



Matthew Toldero, Partner
Cybersecurity & Data Privacy Team
One West 4th Street, Suite 850
Winston-Salem, NC 27101
mtoldero@constangy.com
Mobile: 336.448.8552

Emergency: BreachResponse@constangy.com
Hotline: 877-382-2724 (877-DTA-BRCH)

October 23, 2024

VIA ELECTRONIC MAIL

Attorney General Anthony G. Brown
Office of the Attorney General
St. Paul Plaza
Attn: Security Breach Notification
200 St. Paul Place
Baltimore, MD 21202
Tel: 410-576-6491
Email: Idtheft@oag.state.md.us

Re: Berry Bros. General Contractors, Inc. - Notice of Data Event

To Whom It May Concern:

We represent Berry Bros. General Contractors, Inc. ("Berry Bros"), located at 1414 River Road Berwick, Louisiana 70342, and are writing to notify your office of an incident that may affect the security of certain personal information relating to approximately one (1) Maryland resident. This notice may be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Berry Bros does not waive any rights or defenses regarding the applicability of Maryland law, the applicability of the Maryland data event notification statute, or personal jurisdiction.

1. Nature of the Data Event

On August 21, 2024, Berry Bros discovered a network disruption and promptly initiated an investigation of the matter. Berry Bros engaged cybersecurity specialists to assist with the process. As a result of the investigation, Berry Bros determined that certain files may have been accessed and / or acquired without authorization on August 21, 2024. Berry Bros undertook a comprehensive review of those files and, on or about September 30, 2024, learned that some of sensitive information was contained within the potentially affected data.

The information that could have been subject to unauthorized access includes first and last name, as well as Social Security number.

2. Notice to Maryland Residents

On or about October 23, 2024, Berry Bros provided written notice of this incident to approximately one (1) Maryland resident. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

3. Other Steps Taken and To Be Taken

Upon discovering the event, Berry Bros moved quickly to investigate and respond to the incident, assess the security of Berry Bros systems, and identify potentially affected individuals. Further, Berry Bros notified federal law enforcement regarding the event. Berry Bros is also working to implement additional safeguards and training to its employees. Berry Bros is providing access to credit monitoring services for twelve (12) months, through IDX, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Berry Bros is providing impacted individuals with guidance on how to better protect against identity theft and fraud. Berry Bros is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

Berry Bros is providing written notice of this incident to relevant state regulators, as necessary, and to the three major credit reporting agencies, Equifax, Experian, and TransUnion.

4. Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at 336.448.8552.

Very truly yours,

A handwritten signature in black ink that reads "Matthew Toldero". The signature is written in a cursive, flowing style.

Matt Toldero of
Constangy, Brooks, Smith & Prophete LLP

Exhibit A



Berry Bros. General Contractors, Inc.
P.O. Box 989728
West Sacramento, CA 95798-9728

<<First Name>> <<Last Name>>
<<Address1>>
<<Address2>>
<<City>>, <<State>> <<Zip>>
<<Country>>

Enrollment Code: <<ENROLLMENT>>

To Enroll, Scan the QR Code Below:



Or Visit:

<https://app.idx.us/account-creation/protect>

October 23, 2024

Subject: Notice of Data <<Variable Text 1: Security Incident / Breach>>

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

Berry Bros General Contractors, Inc. ("Berry Bros") is writing to inform you of a recent data security incident that may have affected your personal information. Berry Bros takes the privacy and security of all information within its possession very seriously. Please read this letter carefully as it contains information regarding the incident and steps that you can take to help protect your personal information.

What Happened. On August 21, 2024, Berry Bros discovered a network disruption and promptly initiated an investigation of the matter. Berry Bros engaged cybersecurity specialists to assist with the process. As a result of the investigation, Berry Bros determined that certain files may have been accessed and / or acquired without authorization on August 21, 2024. Berry Bros undertook a comprehensive review of those files and, on or about September 30, 2024, learned that some of your personal information was contained within the potentially affected data which is the reason for this notification. Please note that Berry Bros has no evidence of the misuse, or attempted misuse, of any potentially impacted information.

What Information Was Involved. The information may have included your first and last name as well as Social Security number.

What We Are Doing. As soon as Berry Bros discovered this incident, Berry Bros took the steps described above and implemented measures to enhance security and minimize the risk of a similar incident occurring in the future. In response to this event, Berry Bros notified the Federal Bureau of Investigation and will cooperate with any resulting investigation. Berry Bros is also offering you complimentary identity protection services through IDX, a leader in consumer identity protection. These services include <<12/24>> months of credit monitoring¹, dark web monitoring, a \$1 million identity fraud loss reimbursement policy, and fully managed identity theft recovery services. The deadline to enroll in these services is January 23, 2025.

