

## **ATG MI ADM Security Breach**

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**From:** Patel, Roshni <PatelR@ballardspahr.com>  
**Sent:** Tuesday, May 10, 2016 7:30 AM  
**To:** ATG MI ADM Security Breach  
**Subject:** LendUp Notice  
**Attachments:** Washington Consumer Notice DMEAST\_25506243(1).PDF

To Whom It May Concern:

We are providing notice to the Office of the Attorney General pursuant to RCW 19.255.010 of an incident that may affect 708 Washington residents. Please find attached the written notice being sent to consumers on May 11, 2016. If you should have any difficulty opening the attachment or have any questions, please feel free to contact Kim Phan by telephone at (202) 661- 2286 or email at [phank@ballardspahr.com](mailto:phank@ballardspahr.com). My contact information also appears below for your reference.

Sincerely,

**Roshni Patel**  
Associate  
Ballard Spahr LLP  
1909 K Street, NW, 12th Floor  
Washington, DC 20006-1157  
Direct: (202) 661-7686  
[patelr@ballardspahr.com](mailto:patelr@ballardspahr.com) | [www.ballardspahr.com](http://www.ballardspahr.com)



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JOHN Q. SAMPLE  
1234 MAIN STREET  
ANYTOWN US 12345-6789

May 11, 2016

Dear John Sample,

We are writing to notify you about an incident that may have involved some of your personal information. **We have no reason to believe that any of your personal information is at risk.** We understand the importance of protecting the privacy and security of your personal information, and we take our obligations seriously. We apologize for any inconvenience this incident may cause you.

**WHAT HAPPENED?** Earlier this year during a routine examination, we discovered that personal information for a small subset of visitors to our website had been made available to third-party companies. We place on our website widgets, beacons, and analytics trackers from third-party companies to provide services to us and our customers related to device authentication, site functionality, advertising, and marketing. Our examination showed that personal information could have been made available to these third-party companies, for a small number of customers, as early as 2012.

We have no reason to believe that the third-party companies were aware they had captured any personal information from our website. We have no reason to believe the information was used, accessed, or disclosed by these companies for any purpose. However, in an abundance of caution, we are notifying you about this incident so that you can take any appropriate actions that you feel are necessary.

**WHAT INFORMATION WAS INVOLVED?** The information that may have been inadvertently collected by these third-party companies includes first and last names, email addresses, telephone numbers, home addresses, dates of birth, and Social Security numbers.

**WHAT WE ARE DOING.** Once we became aware of the incident, we immediately launched a comprehensive investigation to determine the nature and scope of the incident, to identify which of our customers were involved in the incident, and to restore the security and integrity of any personal information on our website. We also implemented controls to prevent this incident from occurring again.

**WHAT YOU CAN DO.** While we remain unaware of any actual or attempted misuse of your information, we want to make you aware of steps you may take to guard against identity theft or fraud. Please review the enclosed Information about Identity Theft Prevention.

As an added precaution, we have arranged to have AllClear ID protect your identity for 12 months at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next 12 months.



01-03-1-00

AllClear SECURE: The team at AllClear ID is ready and standing by if you need identity repair assistance. This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-855-904-5760 and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

AllClear PRO: This service offers additional layers of protection including credit monitoring and a \$1 million identity theft insurance policy. To use the PRO service, you will need to provide your personal information to AllClear ID. You may sign up online at [enroll.allclearid.com](http://enroll.allclearid.com) or by phone by calling 1-855-904-5760 using the following redemption code: Redemption Code.

Please note: Additional steps may be required by you in order to activate your phone alerts and monitoring options.

**FOR MORE INFORMATION.** The security of the personal information that our customers entrust into our care is one of our highest priorities. Should you have any questions about the content of this notification letter, or if you would like to learn more about ways you can protect yourself against fraud and identity theft, please call 1-855-904-5760, Monday through Saturday between 8 AM to 8 PM CST.

Sincerely,

Eric Nelson  
Vice President, Customer Operations  
LendUp

## **Information about Identity Theft Prevention**

We recommend that you 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](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 listed below.

