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June 20, 2023

**VIA ONLINE SUBMISSION**

Attorney General Aaron Frey  
Maine Attorney General's Office  
Consumer Protection Division  
6 State House Station  
Augusta, ME 04333

**Re: Notification of Data Security Incident**

Dear Attorney General Frey:

We represent Magavern Magavern Grimm LLP ("Magavern"), headquartered in Buffalo, New York, with respect to a recent data security incident described below. The purpose of this letter is to provide formal notice to your office.

**1. Nature of the Security Incident**

On December 2, 2022, Magavern detected unauthorized access to an email account. It immediately took steps to secure the account and engaged independent cybersecurity experts to conduct an investigation. As a result of this investigation, Magavern learned that there may have been unauthorized access to certain files and data stored within the email account. It then undertook a review of the potentially affected data and, on May 25, 2023, Magavern determined that personal information may have been affected by this incident.

**2. Number of Maine Residents Affected**

On June 20, 2023, Magavern notified one (1) Maine resident of this incident via first class U.S. mail. The affected information for the impacted individuals may have included a name in combination with the individuals' date of birth, driver's license or state ID number, financial account number with or without and associated PIN, medical information, health insurance information, and/or Social Security Number. A sample copy of the notification letter sent to impacted individuals is included with this correspondence.

**3. Steps Taken Relating to the Incident**

To help prevent something like this from happening again, Magavern is implementing additional security measures. It is also offering complimentary credit and identity protection monitoring to those individuals whose Social Security numbers may have been affected by the incident.

#### 4. Contact Information

Magavern remains dedicated to protecting the information in its possession. If you have any questions or need additional information, please do not hesitate to contact me at 503.459.7707 or shoar@constangy.com, or Jamie Seibert at 816.853.5579 or jseibert@constangy.com.

Regards,



Sean Hoar  
Partner and Chair

Enc.: Sample Consumer Notification Letter

To Enroll, Please Visit:

[www.equifax.com/activate](http://www.equifax.com/activate)

Enrollment Code: <<Activation Code>>

<<Mail ID>>  
<<Name 1>>  
<<Name 2>>  
<<Address 1>>  
<<Address 2>>  
<<Address 3>>  
<<Address 4>>  
<<Address 5>>  
<<City>><<State>><<Zip>>  
<<Country>>

June 20, 2023

**Subject: Notice of Data** <<Variable Header>>

Dear <<Name 1>>:

We are writing to inform you of a recent data security incident experienced by Magavern Magavern Grimm LLP (“Magavern”), headquartered in Buffalo, New York, that may have involved some of your information. This letter is to notify you of the incident and inform you about steps you can take to help protect your personal information.

**What Happened:** On December 2, 2022, Magavern detected unauthorized access to an email account. We immediately took steps to secure the account and engaged independent cybersecurity experts to conduct an investigation. As a result of this investigation, we learned that there may have been unauthorized access to certain files and data stored within the email account. We then undertook a review of the potentially affected data and on May 25, 2023, we determined that your personal information may have been affected by this incident. There is no evidence that your information has been misused. However, out of an abundance of caution, we are notifying you about the incident and providing you with resources to help you protect your personal information.

**What Information Was Involved:** The information may have included your name and <<Breached Elements>>.

**What We Are Doing:** To help prevent something like this from happening again, we are implementing additional technical security measures. We are also providing you with information about steps that you can take to help protect your personal information. As a further precaution, we are offering you <<CM Length>> months of complimentary identity protection services through Equifax. This product helps detect possible misuse of your information and provides you with identity protection support.

**What You Can Do:** You can follow the recommendations included with this letter to help protect your information. In addition, you can also enroll in Equifax’s complimentary credit and identity monitoring services by going to [www.equifax.com/activate](http://www.equifax.com/activate). When prompted, please provide the unique code noted above to enroll in the services. The deadline to enroll is September 30<sup>th</sup>, 2023.. For more information on how you can protect your personal information, please review the resources provided on the following pages.

**For More Information:** If you have any questions regarding the incident, please call 844-665-7612 between 9 am to 9 pm EST, excluding holidays.

The security of the information in our possession is a top priority for Magavern. We take your trust in us and this matter very seriously and we deeply regret any worry or inconvenience that this may cause you.

Sincerely,

*Richard A. Grimm III, Esq.*

Partner

Magavern Magavern Grimm LLP

1100 Rand Building

14 Lafayette Square

Buffalo, NY 14203

## Steps You Can Take to 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 (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 <http://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 105788  
Atlanta, GA 30348  
1-888-378-4329  
[www.equifax.com](http://www.equifax.com)

### **Experian**

P.O. Box 9532  
Allen, TX 75013  
1-800-831-5614  
[www.experian.com](http://www.experian.com)

### **TransUnion**

P.O. Box 1000  
Chester, PA 19016  
1-800-916-8800  
[www.transunion.com](http://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 <http://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](http://consumer.ftc.gov)  
1-877-438-4338

### **Maryland Attorney General**

St. Paul Plaza  
200 St. Paul Place  
Baltimore, MD 21202  
[marylandattorneygeneral.gov](http://marylandattorneygeneral.gov)  
1-888-743-0023

### **New York Attorney General**

Bureau of Internet and Technology  
Resources  
28 Liberty Street  
New York, NY 10005  
[ag.ny.gov](http://ag.ny.gov)  
1-212-416-8433 / 800-771-7755

### **North Carolina Attorney General**

9001 Mail Service Center  
Raleigh, NC 27699  
[ncdoj.gov](http://ncdoj.gov)  
1-877-566-7226

### **Washington D.C. Attorney General**

400 S 6th Street, NW  
Washington, DC 20001  
[oag.dc.gov](http://oag.dc.gov)  
1-202-727-3400

**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 [https://files.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](https://files.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf).