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BakerHostetler

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STATE OF HAWAII
CONSUMER PROTECTION

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January 13, 2020

VIA OVERNIGHT MAIL

Executive Director
Office of Consumer Protection
Leiopapa A. Kamehameha Bldg.
235 S. Beretania St., Ste 801
Honolulu, HI 96813

Re: Incident Notification

Dear Sir or Madam:

We are writing on behalf of our client, Waters & Kraus LLP (“Waters Kraus”), to notify your office of a security incident.

Waters Kraus recently completed an investigation that involved unauthorized access to a limited number of employees’ email accounts. Upon learning of the unauthorized access, Waters Kraus immediately took steps to secure the employees’ email accounts and began an investigation with the assistance of a cybersecurity firm. The investigation determined that an unauthorized party was able to access certain accounts between December 5, 2019 and May 15, 2020.

The investigation was unable to determine whether the unauthorized person viewed any emails or attachments in the accounts. Out of an abundance of caution, the contents of emails and attachments were reviewed to identify individuals whose information may have been accessible to the unauthorized person. On December 10, 2020, it was determined that names, Social Security numbers, government identification numbers, financial account numbers and information regarding medical conditions or diagnosis may have been accessible for 1,339 Hawaii residents.

Waters Kraus is mailing notification letters to Hawaii residents in substantially the same form as the enclosed email in accordance with H.R.S. § 487N-1. Waters Kraus is offering a one-year membership in complimentary credit monitoring and identity theft protection services through Experian.

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To reduce the risk of a similar incident occurring in the future, Waters Kraus implemented additional security measures to further enhance the security of its network.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, consisting of several overlapping loops and a long horizontal tail extending to the right.

Jennifer E. Costa
Counsel

Enclosure



3141 Hood Street, Suite 700 | Dallas, TX 75219

<<Date>> (Format: Month Day, Year)

<<first_name>> <<middle_name>> <<last_name>> <<suffix>>
<<address_1>>
<<address_2>>
<<city>>, <<state_province>> <<postal_code>>
<<country >>

Dear <<first_name>> <<middle_name>> <<last_name>> <<suffix>>:

Waters & Kraus, LLP (“Waters Kraus”) recognizes the importance of protecting personal information. We are writing to inform you of an incident that may have involved some of your information. This notice explains the incident, measures we have taken in response, and some additional steps you may consider taking.

What Happened?

We recently completed an investigation that involved unauthorized access to certain employee email accounts. Upon discovery of the incident, we immediately took steps to secure the email environment. A cybersecurity firm was engaged to assist with the investigation and determined that an unauthorized party was able to access certain accounts between December 5, 2019 and May 15, 2020.

The investigation was not able to determine which emails and attachments, if any, were viewed by the unauthorized party. Therefore, we conducted a thorough review of the contents of the email accounts involved to determine the specific individuals whose information was contained within the emails and attachments. We completed the review process on December 10, 2020, and then we analyzed the results and determined that an email or attachment in the account included some of your information. Although we believe the unauthorized actor accessed the account to obtain information on the companies with which we do business, and not to obtain personal information on individuals, we are notifying you of this incident and steps you can take to protect your information out of an abundance of caution.

What Information Was Involved?

The information that may have been accessed included your <<b2b_text_1 (Impacted Data)>>.

What You Can Do:

We encourage you to remain vigilant by reviewing your account statements and credit reports for any unauthorized activity. As a precaution, we are offering you a complimentary one-year membership in Experian’s® IdentityWorksSM Credit 3B. This product provides you with identity detection and resolution of identity theft. IdentityWorks Credit 3B is completely free to you and enrolling in this program will not hurt your credit score. For more information on IdentityWorks Credit 3B, including instructions on how to activate your complimentary one-year membership, as well as some additional steps you can take in response, please see the additional information provided in the following pages.

What We Are Doing:


To help prevent something like this from happening in the future, we have implemented additional measures to enhance our existing security protocols.

For More Information:

If you have any questions, please call 1-855-526-1134 Monday through Friday from 8:00 a.m. to 5:30 p.m. Central Time.

