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Peter C. Erichsen T+1 617 951 7098 peter.erichsen@ropesgray.com

BY E-MAIL

[Insert Recipient's Name] [Insert Address] [Insert City, State, Zip] [Insert email address]

Re:

Notice of Data Breach

Please read this entire letter.

Dear [Sample A. Sample]:

We are writing to provide you with a formal notice regarding the recent incident we informed you of in which a FedEx package containing your personal information was accidentally delivered to the wrong address.

Although to date we are not aware that any unauthorized individual opened the package or otherwise accessed the information contained in it, we are providing this notice under Massachusetts law out of an abundance of caution and to also provide you with an offer of free credit monitoring.

What You Can Do.

As always, we encourage you to regularly review your financial accounts and report any suspicious or unrecognized activity immediately. The enclosed "Important Identity Theft Information" provides further information about what you can do. As recommended by federal regulatory agencies, you should remember to be vigilant for the next 12 to 24 months and report any suspected incidents of fraud to the relevant financial institution.

As an added precaution, we are offering each of you twenty-four (24) months of complementary identity protection services. You may either choose to be reimbursed for up to twenty-four (24) months of credit monitoring (up to \$250) with your preferred provider, or may choose to be enrolled in a prominent identity protection service procured by us. If you decide to enroll in credit monitoring services, please contact me at peter-erichsen@ropesgray.com or (617) 951-7098 to arrange.

Other Important Information.

We take all data security matters seriously and apologize for any inconvenience. Should you have any further questions please contact me at peter.erichsen@ropesgray.com or (617) 951-7098.

Sincerely,

Peter C. Erichsen

General Counsel, Ropes & Gray LLP

IMPORTANT IDENTITY THEFT INFORMATION: ADDITIONAL STEPS YOU CAN TAKE TO PROTECT YOUR IDENTITY

Review Your Accounts and Credit Reports

Regularly review statements from your 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 by calling toll free 1.877.322.8228, or by mailing an Annual Credit Report Request Form (available at 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 listed below:

- Equifax, P.O. Box 740241, Atlanta, Georgia 30374-0241. 1.800.685.1111. www.equifax.com
- Experian, P.O. Box 9532, Allen, TX 75013. 1.888.397.3742. www.experian.com
- TransUnion, 2 Baldwin Place, P.O. Box 1000, Chester, PA 19016. 1.800.916.8800. www.transunion.com

Consider Placing a Fraud Alert

You may wish to consider contacting the fraud department of the three major credit bureaus to request that a "fraud alert" be placed on your file. A fraud alert notifies potential lenders to verify your identification before extending credit in your name.

Equifax:

Report Fraud:

1.800.766.0008

Experian:

Report Fraud:

1.888.397.3742

Report Fraud:

TransUnion:

1.800.680.7289

Security Freeze for Credit Reporting Agencies

You may wish to request a security freeze on your credit reports. 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. It is free to place, lift or remove a security freeze.

You must separately place a security freeze on your credit report at each credit bureau. To do so, you must contact the credit bureaus by phone, mail, or secure electronic means:

- Equifax: P.O. Box 105788, Atlanta, GA 30348, 1.800.349.9960, www.Equifax.com
- Experian: P.O. Box 9554, Allen, TX 75013, 1.888.397.3742, www.Experian.com
- TransUnion: P.O. Box 2000, Chester, PA 19106, 1.888.909.8872, www.TransUnion.com

To request a security freeze, you will need to provide the following:

- Your full name (including middle initial, Jr., Sr., Roman numerals, etc.),
- Social Security number
- Date of birth
- Address(es) where you have lived over the prior five years
- Proof of current address such as a current utility bill
- A photocopy of a government-issued ID card
- 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

If you request a freeze online or by phone, the agency must place the freeze within one business day. The credit bureaus have three business days after receiving a request by mail to place a security freeze on your credit report, and they must also send confirmation to you within five 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 freeze to allow a specific entity or individual access to your credit report, you must contact the credit reporting agencies and include (1) proper identification; (2) the PIN number or password provided to you when you placed the security freeze; and (3) 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.

You have rights under the federal Fair Credit Reporting Act (FCRA). These include, among others, the right to know what is in your file; to dispute incomplete or inaccurate information; and to have consumer reporting agencies correct or delete inaccurate, incomplete, or unverifiable information. For more information about the FCRA, please visit www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf or www.ftc.gov.

Suggestions if You Are a Victim of Identity Theft

- <u>File a police report</u>. Get a copy of the report to submit to your creditors and others that may require proof of a crime.
- Contact the U.S. Federal Trade Commission (FTC). The FTC provides useful information to identity theft victims and maintains a database of identity theft cases for use by law enforcement agencies. File a report with the FTC by calling the FTC's Identity Theft Hotline: 1-877-IDTHEFT (438-4338); online at http://www.ftc.gov/idtheft; or by mail at Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Ave., N.W., Washington, D.C. 20580. Also request a copy of the publication, "Take Charge: Fighting Back Against Identity Theft" from to https://www.consumer.ftc.gov/articles/pdf-0009 identitytheft a recovery plan.pdf
- <u>Keep a record of your contacts</u>. Start a file with copies of your credit reports, the police reports, any correspondence, and copies of disputed bills. It is helpful to log conversations with creditors, law enforcement officials, and other relevant parties.

Take Steps to Avoid Identity Theft

Further information can be obtained from the FTC about steps to take to avoid identity theft at: http://www.ftc.gov/idtheft; calling 1-877-IDTHEFT (438-4338); or write to Consumer Response Center, Federal Trade Commission, 600 Pennsylvania Ave., N.W., Washington, D.C. 20580.

State Specific Information

Massachusetts residents are reminded that you have the right to obtain a police report and request a security freeze as described above. There is no charge to place a security freeze on your account; however, you may be required to provide the credit reporting agency with certain personal information (such as your name, Social Security Number, date of birth and address) and proper identification (such as a copy of a government-issued ID card and a bill or statement) prior to its honoring your request.

- * 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.