

# ROSS + SIMONS

April 7, 2006

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## Important Notice Regarding your Personal Information

Dear

We regret to inform you that on April 4, 2006, we verified unauthorized access of our customer data, which includes Ross-Simons Preferred Account credit card application information. The data accessed included private label credit card numbers and expiration dates, customer names, addresses, dates of birth, phone numbers, email addresses and social security numbers. Your personal information may have been among this data.

Ross-Simons has corrected the situation that allowed the unauthorized access to occur. We also notified federal law enforcement authorities and the bank that issues the Ross-Simons Preferred Account credit card. The authorities are conducting an investigation, which is ongoing. Ross-Simons is cooperating fully with the authorities to pursue those responsible for this unauthorized access. If you have a Ross-Simons Preferred Account, the bank will close your existing Ross-Simons Preferred Account and a new Ross-Simons Preferred Account credit card will be sent to you within 7-10 days.

Because your personal information may have been accessed, you should take steps to protect yourself from unauthorized use, fraud and identity theft. We recommend that you place a fraud alert on your credit file. A fraud alert tells creditors to contact you before they open any new accounts or change your existing accounts. Call any one of the three major credit bureaus. As soon as one credit bureau confirms your fraud alert, the others are notified to place fraud alerts. All three-credit reports will be sent to you, free of charge, for your review.

Equifax	Experian	TransUnionCorp
877-478-7625	888-397-3742	800-680-7289

Even if you do not find any suspicious activity on your initial credit reports, the Federal Trade Commission ("FTC") recommends that you check your credit reports periodically. Victim information sometimes is held for use or shared among a group of thieves at different times. Checking your credit reports periodically can help you spot problems and address them quickly.

If you find suspicious activity on your credit reports or have reason to believe your information is being misused, call your local police department and file a police report. You should also request a copy of the report as many creditors want the information it contains to absolve you of the fraudulent debts. If you find suspicious activity, you also should file a complaint with the FTC at [www.consumer.gov/idtheft](http://www.consumer.gov/idtheft) or at 1-877-ID-THEFT (1-877-438-4338). Your complaint will be added to the FTC's Identity Theft Data Clearinghouse, where it will be accessible to law enforcers for their investigations. The FTC's website includes a comprehensive guide to help you guard against and deal with identity theft ([www.consumer.gov/idtheft](http://www.consumer.gov/idtheft)).

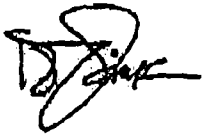
Ross-Simons has arranged and will pay for you to become a member of Equifax Personal Solutions to help protect your identity and your credit information. To enroll in Equifax Credit Watch™ Gold with 3-in-1 Monitoring identity theft protection service visit [www.myservices.equifax.com/monitor\\_order](http://www.myservices.equifax.com/monitor_order)

- o Step 1 – Registration: complete the form with your contact information (name, address, telephone #, Social Security Number, date of birth, e-mail address). The information is provided in a secured environment.
- o Step 2 – Verify Your Identity: Equifax will verify your identity by asking you up to two security questions.
- o Step 3 – Order Summary: During the "check out" process, provide the following promotional code: ROS-111111111111 in the "Enter Promotion Code" box. (case sensitive, no spaces, include dash.) After entering your code press the "Apply Code" button and then the "Submit" button at the bottom of the page. (This code eliminates the need to provide a credit card number for payment.)
- o Step 4 – Go to the Member Center – Under "Product List" select Credit Watch Gold with 3-in-1 Monitoring to access the product features.

If you do not have access to the Internet and wish to enroll in Credit Watch, please call 1-888-838-0815.

Please accept our sincerest apologies for any inconvenience or concern that this incident may have caused you. You are very important to us; if you have further questions or concerns, please call us at 1-888-838-0815 so we can assist you.