**Equifax:** P.O. Box 740241, Atlanta, Georgia 30374-0241, 1-800-685-1111, [www.equifax.com](http://www.equifax.com)  
**Experian:** P.O. Box 9532, Allen, TX 75013, 1-888-397-3742, [www.experian.com](http://www.experian.com)  
**TransUnion:** P.O. Box 1000, Chester, PA 19022, 1-800-888-4213, [www.transunion.com](http://www.transunion.com)

When you receive your credit reports, review them carefully. Look for accounts or creditor inquiries that you did not initiate or do not recognize. Look for information, such as home address and Social Security number, that is not accurate. If you see anything you do not understand, call the credit reporting agency at the telephone number on the report.

We recommend you remain vigilant with respect to reviewing your account statements and credit reports, and 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 ("FTC"). You may contact the FTC or your state's regulatory authority to obtain additional information about avoiding identity theft.

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

**For residents of Maryland:** You may also obtain information about preventing and avoiding identity theft from the Maryland Office of the Attorney General:

**Maryland Office of the Attorney General, Consumer Protection Division**  
200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023, [www.oag.state.md.us](http://www.oag.state.md.us)

**For residents of Massachusetts:** You also have the right to obtain a police report.

**For residents of North Carolina:** You may also obtain information about preventing and avoiding identity theft from the North Carolina Attorney General's Office:

**North Carolina Attorney General's Office, Consumer Protection Division**  
9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-5-NO-SCAM, [www.ncdoj.gov](http://www.ncdoj.gov)

**Fraud Alerts:** There are also 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 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 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 below.

Equifax: 1-888-766-0008, [www.equifax.com](http://www.equifax.com)  
Experian: 1-888-397-3742, [www.experian.com](http://www.experian.com)  
TransUnion: 1-800-680-7289, [fraud.transunion.com](http://fraud.transunion.com)

**Credit Freezes (for Non-Massachusetts Residents):** You may have the right to put a credit freeze, also known as a security 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 credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. In addition, you may incur fees to place, lift and/or remove a credit freeze. Credit freeze laws vary from state to state. The cost of placing, temporarily lifting, and removing a credit freeze also varies by state, generally \$5 to \$20 per action at each credit reporting company. *Unlike a fraud alert, you must separately place a credit 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 major credit reporting companies as specified below to find out more information:



Equifax: P.O. Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)  
Experian: P.O. Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com)  
TransUnion LLC: P.O. Box 2000, Chester, PA, 19022-2000, [freeze.transunion.com](http://freeze.transunion.com)

You can obtain more information about fraud alerts and credit freezes by contacting the FTC or one of the national credit reporting agencies listed above.

**Credit Freezes (for Massachusetts Residents):** Massachusetts law gives you the right to place a security freeze on your consumer reports. A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. Using a security freeze, however, may delay your ability to obtain credit. You may request that a freeze be placed on your credit report by sending a request to a credit reporting agency by certified mail, overnight mail or regular stamped mail to the address below:

Equifax: P.O. Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)  
Experian: P.O. Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com)  
TransUnion LLC: P.O. Box 2000, Chester, PA, 19022-2000, [freeze.transunion.com](http://freeze.transunion.com)

*Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. The following information should be included when requesting a security freeze (documentation for you and your spouse must be submitted when freezing a spouse's credit report): full name, with middle initial and any suffixes; Social Security number; date of birth (month, day and year); current address and previous addresses for the past five (5) years; and applicable fee (if any) or incident report or complaint with a law enforcement agency or the Department of Motor Vehicles. The request should also include a copy of a government-issued identification card, such as a driver's license, state or military ID card, and a copy of a utility bill, bank or insurance statement. Each copy should be legible, display your name and current mailing address, and the date of issue (statement dates must be recent). The credit reporting company may charge a reasonable fee of up to \$5 to place a freeze or lift or remove a freeze, unless you are a victim of identity theft or the spouse of a victim of identity theft, and have submitted a valid police report relating to the identity theft to the credit reporting company.*

## **AllClear Secure Terms of Use**

If you become a victim of fraud using your personal information without authorization, AllClear ID will help recover your financial losses and restore your identity. Benefits include:

12 months of coverage with no enrollment required;

No cost to you – ever. AllClear Secure is paid for by the participating Company.

