potential exposure of data contained within the employee's mailbox. Upon learning of this issue, Encore Bank secured the impacted email account and commenced a prompt and thorough investigation. Encore Bank immediately launched an investigation in consultation with outside cybersecurity professionals who regularly investigate and analyze these types of situations to analyze the extent of any compromise of the email account and the security of the emails and attachments contained within them. Encore Bank devoted considerable time and effort to determine what information was contained in the affected email account. After an extensive forensic investigation and manual document review, Encore Bank discovered on June 20, 2024 that the email account that was accessed by the unauthorized party may have included personal information. Encore Bank confirmed that the personal information included a residents' full name and Social Security Number.

Encore Bank has no reason to believe that any personal information will be misused as a result of this incident. Nevertheless, out of an abundance of caution, Encore Bank wanted to inform you (and the affected residents) of the incident and to explain the steps that it is taking to help safeguard the affected residents against identity fraud. Encore Bank is providing the affected residents with written notification of this incident commencing on or about July 19, 2024 in substantially the same form as the letter attached hereto. Encore Bank is also offering the affected residents a complimentary one-year membership with a credit monitoring service. Encore Bank is advising the affected residents to always remain vigilant in reviewing financial account statements for fraudulent or irregular activity on a regular basis. Encore Bank is advising the affected residents

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about the process for placing fraud alerts and/or security freezes on their credit file and obtaining a free credit report. The affected residents are also being provided with the contact information for the consumer reporting agencies and the Federal Trade Commission.

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

If you have any additional questions, please contact me at (248) 220-1354 or jgiszczak@mcdonaldhopkins.com.

Very truly yours,



James J. Giszczak

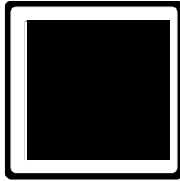
Encl.

P.O. Box 989728
West Sacramento, CA 95798-9728



Enrollment Code: [REDACTED]

To Enroll, Scan the QR Code Below:





Or Visit:

[REDACTED]

July 19, 2024



Dear [REDACTED]

The privacy and security of the personal information we maintain is of the utmost importance to Encore Bank. We are writing to provide you with information regarding a data security incident that may have impacted your personal information. We want to provide you with information about the incident, advise you of the services we will be providing to you, and let you know that we continue to take significant measures to protect personal information.

What Happened?

Encore Bank detected unauthorized access to an employee's email account that occurred on November 6, 2023. This incident resulted in the potential exposure of data contained within the employee's mailbox, including some of your personal information.

What We Are Doing.

Upon learning of the unauthorized access, we secured the impacted email account and immediately commenced a detailed investigation in consultation with outside cybersecurity professionals who regularly investigate and analyze these types of situations to analyze the extent of any compromise of the email account and the security of the emails and attachments contained within them. We devoted considerable time and effort to determine what information was contained in the affected email account.

What Information Was Involved?

After an extensive forensic investigation and manual document review with outside cybersecurity specialists, we discovered on June 20, 2024, that your personal information was potentially accessed. This information may have included your name along with your [REDACTED]

What You Can Do.

We have no evidence that any of the information has been misused. Nevertheless, out of an abundance of caution, we want to make you aware of the incident. To help protect your information, we are offering a complimentary one-year membership with IDX, A ZeroFox Company, the data breach and recovery services expert. IDX identity protection services include: credit and CyberScan monitoring, a \$1,000,000 insurance

reimbursement policy, and fully managed id theft recovery services. We encourage you to contact IDX with any questions and to enroll in the free identity protection services by scanning the QR code above, calling [REDACTED] or going to [REDACTED] and using the Enrollment Code provided above. IDX representatives are available Monday through Friday from 8:00 am to 8:00 pm Central Time. Please note the deadline to enroll is October 19, 2024. For more information on identity theft prevention and the credit monitoring product being offered to you, including instructions on how to activate your complimentary one-year membership, please see the additional information provided in this letter.

This letter also provides other 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.

For More Information.

Please accept our apologies that this incident occurred. We remain fully 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 to enhance the security and privacy of personal information.

