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September 25, 2020

INTENDED FOR ADDRESSEE(S) ONLY

VIA ELECTRONIC MAIL

Office of the Attorney General
1125 Washington Street SE
PO Box 40100
Olympia, WA 98504-0100
E-mail: securitybreach@atg.wa.gov

Re: Notice of Data Event

Dear Sir or Madam:

We represent Bayley Construction (“Bayley”) located at 8005 S.E. 28th Street, Mercer Island, WA 98040, and are writing to notify your office of an incident that may affect the security of some personal information relating to nine hundred thirty-eight (938) Washington 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, Bayley does not waive any rights or defenses regarding the applicability of Washington law, the applicability of the Washington data event notification statute, or personal jurisdiction.

Nature of the Data Event

On July 19, 2020 Bayley became aware of suspicious activity within its computer network. Bayley immediately began an investigation to determine the nature and scope of the activity. Bayley’s investigation determined that certain files within its environment were encrypted and inaccessible. As part of its investigation Bayley worked with a third-party forensic specialist. Through this investigation, Bayley learned on September 17, 2020 that certain files were accessible to unknown actors who removed certain files from Bayley’s server environment between July 14, 2020 and July 19, 2020, prior to the encryption of its systems. Bayley also determined that certain personal information was contained on Bayley’s systems accessible to these unknown actors, including full name, Social Security number, financial account information, date of birth, driver’s license number and health insurance identification number if obtained through Bayley Construction.

Notice to Washington Residents

On September 25, 2020, Bayley provided written notice of this incident to potentially affected individuals, which includes approximately nine hundred thirty-eight (938) Washington residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon learning of the event, Bayley launched an investigation with the assistance of forensic specialists to determine what systems and information may be impacted by this event. Bayley also took steps to further secure its network and is working to rebuild its network from the ground up to better protect against similar incidents in the future.

Additionally, Bayley is providing potentially impacted individuals with twelve (12) months of free credit monitoring, guidance on how to better protect against identity theft and fraud, including 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, and law enforcement to report attempted or actual identity theft and fraud. Bayley is also providing notice of this incident to other state Attorneys General, and consumer reporting agencies, where required.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4786.

Very truly yours,



Ryan C. Loughlin of
MULLEN COUGHLIN LLC

RCL: mef
Enclosure

Exhibit A

BAYLEY

Return Mail Processing
PO Box 589
Claysburg, PA 16625-0589

September 25, 2020

F8369-L02-0000002 T00001 P001 *****MIXED AADC 159



SAMPLE A SAMPLE - L02 Standard Notification

APT 123

123 ANY ST

ANYTOWN, US 12345-6789



RE: Notice of Data Breach

Dear Sample A Sample:

Bayley Construction is writing to notify you of a recent incident that may have impacted the security of your personal information. We want to provide you with information about the incident, our response, and steps you may take to better protect your personal information, should you feel it necessary to do so.

What Happened? On July 19, 2020, Bayley Construction became aware of suspicious activity within its computer network. Bayley Construction immediately began an investigation to determine the nature and scope of the activity. Our investigation determined that certain files within our environment were encrypted and inaccessible. As part of our investigation we worked with a third party forensic specialist. Through this investigation, we learned on September 17, 2020 that certain files were accessible to unknown actors who removed certain files from our server environment between July 14, 2020 and July 19, 2020 prior to the encryption of our systems. Bayley Construction also determined that certain personal information contained on our systems was accessible to these unknown actors.

What Information was Involved? The investigation confirmed that the following information related to you was stored within one of the impacted network devices and may have been accessible to the unknown actor: EXTRA1 (Impacted Elements).

What We Are Doing. The confidentiality, privacy, and security of personal information within our custody is among Bayley Construction's highest priorities. Upon learning of the event, we launched an investigation as noted above with our forensic specialists to determine what systems and information may have been impacted by this event. We also took steps to further secure our network and we are working to rebuild our network from the ground up to better protect against similar incidents in the future.

What You Can Do. Please review the enclosed *Steps You Can Take to Protect Personal Information*, which contains information on what you can do to better protect against possible misuse of your information.

0000002



F8369-L02

As an added precaution, Bayley Construction is offering you access to one year of credit monitoring and identity protection services provided by Experian at no cost to you. Details of this offer and instructions on how to enroll in the services are enclosed within this letter.

For More Information. We understand you may have questions that are not answered in this letter. If you have questions, please call our dedicated hotline at 855-223-4828, Monday through Friday, 6am to 8pm PST; Sat/Sun 8am to 5pm PST, excluding national holidays.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark E. Florer", with a long, sweeping horizontal line extending to the right.

Mark E. Florer
VP / Division Manager
Bayley Construction

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Enroll in Credit Monitoring and Identity Restoration Services

To help protect your identity, we are offering a complimentary one-year membership of Experian's® IdentityWorksSM. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

- Ensure that you **enroll by: 12/31/2020** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **activation code**: ABCDEFGHI

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 855-223-4828 by **12/31/2020**. Be prepared to provide engagement number **DB22700** as proof of eligibility for the identity restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 12-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.¹
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration agents 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.
- **Up to \$1 Million Identity Theft Insurance²:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at 855-223-4828. 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 (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 this Identity Restoration support is available to you for one year 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. You will also find self-help tips and information about identity protection at this site.

¹ Offline members will be eligible to call for additional reports quarterly after enrolling

² 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.



Monitor Your Accounts

In addition to enrolling in the complimentary services detailed above, we encourage you to remain vigilant against incidents of identity theft and fraud, to review your account statements and explanation of benefits, and to monitor your credit reports for suspicious activity and to detect errors. Under U.S. law you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report.

You have the 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. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a security freeze on your credit report. Should you wish to place a security freeze, please contact the major consumer reporting agencies listed below:

Experian P.O. Box 9554 Allen, TX 75013 1-888-397-3742 www.experian.com/freeze/center.html	TransUnion P.O. Box 2000 Chester, PA 19016 1-888-909-8872 www.transunion.com/credit-freeze	Equifax P.O. Box 105788 Atlanta, GA 30348-5788 1-800-685-1111 www.equifax.com/personal/credit-report-services
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In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver’s license or ID card, military identification, etc.);
7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft.

As an alternative to a security freeze, you have the right to place an initial or extended “fraud alert” on your file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years.

Should you wish to place a fraud alert, please contact any one of the agencies listed below:

Experian P.O. Box 9554 Allen, TX 75013 1-888-397-3742 www.experian.com/fraud/center.html	TransUnion P.O. Box 2000 Chester, PA 19016 1-800-680-7289 www.transunion.com/fraud-victim-resource/place-fraud-alert	Equifax P.O. Box 105069 Atlanta, GA 30348 1-888-766-0008 www.equifax.com/personal/credit-report-services
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Additional Information

You can further educate yourself regarding identity theft, fraud alerts, security freezes, and the steps you can take to protect yourself, by contacting the consumer reporting agencies, the Federal Trade Commission, or your state Attorney General.

The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580, www.identitytheft.gov, 1-877-ID-THEFT (1-877-438-4338); TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement. This notice has not been delayed by law enforcement.

For California Residents: Visit the California Office of Privacy Protection (www.oag.ca.gov/privacy) for additional information on protection against identity theft.

For New Mexico residents, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the 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 credit reports to be provided to employers; you may limit “prescreened” offers of credit and insurance you get based on information in your credit report; and you may seek damages from violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

For Oregon Residents: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, www.doj.state.or.us/, Telephone: 877-877-9392.

