

Cornell-Brown, Rowan

From: Cornell-Brown, Rowan
Sent: Tuesday, June 12, 2018 4:16 PM
To: 'bhargenrader@carlsonlynch.com'
Subject: RE: Records Request - Eddie Bauer, LLC & Equifax, Inc.
Attachments: 2018-06-12 Response to Hargenrader.pdf

Ms. Hargenrader,

Attached please find Christopher Curtis's response to your public records request.

Best Regards,

Rowan Cornell-Brown

Paralegal
Consumer Protection & Antitrust Units
Office of the Vermont Attorney General
109 State Street
Montpelier, Vermont 05609
802-828-5507

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STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
MONTPELIER, VT
05609-1001

June 12, 2018

Ms. Britt Hargenrader
Carson Lynch Sweet Kilpela & Carpenter LLP
1133 Penn Avenue, 5th Floor
Pittsburgh, PA 15222

Re: Public Records Request

Dear Ms. Hargenrader:

I write in response to your public records act request dated May 29, 2018, in which you requested:

1. Any and all documents related to Eddie Bauer, LLC and an information security incident or data breach it experienced in 2016, including but not limited to any security breach notification(s) you received from Eddie Bauer, LLC or its counsel pursuant to state law; and
2. Any and all documents related to Equifax, Inc. and any information security incident(s) or data breach(es) it has experienced, including but not limited to any security breach notification(s) you received from Equifax, Inc. or its counsel pursuant to state law.

Please find documents responsive to your request attached.

Please be advised that we have withheld records that are exempt from disclosure under exemption for trade secrets, 1 V.S.A. § 317(c)(9), personal privacy, § 317(c)(7), or are otherwise privileged, § 317(c)(4). Note that 14-day notices of data breaches are exempt from disclosure under 9 V.S.A. § 2435(3)(B)(iv).

To the extent you feel information has been withheld in error, you may appeal to the Deputy Attorney General, Joshua Diamond. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Curtis", written over the typed name.

Christopher J. Curtis
Chief, Public Protection Division



<<MemberFirstName>> <<MemberLastName>>
<<Address1>>
<<Address2>>
<<City>>, <<State>> <<Zip Code>>

August 18, 2016

Subject: Notice of Data Security Incident

Dear <<MemberFirstName>> <<MemberLastName>>,

We are writing to inform you of a data security incident that may have involved your payment card information. We take the privacy and security of your information very seriously. This is why we are contacting you, offering you identity protection services, and informing you about steps that can be taken to protect your payment card information.

What Happened? We recently learned that point of sale systems at Eddie Bauer retail stores may have been accessed without our authorization. We immediately initiated a full investigation with third-party digital forensic experts. On August 11, 2016 we received confirmation that your payment card information used at one or more of our retail stores (payment card ending in <<ClientDef1(Payment Card Number)>>) may have been accessed without authorization. This may have occurred on various dates between January 2, 2016 and July 17, 2016. Not all cardholder transactions during this period were affected, but out of an abundance of caution, we are notifying you of the incident and offering you identity protection services. Payment card information used for online purchases at eddiebauer.com was not affected.

What Information Was Involved? The information included your name, payment card number, security code and expiration date.


What Are We Doing? We are notifying you of the incident and are providing you information about the steps you can take to protect your payment card information. We have also arranged to have Kroll, a global leader in risk mitigation and response, provide you complimentary services for 12 months. We are also working closely with the FBI to identify the perpetrator(s), and will provide whatever cooperation is necessary to do so. We also notified the payment card networks so that they can coordinate with card issuing banks to monitor for fraudulent activity on cards used during the timeframe in which cards may have been compromised. Finally, the security of our point of sale systems has been enhanced, with the goal of making it more difficult for a similar incident to occur in the future.

What You Can Do: You can follow the recommendations on the following pages to protect your personal information. You can also enroll in the services we are offering through Kroll, at no cost to you. To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file. Your services start on the date of this notice and can be used at any time during the next 12 months. They will include credit monitoring and identity consultation and restoration. Visit <https://kroll.idMonitoringService.com> to take advantage of these services. Your membership number is <<Member ID>>. To receive credit services by mail instead of online, please call 1-855-294-2549. Additional information describing your services is included with this letter.

