

October 29, 2022

Via Email: [REDACTED]

Dear [REDACTED]:

I am writing in response to your emails of October 25 and October 27, 2022 wherein you requested additional information concerning the inadvertent PII issue that was recently brought to your attention. Each of your questions is set forth, with our response, below:

- Timeline of events.
 - As stated in my October 25, 2022 correspondence, we immediately removed the form from our webpage and promptly began to monitor your accounts for any suspicious activity. We then spent time reviewing the webpage views and attempted to obtain additional information to provide to you. Unfortunately, we found out that our hosting provider could not obtain further information on IP addresses, nor did Goggle Analytics stats include IP addresses. Without the IP addresses we could not make any further determination as to the identity of page viewers. We also reviewed applicable state laws to determine all necessary information to be provided to you and then drafted a comprehensive and compliant response for your review.
- “In your description, you indicated this was intended to be a “blank example”. I’m not sure I’m understanding that phrase. Was this to be a truly blank form or did you mean a “de-identified” custodial form (e.g.: made up data)? Our forms were submitted a long time ago so it’s odd that Mariner would be updating the form itself with something from last year. I’m just trying to understand the circumstances.”
 - The form that was uploaded is from a qualified custodian, Fidelity. It was meant to be a blank copy that our third-party solicitors may access when assisting our firm in completing client paperwork. Your previously submitted form was pulled as an example and the PII detail was supposed to be deleted before being uploaded. Regrettably, the form was not saved correctly before it was uploaded to the webpage.
- “This was a page accessible on the internet, rather than an internal portal - is that correct?”
 - Correct, it was accessible on this webpage:
<https://www.partnerwithmariner.com/maintenance-forms/fidelity-forms/>
 - Please note, this is not Mariner Wealth Advisors’ (MWA) primary, publicized website, www.marinerwealthadvisors.com, but rather a website that is primarily used for our third-party solicitors.

- “Can you provide other details about the page, please? Was this a ‘forms’ page with lots of links and one of the linked forms was to our custodial information, or was the page specific to our information, meaning that all of the page [sic] views exposed our information. If the 53 views were of a page with many options and perhaps those views didn’t include our information, that is a little different, but still concerning. It just means we are not sure about who saw what. It depends on what level of specificity Mariner has in web logs and audit data for page loads and document download requests.”
 - In addition to the information provided above, an individual would navigate to the “advisor” section, then select “forms” from a list of seven items, then select Fidelity from a list of five different types of forms, and the page was a forms page with 10 different instructions and forms linked at the time. We have since removed the Transfer of Assets Instructions and Form completely from this page. The 53 views of this forms page during the period in question does not directly indicate that the Fidelity Transfer of Assets Form that contained your PII was viewed a certain number of times. We can also see that there was a spike in traffic on October 4, 2022 when we were alerted of the error and on this date there were 26 pageviews, 11 of which were unique. We believe this spike in activity was due to MWA associates from our State College location as well as individuals from our information technology, marketing, compliance and legal departments.

- “I would like to understand how this occurred and what process and policy changes are being put in place to ensure this does not happen in the future. Specifically, I’m confused how our PII came to be used at all, as in my first point.”
 - As explained above and as reference in our October 25, 2022 correspondence, we have ensured that any PII data was immediately removed from our website and have further emphasized with the appropriate associates of the need to double check all documents before uploading them to our website to ensure they do not contain any PII. In addition, our marketing department has set up the following guardrails to help ensure this does not happen again:
 - Upon receiving documents and a request to add to the website – all documents will be opened and reviewed prior to uploading.
 - After the documents are loaded and live on the website, an associate on a Mac and an associate on a PC will both click the links and open the file to confirm no data is showing.
 - All files added to the website will be sent to our compliance team for final review and approval before they are pushed “live” to the public.

- “You indicated that one account number was exposed. I think we would like to know which account that was and change that account number to neutralize the relevance of that information. It is regrettable that our names and SSNs were included, together. Obviously we cannot do much about that.”
 - The account number that was exposed was account number ending 5404. This is [Fidelity Transfer of Assets](#) form that was posted to the webpage, but I have since replaced portions of your account number and social security number with “X”

and “0”. As you will see, the form was not completed in full, nor did it contain your signatures.

