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# THOMPSON BURTON PLLC

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R e d e f i n i n g   t h e   A r t   o f   L a w

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February 22, 2018

Attorney General Brian E. Frosh  
Office of the Attorney General  
Attn: Security Breach Notification  
200 St. Paul Place  
Baltimore, MD 21202

**Re: Musicians On Call's Notice of Security Breach Pursuant to Md.  
Commercial Law Code Ann. § 14-3504**

Dear Attorney General Frosh:

Pursuant to Md. Commercial Law Code Ann. § 14-3501 *et seq.*, I am writing to notify you that Musicians On Call, Inc. ("Company") recently became aware of a potential security breach incident involving thirty-three Maryland residents. As a bit of background, the Company is a 501(c)(3) non-profit organization based out of New York that, with the help of musician volunteers, brings live and recorded music to the bedside of patients in hospitals and other healthcare facilities around the country.

On January 23, 2018, an employee of Musicians On Call was the victim of a burglary while out of the country. Upon her arrival home on January 28, 2018, the employee found that her password-protected, work laptop was one of many items missing.

The employee provided Musicians On Call notice that the laptop was missing on January 28, 2018, and the company immediately took action to assess the kind of information thought to be contained within the laptop. After an internal audit, the Company determined the computer possessed information concerning a number of volunteers. The personal information on these volunteers is thought to have included: names, phone number and/or address, driver's license numbers, passport numbers, and in some instances social security numbers.

Upon information and belief, Musicians On Call knows of only two-hundred and twenty-two (222) possible individuals whose information is thought to have been stored on the missing laptop. Of these two hundred and twenty-two, **approximately thirty-three (33) were Maryland residents**. Pursuant to Md. Commercial Law Code Ann. § 14-3504 and only after the submission of notice to this office, Musicians on Call will provide written notice to these Maryland residents by February 23, 2018. The written notice is attached hereto as "Exhibit A." The Company will also provide notice to residents of other states, as well as the appropriate state agencies.

Musicians On Call is in the process of working with local police in an effort to recover the laptop. At this time, there is no evidence to suggest the laptop's contents have been accessed. Further, the Company is not aware of any actual or attempted misuse of the information contained therein.

Musicians On Call is dedicated to preventing similar incidents in the future. The Company is in the process of investing time and resources towards the implementation of additional security measures designed to better protect the privacy of its valued volunteers. As part of this process, the Company now requires all employees to utilize appropriate standards of encryption and will soon mandate employees to undergo additional aspects of information security training.

For any further inquiries on this incident, please feel free to contact me directly at (615) 465-6004 or by email at [tritter@thompsonburton.com](mailto:tritter@thompsonburton.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas M. Ritter', written over a horizontal line.

Thomas M. Ritter  
Outside Counsel to Musicians on Call, Inc.

Enclosure



February 22, 2018

[INDIVIDUAL NAME]  
[STREET ADDRESS]  
[CITY, STATE AND POSTAL CODE]

**NOTICE OF DATA BREACH**

Dear [INDIVIDUAL NAME]:

At Musicians On Call, we sincerely value your time, efforts, and contributions to our business and respect the privacy of your information, which is why, as a precautionary measure, we are writing to let you know about a data security incident that may involve your personal information.

**WHAT HAPPENED?**

On January 28, 2018, Musicians On Call learned that an employee's company laptop had been stolen during a home burglary. We immediately took action and began conducting an internal audit to determine the kind of information that could be found on the stolen laptop.

The laptop was password protected, and we currently have no evidence to suggest the information on the laptop has been accessed. Further, we are not aware of any actual or attempted misuse of this information. We are in the process of working with local police and outside security counsel in an effort to recover the laptop. While the investigation remains ongoing, we have reason to believe the laptop contained your information.

Although we have no reason to conclude that the confidentiality of your personal information has been or will be compromised, we want to provide you with notice out of an abundance of caution.

**WHAT INFORMATION WAS INVOLVED?**

The laptop contents included data from records of past and present volunteers. We believe the information may have included: your name, phone number or address, either a driver's license or passport number, or a social security number.

## **WHAT WE ARE DOING**

Musicians On Call values your privacy and deeply regrets that this incident occurred. We are in the process of investing time and resources towards the implementation of additional security measures designed to better protect the privacy of our valued volunteers.

## **WHAT YOU CAN DO**

Please also review the attachment to this letter (Steps You Can Take to Further Protect Your Information) for further information on steps you can take to protect your information, and how to receive free credit monitoring and identity theft prevention services for one year.

## **FOR MORE INFORMATION**

For further information and assistance, please contact a Musician On Call Representative at (212) 741-2709 between 10 a.m.- 5 p.m. EST daily, or by mail at 1300 Division St, Ste. 301, Nashville, TN 37203.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pete Griffin', with a stylized, cursive script.

Pete Griffin  
President of Musicians On Call

## **Steps You Can Take to Further Protect Your Information**

### **I. Review Your Account Statements and Notify Law Enforcement of Suspicious Activity**

As a precautionary measure, we recommend that you remain vigilant by reviewing your account statements and credit reports closely. If you detect any suspicious activity on an account, you should promptly notify the financial institution or company with which the account is maintained. You also should promptly report any fraudulent activity or any suspected incidence of identity theft to proper law enforcement authorities, including your state attorney general and the Federal Trade Commission (FTC).