For More Information: Further information about how to protect your personal information appears on the following pages. If you have questions or need assistance, call 1-855-294-2549, 8:00 a.m. to 5:00 p.m. (Central Time), Monday through Friday. Kroll's licensed investigators are standing by to assist you. Please have your membership number ready.

Protecting our customers' personal information – and maintaining your trust – is of paramount importance to Eddie Bauer. We sincerely apologize for any inconvenience this incident has caused you.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Egeck". The signature is fluid and cursive, with the first name "Mike" being more prominent than the last name "Egeck".

Mike Egeck
Chief Executive Officer
Eddie Bauer

Information about Protecting Personal Information

Review Your Account Statements and Notify Issuing Bank & Law Enforcement of Suspicious Activity: It is recommended that you remain vigilant for any incidents of fraud or identity theft by regularly reviewing credit card account statements and your credit report for unauthorized activity. If you detect any suspicious activity on an account, we recommend you contact your issuing bank immediately to either freeze or close the account. You may also report any fraudulent activity or any suspected identity theft to local law enforcement, the Federal Trade Commission (FTC), or your respective state Attorney General. Residents of Massachusetts and Rhode Island have the right to obtain any police report filed in regard to this incident.

Copy of Free Credit Report: You may obtain a free copy of your credit report from the following national consumer reporting agencies or from the Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281, 1-877-322-8228, www.annualcreditreport.com:

Equifax: P.O. Box 105139, Atlanta, Georgia 30374-0241, 1-800-685-1111, www.equifax.com

Experian: P.O. Box 2002, Allen, TX 75013, 1-888-397-3742, www.experian.com

TransUnion: P.O. Box 6790, Fullerton, CA 92834-6790, 1-800-916-8800, www.transunion.com

Additional Free Resources on Identity Theft: You can obtain information from the consumer reporting agencies, the **FTC**, or your respective state Attorney General about steps you can take toward preventing identity theft. The FTC may be contacted at FTC, **Consumer Response Center**, 600 Pennsylvania Avenue, NW, Washington, DC 20580, 1-877-438-4338, www.ftc.gov/idtheft.

For residents of Maryland, North Carolina, and Rhode Island: Residents of Maryland, North Carolina and Rhode Island can also obtain information about preventing and avoiding identity theft from their attorneys general at the addresses below, and from the Federal Trade Commission.

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

North Carolina Office of the
Attorney General
Consumer Protection Division
9001 Mail Service Center
Raleigh, NC 27699-9001
1-877-566-7226
www.ncdoj.com

Rhode Island Office of the
Attorney General
150 South Main Street
Providence, RI 02903
(401) 274-4400
<http://www.riag.ri.gov>

Fraud Alerts: There are 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 consumer reporting agencies listed below:

Equifax: 1-800-525-6285, www.equifax.com

Experian: 1-888-397-3742, www.experian.com

TransUnion: 1-800-680-7289, www.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 agency. Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting agency. In order to place a security freeze, you may be required to provide the consumer reporting agency with information that identifies you including your full name, Social Security number, date of birth, current and previous addresses, a copy of your state-issued identification card, and a recent utility bill, bank statement or insurance statement. Since the instructions for how to

establish a credit freeze differ from state to state, please contact the three major consumer reporting agencies as specified below to find out more information:

Equifax: P.O. Box 105788, Atlanta, GA 30348, www.equifax.com

Experian: P.O. Box 9554, Allen, TX 75013, www.experian.com

TransUnion: P.O. Box 2000, Chester, PA, 19022-2000, www.transunion.com

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



TAKE ADVANTAGE OF YOUR COMPLIMENTARY SERVICES

You've been provided with access to the following services¹ from Kroll:

Credit Monitoring through TransUnion

You'll receive alerts when there are changes to your credit data—for instance, when a new line of credit is applied for in your name. If you do not recognize the activity, you'll have the option to call a Kroll investigator, who can help you determine if it's an indicator of identity theft.

