



801 Cherry St., Suite 3900
Fort Worth, TX 76102

LEGAL AND CONFIDENTIAL

Date 8/10/06

Number of pages including cover sheet 4

To: CPB

From: Doug Johnson

Phone 518-474-2474

Fax Phone _____

CC: _____

Phone 817/302-7641

Fax Phone 817/302-7940

REMARKS:

- Urgent
- For your review
- Reply ASAP
- Please comment

SECURITY BREACH NOTIFICATION
PLEASE SEE THE ATTACHED

Privileged and Confidential. This FAX and any attachments thereto, are intended only for use by the addressee(s) named herein and may contain legally privileged or confidential information. If you have received this FAX in error, please notify the sender immediately. You are hereby notified that any dissemination, distribution or copying of this FAX and/or any attachments thereto, are strictly prohibited.

Bay View Acceptance Corporation.

August 10, 2006

Certified Mail Return Receipt Requested 7003 1680 0002 3251 6679
New York State Consumer Protection Board
5 Empire State Plaza, Suite 2101
Albany, New York 12223

Re: Potential Security Breach

Pursuant to NY CLS Gen Bus § 899-aa(8)(a), I am writing this letter to notify you of the nature and circumstances of a potential breach in the security of our customers' personal information.

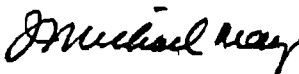
On Wednesday July 12, 2006 the California office of Bay View Acceptance Corporation ("BVAC") received a UPS package from a business partner who handles certain processing for BVAC. The package was supposed to contain two computer disks containing back-up information on customer data, however, the package was ripped when received and the two disks were no longer inside. The disks included the account information (name, SSN, address, and phone #) of sixty eight (68) New York residents. Our investigation shows that the disks likely fell out of the package when it was damaged at a UPS sorting location. UPS is conducting an exhaustive search of its processing facilities but, to date, the disks have not been located.

We have no reason to believe that the disks have been misappropriated and are unaware of any improper use of the account information. UPS officials have advised that the disks may have been destroyed by their sorting machinery, or may have been discarded by a UPS employee since the disks were unlabeled. Nevertheless, our investigation has not resulted in any conclusive information on the whereabouts of the disks. We are in contact with UPS Loss Prevention and will continue to investigate until we locate the disks. In addition, we are fully prepared to mitigate any potential harm to our customers in the event their account information is misappropriated.

Letters notifying all affected customers (copy enclosed) will be sent out in stages on August 11, 12 and 14, 2006 via USPS First-Class Mail, advising them of the incident and offering credit monitoring and protection from potential identity theft. Please feel free to contact me with any questions or comments regarding the letter or the security breach in general.

Sincerely,

Bay View Acceptance Corporation



J. Michael May
Chief Legal Officer

B.V.A.C. Information
P.O. Box 6389
Portland, OR 97228-6389

Validation Code:

We are writing to inform you about a loss of personal information that may affect you as a customer of Bay View Acceptance Corporation. This personal information includes names, addresses, account numbers and social security numbers. While we have no reason at this time to believe the information has been misused, we want to inform you of the situation, provide background about what happened, and suggest some important steps that you can take.

A backup computer disk was being shipped in a UPS overnight mail envelope to the Bay View Acceptance Corporation offices in California from a computer processing business partner. The disk contained information for 68,128 accounts. Working in conjunction with UPS, the investigation concluded the overnight envelope was damaged by sorting machinery at a UPS location. The disk fell out of the envelope and has not been recovered. UPS officials have looked thoroughly for the disk (and continue to look for the disk), but they have not been able to locate it to date.

In response to this situation, we are making every effort to protect your good credit and have engaged the services of Identity Safeguards, a firm that specializes in identity protection services. We are offering their services to you at no cost. These services include 12 months of credit monitoring, reimbursement for lost income and expenses due to an identity theft incident, and complete restoration if you fall victim to identity theft. To enroll in the Identity Safeguards program call 1-866-433-0905. **Representatives are available to receive calls from 8:00 am to 8:00 pm Monday through Friday Central Daylight Time, except holidays.** You will need the validation code printed on this letter to complete the registration process and receive the protection package.

For more information including how to set a fraud alert at the credit bureaus, obtain your free credit reports and to review frequently asked questions, you may visit our Internet site at www.bvacinformation.com or call 1-866-433-0905. These resources have been set up specifically for information regarding this incident.

Again, we have had no evidence of misuse of information since the disk was lost, but we want to guard against any possibility of that occurring. In addition, as a result of AmeriCredit's recent acquisition of Bay View Acceptance Corporation, we have already taken significant steps to improve data security procedures and to help guard against similar situations in the future.

We know these situations can be upsetting and hard to deal with. We want you to know we are very sorry for what happened and will do our best to assist in correcting any problems that may arise as a result of this incident.

Please follow the important recommendations we have offered in this letter, and if you have any questions, do not hesitate to call the hotline at 1-866-433-0905. Identity Safeguards will be glad to help you.

Sincerely,

Jon Matthews
Senior Vice President, Customer Service
Bay View Acceptance Corporation

**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 Bay View Acceptance Corporation
Date of Discovery of Breach: July 12, 2006
Estimated Number of Affected Individuals: 68 customers in New York
Date of Notification to Affected Individuals: August 11, 2006
Manner of Notification: written notice
 electronic notice (email)
 telephone notice

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

Content of Notification to Affected Individuals: Describe what happened in general terms and what kind of information was involved. Please attach copy of Notice.
A backup computer disk was lost or destroyed in a UPS processing facility while in transit from a computer processing business partner to the Bay View offices in Covina, California.

Name of Business or Individual Contact Person: Douglas T. Johnson
Title: Sr. Vice President
Telephone number: 817-302-7641
Email: doug.johnson@americredit.com

Dated: August 10, 2006
Submitted by: Douglas T. Johnson
Title: Sr. Vice President
Address: 801 Cherry Street, Suite 3900, Fort Worth, TX 76102
Email: doug.johnson@americredit.com
Telephone: 817-302-7641 Fax: 817-302-7940

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Dated: August 10, 2006
Submitted by: Douglas T. Johnson
Title: Sr. Vice President
Address: 801 Cherry Street, Suite 3900, Fort Worth, TX 76102
Email: doug.johnson@americredit.com
Telephone: 817-302-7641 Fax: 817-302-7940