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May 31, 2017

*Via E-mail*

The Honorable Bob Ferguson  
Office of the Attorney General  
1125 Washington Street SE  
P.O. Box 40100  
Olympia, WA 98504-0100

Re: Security Incident Notification

Dear Attorney General Ferguson:

We are providing notice on behalf of BMO Harris Bank N.A. (“BMO Harris” or the “Bank”) to the Washington Office of the Attorney General, pursuant to REV. CODE WASH. § 19.255.010, about an incident involving 47 Washington residents.

During the production of 2016 IRS Form 5498 for BMO Harris Bank IRA accounts, which were mailed May 15, 2017, an error occurred and some customers received their own Form 5498 along with another customer’s Form 5498, while other customers did not receive any form. Form 5498 includes name, address, the last four digits of the Social Security number, account number, IRA contributions for 2016, and Fair Market Value of the IRA as of December 31, 2016.

The Bank has sent letters to impacted customers that explain the issue, apologize, and offer one free year of identity theft protection and credit monitoring to impacted customers (those whose forms were sent to another customer as well as those customers who received a different customer’s form). BMO Harris is making every effort to ensure forms received in error are destroyed or returned to the Bank, and customers who did not receive their form will receive it by mail no later than May 31, 2017. This incident does not impact our reporting of the information to the IRS.

BMO Harris values the privacy and security of its customers’ data and uses leading-edge technology and software to prevent unauthorized users from accessing customers’ bank accounts. Further, BMO Harris has policies and procedures in place to protect access to customer accounts. The Bank is not aware of any instances in which personal information has been misused, and believes the risk of misuse is low.

BMO Harris is reviewing its current processes for opportunities to implement enhancements with strengthened preventative and detective controls. In addition, the Bank is planning to strengthen oversight protocols over its vendor’s tax form printing and mailing processes.

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Please find enclosed a copy of the notice sent by mail to consumers on May 25, 2017.

If you should have any questions or if we can provide assistance to your Washington residents impacted by this incident, please feel free to contact me at (202) 661-2286 or [phank@ballardspahr.com](mailto:phank@ballardspahr.com).

Sincerely,

*/S/ Kim Phan*

Kim Phan

Attachment

Please read this letter carefully and in full, as it contains important information regarding your BMO Harris IRA Account ending in **XXXX**

Dear Customer:

This letter is to inform you about a matter involving some of your personal information. Regrettably, during the production of 2016 IRS Form 5498 for BMO Harris Bank IRA accounts, which were mailed May 15, 2017, an error occurred and some customers received their own Form 5498 along with another customer's Form 5498, while other customers didn't receive their form.

Form 5498 includes your name, address, the last four digits only of your Social Security Number, account number, IRA contributions for 2016, and Fair Market Value for your IRA as of December 31, 2016.

Our records indicate that you did not receive a Form 5498 because your form was attached to another customer's form. We are making every effort to ensure your form is destroyed or returned to us. We will be mailing your Form 5498 to you no later than May 31, 2017. This does not impact the reporting of the information to the IRS.

We apologize for this error and understand this will cause concern. We want to assure you that we have policies and procedures in place to protect access to your account. We are not aware of any instances in which your personal information has been misused and we believe the risk of misuse is low.

#### **Free Credit Monitoring and Identity Theft Protection**

As a precaution, we have arranged for you to receive twelve (12) months of free credit monitoring and identity theft protection through the Identity Guard® program offered by Intersections, Inc. Identity Guard provides monitoring and protection of credit data, and also alerts you of certain activities that could indicate potential identity theft. This free, one-year subscription to Identity Guard includes identity theft resolution services, a free three-bureau credit report, daily credit monitoring to detect suspicious activity with Notify Express® Alerts, quarterly credit updates, credit education specialists, and up to \$20,000 in identity theft insurance with \$0 deductible.<sup>1</sup>

To take advantage of this offer, you must register for these services by visiting the Identity Guard website at [www.identityguard.com/enroll](http://www.identityguard.com/enroll), or calling toll free 844-411-0667 and providing the following redemption code: **[Credit Monitoring Code]**. You have 120 days from the date of this letter to register. Enrollment in Identity Guard does not affect your credit score.

#### **Information on Ways to Protect Yourself**

We encourage you to remain vigilant and regularly review and monitor relevant account statements and credit reports, for any unauthorized or inaccurate activity. You may obtain a copy of your credit report, free of charge, once every twelve (12) months from each of the three nationwide consumer reporting agencies. To order your report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com), call toll free at 1-877-322-8228, or mail a request to: Annual Credit Report Request Services, P.O. Box 105281, Atlanta, GA 30348-5281.

(over, please)

<sup>1</sup> Identity theft insurance is underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. The description provided in this letter is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

Please review your credit report carefully to ensure the information contained in it is accurate. If you see anything on your credit report that appears to be incorrect, contact the credit reporting agency. Report suspected incidents of identity theft immediately to the FTC and/or your state's Attorney General.

The FTC and your state's Attorney General can provide additional information on identity theft.

- You can contact the FTC on its toll-free Identity Theft helpline: 1-877-438-4338. The FTC's website is [www.identitytheft.gov](http://www.identitytheft.gov) and its address is Federal Trade Commission, Consumer Response Center, 600 Pennsylvania Avenue NW, Washington, DC 20580.
- Contact information for your state's Attorney General can be found here: <http://www.naag.org./naag/attorneys-geberak/whos-my-ag.php>.

You can also place a fraud alert with the major credit reporting agencies on your credit files. A fraud alert lasts 90 days and requires potential creditors to use "reasonable policies and procedures" to verify your identity before issuing credit in your name. You can keep the fraud alert in place at the credit reporting agencies by calling again after 90 days.

The three national credit reporting agencies contact information to place a fraud alert is as follows:

- Equifax, P.O. Box 740256, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com), 1-800-766-0008
- Experian, P.O. Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742
- TransUnion Fraud Victim Assistance Dept., P.O. Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com), 1-800-680-7289

We apologize again for any inconvenience and concern this has raised, and want to assure you that we take the protection of your personal information very seriously. If you have any questions or need further assistance, please call us toll free at 1-866 361-1550.

Sincerely,

Alexandra Dousmanis-Curtis  
Group Head, U.S. Retail and Business Banking  
BMO Harris Bank