

# Nelson Mullins

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RECEIVED

MAR 11 2016

CONSUMER PROTECTION DIVISION  
SEATTLE

David F. Katz  
Tel: 404.322.6122  
david.katz@nelsonmullins.com

March 7, 2016

VIA U.S. MAIL

Attorney General Bob Ferguson  
Office of the Attorney General of Washington  
1125 Washington Street SE  
P.O. Box 40100  
Olympia, WA 98504-0100

ATTORNEY GENERAL  
STATE OF WASHINGTON  
1125 WASHINGTON STREET  
SEATTLE, WASHINGTON

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COPY

**Re: Data Security Incident Notification**

Dear Attorney General Ferguson:

I am writing on behalf of Turner Construction Company to inform you of a data security incident that affects 566 Washington residents. We will send the attached sample notification letter to the affected residents on March 8, 2016.

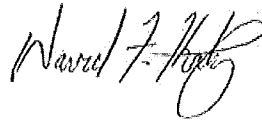
On March 2, 2016, Turner Construction Company learned that certain personal information of Washington residents was mistakenly forwarded by an employee to a fraudulent email address. The sensitive information exposed included the affected residents' full name, Social Security number, name of each state in which wages or taxes are reported for the affected residents, and federal, state, local and Medicare earnings and tax withholding data. We have determined that the employee involved in this incident was a victim of a fraudulent scam, and mistakenly forwarded the information to the unauthorized recipient. Our investigation has shown this employee committed no intentional wrong against the company.

In addition to providing notice to the affected Washington residents, Turner Construction Company is offering a free ten-year subscription to Kroll Identity Monitoring Services. This product will provide individuals with identity theft and credit monitoring, fraud consultation, and \$1 million in identity theft insurance coverage. Turner Construction Company has established a dedicated call center service so affected residents can speak with a live operator to assist them with obtaining these services. Turner Construction Company has also provided a dedicated email address to which affected residents may send their questions, and has made available an informational webpage about the incident which is accessible to current employees.

Attorney General Bob Ferguson  
March 7, 2016  
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Please let me know if you have any additional questions regarding the notification.

Sincerely,

A handwritten signature in black ink, appearing to read "David F. Katz". The signature is written in a cursive style with a large, stylized initial "D".

David F. Katz

Enclosure



<<MemberFirstName>> <<MemberLastName>>  
<<Address1>>  
<<Address2>>  
<<City>>, <<State>> <<Zip Code>>

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

Esta carta contiene informacion importante. Para la version en espanol porfavor llame al 1-877-451-9366.

### NOTICE OF DATA BREACH

Dear <<MemberFirstName>> <<MemberLastName>>,

#### What happened?

On March 2, 2016, certain personal information was disclosed in an email to an unauthorized recipient. We immediately began investigating and engaged third party experts to assist us with this response. Subsequently, we determined that your personally identifiable information was disclosed in this email to an unauthorized recipient.

Since discovering the unauthorized disclosure, we have notified federal, state and local law enforcement of this incident. We are consulting with legal, law enforcement, information technology and security experts and will follow their recommendations to protect the affected persons and to ensure that this type of disclosure will not again occur.

#### What information was involved?

As a result of this incident, other persons or individuals may have obtained some of your personal identifying information which included your full name, Social Security number, name of each state in which wages or taxes are reported for the affected residents, and federal, state, local and Medicare earnings and tax withholding data. This did not include any information on spouses, dependents, bank account or direct deposit information. It did not include your address or date of birth. We are informing you of this incident and have set forth the below measures you may take in an effort to help protect your personal information.

#### What we are doing.

Turner Construction Company has provided the data that was disclosed to the Internal Revenue Service. The Internal Revenue Service has taken steps to monitor your tax account for suspicious activity.

Turner Construction Company has secured the services of Kroll to provide identity monitoring to you and your spouse or partner at no cost to you for ten years. Your identity monitoring services include Credit Monitoring, Web Watcher, Public Persona, Quick Cash Scan, \$1 Million Identity Theft Insurance, Identity Consultation, and Identity Restoration.

Visit **[kroll.idMonitoringService.com](http://kroll.idMonitoringService.com)** to enroll and take advantage of your identity monitoring services.

Membership Number for <<MemberFirstName>> <<MemberLastName>>: <<Member ID>>

*If you have a spouse or partner that would like to enroll in identity monitoring services, please have your spouse or partner use the membership number below.*

Membership Number for your spouse or partner: <<ClientDef1(SpousePartnerNumber)>>

To receive credit services by mail instead of online, please call 1-877-451-9366. Additional information describing your services is included with this letter. We urge you to review the description and to consider enrolling in this product. **You must complete the enrollment process by no later than June 1, 2016.**

#### For more information please contact Kroll's call center.

In order to more efficiently answer any questions you may have related to this incident, Turner has established a call center service so that you can speak with a live operator. If you have questions, please call 1-877-451-9366, Monday through Friday from 8:00 a.m. to 5:00 p.m. Central Time. Please have your membership number ready.

