

*Attorney Client Communication
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Notice of Data Privacy Event

On July 15, 2022, Berkshire learned of suspicious activity impacting certain servers in Berkshire's environment. Upon learning of the suspicious activity, Berkshire promptly took steps to secure its systems and launched an investigation, with the assistance of third-party cyber security specialists, to determine the nature and scope of the event. Berkshire's investigation determined that certain files within its systems were accessed by an unauthorized actor.

After learning that certain files within its systems were accessed by an unauthorized actor, Berkshire began an in-depth and comprehensive review of the files to determine what information was contained within, and to whom the information relates. Berkshire then worked to identify the appropriate contact information for individuals who may have been affected by this event. This extensive review recently concluded, and Berkshire worked to provide notice to potentially affected individuals. At this time, there is no evidence or reports that information has been misused as a result of the event.

Berkshire is notifying potentially affected individuals by this posting and mailing letters to potentially affected individuals. Berkshire is also notifying federal and state regulators. Berkshire is offering free credit monitoring and identity restoration services to those affected by this event. For individuals seeking additional information regarding this event, a dedicated toll-free assistance line has been established. Individuals may call the assistance line at 800-859-9132 toll-free Monday through Friday from 9 am – 11 pm Eastern, or Saturday and Sunday from 11 am – 8 pm Eastern (excluding major U.S. holidays). Be prepared to provide your engagement number B086533.

Berkshire takes this event and the security of the information in their care seriously. Although Berkshire had policies and procedures in place surrounding data security, Berkshire is reviewing their existing policies and procedures. Berkshire also notified federal law enforcement. Berkshire deeply regrets that this has occurred and sincerely apologizes for any inconvenience or concern it may have caused.

Berkshire encourages potentially impacted individuals to remain vigilant against incidents of identity theft and fraud, to review account statements, and to monitor their credit reports and explanation of benefits forms for suspicious activity. Berkshire is providing potentially impacted individuals with contact information for the three major credit reporting agencies, as well as providing advice on how to obtain free credit reports and how to place fraud alerts and security freezes on their credit files. The relevant contact information is below:

Equifax
P.O. Box 105069
Atlanta, GA 30348
1-888-766-0008
www.equifax.com

Experian
P.O. Box 9554
Allen, TX 75013
1-888-397-3742
www.experian.com

TransUnion
P.O. Box 2000
Chester, PA 19016
1-800-916-8800
www.transunion.com

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Potentially impacted individuals may also find information regarding identity theft, fraud alerts, security freezes and the steps they may take to protect their information by contacting the credit bureaus, the Federal Trade Commission or their state Attorney General. The Federal Trade Commission can 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.

Instances of known or suspected identity theft should also be reported to law enforcement or the individual's state Attorney General.