Sincerely,



Robert J. Simone  
Executive Vice President  
Chief Operating Officer  
Ross-Simons

# HinckleyAllenSnyderLLP

ATTORNEYS AT LAW

1500 FLEET CENTER □ PROVIDENCE, RHODE ISLAND 02903-2393  
401-274-2000 □ FAX 401-277-9600 □ www.haslaw.com

## FACSIMILE TRANSMITTAL SHEET

FROM: Romana Kaleem, Esquire

DATE: April 13, 2006

NUMBER OF PAGES TRANSMITTED  
(INCLUDING COVER SHEET)

6

If you did not receive the indicated number of pages or if any pages are illegible, please call us immediately at: (401) 274-2000 Ext. 5649

CLIENT: 021212 MATTER: 13835

### CONFIDENTIALITY NOTICE

This facsimile transmission and the accompanying documents contain legally privileged confidential information. The information is intended only for the use of the recipient named below. If you are not an intended recipient, you are hereby notified that any disclosure, copying, distribution, or exploitation of, or the taking of any action in reliance on, the contents of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone to arrange for the return of the original documents to us at our expense.

TO: Consumer Protection Board

FIRM: \_\_\_\_\_

RE: Security Breach Notification - Ross-Simons

PHONE \_\_\_\_\_

NUMBER: \_\_\_\_\_

FAX \_\_\_\_\_

NUMBER: 518-474-2474

URGENT      PER OUR DISCUSSION      AS REQUESTED      PLEASE CALL TO DISCUSS      PLEASE SEE BELOW

NOTES/COMMENTS:

**Reporting Form**  
**For Business, Individual or NY State Entity reporting a**  
**"Breach of the Security of the System"**  
**Pursuant to the Information Security Breach**  
**and Notification Act (General Business Law §889-aa;**  
**State Technology Law §208)**

Name of Business, Individual or State Entity Ross-Simons  
Date of Discovery of Breach: April 4, 2006  
Estimated Number of Affected Individuals: 2,081  
Date of Notification to Affected Individuals: April 10, 2006  
Manner of Notification:  written notice  
 electronic notice (email)  
 telephone notice

Are you requesting substitute notice?  Yes  No (If yes, attach

Content of Notification to Affected Individuals: Describe what happened in general terms and what kind of information was involved. Please attach copy of Notice.

1) See attached document sent to affected individuals

2) See attached document describing information involved

Name of Business or Individual Contact Person: Ross-Simons (Stephen Carlotti)  
Title: Corporate Attorney  
Telephone number: 401-274-2000  
Email: scarlotti@haslaw.com

Dated: April 12, 2006  
Submitted by: Ross-Simons (Stephen Carlotti)  
Title: Corporate Attorney  
Address: 1500 Fleet Center Providence, RI 02903  
Email: scarlotti@haslaw.com  
Telephone: 401-274-2000 Fax: 401-274-9600

**HinckleyAllenSnyder** LLP  
ATTORNEYS AT LAW

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www.haslaw.com

*Romana Kaleem*  
rkaleem@haslaw.com

**VIA FACSIMILE**

April 13, 2006

Consumer Protection Board  
Security Breach Notification

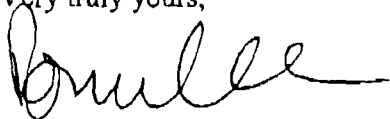
**Re: Ross-Simons, Inc.**

Dear Sir/Madam:

Enclosed herewith is the Reporting Form for Business, Individual or NY State Entity reporting a "Breach of the Security of the System" Pursuant to the Information Security Breach and Notification Act.

If you have any questions with respect to the enclosed, please do not hesitate to contact me.

Very truly yours,



Romana Kaleem

RK/dml  
Enclosure

cc: Terry L. Matthies (w/ enclosure)  
Stephen J. Carlotti (w/ enclosure)

**What Ross-Simons information was exposed?**

We detected unauthorized access of customer data by a third party. This data may include Ross-Simons private label credit card applications. The data accessed might have included private label credit card numbers and expiration dates and other personal information, i.e. name, address, phone number, email address, date of birth and social security number.

**How can I find out if my information was compromised?**

If your personal information was among the data that may have been compromised you will receive notification from Ross-Simons. If you have a Ross-Simons private label card and have not been notified yet, your information may still have been exposed. Save this notification so, if necessary, you can provide it as proof that you have reason to believe you could be the victim of identity theft. Only those individuals who applied for a Ross-Simons private label credit card might be impacted.

**When did Ross-Simons verify this unauthorized access?**

Ross-Simons verified unauthorized access to the data on April 4, 2006. On the same day, we contacted the appropriate law enforcement authorities and the appropriate issuing banks and are working closely with them to provide all requested assistance. The problem has been identified and fixed and Ross-Simons has engaged an independent third party to conduct an external audit of our security procedures.