Identity Consultation

You have unlimited access to consultation with a dedicated licensed investigator at Kroll. Support includes showing you the most effective ways to protect your identity, explaining your rights and protections under the law, assistance with fraud alerts, and interpreting how personal information is accessed and used, including investigating suspicious activity that could be tied to an identity theft event.

Identity Restoration

If you become a victim of identity theft, an experienced licensed investigator will work on your behalf to resolve related issues. You will have access to a dedicated investigator who understands your issues and will do most of the work for you. Your investigator can dig deep to uncover all aspects of the identity theft, and then work to resolve it.

¹ Kroll's activation website is only compatible with the current version or one version earlier of Internet Explorer, Chrome, Firefox, and Safari.

To receive credit services, you must be over the age of 18 and have established credit in the U.S., have a Social Security number in your name, and have a U.S. residential address associated with your credit file.

KING & SPALDING

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psummer@kslaw.com

September 7, 2017

To: Exhibit A; Distribution List

Re: Data Security Incident Affecting Equifax Inc.

Dear Sir or Madam,

I write on behalf of Equifax Inc. ("Equifax") regarding a cybersecurity incident potentially impacting information relating to approximately 143 million U.S. consumers. The approximate number of potentially impacted residents in your state is identified in Exhibit B. Equifax takes seriously its responsibility to protect the security of personal information, and our priority is to assist consumers who may have been impacted. The circumstances of the incident and the steps Equifax is taking to protect consumers are set forth below.

On July 29, 2017, Equifax discovered that criminals exploited a U.S. website application vulnerability to gain access to certain files. Upon discovery, Equifax acted immediately to stop the intrusion. The company promptly engaged a leading, independent cybersecurity firm that has been conducting a comprehensive forensic review to determine the scope of the intrusion, including the specific data impacted. Equifax also reported the criminal access to law enforcement and continues to work with authorities. While the company's investigation is substantially complete, it remains ongoing and is expected to be completed in the coming weeks.

The information accessed primarily includes names, Social Security numbers, birth dates, addresses and, in some instances, driver's license numbers. In addition, credit card numbers for approximately 209,000 U.S. consumers, and certain dispute documents with personal identifying information for approximately 182,000 U.S. consumers, were accessed. The company has found no evidence of unauthorized access on Equifax's core consumer or commercial credit reporting databases.

Equifax has established a dedicated website, www.equifaxsecurity2017.com, to notify consumers of the incident, help them understand if they were potentially impacted, and provide steps they can take to protect against the potential misuse of their information. In addition to the website, Equifax will send direct mail notices to consumers whose credit card numbers or dispute documents with personal identifying information were impacted.

September 7, 2017

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Equifax is also offering to all U.S. consumers complimentary credit file monitoring and identity theft protection for one year, even if a consumer is not impacted by this incident. The offering, called TrustedID Premier, includes 3-Bureau credit monitoring of Equifax, Experian and TransUnion credit reports; copies of Equifax credit reports; the ability to lock and unlock Equifax credit reports; identity theft insurance; and Internet scanning for Social Security numbers. Information on how to enroll for this offering is included on the dedicated website. Additionally, Equifax has established a dedicated call center, 866-447-7559, available from 7:00 a.m. to 1:00 a.m. Eastern time, seven days a week, to answer questions about the incident, assist consumers in signing up for the complimentary service, and provide information about how to further protect personal information.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Phyllis B. Sumner', with a long horizontal flourish extending to the right.

