

We represent Smith System Driver Improvement Institute, Inc. (“Smith System”) located at 2301 East Lamar Blvd., Suite 250 Arlington, TX 76006 and are writing to notify your office of an incident that may affect the security of some personal information relating to twenty-eight [28] Maine residents. The investigation into this matter is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Smith System does not waive any rights or defenses regarding the applicability of Maine law, the applicability of the Maine data event notification statute, or personal jurisdiction.

### **Nature of the Data Event**

On or about September 30, 2021, Smith System discovered suspicious activity on its website. In response, Smith System worked with outside specialists to investigate the nature and scope of the activity, and secure its systems. Smith System determined an unauthorized actor had installed malicious code on its website, DriveDifferent.com, to record and exfiltrate credit card information entered onto the Smith System online webstore likely beginning November 25, 2020, and ending on November 17, 2021. Smith System removed the malicious code from its website and has taken steps to ensure its systems are secure. Smith System reviewed the transactions processed on its webstore during the timeframe in question. On November 24, 2021, Smith System determined that personal information relating to Maine residents may have been impacted. The types of personal information impacted were names, credit card numbers, expiration dates, CVV codes, and billing addresses relating to credit cards used on the DriveDifferent.com website between November 25, 2020, and November 17, 2021, potentially relating to twenty-eight [28] Maine residents.

### **Notice to Maine Residents**

On or about December 21, Smith System provided written notice of this incident to affected individuals, which includes twenty-eight [28] Maine residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*. We do note that all of the involved credit cards appear to belong to various companies and are therefore corporate cards, not personal, individual cards, but this cannot be confirmed so we are notifying the card holders.

### **Other Steps Taken and To Be Taken**

Upon discovering the event, Smith System moved quickly to investigate and respond to the incident, assess the security of Smith System systems, and notify potentially affected individuals. Smith System is also working to implement additional safeguards and training to its employees.

Additionally, Smith System is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. Smith System 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.