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NY'S CONSUMER
PROTECTION BOARD

APR 11 2007

RECEIVED



NEW YORK REGULATOR NOTICE

April 3, 2007

New York State Consumer Protection Board
5 Empire State Plaza, Suite 2101
Albany, NY 12223

New York State Office of Cyber Security &
Critical Infrastructure Coordination
30 S. Pearl St.
Albany, NY 12207

New York State Attorney General
Asst. AG in Charge
Bur. of Cons. Frauds
120 Broadway – 3rd Floor
New York, NY 10271

Commerce Banc Insurance Services (CBIS) was recently notified of a situation that we are advising you of in accordance with N.Y. General Business Law § 899-aa.

A vendor who did work for CBIS was the victim of a residential burglary in Florida on or about March 2, 2007. His laptop computer was taken, along with other personal items. The theft was promptly reported to and is being investigated by local police.

The laptop computer likely contained personal information, including names and social security numbers (and in a small number of instances, personal health information) that was maintained by CBIS pursuant to engagements by business clients to provide employee benefits services. The estimated number of persons possibly affected is 12,876. Of that number, to the best of our current knowledge, approximately 78 are residents of New York.

Although both the laptop computer and database were password protected and we have no reason to believe that the information contained on the laptop was targeted for misuse or has been accessed by an unauthorized party, we have notified our business clients of the situation. A copy of the letter dated April 3, 2007 to our business clients is attached. We have requested mailing information for the individual employees associated with each business client to enable us to facilitate notice promptly to the affected individuals. We anticipate that we will begin notifying the affected individual employees within the next one to two weeks.

In addition, with respect to certain individuals whose personal data may have been contained on the laptop with whom we had a direct customer relationship, we have prepared and on April 2, 2007 sent notice letters to those affected individuals.

A sample of the notice letter to the affected individuals is enclosed.

We have enclosed a completed Reporting Form for this matter. Should you have any questions or desire further information, please do not hesitate to call Kevin Mullen at 1-877-396-3800. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kevin Mullen', written over a horizontal line.

Kevin Mullen
Executive Vice President
Commerce Banc Insurance Services

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 Commerce Bank Insurance Services
Date of Discovery of Breach: March 4, 2007
Estimated Number of Affected Individuals: Approximately 12,800
Date of Notification to Affected Individuals: In approximately one to two weeks
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.

See cover letter

Name of Business or Individual Contact Person: _____
Title: _____
Telephone number: _____
Email: _____

Dated: _____
Submitted by: _____
Title: _____
Address: _____
Email: _____
Telephone: _____ Fax: _____

PLEASE SUBMIT THIS FORM TO ALL THREE (3) STATE AGENCIES as follows:

Fax this form to the Office of Cyber Security & Critical Infrastructure Coordination (CSCIC) & Consumer Protection Board (CPB):

CSCIC:
Security Breach Notification-
fax: 518-474-9090

CPB:
Security Breach Notification-
fax: 518-474-2474

and also **Fax & Mail** this form to

Attorney General:
Asst. AG in Charge
Bur. of Cons. Frauds
120 Broadway - 3rd Floor
New York, NY 10271
Fax No: 212-416-6003

Associate Name
Title

Address
City, ST Zip
877-396-3800
Email



April 3, 2007

Dear _____

We recently learned about the theft of a laptop computer owned by one of our third party vendors. The theft was part of a residential burglary of the laptop and other electronic equipment, which was promptly reported to local law enforcement.

We are notifying you because some of your employee's personal information likely was stored on the computer. The vendor has confirmed that the computer was password protected. We have no reason to believe that the personal information contained on the computer was targeted for misuse, and we have no information that it has been accessed by an unauthorized party.

Attached is a list of employees that may be impacted. The employee personal information is limited to name or partial name and social security number. A very small number of records also included personal health information.

To help protect your employees, we would like to assist you in notifying them of this matter. This should be done promptly. Please review the attached letter we are proposing to send to each impacted employee. We will need for you to provide us, as soon as possible, with mailing information for the affected employees if we are to contact them. Alternatively, if you would like to take responsibility for contacting your employees, please advise.

We apologize for any inconvenience this may cause. Our relationship with you, and your confidence in us, is extremely important. We will be in touch shortly to discuss the next steps.

Sincerely,

Commerce Banc Insurance Services

Dear _____:

Commerce Banc Insurance Services (CBIS) provides employee benefit services to (insert company name). In order to provide these benefits we maintain certain personal information. The security of this information is important to us.

We recently learned about the theft of a laptop computer owned by one of our third party vendors. The vendor has confirmed that the laptop was password-protected.

The theft was part of a residential burglary which was promptly reported to local law enforcement. We have no reason to believe that the data contained on the computer was targeted for misuse, and we have no information that it has been accessed by an unauthorized party. Nevertheless, because the data on the computer may have included your name and social security number along with certain health information, we are bringing the situation to your attention.

