



Fischbach, LLC

Quality Contracting Worldwide Since 1908

June 30, 2008

Office of the Attorney General
900 East Main Street
Richmond, VA. 23219

Security Breach Notification

Dear Attorney General McDonnell:

This letter is to inform you of a privacy incident potentially affecting residents of your state. The incident involves information maintained by Fischbach LLC relating to approximately 15 Virginia residents. Fischbach LLC's subsidiaries performed electrical and mechanical contracting at commercial sites until they ceased 'active' construction operations in and around 2002.

The incident involved the loss of a backup media disk containing Fischbach's database of litigation records. On March 21, 2008 Fischbach learned the backup media was lost in shipment. After an extensive search and investigation, Fischbach determined, on May 19, 2008, that the backup media was not recoverable.

The litigation records, mostly court documents, held personal information. The information included Social Security numbers, dates of birth, work histories, medical records and mother's maiden name for individuals involved in either a lawsuit or workers compensation claim against Fischbach (or a Fischbach subsidiary).

Even though we believe there is little risk of fraud or identity theft against the individuals as a result of this incident, we are offering the potentially affected individuals, at Fischbach's cost, identity protection service for one year. The service is described in the attached letter to the individuals, and will be provided by Fischbach's vendor ID Experts.

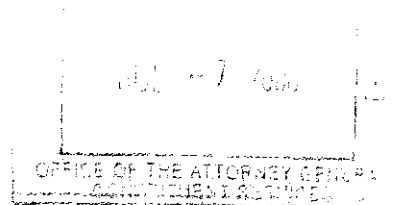
Individual notices will be sent out around July 1, 2008.

Fischbach deeply regrets that this incident occurred and takes very seriously its obligation to protect the privacy of personal information.

Please do not hesitate to contact me if you have any questions concerning this incident or the services to be provided by our identity protection provider ID Experts. I can be reached at (212) 770-1047.

Sincerely,

Glen M. Bronstein
Vice President and General Counsel
Fischbach, LLC





Fischbach, LLC

Quality Contracting Worldwide Since 1908

Enc. Sample of Individual Notification Letter

[LETTERHEAD]

[Name]
[Address]
[City, State Zip]

Dear [Name],

Fischbach LLC is writing to inform you about a recent data loss that may concern personal information about you. We have records indicating you may currently be or have been a plaintiff in a lawsuit or that you may have filed a worker's compensation claim against a Fischbach company.

As part of Fischbach's case management, Fischbach scans documents into a case management database. On March 21, 2008, one of Fischbach's backup disks was lost in transit because of damage to the shipping container.

As a result of the loss, Fischbach conducted an extensive investigation in which thousands of legal documents were individually viewed. The information was often incomplete which required research to obtain addresses for notification. Additionally, part of the investigation into the missing disk was technical testing of the database files. From this testing Fischbach concluded that without intermediate database skills an individual could not extract case documents. Through the investigation, Fischbach determined that the personal information data on the missing disk included Social Security numbers, dates of birth, work histories, medical records and mother's maiden name. Some of that data about you was included.

Fischbach has taken steps to prevent this type of incident in the future. This includes encrypting the data before shipping. Also, Fischbach is now using more secure packaging to transport data disks.

Fischbach has no knowledge that the information about you has been misused or will be misused. However, you are being informed of this loss so that you can take steps to protect yourself should any attempt be made to fraudulently use personal information about you.

As an added precaution, Fischbach has arranged for you to enroll in an identity protection service. The service, which is paid for by Fischbach, is for one year. The service, provided by ID Experts™, includes the following:

Credit Monitoring: ID Experts will provide credit monitoring that gives you unlimited access to your credit report and score and will notify you by email of key changes in your credit report. You must enroll in this service for it to be effective.

Exclusive Educational Materials: The ID Experts website contains information about identity protection and identity theft. This helpful information is available to all who enroll with ID Experts.

Expert Assistance: ID Experts will provide information and guidance if you have questions about the steps you can take to protect yourself.

You will find additional instructions for enrollment on the enclosed Recommended Steps document. To enroll, please call ID Experts at 1-866-840-0339. They are available to assist you Monday through Friday from 9am to 9pm (EST). **Please note that the deadline for enrollment is November 28.** Also, you will need to reference the following access code when calling, so please do not discard this letter.