We regret this incident occurred and apologize for any inconvenience.

Sincerely,

A handwritten signature in black ink, appearing to read "Leslie MacLean". The signature is written in a cursive, flowing style.

Waters & Kraus, LLP
Leslie MacLean
Partner

Activate IdentityWorks Credit 3B Now in Three Easy Steps

To help protect your identity, we are offering a **complimentary** one-year membership of Experian IdentityWorksSM Credit 3B. This product helps detect possible misuse of your personal information and provides you with superior identity protection support focused on immediate identification and resolution of identity theft.

1. ENROLL by: <<b2b_text_2 (Date)>> (Your code will not work after this date.)
2. VISIT the **Experian IdentityWorks website** to enroll: <https://www.experianidworks.com/3bcredit>
3. PROVIDE the **Activation Code**: <<Member ID>>

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at **877.288.8057**. Be prepared to provide engagement number <<b2b_text_3 (Engagement #)>> as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 12-MONTH EXPERIAN IDENTITYWORKS CREDIT 3B MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks Credit 3B.

You can contact Experian **immediately without needing to enroll in the product** regarding any fraud issues. Identity Restoration specialists are available to help you address credit and non-credit related fraud.

Once you enroll in Experian IdentityWorks, you will have access to the following additional features:

- **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.
- **Experian IdentityWorks ExtendCARE™:** 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.

Activate your membership today at <https://www.experianidworks.com/3bcredit> or call 877.288.8057 to register with the activation code above.

What you can do to protect your information: There are additional actions you can consider taking to reduce the chances of identity theft or fraud on your account(s). Please refer to www.ExperianIDWorks.com/restoration for this information. If you have any questions about IdentityWorks, need help understanding something on your credit report or suspect that an item on your credit report may be fraudulent, please contact Experian's customer care team at **877.288.8057**.

* Offline members will be eligible to call for additional reports quarterly after enrolling.

** The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit www.annualcreditreport.com or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

- *Equifax*, PO Box 740241, Atlanta, GA 30374, www.equifax.com, 1-800-685-1111
- *Experian*, PO Box 2002, Allen, TX 75013, www.experian.com, 1-888-397-3742
- *TransUnion*, PO Box 2000, Chester, PA 19016, www.transunion.com, 1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

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

Fraud Alerts and Credit or Security Freezes:

Fraud Alerts: There are two types of general fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years.

To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report.

For those in the military who want to protect their credit while deployed, an Active Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for pre-screened credit card offers for two years, unless you ask them not to.

Credit or Security Freezes: You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

How do I place a freeze on my credit reports? There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- **Experian Security Freeze**, PO Box 9554, Allen, TX 75013, www.experian.com
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, www.transunion.com
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, www.equifax.com

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 bureau will provide you with 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.

How do I lift a freeze? A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.

If you opt for a temporary lift because you are applying for credit or a job, and you can find out which credit bureau the business will contact for your file, you can save some time by lifting the freeze only at that particular credit bureau. Otherwise, you need to make the request with all three credit bureaus.

Additional Information for Residents of the following States:

Maryland: You may contact and obtain information from your state attorney general at: *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, www.oag.state.md.us

New York: You may contact and obtain information from these state agencies: *New York Department of State Division of Consumer Protection*, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220,

<http://www.dos.ny.gov/consumerprotection>; and *New York State Office of the Attorney General*, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

North Carolina: You may contact and obtain information from your state attorney general at: *North Carolina Attorney General's Office*, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, www.ncdoj.gov

West Virginia: You have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described above. You also have a right to place a security freeze on your credit report, as described above.

New Mexico: Summary of Your Rights Under the Fair Credit Reporting Act: The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Your major rights under the FCRA are summarized below. For more information, including information about additional rights, go to www.consumerfinance.gov/learnmore or write to: Consumer Financial Protection Bureau, 1700 G Street NW, Washington, DC 20552.

- You must be told if information in your file has been used against you.
- You have the right to know what is in your file.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.
- Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.
- Consumer reporting agencies may not report outdated negative information.
- Access to your file is limited.
- You must give your consent for reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
- You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.

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