



**Baker&Hostetler LLP**

312 Walnut Street  
Suite 3200  
Cincinnati, OH 45202-4074

T 513.929.3400  
F 513.929.0303  
www.bakerlaw.com

Elise R. Elam  
direct dial: 513.929.3490  
eelam@bakerlaw.com

February 6, 2026

**VIA E-MAIL (DOJ-CPB@DOJ.NH.GOV)**

Attorney General John Formella  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301

*Re: Incident Notification*

Dear Attorney General Formella:

We are writing on behalf of our client, Merkle Inc. (Merkle), to notify you of an incident involving one New Hampshire resident.

Merkle recently completed an investigation into a security incident involving unusual activity on servers in its network. Upon detecting the incident on August 31, 2025, Merkle immediately implemented its incident response protocols, took steps to contain the activity, and launched an investigation. A cybersecurity firm that has worked with other companies to address similar situations was engaged to assist. The investigation determined that an unauthorized actor accessed Merkle's computer servers and acquired certain files. Merkle conducted a thorough review of the files involved and, on January 27, 2026, determined that one or more files contained the name and Social Security number of one New Hampshire resident.

Today, February 6, 2026, Merkle is mailing a notification letter via First-Class mail to the involved New Hampshire resident in accordance with N.H. Rev. Stat. Ann. § 359-C:20. A copy of the notification letter template is enclosed. Merkle is offering a complimentary, one-year membership to credit monitoring and identity protection services to the resident. A phone number was provided that the resident can call to obtain more information regarding the incident.

To help prevent something like this from happening again, Merkle has taken steps to enhance its existing security measures.

Please do not hesitate to contact me if you have any questions regarding this matter.

Atlanta Austin Chicago Cincinnati Cleveland Columbus Dallas Denver Houston Los Angeles  
New York Orange County Orlando Philadelphia San Francisco Seattle Washington, DC Wilmington

February 6, 2026

Page 2

A handwritten signature in blue ink that reads "Elise Elam". The signature is written in a cursive, flowing style.

Elise R. Elam

Partner

Enclosure



<FIRST NAME LAST NAME>

<ADDRESS>

<CITY STATE ZIP>

February 6, 2026

Dear <FIRST NAME LAST NAME>:

Merkle Inc. recognizes the importance of protecting your information. We are writing to let you know that we identified and addressed a security incident involving some of your information. This notice explains the incident, the measures we have taken in response, and some additional steps you may consider taking.

**What Happened?**

We recently completed an investigation into a security incident involving unusual activity on servers in our network. Upon detecting the incident on August 31, 2025, we immediately implemented our incident response protocols, took steps to contain the activity, and launched an investigation. A cybersecurity firm that has worked with other companies to address similar situations was engaged to assist. The investigation determined that an unauthorized actor accessed our computer servers and acquired certain files.

**What Information Was Involved?**

We conducted a thorough review of the involved files and, on January 27, 2026, determined that they contained your name and Social Security number.

**What We Are Doing.**

We wanted to make you aware of this incident and to assure you that we take it seriously. We have arranged for you to receive a complimentary one-year membership to identity monitoring services through Experian. These services are completely free to you and enrolling in these services will not hurt your credit score. In addition, to prevent similar occurrences in the future, we have taken steps to enhance our existing security measures.

**What You Can Do.**

For more information on identity theft prevention, additional steps you can take in response to this incident, and instructions on how to activate your complimentary membership, please see the pages that follow this letter.

**For More Information.**

We regret that this incident occurred and apologize for any inconvenience. If you have any questions, please call (443) 542-4620, Monday through Friday, 9:00 a.m. to 5:00 p.m. Central Time, excluding major U.S. holidays.

Sincerely,

Merkle Inc.

## **EXPERIAN CREDIT MONITORING ENROLLMENT INSTRUCTIONS**

To help protect your identity, we are offering complimentary access to Experian IdentityWorks<sup>SM</sup> for 12 months.

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. 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 12 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).

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary 12-month membership. This product provides you with superior identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

- Ensure that you **enroll by 5/29/2026** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bcredit>
- Provide your **activation code**: CODE

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 1-833-931-7577 by 5/29/2026. Be prepared to provide engagement number **B159243** as proof of eligibility for the Identity Restoration services by Experian.

### **ADDITIONAL DETAILS REGARDING YOUR 12-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, Equifax and Transunion files 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<sup>TM</sup>:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance<sup>\*\*</sup>:** Provides coverage for certain costs and unauthorized electronic fund transfers.

\* 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.

## ADDITIONAL STEPS YOU CAN TAKE

We remind you it is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

- *Equifax*, PO Box 740241, Atlanta, GA 30374, [www.equifax.com](http://www.equifax.com), 1-888-378-4329
- *Experian*, PO Box 2002, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742
- *TransUnion*, PO Box 1000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com), 1-833-799-5355

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

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

### **Fraud Alerts and Security Freezes**

***Fraud Alerts:*** There are two types of general fraud alerts 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 ask 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 one year. 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.

To place a fraud alert on your credit reports, contact one of the nationwide credit bureaus. A fraud alert is free. The credit bureau you contact must tell the other two, and all three will place an alert on their versions of your report.

For those in the military who want to protect their credit while deployed, an Active Duty Military Fraud Alert lasts for one year and can be renewed for the length of your deployment. The credit bureaus will also take you off their marketing lists for pre-screened credit card offers for two years, unless you ask them not to.

***Credit or Security Freezes:*** You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, which makes it more difficult for identity thieves to open new accounts in your name. That's because most creditors need to see your credit report before they approve a new account. If they can't see your report, they may not extend the credit.

*How do I place a freeze on my credit reports?* There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company.

For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- *Equifax Security Freeze*, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)
- *Experian Security Freeze*, PO Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com)
- *TransUnion Security Freeze*, PO Box 160, Woodlyn, PA 19094, [www.transunion.com](http://www.transunion.com)

You'll need to supply your name, address, date of birth, Social Security number and other personal information.

After receiving your freeze request, each credit bureau will provide you with a unique PIN (personal identification number) or password. Keep the PIN or password in a safe place. You will need it if you choose to lift the freeze.

*How do I lift a freeze?* A freeze remains in place until you ask the credit bureau to temporarily lift it or remove it altogether. If the request is made online or by phone, a credit bureau must lift a freeze within one hour. If the request is made by mail, then the bureau must lift the freeze no later than three business days after getting your request.

If you opt for a temporary lift because you are applying for credit or a job, and you can find out which credit bureau the business will contact for your file, you can save some time by lifting the freeze only at that particular credit bureau. Otherwise, you need to make the request with all three credit bureaus.

Merkle Inc. is located at 7001 Columbia Gateway Dr., Columbia, MA 21046 and can be reached by phone at (443) 542-4000.

**Additional information for residents of the following states:**

Maryland: You may contact and obtain information from your state attorney general at: *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, [www.marylandattorneygeneral.gov/](http://www.marylandattorneygeneral.gov/)

New York: You may contact and obtain information from these state agencies: *New York Department of State Division of Consumer Protection*, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>; and *New York State Office of the Attorney General*, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov>

North Carolina: You may contact and obtain information from your state attorney general at: *North Carolina Attorney General's Office*, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6000 / 1-877-566-7226, [www.ncdoj.gov](http://www.ncdoj.gov)

Rhode Island: This incident involves 1 individual in Rhode Island. Under Rhode Island law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze, as described above. You may contact and obtain information from your state attorney general at: *Rhode Island Attorney General's Office*, 150 South Main Street, Providence, RI 02903, 1-401-274-4400, [www.riag.ri.gov](http://www.riag.ri.gov)