## What you can do.

We ask that you remain vigilant with respect to your personal information and we encourage you to consider the following steps:

- Contact your credit card and other financial companies you have relationships with to alert them that your identity was compromised and to establish additional security on your personal accounts. Closely monitor all financial accounts including credit cards, checking and saving accounts, 401k, etc. and contact the institution if you see unauthorized activity.
- If you have any accounts where your Social Security number is your username, please switch them to a distinct username. This may include your 401k.
- Please file your tax returns as soon as possible. For additional information, contact your local Internal Revenue Service office or call 1-800-908-4490. You can also visit this IRS website which provides information to taxpayers affected by a data breach: <https://www.irs.gov/Individuals/Data-Breach-Information-for-Taxpayers>.
- Monitor your credit report at all three of the national credit reporting agencies. You can order a free copy of your credit report by visiting [www.annualcreditreport.com](http://www.annualcreditreport.com), calling 877-322-8228, or completing the Annual Credit Report Form on the Federal Trade Commission website at <http://www.consumer.ftc.gov/articles/pdf-0093-annual-report-request-form.pdf>. The contact information for all three national credit reporting agencies is listed below.

### Equifax

Phone: 800-685-1111  
P.O. Box 740241  
Atlanta, GA 30374  
[www.equifax.com](http://www.equifax.com)

### Experian

Phone: 888-397-3742  
P.O. Box 9532  
Allen, TX 75013  
[www.experian.com](http://www.experian.com)

### TransUnion

Phone: 800-916-8800  
P.O. Box 2000  
Chester, PA 19016  
[www.transunion.com](http://www.transunion.com)

- Consider placing a fraud alert message on your credit file. By placing this alert on your credit file, any company that requests your credit file will receive a message warning them that you may have been a victim of fraud. Companies that receive this alert may request that you provide proof of your identity. This step will help to protect you from accounts being opened or used by anyone other than yourself. If you would like to place a fraud alert on your credit file, call Equifax at 1-888-766-0008 or request a fraud alert at [https://www.alerts.equifax.com/AutoFraud\\_Online/jsp/fraudAlert.jsp](https://www.alerts.equifax.com/AutoFraud_Online/jsp/fraudAlert.jsp).
- Consider placing a security freeze on your credit report. A security freeze prohibits a credit reporting agency from releasing any information from a consumer's credit report without written authorization. However, please be aware that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing or other services.

If your personal information is used without authorization and you become a victim of identity theft, you should file a police report. You can then provide the credit reporting agency with your valid police report, and it cannot charge you to place, lift or remove a security freeze. In all other cases, a credit reporting agency may charge you up to \$5.00 each to place, temporarily lift, or permanently remove a security freeze.

To place a security freeze on your credit report, you must send a written request to **each** of the three major credit reporting agencies: Equifax, Experian, and TransUnion by regular, certified or overnight mail at the addresses listed in the table below.

### Equifax Security Freeze

P.O. Box 105788  
Atlanta, GA 30348

### Experian Security Freeze

P.O. Box 9554  
Allen, TX 75013

### TransUnion

**Security Freeze**  
P.O. Box 2000  
Chester, PA 19016

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, you should file a police report and include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft;
8. If you are not a victim of identity theft, include payment by check, money order, or credit card (Visa, MasterCard, American Express or Discovery only). Do not send cash through the mail.

The credit reporting agencies have three (3) business days after receiving your request to place a security freeze on your credit report. The credit reporting agencies must also send written confirmation to you within five (5) business days and provide you with a unique personal identification number (PIN) or password, or both that can be used by you to authorize the removal or lifting of the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, you must call or send a written request to the credit reporting agencies by mail and include proper identification (name, address, and Social Security number) **and** the PIN number or password provided to you when you placed the security freeze as well as the identities of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have three (3) business days after receiving your request to lift the security freeze for those identified entities or for the specified period of time.

To remove the security freeze, you must send a written request to each of the three credit bureaus by mail and include proper identification (name, address, and Social Security number) **and** the PIN number or password provided to you when you placed the security freeze. The credit bureaus have three (3) business days after receiving your request to remove the security freeze.

- If you detect any incident of fraud or identity theft, promptly report the incident to your local law enforcement authority and the Federal Trade Commission ([www.consumer.ftc.gov](http://www.consumer.ftc.gov); 877-438-4338; 600 Pennsylvania Avenue, NW, Washington, D.C. 20580). If you detect any potential fraud or identity theft related to your taxes, you should contact the Internal Revenue Service immediately at 1-800-908-4490. You can also obtain information from these sources about additional methods to prevent identity theft, and you can obtain information from the Federal Trade Commission and the consumer reporting agencies for more information regarding fraud alerts and security freezes.