Phyllis B. Sumner

Enclosures

Exhibit A - Distribution List

<p>Steve Marshall Office of the Alabama Attorney General Office of the Attorney General P.O. Box 300152 Montgomery, AL 36130-0152</p>	<p>Jahna Lindemuth Alaska Attorney General Office 1031 West 4th Avenue, Suite 200 Anchorage, AK 99501 attorney.general@alaska.gov</p>
<p>Mark Brnovich Office of the Arizona Attorney General 1275 West Washington Street Phoenix, AZ 85007-2926 AGInfo@azag.gov</p>	<p>Leslie Rutledge Arkansas Attorney General Office 323 Center Street, Suite 200 Little Rock, AR 72201 oag@ArkansasAG.gov</p>
<p>Xavier Becerra Office of the California Attorney General California Department of Justice P.O. Box 944255 Sacramento, CA 94244-2550</p>	<p>Cynthia H. Coffman Office of the Colorado Attorney General Colorado Department of Law Ralph L. Carr Judicial Building 1300 Broadway, 10th Floor Denver, CO 80203</p>
<p>George Jepsen State of Connecticut Attorney General's Office 55 Elm Street Hartford, CT 06106 ag.breach@ct.gov</p>	<p>Karl A. Racine District of Columbia Attorney General 441 4th Street, NW Washington, DC 20001 dc.oag@dc.gov</p>
<p>Matt Denn Delaware Attorney General Delaware Department of Justice Carvel State Building 820 N. French St. Wilmington, DE 19801 attorney.general@state.de.us</p>	<p>Pam Bondi Office of the Attorney General of Florida State of Florida The Capitol PL-01 Tallahassee, FL 32399-1050</p>
<p>Chris Carr Office of the Georgia Attorney General 40 Capitol Square, SW Atlanta, GA 30334</p>	<p>Douglas Chin Department of the Attorney General of Hawaii 425 Queen Street Honolulu, HI 96813</p>

<p>Hawaii Office of Consumer Protection Leiopapa A Kamehameha Building aka State Office Tower 235 South Beretania Street Honolulu, Hawaii 96813 dcca@dcca.hawaii.gov</p>	<p>Lawrence Wasden State of Idaho Attorney General's Office 700 W Jefferson St., Suite 210 P.O. Box 83720 Boise, ID 83720-0010</p>
<p>Lisa Madigan Illinois Attorney General's Office 100 W. Randolph Street Chicago, IL 60601 databreach@atg.state.il.us</p>	<p>Curtis T. Hill, Jr. Indiana Attorney General's Office Indiana Government Center South 302 W. Washington St., 5th Floor Indianapolis, IN 46204 IDTheft@atg.in.gov</p>
<p>Tom Miller Office of the Attorney General of Iowa Hoover State Office Bldg. 1305 E. Walnut Street Des Moines, IA 50319 consumer@iowa.gov</p>	<p>Derek Schmidt Kansas Attorney General 120 S.W. 10th Ave., 2nd Floor Topeka, KS 66612-1597</p>
<p>Andy Beshear Office of the Kentucky Attorney General 700 Capitol Ave, Suite 118 Frankfort, KY 40601-3449</p>	<p>Jeff Landry Office of the Louisiana Attorney General P.O. Box 94005 Baton Rouge, LA 70804-4095 ConsumerInfo@ag.louisiana.gov</p>
<p>Janet T. Mills Office of the Maine Attorney General 6 State House Station Augusta, ME 04333 breach.security@maine.gov</p>	<p>Brian E. Frosh Office of the Maryland Attorney General 200 St. Paul Place Baltimore, MD 21202-2202 Idtheft@oag.state.md.us</p>
<p>Maura Healey Office of the Attorney General of Massachusetts One Ashburton Place Boston, MA 02108-1518 ago@state.ma.us</p>	<p>Bill Schuette Michigan Department of Attorney General 525 W. Ottawa St. P.O. Box 30212 Lansing, MI 48909 miag@michigan.gov</p>
<p>Lori Swanson Office of the Minnesota Attorney General 445 Minnesota Street, Suite 1400 St. Paul, MN 55101-2131 Attorney.General@ag.state.mn.us</p>	<p>Jim Hood Mississippi Attorney General's Office 550 High Street Jackson, MS 39201</p>

