

Dear [REDACTED]

We write to notify you of a recent incident that occurred that could affect some of your personal information. Please review this letter carefully.

### **What Happened**

Diffusion Pharmaceuticals Inc. ("Diffusion") became aware of a breach of security following a phishing incident that affected one employee's email/Office 365 account and that exposed your personal information. The incident occurred from around November 14, 2020 through January 14, 2021.

### **What Information Was Involved**

The personal information affected includes your name and social security number. We are sending you this notice as a precaution and to encourage you to take steps to monitor your personal information. At this time, we are not aware of any malicious or fraudulent activity relating to anyone's personal information as a result of this incident.

### **What We Are Doing**

After becoming aware of the incident, Diffusion undertook a review to determine the nature and scope of the incident. After we shut down the breach of security, we implemented additional security measures to help further protect against this type of incident going forward.

Although we are not aware of any identity theft as a result of this incident, as an added precaution we are offering a complimentary 24-month membership of Experian's IdentityWorks<sup>SM</sup> at no cost to you. Additional details of the Experian IdentityWorks<sup>SM</sup> service are provided in Attachment A.

To activate your membership and start monitoring your personal information, please follow the steps below:

- Ensure that you **enroll by 07/31/2021** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
- Provide your **activation code**: [REDACTED]

If you have questions about the product, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 877.890.9332 by 07/31/2021. Be prepared to provide engagement number [REDACTED] as proof of eligibility for the identity restoration services by Experian. Additional details of the Experian IdentityWorks<sup>SM</sup> service are provided in Attachment A.

**What You Can Do**

As always, we recommend that you remain vigilant for incidents of fraud and identity theft, including by regularly viewing your account statements and monitoring your free credit reports. For more information on how you can help protect yourself, please review the enclosed *Additional Steps to Help Protect Your Information* in Attachment B.

**For More Information**

We are very sorry for any inconvenience caused by this incident. If you have any other questions or concerns about this incident, you may contact us at 1317 Carlton Avenue, Suite 200, Charlottesville, Virginia 22902, Attn: General Counsel, or by calling our General Counsel, William Elder, at (484) 429-1899.

Sincerely,

A handwritten signature in black ink, appearing to be 'WE', written over a horizontal line.

William Elder  
General Counsel

## ATTACHMENT A

### **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 file 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.

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 at 877.890.9332. 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](http://www.ExperianIDWorks.com/restoration).

\* 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.

## ATTACHMENT B

### **Additional Steps to Help Protect Your Information**

#### **1. Review personal account statements and credit reports.**

Even if you do not feel the need to register for a credit monitoring service, as a precautionary measure, we recommend that you regularly review statements from your bank, credit card, and other accounts and periodically obtain your credit report from one or more of the national credit reporting companies. You may obtain a free copy of your credit report online at [www.annualcreditreport.com](http://www.annualcreditreport.com), by calling toll-free 1.877.322.8228, or by mailing an Annual Credit Report Request Form (available at [www.annualcreditreport.com](http://www.annualcreditreport.com)) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. You may also purchase a copy of your credit report by contacting one or more of the three national credit reporting agencies:

Equifax  
1-800-525-6285  
P.O. Box 105069  
Atlanta, GA 30348  
[www.equifax.com](http://www.equifax.com)

Experian  
1-888-397-3742  
P.O. Box 9554  
Allen, TX 75013  
[www.experian.com](http://www.experian.com)

TransUnion  
1-800-680-7289  
P.O. Box 2000  
Chester, PA 19022  
[www.transunion.com](http://www.transunion.com)

When you receive your credit reports, look them over carefully. Look for accounts that you did not open and/or inquiries from creditors that you did not initiate. Also check to see if your personal information on the credit report is accurate. If you see anything you do not understand, call the credit reporting agency at the telephone number on the report.

We recommend that you remain vigilant in your review of your account statements and credit reports. You should promptly report any suspicious activity or suspected identity theft to us and to the proper law enforcement authorities, including local law enforcement, your state's attorney general, and/or the Federal Trade Commission.

