



Additional
Updated

17801

October 7, 2020

NOTICE OF DATA BREACH - REVISED

On behalf of Foveon, Inc. ("Foveon") we are writing to inform you about a recent incident involving the potential exposure of some of your personal information that was stored on a Foveon server (the "Foveon Server").

WHAT HAPPENED?

On August 26, 2020, Foveon discovered that a Foveon Server was the subject of a ransomware attack in which files had been encrypted and were no longer accessible to Foveon and some files appeared to have been deleted. As a result of a forensic investigation of the Foveon Server, it appears that certain files containing personal information of employees and contractors were accessed by the attacker, but it cannot be determined whether any information in those files was exfiltrated or acquired by the attacker.

WHAT INFORMATION WAS INVOLVED?

The personal information potentially involved in the attack included: First Name; Last Name; Street Address; City; State; Zip/Postal Code; Country; Social Security Number.

WHAT ARE WE DOING?

Foveon promptly disconnected the Foveon Server after discovering the attack. It also promptly notified the FBI and the Santa Clara County and El Dorado County Sheriff's Departments about the incident. It arranged for a third party to conduct a forensic investigation of the attack. Foveon also intends to further secure the personal information by implementing a two-step authentication process for access, moving data to a secure cloud-service environment, and reconfiguring the server to ensure that no malware exists on it and includes additional safeguards against ransomware attacks.

As an added safeguard, we have arranged for you to enroll, at no cost to you, in an online credit monitoring service - Identity Guard® Total -- for 18 months. A description of this service is provided in the attached material, which also contains instructions about how to enroll including your personal activation code. We strongly recommend you consider enrolling in this product, at our expense, and review the additional material enclosed with this letter.

WHAT YOU CAN DO?

- 1. Sign Up for Credit Monitoring.** We encourage you to take advantage of the complimentary credit monitoring services we are providing. As noted above, a description of the credit monitoring services is provided in the attached material.
- 2. Monitor Account Statements and Free Credit Reports.** You should remain vigilant for incidents of financial fraud and identity theft by regularly reviewing your account statements and monitoring free credit reports (please see Section 4 below for more information).
- 3. Contact the Federal Trade Commission, Law Enforcement, and Credit Bureaus.** You may contact the Federal Trade Commission ("FTC"), your state's Attorney General's office (see the attached for specific state contact information), or law enforcement to report incidents of identity theft or to learn about steps you can take to protect yourself from identity theft. To learn more, you can go to the FTC's websites at www.IdentityTheft.gov and www.consumer.gov/idtheft; call the FTC at (877) IDTHEFT (438-4338); or write to: FTC Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20580.



FOVEON®

You may contact the nationwide credit reporting agencies at:

Equifax (800) 525-6285 P.O. Box 105069 Atlanta, GA 30348-5069 www.equifax.com	Experian (888) 397-3742 P.O. Box 9701 Allen, TX 75013 www.experian.com	TransUnion (800) 680-7289 Fraud Victim Assistance Division P.O. Box 2000 Chester, PA 19016-2000 www.transunion.com
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4. **Obtain a Free Copy of Credit Reports.** You may also periodically obtain credit reports from each nationwide credit reporting agency. If you discover information on your credit report arising from a fraudulent transaction, you should request that the credit reporting agency delete that information from your credit report file. In addition, under the Fair Credit Reporting Act ("FCRA"), you are entitled to one free copy of your credit report every 12 months from each of the three nationwide credit reporting agencies. You may obtain a free copy of your credit report by going to www.AnnualCreditReport.com or by calling (877) 322-8228.

5. **Request Fraud Alerts and Security Freezes.** You may obtain additional information from the FTC and the credit reporting agencies about fraud alerts and security freezes. You can add a fraud alert to your credit report file to help protect your credit information. A fraud alert can make it more difficult for someone to get credit in your name because it tells creditors to follow certain procedures to protect you, but it also may delay your ability to obtain credit. You may place a fraud alert in your file by calling just one of the three nationwide credit reporting agencies listed above. As soon as that agency processes your fraud alert, it will notify the other two agencies, which then must also place fraud alerts in your file.

In addition, you can contact the nationwide credit reporting agencies at the following numbers to place a security freeze at no cost to you: Equifax: (800) 349-9960; Experian: (888) 397-3742; TransUnion: (888) 909-8872. Placing a security freeze prohibits the agency from releasing any information about your credit report without your written authorization. Security freezes must be placed separately at each of the three nationwide credit reporting agencies. When requesting a security freeze, you may need to provide the following information: (a) Your full name, with middle initial as well as Jr., Sr., II, etc.; (b) Social Security number; (c) Date of birth; (d) Current address and all addresses for the past two years; (e) Proof of current address, such as a current utility bill or telephone bill; and (f) Legible copy of a government-issued identification card, such as a state driver's license, state identification card, or military identification. After receiving your request, each agency will send you a confirmation letter containing a unique PIN or password that you will need to lift or remove the freeze. You should keep the PIN or password in a safe place.

FOR MORE INFORMATION

We regret any inconvenience or concern this incident may cause you. You may contact us at the following email if you have any questions or concerns: PRfoveon@foveon.com.