<p>Josh Hawley Missouri Attorney General's Office Supreme Court Building 207 W. High St. P.O. Box 899 Jefferson City, MO 65102 attorney.general@ago.mo.gov</p>	<p>Tim Fox Office of the Montana Attorney General Justice Building, Third Floor 215 North Sanders P.O. Box 201401 Helena, MT 59620-1401 contactdoj@mt.gov</p>
<p>Montana Office of Consumer Protection P. O. Box 200151 Helena, MT 59620-0151 contactocp@mt.gov</p>	<p>Doug Peterson Nebraska Attorney General's Office 2115 State Capitol P.O. Box 98920 Lincoln, NE 68509 ago.consumer@nebraska.gov</p>
<p>Adam Paul Laxalt Office of the Nevada Attorney General 100 North Carson Street Carson City, NV 89701 AgInfo@ag.nv.gov</p>	<p>Gordon J. MacDonald New Hampshire Department of Justice 33 Capitol Street Concord, NH 03301 attorneygeneral@doj.nh.gov</p>
<p>Christopher S. Porrino Office of the New Jersey Attorney General RJ Hughes Justice Complex 25 Market Street, Box 080 Trenton, NJ 08625-0080 databreach@cyber.nj.gov</p>	<p>Hector Balderas Office of the New Mexico Attorney General 408 Galisteo Street Villagra Building Santa Fe, NM 87501</p>
<p>Eric T. Schneiderman Office of the New York Attorney General The Capitol Albany, NY 12224-0341</p>	<p>Josh Stein North Carolina Attorney General's Office 9001 Mail Service Center Raleigh, NC 27699-9001</p>
<p>Wayne Stenehjem North Dakota Attorney General's Office 600 E. Boulevard Ave. Dept. 125 Bismarck, ND 58505 ndag@nd.gov</p>	<p>Mike DeWine Ohio Attorney General's Office 30 E. Broad Street, 14th Floor Columbus, OH 43215</p>
<p>Mike Hunter Oklahoma Office of the Attorney General 313 NE 21st Street Oklahoma City, OK 73105</p>	<p>Ellen F. Rosenblum Office of the Oregon Attorney General Oregon Department of Justice 1162 Court Street, NE Salem, OR 97301-4096</p>

<p>Josh Shapiro Pennsylvania Office of Attorney General 16th Floor, Strawberry Square Harrisburg, PA 17120</p>	<p>Puerto Rico Departamento de Asuntos del Consumidor Ave. José De Diego, Pda. 22 Centro Gubernamental Minillas Edificio Torre Norte, Piso 7 San Juan, PR 00940 servicio@daco.pr.gov</p>
<p>Peter F. Kilmartin Office of the Rhode Island Attorney General 150 South Main Street Providence, RI 02903</p>	<p>Alan Wilson Office of the South Carolina Attorney General P.O. Box 11549 Columbia, SC 29211</p>
<p>Consumer Protection Division of the Department of Consumer Affairs P.O. Box 5757 Columbia, SC 29250</p>	<p>Marty J. Jackley South Dakota Attorney General's Office 1302 East Highway 14, Suite 1 Pierre, SD 57501-8501 consumerhelp@state.sd.us</p>
<p>Herbert H. Slatery, III Office of the Tennessee Attorney General and Reporter P.O. Box 20207 Nashville, TN 37202-0207</p>	<p>Ken Paxton Office of the Texas Attorney General P.O. Box 12548 Austin, TX 78711-2548</p>
<p>Sean D. Reyes Utah Office of the Attorney General Utah State Capitol Complex 350 N. State St., Suite 230 Salt Lake City, UT 84114-2320 uag@agutah.gov</p>	<p>TJ Donovan Vermont Attorney General's Office 109 State Street Montpelier, VT 05609-1001 ago.cap@vermont.gov</p>
<p>Mark R. Herring Office of the Virginia Attorney General 202 North Ninth Street Richmond, VA 23219</p>	<p>Bob Ferguson Washington State Office of the Attorney General 1125 Washington St SE P.O. Box 40100 Olympia, WA 98504-0100 SecurityBreach@atg.wa.gov</p>

<p>Patrick Morrissey Office of the West Virginia Attorney General State Capitol Complex Bldg. 1, Room E-26 Charleston, WV 25305 consumer@wvago.gov</p>	<p>Brad Schimel Office of the Wisconsin Attorney General Wisconsin Department of Justice P.O. Box 7857 Madison, WI 53707-7857</p>
<p>Peter K. Michael Wyoming Attorney General's Office Kendrick Building 2320 Capitol Avenue Cheyenne, WY 82002 ag.consumer@wyo.gov</p>	

Exhibit B – Approximate Number of Potentially Impacted Residents

Vermont – Approximately 242,888