

# BakerHostetler

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July 24, 2020

### VIA EMAIL (SECURITYBREACH@ATG.WA.GOV)

Attorney General Bob Ferguson  
Office of the Washington Attorney General  
Consumer Protection Division  
800 5th Ave, Suite 2000  
Seattle, WA 98104-3188

*Re: Notice of Security Incident*

Dear Attorney General Ferguson:

We are writing on behalf of our client, Ply Gem Residential Solutions (“Ply Gem”), to provide notice of a security incident involving Washington residents.<sup>1</sup>

Ply Gem recently concluded its investigation of a data security incident that involved unauthorized access to certain employee’s email accounts. Upon learning of this, Ply Gem immediately secured the email accounts, launched an investigation, and engaged a cybersecurity firm to assist. The investigation determined that an unauthorized person accessed the email accounts at various times between July 26, 2019 and November 18, 2019. The investigation was not able to determine which emails and attachments, if any, were accessed by the unauthorized person. Therefore, Ply Gem conducted a comprehensive review of the contents of the email accounts and, on June 25, 2020, determined that an email or an attachment to an email in the accounts contained the names, Social Security numbers, drivers’ license numbers, financial account information, payment card information, dates of birth, treatment information and/or health insurance information of 2,841 Washington residents.

On July 24, 2020, Ply Gem will begin mailing notification letters to the Washington residents in substantially the same form as the enclosed letter via U.S. First-Class mail in accordance with RCW 19.255.010. Ply Gem is offering eligible individuals a complimentary, one-

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<sup>1</sup> This notice does not waive Ply Gem’s objection that Washington lacks personal jurisdiction over it regarding any claims related to this incident.

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year membership to credit monitoring and identity protection services. Ply Gem has also established a dedicated, toll-free call center where individuals may obtain more information regarding the incident.

To help prevent this type of incident from happening in the future, Ply Gem is implementing enhanced security measures and providing additional training to employees.

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

Sincerely,



Patrick H. Haggerty

Partner



<<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>>:

Ply Gem Residential Solutions understands the importance of protecting the personal information that we receive and maintain. We are writing to inform you that we identified and addressed a data security incident that may have involved some of your personal information. This notice explains the incident, measures we have taken and steps you can take in response.

We recently concluded an investigation and analysis of a data security incident involving unauthorized access to some employees' email accounts. Upon learning of the incident, we immediately secured the accounts, launched an investigation, and engaged a cyber security firm to assist. Our investigation determined that an unauthorized person obtained access to the email accounts at various times between July 26, 2019 and November 18, 2019. The investigation was not able to determine which emails or attachments, if any, were accessed by the unauthorized person. We, therefore, conducted a thorough review of the contents of all email accounts and, on June 25, 2020, determined that an email or an attachment to an email in the accounts contained some of your personal information, including your <<b2b\_text\_1 (Impacted Data)>>.

To date, we have no evidence of any misuse of your information as a result of this incident, and we assure you that we take this incident very seriously. As a precaution, we have arranged to provide identity monitoring at no cost to you for one year through Kroll, a global leader in risk mitigation and response. Their team has extensive experience helping people who have sustained an unintentional exposure of confidential data. Your identity monitoring services include Credit Monitoring, Fraud Consultation, and Identity Theft Restoration. For more information on Kroll Identity Monitoring, including instructions on how to activate your complimentary one-year membership, please visit the below website. For more information on some additional steps you can take, please see the additional information provided with this letter.

Visit <https://enroll.idheadquarters.com> to activate and take advantage of your identity monitoring services.

*You have until **November 30, 2020** to activate your identity monitoring services.*

Membership Number: <<Member ID>>

We regret this incident occurred and apologize for any inconvenience. To help prevent this type of incident from happening in the future, we are implementing enhanced security measures and providing additional data security training to employees. If you have any questions, please call our dedicated hotline at 1-844-930-2842, Monday through Saturday, from 8:00 a.m. to 8:00 p.m. Central Time.

Sincerely,

Ply Gem Residential Solutions

## **TAKE ADVANTAGE OF YOUR IDENTITY MONITORING SERVICES**

You have been provided with access to the following services from Kroll:

### **Triple Bureau Credit Monitoring**

You will receive alerts when there are changes to your credit data at any of the three national credit bureaus—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you will have the option to call a Kroll fraud specialist, who will be able to help you determine if it is an indicator of identity theft.

### **Fraud Consultation**

You have unlimited access to consultation with a Kroll fraud specialist. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

### **Identity Theft Restoration**

If you become a victim of identity theft, an experienced Kroll licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and can do most of the work for you. Your investigator will be able to dig deep to uncover the scope of the identity theft, and then work to resolve it.

## ADDITIONAL STEPS YOU CAN TAKE

Regardless of whether you choose to take advantage of this complimentary identity monitoring, it is always advisable to be vigilant in monitoring 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](http://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](http://www.equifax.com), 1-800-685-1111
- **Experian**, PO Box 2002, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742
- **TransUnion**, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://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 to 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](http://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, listed above. Placing a fraud alert on your credit report 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. This makes it more difficult for identity thieves to open new accounts in your name 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](http://www.experian.com)
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com)
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)

You'll need to supply your name, address, date of birth, Social Security number and other personal information to place a freeze on your credit reports. 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.

**If your medical or health insurance information was identified**, we recommend that you review statements you receive from your health insurer or healthcare provider. If you see services you did not receive, please contact your insurer or provider immediately.

**If your username and password was identified**, we recommend you promptly reset your password to the account, as well as all other accounts for which you use the same or a similar username and password.

#### **Additional information for residents of the following states:**

**Maryland:** Ply Gem Residential Solutions is located at 5020 Weston Pkwy, Cary, NC 27513 and can be reached at 888-975-9436. 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](http://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](http://www.ncdoj.gov)

**A 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](http://www.consumerfinance.gov/learnmore) or write to: Consumer Financial Protection Bureau, 1700 G Street N.W., 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.