



MULLEN  
COUGHLIN<sup>LLC</sup>  
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September 22, 2020

**VIA E-MAIL**

Office of the Attorney General  
Consumer Protection and Antitrust  
Gateway Professional Center  
1050 E Interstate Avenue Suite 200  
Bismarck, ND 58503-5574  
E-mail: [ndag@nd.gov](mailto:ndag@nd.gov)

**Re: Notice of Data Event**

Dear Sir or Madam:

We represent the American Heart Association, Inc. (“AHA”) located at 7272 Greenville Ave, Dallas, TX 75231, and are writing to notify your office of an incident that may affect the security of some personal information relating to 848 North Dakota residents. AHA reserves the right to supplement this notice with any new significant facts learned subsequent to its submission. By providing this notice, AHA does not waive any rights or defenses regarding the applicability of North Dakota law, the applicability of the North Dakota data event notification statute, or personal jurisdiction.

**Nature of the Data Event**

On Thursday, July 16, 2020, AHA received notification from one of its third-party vendors, Blackbaud, Inc. (“Blackbaud”), of a cyber incident. Blackbaud is a cloud computing provider that offers customer relationship management and financial services tools to organizations, including AHA. Blackbaud reported that, in May 2020, it experienced a ransomware incident that resulted in encryption of certain Blackbaud systems. Blackbaud stated that it reported the incident to law enforcement and worked with forensic investigators to determine the nature and scope of the event. Following its investigation, Blackbaud notified its customers that an unknown actor may have accessed or acquired certain Blackbaud customer data. Blackbaud reported that data was exfiltrated by the unknown actor at some point before Blackbaud locked the unknown actor out of

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the environment on May 20, 2020. Upon learning of the Blackbaud incident, AHA immediately began to determine what, if any, sensitive AHA data was potentially involved. This investigation included working diligently to gather further information from Blackbaud to understand the scope of the incident. On or about August 18, 2020, AHA confirmed the full scope of data at risk.

### **Notice to North Dakota Residents**

On or about September 16, 2020, AHA began to provide written notice of this incident to approximately 848 North Dakota residents. Written notice was provided in substantially the same form as the letter attached here as *Exhibit A*.

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

Upon discovering the event, AHA moved quickly to investigate and respond to the incident, assess the potentially impacted data, and notify potentially affected individuals. As part of AHA's ongoing commitment to the security of information in its care, AHA worked with Blackbaud to evaluate additional measures and safeguards to protect against this type of incident in the future. As part of its response, Blackbaud conveyed that it took a number of actions to strengthen the security of its systems.

### **Contact Information**

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4776.

Very truly yours,



Edward J. Finn of  
MULLEN COUGHLIN LLC

EJF/smm  
Enclosure

# EXHIBIT A



*Chairman of the Board*

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*Chief Operating Officer*

Suzie Upton

*Chief Science and Medical*

*Officer* Mariell Jessup, MD, FAHA

*Chief Administrative Officer and  
Corporate Secretary*

Larry D. Cannon

September 16, 2020

Dear [Salutation]:

We at the American Heart Association (AHA) want you, one of our supporters, to know we have addressed a data security issue. AHA, along with many other institutions and nonprofits, was recently notified that one of our technology partners experienced a data security incident that may have involved the information of a number of members of the AHA community. This notice explains the incident, measures we have taken, and additional steps you can take in response.

### *What Happened*

Blackbaud is a cloud-based software company that provides services to thousands of entities, such as schools, hospitals, and other non-profits, including AHA. On July 16, 2020, Blackbaud notified us that it had discovered an attack on Blackbaud's network in May 2020. The unauthorized access to the system occurred sometime between February 7, 2020, and May 20, 2020. Blackbaud reported that it conducted an investigation and determined that backup files containing information from some of its clients had been taken from its network at some point before Blackbaud locked the threat actor out of the environment on May 20, 2020. Blackbaud took steps to ensure that the cybercriminal destroyed the information that had been stolen and worked with law enforcement to investigate this incident.

### *What Information Was Involved*

We determined that the backup files may have contained some or all of the following personal information: demographic data such as your name and full date of birth, and contact information. AHA does not store credit card information, financial account information, social security numbers, or passwords in this database and that information was therefore not compromised by this incident.

### What We Are Doing

The security of your personal information is very important to the American Heart Association. Because of our care and concern for your privacy, we are notifying you of this incident and sharing the steps that we, and Blackbaud, are taking in response. Blackbaud has informed us that they identified and fixed the vulnerability associated with this incident and have implemented several changes that will better protect your data from any subsequent incidents. AHA remains in regular contact with Blackbaud regarding the details of this incident and we will continue to monitor their response.

### Additional Steps You Can Take

As a best practice, we recommend you remain vigilant and promptly report any suspicious activity or suspected identity theft to us and to the proper law enforcement authorities. The FTC is a good resource and can be reached at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft) or by calling 1-877-IDTHEFT (1-877-438-4338). You may also mail them at Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580. You can also contact the national credit reporting agencies at:

Equifax  
1-866-349-5191  
<http://www.equifax.com>  
P.O. Box 740241  
Atlanta, GA 30374

Experian  
1-888-397-3742  
<http://www.experian.com>  
P.O. Box 2002  
Allen, TX 75013

TransUnion  
1-800-888-4213  
<http://www.transunion.com>  
P.O. Box 2000  
Chester, PA 19016

### For More Information

AHA takes the protection and proper use of your information very seriously. We regret that this occurred and apologize for any inconvenience. Should you have any further questions or concerns regarding this matter, please do not hesitate to contact us at [jill.dotts@heart.org](mailto:jill.dotts@heart.org).

Sincerely,

American Heart Association