

Blair L. Dawson, JD, MS CyS, FIP, CIPP/US, CIPP/E, CIPM
Direct Dial: 312-642-6131
E-mail: bdawson@mcdonaldhopkins.com

March 25, 2025

VIA U.S. E-MAIL (Idtheft@oag.state.md.us)

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

Re: Merchants Bank – Incident Notification

To Whom It May Concern:

McDonald Hopkins PLC represents Merchants Bank. I am writing to provide notification of an incident at Merchants Bank that may affect the security of personal information of approximately two (2) Maryland residents. By providing this notice, Merchants Bank does not waive any rights or defenses regarding the applicability of Maryland law or personal jurisdiction.

On September 11, 2024, Merchants Bank was subject to a data security incident impacting one (1) employee email account. As a result of the incident, an unauthorized actor temporarily obtained access to an employee email account. Upon detecting the incident, we contained the threat, and immediately commenced a prompt and thorough investigation. As part of our investigation, we have been working very closely with external cybersecurity professionals experienced in handling these types of incidents. Following a forensics investigation, and extensive manual document review, we discovered on February 24, 2025, that the files in the email account that were accessed by the unauthorized actor on September 11, 2024 contained personal information. The information impacted included individuals' name, Social Security number and financial account information. Upon this discovery, Merchants Bank promptly proceeded to notify impacted individuals.

Merchants 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. Merchants Bank is providing the affected residents with written notification of this incident commencing on or about March 25, 2025 in substantially the same form as the letter attached hereto. Merchants Bank is offering the residents with Social Security numbers impacted a complimentary one-year membership with a credit monitoring service. Additionally, Merchants Bank has advised the affected residents to always remain vigilant in reviewing financial account statements for fraudulent or irregular activity on a regular basis. These residents were also provided with best practices to protect personal information, such as placing a fraud alert and/or security freeze on their credit files and obtaining a free credit report. The affected residents were

Baltimore | Chicago | Cleveland | Columbus | Detroit | West Palm Beach

mcdonaldhopkins.com

also provided with the contact information for the consumer reporting agencies and the Federal Trade Commission.

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

If you have any additional questions, please contact me at (312) 642-6131 or bdawson@mcdonaldhopkins.com.

Very truly yours,

A handwritten signature in black ink, appearing to read 'BLD', followed by a long horizontal flourish.

Blair L. Dawson, JD, MS CyS, FIP, CIPP/US, CIPP/E, CIPM

Encl.

Secure Processing Center
25 Route 111, P.O. Box 1048
Smithtown, NY 11787

Postal Endorsement Line

Dear [REDACTED]

The privacy and security of the personal information we maintain is important to Merchants Bank. We are writing with important information regarding a data security incident that involved your personal information. We want 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 September 11, 2024 Merchants Bank was subject to a data security incident impacting one (1) employee email account. As a result of the incident, an unauthorized actor temporarily obtained access to an employee email account.

What We Are Doing.

Upon detecting the incident, we contained the threat, and immediately commenced a prompt and thorough investigation. As part of our investigation, we have been working very closely with external cybersecurity professionals experienced in handling these types of incidents. Following a forensics investigation, and extensive manual document review, we discovered on February 24, 2025, that the files in the email account that were accessed by the unauthorized actor on September 11, 2024 contained your personal information.

What Information Was Involved?

The at-risk files contained some of your personal information, including your full name and, [REDACTED]

What You Can Do.

We have no evidence that any of your information has been misused as a direct result of this incident. Nevertheless, out of an abundance of caution, we want to make you aware of the scope of the incident and offer a **complimentary [REDACTED] [REDACTED]-month membership** of Experian.

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 on a regular basis and report any fraudulent or irregular activity immediately. The enclosed "Other Important Information" provides further details regarding what you can do.

For More Information

We continually evaluate and modify our practices and internal controls to enhance the security and privacy of your personal information.

If you have any further questions regarding this incident, please call us at [REDACTED] Monday through Friday, [REDACTED] [REDACTED]. Eastern Time.

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.

Sincerely,

Merchants Bank
102 E. 3rd Street
Winona, MN 55987

OTHER IMPORTANT INFORMATION

1. Enrolling in Complimentary Credit Monitoring

To help protect your identity, we are offering complimentary access to Experian IdentityWorksSM for [REDACTED] months.

If you believe there was fraudulent use of your information as a result of this incident and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. If, after discussing your situation with an agent, it is determined that identity restoration support is needed then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred from the date of the incident (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that Identity Restoration is available to you for [REDACTED] months from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration.

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary [REDACTED] month membership. This product provides you with superior identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

- Ensure that you **enroll by** [REDACTED] (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: [REDACTED]
- Provide your **activation code**: [REDACTED]

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at [REDACTED] by [REDACTED]. Be prepared to provide engagement number [REDACTED] as proof of eligibility for the Identity Restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR [REDACTED]-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP

A credit card is not required for enrollment in Experian IdentityWorks. You can contact Experian immediately regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.*
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARETM:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance^{**}:** Provides coverage for certain costs and unauthorized electronic fund transfers.

2. Placing a Fraud Alert on Your Credit File.

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.

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.

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.