We encourage you to remain vigilant of your personal information and financial activity. Carefully review monthly account statements and review your credit report annually. You can get a free copy of your credit report by calling (877) 322-8228 or visiting www.annualcreditreport.com. Immediately report any suspicious or unauthorized activity to law enforcement and to the FTC at 877-438-4338 (www.consumer.gov/idtheft). More information about free annual credit reports is available through the Federal Trade Commission (FTC), at www.ftc.gov.

You may also wish to place a fraud alert on your credit file, which tells creditors to contact you before they open any new accounts or change your existing accounts. To place an alert, you can contact the credit reporting agencies directly at:

Equifax: 800-685-1111

Experian: 888-397-3742

TransUnion Corp.: 800-680-7289

We apologize for any inconvenience this has caused you. Should you have any questions, or should you desire further information or assistance, you may call us toll free at _____.

Sincerely,

Commerce Banc Insurance Services

Associate Name
Title

Address
City, ST Zip
877-396-3800
Email



April 2, 2007

Dear _____

We recently learned about the theft of a laptop computer owned by one of our third party vendors. The vendor has confirmed that the laptop was password-protected.

The theft was part of a residential burglary which was promptly reported to local law enforcement. We have no reason to believe that the data contained on the computer was targeted for misuse, and we have no information that it has been accessed by an unauthorized party. Nevertheless, because the data on the computer may have included your name and social security number, we are bringing the situation to your attention.

We encourage you to remain vigilant of your personal information and financial activity. Carefully review monthly account statements and review your credit report annually. You can get a free copy of your credit report by calling (877) 322-8228 or visiting www.annualcreditreport.com. Immediately report any suspicious or unauthorized activity to law enforcement and to the FTC at 877-438-4338 (www.consumer.gov/idtheft). More information about free annual credit reports is available through the Federal Trade Commission (FTC), at www.ftc.gov.

You may also wish to place a fraud alert on your credit file, which tells creditors to contact you before they open any new accounts or change your existing accounts. To place an alert, you can contact the credit reporting agencies directly at:

Equifax: 800-685-1111
Experian: 888-397-3742
TransUnion Corp.: 800-680-7289

We apologize for any inconvenience this has caused you. Should you have any questions, or should you desire further information or assistance, you may call us toll free at 877-396-3800.

Sincerely,

Commerce Banc Insurance Services

cc Jon
apoke

UPDATED NEW YORK REGULATOR NOTICE



April 11, 2007

New York State Consumer Protection Board
5 Empire State Plaza, Suite 2101
Albany, NY 12223

NYS CONSUMER
PROTECTION BOARD

APR 17 2007

RECEIVED

New York State Office of Cyber Security &
Critical Infrastructure Coordination
30 S. Pearl St.
Albany, NY 12207

New York State Attorney General
Asst. AG in Charge
Bur. of Cons. Frauds
120 Broadway – 3rd Floor
New York, NY 10271

On April 3, 2007, Commerce Banc Insurance Services notified you of a theft of a laptop of one of its vendors in accordance with N.Y. General Business Law § 899-aa. We write now to supplement that notification and advise that, upon further investigation, the estimated number of persons possibly affected is 17,809. Of that number, to the best of our current knowledge, approximately 93 are residents of New York. We are in the process of working with our business clients to notify the affected individuals.

Enclosed is a revised Reporting Form for this matter. Should you have any questions or desire further information, please do not hesitate to call me at 1-877-396-3800. Thank you.

Sincerely,

Kevin Mullen
Executive Vice President
Commerce Banc Insurance Services

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: Commerce Banc Insurance Services (vendor)
Date of Discovery of Breach: March 4, 2007
Estimated Number of Affected Individuals: Approximately 17,809 (93 NY)
Date of Notification to Affected Individuals: In approximately one to two weeks
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.

See cover letter.

Name of Business or Individual Contact Person: Kevin Mullen
Title: Executive Vice President
Telephone number: 1-877-396-3800
Email: kevin.mullen@yesinsure.com

Dated: April 9, 2007
Submitted by: Kevin Mullen
Title: Executive Vice President
Address: 1701 Route 70 East, Cherry Hill, NJ 08034
Email: kevin.mullen@yesinsure.com
Telephone: 1-877-396-3800 Fax: (856) 795-1415

PLEASE SUBMIT THIS FORM TO ALL THREE (3) STATE AGENCIES as follows:

Fax this form to the Office of Cyber Security & Critical Infrastructure Coordination (CSCIC)
& Consumer Protection Board (CPB):

CSCIC:
Security Breach Notification-
fax: 518-474-9090

CPB:
Security Breach Notification-
fax: 518-474-2474

and also **Fax & Mail** this form to

Attorney General:
Asst. AG in Charge
Bur. of Cons. Frauds
120 Broadway - 3rd Floor
New York, NY 10271
Fax No: 212-416-6003