



MULLEN  
COUGHLIN<sup>LLC</sup>  
ATTORNEYS AT LAW

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426 W. Lancaster Avenue, Suite 200  
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December 28, 2021

**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 Goldmark Property Management, Inc. (“Goldmark”), located at 1707 Gold Drive South, Suite 200, Fargo, ND 58103, and are writing to notify your office of an incident that may affect the security of some personal information relating to approximately five thousand eight hundred and seventy-eight (5,878) North Dakota residents. This notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Goldmark 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 May 21, 2021, Goldmark became aware of suspicious activity in its computer network. Goldmark immediately launched an investigation to determine the nature and scope of the incident. The investigation determined that an unauthorized actor gained access to Goldmark’s network and that information in Goldmark’s network may have been viewed or taken by the unauthorized actor.

Goldmark conducted a thorough and in-depth review of the potentially impacted data to identify individuals with information potentially at risk. Between October 5, 2021 and October 28, 2021, Goldmark finalized this review to confirm the nature and scope of impacted data and the individuals to whom that data related. The personal information impacted by this incident includes the following: date of birth, Social Security number, financial account information, medical diagnosis/treatment information, and health insurance information.

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

On or about December 28, 2021, Goldmark provided written notice of this incident to affected individuals, which includes approximately five thousand eight hundred and seventy-eight (5,878) North Dakota 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 discovering the event, Goldmark moved quickly to investigate and respond to the incident, assess the security of Goldmark systems, and notify potentially affected individuals. Goldmark is also working to implement additional safeguards and training to its employees. Goldmark is providing access to credit monitoring services for one (1) year, through Kroll, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Goldmark is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. Goldmark is providing individuals with 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, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

### **Contact Information**

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at (267) 930-4554.

Very truly yours,



Matthew V. Toldero of  
MULLEN COUGHLIN LLC

MVT/eks  
Enclosure

# **EXHIBIT A**



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

<<b2b\_text\_3(Careof)>>  
<<first\_name>> <<middle\_name>> <<last\_name>> <<suffix>>  
<<address\_1>>  
<<address\_2>>  
<<city>>, <<state\_province>> <<postal\_code>>  
<<country>>

## NOTICE OF SECURITY INCIDENT

Dear <<first\_name>> <<last\_name>>:

Information security is among Goldmark Property Management, Inc.'s highest priorities. We have strict security measures in place to protect information in our care. Even with strict security measures, we are not immune to the increasing amount of cyber attacks. Goldmark Property Management, Inc. ("Goldmark") is writing to make you aware of an incident that may affect the security of some of your personal information. Although we have received no indication of any misuse of your information as a result of this event, this notice provides information about the event, our response and efforts to secure our environment, and resources available to you to help protect your information from possible misuse, should you feel it is appropriate to do so.

**What Happened?** On May 21, 2021, Goldmark became aware of suspicious activity in our computer network. We immediately took steps to secure our network and minimize any disruption to our operations. Through guidance of our outside legal counsel, following very specific remediation processes and timelines, we also launched an investigation into the nature and scope of the incident with the assistance of industry-leading cybersecurity specialists. On or about June 25, 2021, our investigation determined that an unauthorized actor gained access to Goldmark's network and that information in Goldmark's network may have been viewed or taken by the unauthorized actor. Therefore, we commenced a thorough and in-depth review of the potentially impacted data to identify individuals with information potentially at risk. This process required Goldmark to analyze several years' worth of data to accurately determine the scope of impacted information. Although we have no indication of any misuse of personal information as a result of this incident, on <<b2b\_text\_2(Variable2Date)>>, we determined that your information was potentially impacted, and therefore we wanted to share this information with you as soon as possible.

**What Information Was Involved?** Our investigation determined that your <<b2b\_text\_1(Variable1DataElements)>> may have been impacted. Although we are unaware of any actual or attempted misuse of your information, we are providing you this notice out of an abundance of caution.

**What We Are Doing.** Information security is among Goldmark's highest priorities, and we have strict security measures in place to protect information in our care. Upon becoming aware of this incident, we immediately took steps to confirm the security of our systems, including through the deployment of an advanced threat protection and monitoring tool. We are reviewing existing security policies and have implemented additional cybersecurity measures to further protect against similar incidents moving forward. We reported this incident to law enforcement and are cooperating with their investigation. We are notifying impacted individuals, including you, so that you may take steps to best protect your information, should you feel it is appropriate to do so. We will also be reporting the incident to regulatory authorities, as required.

As an added precaution, we are offering you access to identity monitoring services for twelve (12) months at no cost to you, through Kroll. You can find information on how to activate these services in the below *Steps You Can Take to Help Protect Personal Information*. We encourage you to activate these services as we are not able to do so on your behalf. We again want to reiterate that we have received no indication of any misuse of your information as a result of this event. We are offering this service out of an abundance of caution.

**What You Can Do.** We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your free credit reports for suspicious activity and to detect errors. Please also review the information contained in the enclosed *Steps You can Take to Help Protect Personal Information*.

**For More Information.** We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, please call our dedicated assistance line at [1-800-800-8000](tel:1-800-800-8000) toll-free Monday through Friday from 8:00 a.m. to 5:30 p.m. Central Time (excluding major U.S. holidays). We take this incident very seriously and sincerely regret any inconvenience or concern this incident may cause you.

Sincerely,

Charley Poynter  
President & Chief Operating Officer  
GOLDMARK Property Management

## STEPS YOU CAN TAKE TO HELP PROTECT PERSONAL INFORMATION

### **Activate Identity Monitoring**

To help relieve concerns and restore confidence following this incident, we have secured the services of Kroll to provide identity monitoring at no cost to you for one year. Kroll is a global leader in risk mitigation and response, and 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.

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

You have until **<<b2b\_text\_6(ActivationDeadline)>>** to activate your identity monitoring services.

Membership Number: **<<MembershipNumber (S\_N)>>**

For more information about Kroll and your Identity Monitoring services, you can visit [info.krollmonitoring.com](http://info.krollmonitoring.com).

If you prefer to activate these services offline and receive monitoring alerts via the US Postal Service, you may activate via our automated phone system by calling 1-888-653-0511, Monday through Friday, 8:00 a.m. to 5:30 p.m. Central time, excluding major U.S. holiday. Please have your membership number located in your letter ready when calling. Please note that to activate monitoring services, you will be required to provide your name, date of birth, and Social Security number through our automated phone system.

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

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

#### **Single Bureau Credit Monitoring**

You will 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 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.

### **Monitor Your Accounts**

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order your free credit report, visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit 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 three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a “credit freeze” on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer’s express authorization. The credit 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 credit 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 credit freeze on your credit report. To request a security freeze, you will need to provide the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to 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, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if you are a victim of identity theft.

Should you wish to place a credit freeze, please contact the three major credit reporting bureaus listed below:

<b>Equifax</b>	<b>Experian</b>	<b>TransUnion</b>
<a href="https://www.equifax.com/personal/credit-report-services/">https://www.equifax.com/personal/credit-report-services/</a>	<a href="https://www.experian.com/help/">https://www.experian.com/help/</a>	<a href="https://www.transunion.com/credit-help">https://www.transunion.com/credit-help</a>
888-298-0045	1-888-397-3742	833-395-6938
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

#### **Additional Information**

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, DC 20580; [www.identitytheft.gov](http://www.identitytheft.gov); 1-877-ID-THEFT (1-877-438-4338); and 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 and your state Attorney General. This notice has not been delayed by law enforcement.

*For New York residents*, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov/>.