- Police report request:
 - We have not obtained a police report concerning this incident, but if you feel it is necessary to do so, you may contact your local police station to report the incident. Further information for reporting can be found in this [list of steps](#) put together by the Federal government. Additional information on reporting and how to freeze credit reports is as follows:
 1. Report potential identity theft to the FTC: <https://www.identitytheft.gov/> to receive a recovery plan.
 2. Check your credit report and place a fraud alert. You can also freeze your credit with each of the 3 major credit bureaus:
 - **Equifax**
 - <https://www.equifax.com/personal/credit-report-services/credit-freeze/>
 - 888-766-0008
 - **Experian**
 - <https://www.experian.com/freeze/center.html>
 - 888-397-3742
 - **Transunion**
 - <https://www.transunion.com/credit-freeze>
 - 800-680-7289
 3. Keep any confirmation or case numbers you receive, as well as document who you spoke to at the state agency (if anyone) and when for your records.
- Identity theft protection request:
 - we propose [IDShield](#), which is the provider that is also offered to our associates as an optional benefit. Upon your review of the offering, we believe that you will find this to be an acceptable provider.

Once you have had the opportunity to review this additional information, please advise if you have any remaining questions. Otherwise, we will determine the most efficient way to obtain the identity theft protection your behalf.

Very truly yours,

Annie Taylor

Annie Taylor
Associate General Counsel

Cc: Anne Dorian
Robert Thomas
John Conte

October 25, 2022



Via Email: [REDACTED]

Dear [REDACTED]:

My name is Anne Taylor and I am the Associate General Counsel of Mariner Wealth Advisors (Mariner). I am writing to inform you that on Tuesday, October 4, 2022, a trusted individual notified a Mariner executive that a custodial form intended to be a blank example posted on a webpage of Mariner's website, most commonly used by unaffiliated third-party solicitors for Mariner, contained personally identifiable information ("PII") of yours. Specifically, the form included one account number, both account owner's names and social security numbers.

Upon receiving notice of your PII being included on this form on our webpage, Mariner immediately removed it from the webpage and your accounts were flagged to monitor for any suspicious activity. Further, Mariner's marketing and information technology teams began reviewing analytics for the webpage where the form was posted and determined that during the period that the form containing your PII was posted, September 14 – October 4, 2022, there were 52 pageviews, 34 of which were unique. The unique pageview number aggregates pageviews that are generated by the same user during the same session. The webpage, while publicly accessible, is intended for Mariner's unaffiliated third-party solicitors and we don't believe that other persons would have intentionally been viewing this webpage. As the leader of our Legal and Compliance team, please let me assure you that Mariner holds the privacy and security of you and all of our clients in the upmost regard. We are regretful that this breach has occurred and have taken the appropriate actions to review this incident and ensure the data was removed and have further emphasized the need to double check all documents before uploading them to our website to ensure they do not contain any PII.

As part of our policies and procedures, Mariner restricts access to your nonpublic personal information to those employees who need to know that information to service your account. We also maintain physical, electronic and procedural safeguards that comply with applicable federal and state standards to protect your nonpublic personal information. Unfortunately, even with the most robust controls, human errors do occur, such as in this instance, and we sincerely apologize for any concern or inconvenience it has caused. As part of Massachusetts law, we will provide a basic report of this incident to the State as well as provide you, at no charge, 18 months of credit monitoring services if you request such service. You have the right, if you desire, to obtain a police report regarding this incident. Mariner will continue to monitor your accounts under our management for unusual activity, and you may also request a security freeze at no charge to you. The instructions to do so are available at: <https://www.mass.gov/how-to/request-a-credit-report-security-freeze>. We would also be happy assist you in changing your account number should you determine that is necessary.

I trust this communication addresses your concerns, but should you wish to discuss this matter further, please do not hesitate to contact us. We appreciate the opportunity to serve as your wealth advisor and look forward to our relationship continuing.

Very truly yours,

Annie Taylor

Annie Taylor
Associate General Counsel

Cc: Anne Dorian
Robert Thomas
John Conte