#### **2. Consider placing a fraud alert or security freeze on your credit files.**

**Fraud Alerts:** There are two types of fraud alerts that you can place on your credit report to put your creditors on notice that you may be a victim of fraud: an initial alert and an extended alert. You may request that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for at least 90 days. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. You can place a fraud alert on your credit report by calling the toll-free fraud number of any of the three national credit reporting agencies listed above.

**Security Freezes:** You may have the right to put a security freeze, also known as a credit freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate a freeze. A security freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a security freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Security freeze laws vary from state to state.

Keep in mind that when you place the freeze, you may not be able to borrow money, obtain instant credit, or get a new credit card until you temporarily lift or permanently remove the freeze. In addition, you may incur fees to place, lift and/or remove a credit freeze. The cost of placing, temporarily lifting, and removing a security freeze also varies by state, generally \$0 to \$20 per action at each credit reporting company. *Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company.* Since the instructions for how to establish a credit freeze differ from state to state, please contact the three national credit reporting companies at the numbers above to find out more information

#### **3. Learn more about how to protect yourself from identity theft.**

You may wish to review the Federal Trade Commission's guidance on how consumers can protect themselves against identity theft. For more information:

**Federal Trade Commission**  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)  
1-877-IDTHEFT ((877) 438-4338)

**For Massachusetts residents:** Under Massachusetts law, you have the right to obtain any police report filed in regard to this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it.

Under Massachusetts law, you may also place, lift, or remove a security freeze on your credit reports, free of charge. You must place your request for a freeze with 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)). To place a security freeze on your credit report, you may send a written request by regular, certified or overnight mail at the addresses below. You may also place a security freeze through each of the consumer reporting agencies' websites or over the phone, using the contact information below

Equifax Security Freeze  
P.O. Box 105788  
Atlanta, GA 30348  
1-800-349-9960  
<https://www.equifax.com/personal/credit-report-services/>

Experian Security Freeze  
P.O. Box 9554  
Allen, TX 75013  
1-888-397-3742  
<https://www.experian.com/freeze/center.html>

TransUnion Security Freeze  
P.O. Box  
160 Woodlyn, PA 19094  
1-888-909-8872  
<https://www.transunion.com/credit-freeze>

In order to request a security freeze, you will need to provide some or all of the following information to the credit reporting agency, depending on whether you do so online, by phone, or by mail:

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, the addresses where you have lived over the prior five years;
5. Proof of current address, such as a current utility bill, telephone bill, rental agreement, or deed;
6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.);
7. Social Security Card, pay stub, or W2;
8. 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.

The credit reporting agencies have one (1) to three (3) business days after receiving your request to place a security freeze on your credit report, based upon the method of your request. 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. It is important to maintain this PIN/password in a secure place, as you will need it to lift or remove the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, you must make a request to each of the credit reporting agencies by mail, through their website, or by phone (using the contact information above). You must provide proper identification (including 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. You may also temporarily lift a security freeze for a specified period of time rather than for a specific entity or individual, using the same contact information above. The credit bureaus have between one (1) hour (for requests made online) and three (3) business days (for request made by mail) 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 make a request to each of the credit reporting agencies by mail, through their website, or by phone (using the contact information above). You must provide 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 between one (1) hour (for requests made online) and three (3) business days (for requests made by mail) after receiving your request to remove the security freeze.

**APPENDIX B**


**CERTIFICATION OF CREDIT MONITORING SERVICES**

On behalf of Diffusion Pharmaceuticals Inc., I hereby certify that credit monitoring services were provided to consumers in compliance with G.L. c. 93H, § 3A.

**DIFFUSION PHARMACEUTICALS INC.**

DocuSigned by:



 Signed Name: William Elder  
General Counsel  
Signing Time: 14-May-2021 | 11:42:03 AM EDT  
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