If you have any further questions regarding this incident, please call our toll-free response line at [REDACTED]

[REDACTED] This response line is available Monday through Friday, 8:00 am to 8:00 pm Central Time.

Sincerely,
Karla Dial
EVP, Chief Information and Data Officer
Encore Bank

– OTHER IMPORTANT INFORMATION –

1. Enrolling in Complimentary 12-Month Credit Monitoring.

We are offering complimentary services through IDX, A ZeroFox Company, the data breach and recovery services expert. IDX identity protection services include: credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed id theft recovery services. We encourage you to contact IDX with any questions and to enroll in the free identity protection services by scanning the QR code above, calling [REDACTED] or going to [REDACTED] and using the Enrollment Code provided above. IDX representatives are available Monday through Friday from 8:00 am to 8:00 pm Central Time. Please note the deadline to enroll is October 19, 2024.

2. Placing a Fraud Alert on Your Credit File.

Whether or not you choose to use the complimentary 12-month credit monitoring services, we recommend that you place an initial 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
<https://www.equifax.com/personal/credit-report-services/credit-fraud-alerts/>
(800) 525-6285

Experian

P.O. Box 9554
Allen, TX 75013
<https://www.experian.com/fraud/center.html>
(888) 397-3742

TransUnion

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

3. 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 charge. 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 contacting all three nationwide credit reporting companies at the numbers below and following the stated directions or by sending a request in writing, by mail, to all three credit reporting companies:

Equifax Security Freeze

P.O. Box 105788
Atlanta, GA 30348
<https://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
<http://experian.com/freeze>
(888) 397-3742

TransUnion Security Freeze

P.O. Box 160
Woodlyn, PA 19094
<https://www.transunion.com/credit-freeze>
(888) 909-8872

In order to place the security freeze, you’ll need to supply your name, address, date of birth, Social Security number and other personal information. 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.

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.

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.

New York Residents: You may obtain information about preventing identity theft from the New York Attorney General's Office: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; https://ag.ny.gov/consumer-frauds-bureau/identity-theft; Telephone: 800-771-7755.

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.

Oregon Residents: You may obtain information about preventing identity theft from the Oregon Attorney General's Office: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, www.doj.state.or.us/, Telephone: 877-877-9392.

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.

Rhode Island Residents: You may contact law enforcement, such as the Rhode Island Attorney General's Office, to report incidents of identity theft or to learn about steps you can take to protect yourself from identity theft. You can contact the Rhode Island Attorney General at: Rhode Island Office of the Attorney General, 150 South Main Street, Providence, RI 02903, www.riag.ri.gov, 401-274-4400.

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 have a right to place a “security freeze” on your credit report pursuant to chapter 48 of title 6 of the Identity Theft Prevention Act of 2006.

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, within five (5) business days you will be provided a personal identification number or password to use if you choose to remove the freeze on your credit report or to temporarily authorize the release of your credit report for a specific period of time after the freeze is in place. To provide that authorization, you must contact the consumer reporting agency and provide all of the following:

1. The unique personal identification number or password provided by the consumer reporting agency.
2. Proper identification to verify your identity.
3. The proper information regarding the period of time for which the report shall be available to users of the credit report.

A consumer reporting agency that receives a request from a consumer to temporarily lift a freeze on a credit report shall comply with the request no later than three (3) business days after receiving the request.

A security freeze does not apply to circumstances where you have an existing account relationship and a copy of your report is requested by your existing creditor or its agents or affiliates for certain types of an account review, collection, fraud control, or similar activities.

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 have a right to bring a civil action against someone who violates your rights under the credit reporting laws. The action can be brought against a consumer reporting agency or a user of your credit report.

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. These agencies can be contacted using the contact information provided above.

In order to request a security freeze, you may need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Complete address;
5. Prior addresses;
6. Proof(s) of identification (state driver’s license or ID card, military identification, birth certificate, etc.);
7. If you are a victim of identity theft, a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

There were █ Rhode Island residents impacted by this incident.