To file a complaint with the FTC, go to [IdentityTheft.gov](http://IdentityTheft.gov) or call 1-877-ID-THEFT (877-438-4338). Complaints filed with the FTC will be added to the FTC's Identity Theft Data Clearinghouse, which is a database made available to law enforcement agencies.

### **II. Obtain and Monitor Your Credit Report**

We recommend that you obtain a free copy of your credit report from each of the three major credit reporting agencies once every 12 months by visiting <http://www.annualcreditreport.com>, calling toll-free 877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348. You can access the request form at <https://www.annualcreditreport.com/requestReport/requestForm.action>, or you can elect to purchase a copy of your credit report by contacting one of the three national credit reporting agencies. Contact information for the three national credit reporting agencies for the purpose of requesting a copy of your credit report or for general inquiries is provided below:

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

**Experian**  
**(888) 397-3742**  
**[www.experian.com](http://www.experian.com)**  
**P.O. Box 4500**  
**Allen, TX 75013**

**TransUnion**  
**(800) 888-4213**  
**[www.transunion.com](http://www.transunion.com)**  
**2 Baldwin Place**  
**P.O. Box 1000**  
**Chester, PA 19016**

### **III. Consider Placing a Fraud Alert on Your Credit Report**

You may want to consider placing a fraud alert on your credit report. An initial fraud alert is free and will stay on your credit file for at least 90 days. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any accounts in your name. To place a fraud alert on your credit report, contact any of the three credit reporting agencies identified above. Additional information is available at <http://www.annualcreditreport.com>.

#### **IV. Credit Report Monitoring/ID Theft Services**

In addition, Musicians On Call has arranged for IdentityForce to provide you with credit monitoring and identity theft services for one year, at no cost to you. The UltraSecure package provides you with the following benefits:

- An assortment of monitoring services, such as Advanced Fraud Monitoring, Change of Address Monitoring, Identity Monitoring, etc.
- A variety of alerts, whether on Bank and Credit Card Activity, through Social Security Number Tracker, or threats to your identity.
- Recovery services, such as identity theft insurance and managed restoration.

**To take advantage of this offer, you must enroll within 90 days from receipt of this letter.**

To enroll, please adhere to the following instructions:

- (1) Call Musicians On Call at (212) 741-2709 and inform them you received a notice in the mail on the security incident;
- (2) Provide the Musicians On Call Representative with your Name, email address, and Date of Birth; and
- (3) Follow the instructions in the secure email sent from IdentityForce to the email address you provided.

#### **V. Take Advantage of Additional Free Resources on Identity Theft**

We recommend that you review the tips provided by the Federal Trade Commission on how to avoid identity theft. For more information, please visit [IdentityTheft.gov](http://IdentityTheft.gov) or call 1-877-ID-THEFT (877-438-4338). A copy of Identity Theft: A Recovery Plan, a comprehensive guide from the FTC to help you guard against and deal with identity theft, can be found on the FTC's website at [https://www.consumer.ftc.gov/articles/pdf-0009\\_identitytheft\\_a\\_recovery\\_plan.pdf](https://www.consumer.ftc.gov/articles/pdf-0009_identitytheft_a_recovery_plan.pdf).

For Maryland residents, an individual can obtain information about how to best avoid identity theft from the Federal Trade Commission and the Attorney General's office. Advice on how to avoid identity theft can be found at the Attorney General's website, located at <http://www.marylandattorneygeneral.gov/Pages/IdentityTheft/default.aspx>. The Attorney General of Maryland is located at 200 St. Paul Place, Baltimore, MD 21202, contacted at the toll-free number 1-888-743-0023, or reached by website, <http://www.marylandattorneygeneral.gov/>.

For Massachusetts residents, the law provides you the right to obtain a police report filed with regards to this incident. Moreover, you have the right to file a police report and obtain a copy of it should you become the victim of identity theft.

## **OTHER IMPORTANT INFORMATION**

### **VI. Security Freeze**

In some US states, you have the right to put a security freeze on your credit file. 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 you have been a victim of identity theft, and you provide the credit reporting agency with a valid police report, it cannot charge you to place, lift or remove a security freeze. In all other cases, a credit reporting agency may charge Massachusetts residents up to \$5.00 each to place, temporarily lift, or permanently remove a security freeze. For New Mexico residents, a consumer reporting agency can charge no more than \$10.00 to place a security freeze and \$5.00 to remove and release said freeze (pursuant to rights afforded under Fair Credit Reporting and Identity Security Act (N.M.S.A. § 56-3a-1). For residents of other states, the fees may vary 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 consumer reporting agencies: Equifax ([www.equifax.com](http://www.equifax.com)); Experian ([www.experian.com](http://www.experian.com)); and TransUnion ([www.transunion.com](http://www.transunion.com)) by regular, certified or overnight mail at the addresses below:

**Equifax Security Freeze**  
**P.O. Box 105788**  
**Atlanta, GA 30374**

**Experian Security Freeze**  
**P.O. Box 9544**  
**Allen, TX 75013**

**TransUnion Security Freeze**  
**Fraud Victim Assistance**  
**Department**  
**P.O. Box 2000**  
**Chester, PA 19022-2000**

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, include a copy of either the police report, investigativerreport, 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 Discover 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 bureaus 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.