What You Can Do. You can follow the recommendations on the following page to help protect your personal information. You can also enroll in the complementary services offered to you through IDX by calling 1-866-513-8732, going to <https://app.idx.us/account-creation/protect>, or scanning the QR image and using the Enrollment Code provided above.

¹To receive credit monitoring 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.

Berry Bros General Contractors, Inc.
1414 River Road Berwick, Louisiana 70342

For More Information. Further information about how to protect your personal information appears on the following page. If you have questions or need assistance, please call 1-866-513-8732 Monday through Friday from 8 a.m. to 8 p.m. Central Time. We take your trust in us and this matter very seriously. Please accept our sincere apologies for any worry or inconvenience this may cause.

Sincerely,

Berry Bros General Contractors, Inc.

Steps You Can Take to Help Protect Your Personal Information

Review Your Account Statements and Notify Law Enforcement of Suspicious Activity: As a precautionary measure, we recommend that you remain vigilant by reviewing your account statements and credit reports closely. If you detect any suspicious activity on an account, you should promptly notify the financial institution or company with which the account is maintained. You also should promptly report any fraudulent activity or any suspected incidence of identity theft to proper law enforcement authorities, your state attorney general, and/or the Federal Trade Commission (the “FTC”).

Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Ave, NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), www.consumer.ftc.gov, www.ftc.gov/idtheft.

Copy of Credit Report: You may obtain a free copy of your credit report from each of the three major credit reporting agencies once every 12 months by visiting www.annualcreditreport.com, calling toll-free 1-877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You also can contact one of the following three national credit reporting agencies:

Equifax

P.O. Box 105851
Atlanta, GA 30348
1-800-525-6285
www.equifax.com

Experian

P.O. Box 9532
Allen, TX 75013
1-888-397-3742
www.experian.com

TransUnion

P.O. Box 2000
Chester, PA 19016
1-800-916-8800
www.transunion.com

Fraud Alert: You may want to consider placing a fraud alert on your credit report. An initial fraud alert is free and will stay on your credit file for at least one year. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any accounts in your name. To place a fraud alert on your credit report, contact any of the three credit reporting agencies identified above. Additional information is available at www.annualcreditreport.com.

Security Freeze: You have the right to put a security freeze on your credit file for up to one year at no cost. This will prevent new credit from being opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A security freeze is designed to prevent potential creditors from accessing your credit report without your consent. As a result, using a security freeze may interfere with or delay your ability to obtain credit. You must separately place a security freeze on your credit file with each credit reporting agency. In order to place a security freeze, you may be required to provide the consumer reporting agency with information that identifies you including your full name, Social Security number, date of birth, current and previous addresses, a copy of your state-issued identification card, and a recent utility bill, bank statement or insurance statement.

Additional Free Resources: You can obtain information from the consumer reporting agencies, the FTC, or from your respective state Attorney General about fraud alerts, security freezes, and steps you can take toward preventing identity theft. You may report suspected identity theft to local law enforcement, including to the FTC or to the Attorney General in your state.

Kentucky Attorney General

700 Capitol Avenue, Suite 118
Frankfort, Kentucky 40601
www.ag.ky.gov
502-696-5300

**NY Bureau of Internet and
Technology**

28 Liberty Street
New York, NY 10005
www.dos.ny.gov/consumerprotection/
212.416.8433

Oregon Attorney General

1162 Court St., NE
Salem, OR 97301
www.doj.state.or.us/consumer-protection
877-877-9392

California Attorney General

1300 I Street
Sacramento, CA 95814
www.oag.ca.gov/privacy
800-952-5225

NC Attorney General

9001 Mail Service Center
Raleigh, NC 27699
ncdoj.gov/protectingconsumers/
877-566-7226

Iowa Attorney General

1305 E. Walnut Street
Des Moines, Iowa 50319
www.iowaattorneygeneral.gov
888-777-4590

You also have certain rights under the Fair Credit Reporting Act (FCRA): These rights include to know what is in your file; to dispute incomplete or inaccurate information; to have consumer reporting agencies correct or delete inaccurate, incomplete, or unverifiable information; as well as other rights. For more information about the FCRA, and your rights pursuant to the FCRA, please visit www.consumer.ftc.gov/sites/default/files/articles/pdf/pdf-0096-fair-credit-reporting-act.pdf.