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January 13, 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

Re: Notice of Data Security Incident

Dear Attorney General Brown,

Constangy, Brooks, Smith & Prophete LLP (“Constangy”) represents Kafene, Inc. (“Kafene”) in connection with a recent data security incident described in greater detail below.

1. Nature of the security incident.

On November 22, 2024, Kafene became aware of unusual activity in its computer network. In response, Kafene took immediate steps to secure the network and engaged a leading, independent digital forensics firm to investigate what happened and help Kafene determine whether any sensitive data may have been impacted. The investigation revealed that an unauthorized actor gained access to Kafene’s network and potentially downloaded certain files. Kafene undertook a comprehensive review of those files and, on or about December 9, 2024, learned that personal information belonging to certain individuals may have been impacted during the incident.

Kafene is notifying all potentially impacted individuals of this incident, providing them with steps they can take to protect their personal information, and offering them free credit and identity monitoring services.

Please note that we have no current evidence to suggest misuse or attempted misuse of any personal information in conjunction with this incident.

2. Number of Maryland residents affected.

Kafene notified 19 MD residents of this incident via first-class U.S. mail on January 8, 2024. The information potentially impacted in connection with this incident includes names, Social Security Numbers, Driver’s License Numbers, Passport Numbers, and Dates of Birth.

A sample copy of the notification letter is included with this correspondence.

3. Steps taken relating to the Incident.

As soon as Kafene discovered this incident, Kafene took steps to secure its network environment and launched an investigation to determine what happened and the scope of personal information potentially impacted. In addition, Kafene implemented measures to enhance the security of its environment in an effort to minimize the risk of a similar incident occurring in the future. Kafene also reported the incident to the FBI and will cooperate with any resulting investigation.

Kafene has established a toll-free call center through IDX, a leader in risk mitigation and response, to answer any questions about the incident and address related concerns. The call center is available at 1-(877) 721-9716 from 6:00 A.M. to 6:00 P.M. PST on Monday through Friday. In addition, while Kafene is not aware of the misuse of any information as a result of this incident, out of an abundance of caution, Kafene is also providing complimentary credit and identity protection services to notified individuals.

4. Contact information.

Kafene remains dedicated to protecting the personal information in its control. If you have any questions or need additional information, please do not hesitate to contact Constangy.

Best regards,

/s/ David McMillan

David McMillan
CONSTANGY, BROOKS, SMITH & PROPHETE LLP

Enclosure: Sample Notification Letter


Kafene
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>

January 8, 2025

Subject: Notice of Data <<Variable Text 2: Security Incident/Breach>>

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

I am writing to inform you of a recent data security incident experienced by Kafene, Inc. (“Kafene”) that may have affected your personal information. Kafene 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 November 22, 2024, Kafene learned of unusual activity related to its computer network. Kafene immediately initiated an investigation of the matter, aided by independent cybersecurity experts, to determine what happened and whether any customer data was affected. As a result of that investigation, Kafene determined that an unauthorized actor gained access to its systems and potentially downloaded certain files. Kafene undertook a comprehensive review of those files and, on or about December 9, 2024, learned that some of your personal information was contained within the potentially affected data. Please note that Kafene has no evidence of the misuse, or attempted misuse, of any potentially impacted information.

What Information Was Involved. The information that was potentially downloaded by the unauthorized actor may have included your name as well as your <<Variable Text 1: Affected Regulated Data Sets>>.

What We Are Doing. As soon as Kafene discovered this incident, Kafene took the steps described above and implemented measures to enhance security and minimize the risk of a similar incident occurring in the future. Kafene also notified the Federal Bureau of Investigation and will cooperate with any resulting investigation. In addition, while Kafene has no evidence of the misuse or attempted misuse of your information, Kafene is offering you complimentary identity protection services through IDX, a leader in consumer identity protection. These services include <<12/24>> months of credit monitoring, 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 April 8, 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 using the enrollment code provided above.

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-(877) 721-9716 Monday through Friday from 6:00 AM to 6:00 PM Pacific 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,

Kafene, 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”).

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 1000
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.

Federal Trade Commission

600 Pennsylvania Ave, NW
Washington, DC 20580
consumer.ftc.gov
877-438-4338

Maryland Attorney General

200 St. Paul Place
Baltimore, MD 21202
[www.marylandattorneygeneral.gov/
Pages/CPD](http://www.marylandattorneygeneral.gov/Pages/CPD)
888-743-0023

Oregon Attorney General

1162 Court St., NE
Salem, OR 97301
[www.doj.state.or.us/consumer-
protection](http://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

New York Attorney General

The Capitol
Albany, NY 12224
800-771-7755
ag.ny.gov

Rhode Island Attorney General

150 South Main Street
Providence, RI 02903
www.riag.ri.gov
401-274-4400

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

NY Bureau of Internet and Technology
28 Liberty Street
New York, NY 10005
www.dos.ny.gov/consumerprotection/
212.416.8433

Washington D.C. Attorney General
400 S 6th Street, NW
Washington, DC 20001
oag.dc.gov/consumer-protection
202-442-9828

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

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

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.