We take the protection of your personal information very seriously and apologize for any inconvenience. If you have any questions regarding this notification, please contact us at 1-877-451-9366 or [turnerdatabreach@tcco.com](mailto:turnerdatabreach@tcco.com).

Sincerely,

The Turner Corporation



Thomas B. Gerlach, Jr.  
Senior Vice President  
Human Resources

## ADDITIONAL RESOURCES

### Contact information for the three nationwide credit reporting agencies is:

**Equifax**, PO Box 740241, Atlanta, GA 30374, [www.equifax.com](http://www.equifax.com), 1-800-685-1111

**Experian**, PO Box 2104, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742

**TransUnion**, PO Box 2000, Chester, PA 19022, [www.transunion.com](http://www.transunion.com), 1-800-888-4213

**Free Credit Report.** It is recommended that you remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring your credit report for 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 agencies.

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**.

You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available from the U.S. Federal Trade Commission's ("FTC") website at [www.consumer.ftc.gov](http://www.consumer.ftc.gov)) to:  
Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281.

### For Colorado, Georgia, Maine, Maryland, Massachusetts, New Jersey, Puerto Rico, and Vermont residents:

You may obtain one or more (depending on the state) additional copies of your credit report, free of charge. You must contact each of the credit reporting agencies directly to obtain such additional report(s).

**Fraud Alert.** You may place a fraud alert in your file by calling one of the three nationwide credit reporting agencies above. A fraud alert tells creditors to follow certain procedures, including contacting you before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit.

**Security Freeze.** You have the ability to place a security freeze on your credit report.

A security freeze is intended to prevent credit, loans and services from being approved in your name without your consent. To place a security freeze on your credit report, you may be able to use an online process, an automated telephone line, or a written request to any of the three credit reporting agencies listed above. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, display your name and current mailing address, and the date of issue. The credit reporting agencies may charge a fee to place a freeze, temporarily lift it or permanently remove it. The fee is waived if you are a victim of identity theft and have submitted a valid investigative or law enforcement report or complaint relating to the identity theft incident to the credit reporting agencies. (You must review your state's requirement(s) and/or credit bureau requirement(s) for the specific document(s) to be submitted.)

**For Massachusetts residents:** The fee for each placement of a freeze, temporary lift of a freeze, or removal of a freeze is \$5.

**Federal Trade Commission and State Attorneys General Offices.** 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 home state. You may also contact these agencies for information on how to prevent or avoid identity theft.

You may contact the **Federal Trade Commission**, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20580, [www.ftc.gov/bcp/edu/microsites/idtheft/](http://www.ftc.gov/bcp/edu/microsites/idtheft/), 1-877-IDTHEFT (438-4338).

**For Maryland residents:** You may contact the Maryland Office of the Attorney General, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, [www.oag.state.md.us](http://www.oag.state.md.us), 1-888-743-0023.

**For North Carolina residents:** You may contact the North Carolina Office of the Attorney General, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001, [www.ncdoj.com](http://www.ncdoj.com), 1-877-566-7226.

### Reporting of identity theft and obtaining a policy report.

**For Iowa residents:** You are advised to report any suspected identity theft to law enforcement or to the Iowa Attorney General.

**For Massachusetts residents:** You have the right to obtain a police report if you are a victim of identity theft.

**For Oregon residents:** You are advised to report any suspected identity theft to law enforcement, the Federal Trade Commission, and the Oregon Attorney General.



## TAKE ADVANTAGE OF YOUR IDENTITY MONITORING SERVICES

You've been provided with access to the following services<sup>1</sup> from Kroll:

### **Credit Monitoring through TransUnion**

You'll receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll investigator, who can help you determine if it's an indicator of identity theft.

### **Web Watcher**

Web Watcher monitors internet sites where criminals buy, sell, and trade personal information. You'll be promptly notified if evidence of your identity information being traded or sold is discovered.

### **Public Persona**

Public Persona monitors public record databases for names, aliases, and addresses that are associated with your Social Security number. If information is found, an alert email is sent.

### **Quick Cash Scan**

Quick Cash Scan monitors thousands of short-term and cash-advance loan sources. You'll receive an alert when a loan is reported, and you can call a Kroll investigator for more information.

### **\$1 Million Identity Theft Insurance**

Reimburses you for out-of-pocket expenses totaling up to \$1 million in legal costs for any one stolen identity event. All coverage is subject to the conditions and exclusions in the policy.

### **Identity Consultation**

You have unlimited access to consultation with a dedicated licensed investigator at Kroll. 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 Restoration**

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

<sup>1</sup> Kroll's activation website is only compatible with the current version or one version earlier of Internet Explorer, Chrome, Firefox, and Safari.

To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.