### **Services Provided**

If you suspect identity theft, simply call AllClear ID to file a claim. AllClear ID will provide appropriate and necessary remediation services (“Services”) to help restore the compromised accounts and your identity to the state prior to the incident of fraud. Services are determined at the sole discretion of AllClear ID and are subject to the terms and conditions found on the AllClear ID website. AllClear Secure is not an insurance policy, and AllClear ID will not make payments or reimbursements to you for any financial loss, liabilities or expenses you incur.

### **Coverage Period**

Service is automatically available to you with no enrollment required for 12 months from the date of the incident notification you received from Company (the “Coverage Period”). Fraud Events that occurred prior to your Coverage Period are not covered by AllClear Secure services.

### **Eligibility Requirements**

To be eligible for Services under AllClear Secure coverage, you must fully comply, without limitations, with your obligations under the terms herein, you must be a citizen or legal resident eighteen (18) years of age or older, and have a valid U.S. Social Security number. Minors under eighteen (18) years of age may be eligible, but must be sponsored by a parent or guardian. The Services cover only you and your personal financial and medical accounts that are directly associated with your valid U.S. Social Security number, including but not limited to credit card, bank, or other financial accounts and/or medical accounts.

### **How to File a Claim**

If you become a victim of fraud covered by the AllClear Secure services, you must:

Notify AllClear ID by calling 1.855.434.8077 to report the fraud prior to expiration of your Coverage Period.

Provide proof of eligibility for AllClear Secure by providing the redemption code on the notification letter you received from the sponsor Company.

Fully cooperate and be truthful with AllClear ID about the Event and agree to execute any documents AllClear ID may reasonably require;

Fully cooperate with AllClear ID in any remediation process, including, but not limited to, providing AllClear ID with copies of all available investigation files or reports from any institution, including, but not limited to, credit institutions or law enforcement agencies, relating to the alleged theft.

### **Coverage under AllClear Secure Does Not Apply to the Following:**

Any expense, damage or loss:

Due to

- o Any transactions on your financial accounts made by authorized users, even if acting without your knowledge
- o Any act of theft, deceit, collusion, dishonesty or criminal act by you or any person acting in concert with you, or by any of your authorized representatives, whether acting alone or in collusion with you or others (collectively, your “Misrepresentation”)

Incurred by you from an Event that did not occur during your coverage period;

In connection with an Event that you fail to report to AllClear ID prior to the expiration of your AllClear Secure coverage period.

### **Other Exclusions:**

AllClear ID will not pay or be obligated for any costs or expenses other than as described herein, including without limitation fees of any service providers not retained by AllClear ID; AllClear ID reserves the right to investigate any asserted claim to determine its validity;

AllClear ID is not an insurance company, and AllClear Secure is not an insurance policy; AllClear ID will not make payments or reimbursements to you for any loss or liability you may incur; and

AllClear ID is not a credit repair organization, is not a credit counseling service, and does not promise to help you improve your credit history or rating beyond resolving incidents of fraud;

AllClear ID reserves the right to reasonably investigate any asserted claim to determine its validity. All recipients of Secure coverage are expected to protect their personal information in a reasonable way at all times. Accordingly, recipients will not deliberately or recklessly disclose or publish their Social Security number or any other personal information to those who would reasonably be expected to improperly use or disclose that Personal Information.

### **Opt-out Policy**

If for any reason you wish to have your information removed from the eligibility database for AllClear Secure, please contact AllClear ID:

<b>E-mail</b> support@allclearid.com	<b>Mail</b> AllClear ID, Inc. 823 Congress Avenue Suite 300 Austin, Texas 78701	<b>Phone</b> 1.855.434.8077
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