Sincerely,

Melissa Minke
Senior Director of Finance and Administration



ADDITIONAL CONTACT INFORMATION

IF YOU ARE A COLORADO RESIDENT: You may also obtain information about preventing identity theft from the Office of the Attorney General. This office can be reached at: Office of the Attorney General, Consumer Protection Section, Colorado Department of Law, Ralph L. Carr Judicial Building, 1300 Broadway, 7th Floor, Denver, CO 80203, <https://www.stopfraudcolorado.gov/fraud-center/identity-theft.html>. For immediate assistance, you may call the Colorado Bureau of Investigation's 24 Hour Identity Theft & Fraud Hotline at 1-855-443-3489.

IF YOU ARE A HAWAII RESIDENT: You may also obtain information about preventing identity theft from the Office of Consumer Protection. This office can be reached in Honolulu at 235 South Beretania Street, 8th floor, call 586-2630. OCP also has offices in Hilo at 120 Pauahi Street, Suite 212, phone 933-0910, and in Wailuku, Maui at 1063 Lower Main Street, Suite C-216, phone 243-4648, www.hawaii.gov/dcca/ocp.

IF YOU ARE AN ILLINOIS RESIDENT: You may also obtain information about preventing identity theft from the Consumer Protection Division of the Illinois Attorney General's office. This office can be reached at: Illinois Attorney General, Consumer Fraud Bureau, 500 South Second Street, Springfield, IL 62701, 1-800-243-0618. You may also call the identity theft hotline at 1-877-844-5461, <https://illinoisattorneygeneral.gov/consumers/filecomplaint.html>.

IF YOU ARE A MASSACHUSETTS RESIDENT: You may also obtain information about preventing identity theft from the Office of Consumer Affairs and Business Regulation. This office can be reached at: Office of Consumer Affairs and Business Regulation, 501 Boylston St., Suite 5100, Boston, MA 02116, (888) 283-3757, <https://www.mass.gov/orgs/office-of-consumer-affairs-and-business-regulation>.

IF YOU ARE A MARYLAND RESIDENT: You may also obtain information about avoiding identity theft from the Maryland Attorney General's Office. This office can be reached at: Office of the Attorney General, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, (888) 743-0023, www.oag.state.md.us.

IF YOU ARE A MINNESOTA RESIDENT: You may also obtain information about avoiding identity theft from the Office of Minnesota Attorney General. This office can be reached at: Office of Minnesota Attorney General Keith Ellison, 445 Minnesota Street, Suite 1400, St. Paul, MN 55101, (651) 296-3353 (Twin Cities Calling Area) or (800) 657-3787 (Outside the Twin Cities), <https://www.ag.state.mn.us/Consumer/IdentityTheft/Default.asp>.

IF YOU ARE A NEW JERSEY RESIDENT: You may also obtain information about avoiding identity theft from the Office of Consumer Protection. This office can be reached at: Office of Consumer Protection, Cyber Fraud Unit, P.O. Box 45025, Newark, New Jersey 07101, (973) 504-6200, <https://www.njconsumeraffairs.gov/ocp/Pages/cyberfraud.aspx>.

IF YOU ARE A NEW YORK RESIDENT: You may also obtain information about preventing identity theft from the New York Department of State's Division of Consumer Protection. This office can be reached at: New York State Division of Consumer Protection, 123 William Street, New York, NY 10038-3804, 1 (800) 697-1220, www.dos.ny.gov/consumerprotection.

IDENTITY GUARD® TOTAL

REVISED NOTICE

COMPLIMENTARY SERVICE OFFER: At our expense, Foveon, Inc. would like to offer you a free 18-month subscription to Identity Guard® Total, a credit monitoring and identity theft protection service. Identity Guard Total provides essential monitoring and protection of not only credit data, but also monitors the Dark Web and alerts you if your Social Security number, credit cards, and bank account numbers are found in unsecure online locations. This program is provided by Aura, a leading provider of consumer and corporate identity risk management services.

IDENTITY GUARD® TOTAL features include:

- Dark Web Monitoring
- IBM Watson® Artificial Intelligence
- High Risk Transaction Alerts
- US Based Identity Theft Recovery Assistance
- 3-Bureau Credit Monitoring
- \$1 Million Identity Theft Insurance*
- Account Access via Mobile App
- Anti-Phishing App
- PC Protection Tools

If you wish to take advantage of this monitoring service, you must enroll by December 31, 2020.

ENROLLMENT PROCEDURE: To activate this coverage please visit the Web site listed below and enter the activation code. The activation code is required for enrollment and can only be used one time by the individual the notice was addressed.

Activation Web site: <https://app.identityguard.com/activate/>

Activation Code:

In order to enroll, you will need to provide the following personal information:

- Mailing Address
- Phone Number
- Social Security Number
- Date of Birth
- E-mail Address
- Activation Code

This service is complimentary; no method of payment will be collected during enrollment and there is no need to cancel. We apologize for any inconvenience and urge you to enroll today. If you have any further questions regarding this incident, please email PRFoveon@foveon.com.

*Identity Theft Insurance underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. The description herein is a summary and intended for informational.