• **Your Access Code:** [insert access code]

Again, at this time, Fischbach has no knowledge that your information has been or will be misused. Nevertheless, Fischbach encourages you to take advantage of the identity protection service offered.

Fischbach sincerely regrets any inconvenience or concern that this matter may have caused you. For further assistance in this matter, please call 1-866-840-0339.

Sincerely,

John M. Paradis
Director of Claim Operations
Fischbach LLC
P.O. Box 1417
Englewood, CO 80150
(303) 762 - 6680

Recommended Steps

A. Enroll in the ID Experts™ Credit Monitoring Service

1. **Contact ID Experts** at 1-866-840-0339 by November 28, 2008 to enroll in their identity protection service, gain additional information about this event, and to talk with knowledgeable people about appropriate steps you may want to take. Once you have completed your enrollment, you will receive a welcome letter either by mail or email if you provide an email address when you sign up.

This welcome letter will detail the components of the membership being provided, which includes credit monitoring,, and it will contain instructions for activating the service. It will direct you to ID Experts' website where you will find other valuable educational information.

2. **Activate the credit monitoring** provided as part of your service with ID Experts, which is paid for by Fischbach. Credit monitoring is included in the service, but you must personally activate it for it to be effective. Note: You must have access to a computer and the Internet to use this service.

If you need assistance, you can call ID Experts and they will gladly help you. ID Experts can be reached at 1-866-840-0339.

Once activated, the monitoring is good for 12 months. It will give you unlimited access to your credit report and score. You will receive email notification within 24 hours of any changes to your credit report, alerting you to potentially fraudulent activity such as new accounts or inquiries.

B. Other Steps You May Want to Take

You can take some simple steps to protect yourself against the possibility of identity theft or other fraudulent misuse of information about you.

1. **Remain vigilant** and promptly report incidents of suspected identity theft or fraud to local law enforcement agencies or the Federal Trade Commission, your financial institutions and to one of the three nationwide credit bureaus listed below.

2. **Watch for any unusual activity** on your credit card accounts or suspicious items on your bills. You may wish to contact your credit card issuers and financial institutions to inform them of any such unusual activity.

3. **Place Fraud Alerts** with the three credit bureaus.

You can discuss fraud alerts and other options available to you with an ID Experts representative.

You can place a fraud alert by phone with any of the three major credit bureaus or by visiting Experian's website. The three nationwide credit bureaus, and their web

addresses, are listed below.

If you elect to participate in the credit monitoring as discussed above in section A, please wait until **after** you have activated the credit monitoring before placing any fraud alerts.

Please note a fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, there may be delays when you seek to obtain credit. The contact information for all three bureaus and web addresses are:

Credit Bureaus

Equifax Fraud Reporting
(800) 525-6285
P.O. Box 740241
Atlanta, GA 30374-0241
www.equifax.com

Experian Fraud Reporting
(888) 397-3742
P.O. Box 9532
Allen, TX 75013
www.experian.com

TransUnion Fraud Reporting
(800) 680-7289
Fraud Victim Assistance Division
P.O. Box 6790
Fullerton, CA 92834-6790
www.transunion.com

It is necessary to contact only ONE of these bureaus and use only ONE of these methods. As soon as one of the three bureaus confirms your fraud alert, the others are notified to place alerts on their records as well. You will receive confirmation letters in the mail and will then be able to order all three credit reports, free of charge, for your review.

4. Review your credit reports. Under federal law, you are entitled to one free copy of your credit report, from each of the three major credit bureaus, every 12 months. To obtain a free annual credit report, go to www.annualcreditreport.com or call 877-322-8228.

If you discover any suspicious items and have enrolled with ID Experts, notify them immediately by calling or by visiting their website and filing a report.

Report any incidents of fraud or identity theft to local law enforcement or the Federal Trade Commission. A police report or similar report from another law enforcement agency may be required to dispute fraudulent items.

5. You can obtain additional information about steps you can take to avoid identity theft from the following:

Identity Theft Clearinghouse
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580
www.consumer.gov/idtheft
(877) IDTHEFT (438-4338)
TDD: (202) 326-2502