



FIDELITY INFORMATION SERVICES

April 13, 2007

Consumer Protection Board (CPB):

ATTN: Security Breach Notification

Fidelity Information Services, Inc., (Fidelity) and BankUnited, FSB (BankUnited) are providing this letter as notice that Fidelity inadvertently released a systems file containing BankUnited customer data to another regulated financial institution. The data contained personal information about BankUnited's customers that included names, addresses, account numbers, and social security numbers.

Both Fidelity and BankUnited have undertaken significant efforts to assess the nature and scope of the incident and the types of customer information that were sent to the other financial institution. We believe that the release of this data to an unauthorized entity did not result in a risk of harm to the affected individuals because the information was misdirected to another regulated entity that has provided an affidavit attesting to the fact that only a limited number of employees had access to the file, the data was not used in any manner, and the data was subsequently destroyed. We also have notified the Office of Thrift Supervision, our regulatory agency, to apprise them of the unauthorized access of sensitive customer information. Furthermore, appropriate steps have been taken to contain and control the incident to prevent further unauthorized access to or use of customer information. To date, we have received no information from any source indicating that the information about any of the affected customers has been used for any improper purpose.

In accordance with the requirements of the New York Information and Security Breach Notification Act, we are transmitting the required reporting Form. Furthermore, we intend to comply with the notification provisions by sending letters (Attachment 1) to the four (4) potentially affected customers which includes an offer for a one-year ID Protection Services membership and other consumer guidance with ways to protect against the potential misuse of personally identifiable information. There is also a reference to consumer guidance that may be found on the FTC Web site ([www.consumer.gov/idtheft](http://www.consumer.gov/idtheft)) or through the FTC Hotline phone number (1-877-438-4338).

If anything further should be provided please do not hesitate to contact Kevin P. Leasure, Senior Vice President and Chief Division Counsel, at (904) 854-5621 or by email at [kevin.leasure@fnf.com](mailto:kevin.leasure@fnf.com).

Very truly yours



Dan Scheuble  
President/Mortgage Processing Division

Attachment

**Reporting Form  
For Business, Individual or NY State Entity re:  
"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: Fidelity Information Services, Inc.  
and BankUnited, FSB  
Date of Discovery of Breach: January 2007  
Estimated Number of Affected Individuals: 4 New York residents  
Date of Notification to Affected Individuals: April 13, 2007  
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.

Fidelity Information Services, Inc., (Fidelity) and BankUnited, FSB (BankUnited) are providing this letter as notice that Fidelity inadvertently released a systems file containing BankUnited customer data to another regulated financial institution. The data contained personal information about BankUnited's customers that included names, addresses, account numbers, and social security numbers. A letter from Fidelity and BankUnited describing this incident and the actions taken and the Notice to Customers are attached.

Name of Business or Individual Contact Person: Kevin P. Leasure  
Title: Senior Vice President and Chief Division Counsel  
Telephone number: (904) 854-5621  
Email: kevin.leasure@fnf.com

Dated: April 13, 2007  
Submitted by: Kevin P. Leasure  
Title: Senior Vice President and Chief Division Counsel  
Address: Fidelity Information Services, Inc., Mortgage Division, 601 Riverside  
Ave., Jacksonville, FL. 32204  
Email: kevin.leasure@fnf.com  
Telephone: (904) 854-5621 Fax: (904) 357-1077