

Davis Polk

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

K3141-L01-0000001 T00001 P001 *****SCH 5-DIGIT 12345



SAMPLE A SAMPLE - L01
APT ABC
123 ANY STREET
ANYTOWN, ST 12345-6789



Notice of [Extra1]

November 13, 2023

Dear Sample A. Sample,

Davis Polk & Wardwell LLP (“Davis Polk”) is contacting you to notify you of an incident that occurred at Rightway Healthcare (“Rightway”), one of our healthcare benefits providers, which may affect some of your personal information. We are providing you with this notice to make you aware of this incident, the steps we have taken in response, and additional steps you may want to take to help protect your personal information, should you feel it is appropriate to do so.

What Happened? On or about October 19, 2023, Rightway, which provides healthcare concierge services, notified us that, on September 23, 2023, it had determined that a security incident had occurred, in which certain data in Rightway’s care was subject to unauthorized access. Davis Polk immediately took steps to review the nature and scope of this incident and immediately requested more information from Rightway. Rightway indicated that the environment that had been compromised was a legacy environment that had otherwise been decommissioned, and that its current operating systems were not impacted; rather, efforts were made to exfiltrate a folder within this legacy environment, which, among other contents, included certain files received from Davis Polk’s Human Resources department from 2019 and 2020 that Rightway continued to store in the impacted environment. We have since worked to compile a comprehensive list of all partners and employees, as well as their dependents who were eligible for services from Rightway, whose information was included in the files that had been provided to Rightway and were stored by Rightway within the impacted environment.

What Information Was Involved? It was determined that the following types of personal information may have been accessed without authorization: your name, Social Security number and date of birth and, if you were a Davis Polk partner or employee from March 2019 through March 2020, the names, Social Security numbers and dates of birth of your eligible dependents. Separate letters are being mailed to those individuals who were affected. This information was provided to Rightway to identify those individuals eligible for its services and did not contain any healthcare claims, treatment or diagnosis information, pharmacy data or other protected health information.

What We Are Doing. We take this incident and the security of personal information entrusted to us and our vendors very seriously. Upon notification of this incident, we took immediate steps to engage with Rightway to determine the nature and scope of the incident and protect the personal information in Rightway’s care. Davis Polk has since received assurance from Rightway that information pertaining to Davis Polk personnel is stored in a secure location within Rightway’s environment. We are also making regulatory notifications to the extent required.



As an added precaution, we are offering you complimentary access to two years of credit monitoring services through Experian. You will need to enroll yourself in these services if you wish to do so, as we are not able to activate them on your behalf. Please review the instructions contained in the attached *Steps You Can Take to Help Protect Personal Information* for additional detail on these services.

What You Can Do. We encourage you to remain vigilant for instances of identity theft and fraud over the next twelve to twenty-four months by reviewing your account statements and immediately reporting any suspicious activity or incidents of suspected identity theft or fraud to your bank. We also encourage you to review the enclosed *Steps You Can Take to Help Protect Personal Information* and enroll in the credit monitoring services being offered to you. In addition, we encourage you to promptly report any suspected incidents of identity theft to local law enforcement, the Federal Trade Commission, and/or your state Attorney General.

For More Information. If you have questions that are not answered by this letter, you may call our dedicated assistance line at 1-888-397-0061, Monday through Friday 9 am – 11 pm, or Saturday and Sunday 11 am – 8 pm (excluding major U.S. holidays) Eastern Time. Additionally, you can write to us at Davis Polk at 450 Lexington Avenue, New York, New York 10017, attention Human Resources Department, or you may call us at 212-450-5404.

We sincerely regret any inconvenience this incident may cause you, and we remain steadfast in our commitment to protect your personal information.

Sincerely,

Deryn Darcy
Chief Human Resources Officer

Davis Polk & Wardwell LLP

STEPS YOU CAN TAKE TO PROTECT PERSONAL INFORMATION

Enroll in Credit Monitoring

We have secured the services of Experian to provide identity monitoring at no cost to you for twenty-four months. Experian 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 24 months of triple-bureau credit monitoring.

If you believe there was fraudulent use of your information as a result of this incident and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. 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 from the date of the incident (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 Identity Restoration is available to you for 24 months 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.

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary 24-month membership. This product provides you with superior identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

- Ensure that you enroll by February 29, 2024 (Your code will not work after this date.)
- Visit the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bcredit>
- Provide your activation code: **ABCDEFGHI**

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 888-397-0061 by February 29, 2024. Be prepared to provide engagement number B107785 as proof of eligibility for the Identity Restoration services by Experian.

ADDITIONAL DETAILS REGARDING YOUR 24-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.*
- Credit Monitoring: Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- Identity Restoration: Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- Experian IdentityWorks ExtendCARE™: You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- \$1 Million Identity Theft Insurance**: Provides coverage for certain costs and unauthorized electronic fund transfers.

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

** 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.

0000001



Monitor Your Accounts

We advise you to remain vigilant against identity theft and fraud over the next twelve to twenty-four months by reviewing all account statements and monitoring free credit reports. If you discover or suspect fraudulent activity involving your account, credit or debit card, we encourage you to promptly contact the issuing bank or relevant financial institution. The number to call for assistance is usually on the back of the card.

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 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 may 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. 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.

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

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
1-888-298-0045	1-888-397-3742	1-800-916-8800
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; 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 District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, DC 20001; 202-727-3400; and oag@dc.gov.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and www.marylandattorneygeneral.gov. Davis Polk & Wardwell LLP is located at 450 Lexington Ave., New York, New York 10017.

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 bureaus 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 https://files.consumerfinance.gov/f/documents/bcfrp_consumer-rights-summary_2018-09.pdf or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

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/>.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; www.riag.ri.gov; and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are 4 Rhode Island residents impacted by this incident.

