

**North Carolina Security Breach Reporting Form
Pursuant to the Identity Theft Protection Act of 2005**

Name of Business Owning or Licensing Information Affected by the
Breach: BNY Mellon Shareowner Services ("BNY Mellon")
Address: 480 Washington Boulevard
Jersey City, NJ 07310

Telephone: 201.680.2151
Fax: 201.680.4610
Email: barbara.lubitz@bnymellon.com

PLEASE SUBMIT FORM TO:
Consumer Protection Division
NC Attorney General's Office
9001 Mail Service Center
Raleigh, NC 27699-9001
Telephone: (919) 716-6000
Toll Free in NC: (877) 566-7226
FAX: (919) 716-6050

Date Security Breach Reporting form submitted: August 29, 2008
Date the Security Breach was discovered: February 27, 2008
Estimated number of affected individuals: Approximately 8 million based on investigation to date (this group)
Estimated number of NC residents affected: To be determined; supplemental information will be provided

Name of business maintaining or possessing information that was the subject of the Security Breach, if the business that experienced the Security Breach is not the same entity as the business reporting the Security Breach (pursuant to N.C.G.S. § 75-65(b)): Archive Systems, Inc.

Describe the circumstances surrounding the Security Breach and state whether the information breached was in electronic or paper format: This form supplements forms previously submitted by BNY Mellon on March 26, 2008 and May 29, 2008. In March 2008, The Bank of New York Mellon Shareowner Services ("BNY Mellon") began notifying certain shareowners of corporations for which BNY Mellon provides transfer agent services of a potential information security breach concerning the shareowners' personal data. BNY Mellon informed these shareowners that its archive services vendor was unable to account for one of several boxes of data backup tapes, which contained personal information about these shareowners, being transported to an off-site storage facility. Commencing in May 2008, BNY Mellon notified an additional population of affected individuals with data on the tapes. This data was more difficult to analyze than the data involved in the initial mailings.

BNY Mellon, through continued analysis of the data on the missing tapes and with the assistance of an outside forensics investigation firm that specializes in this area, has identified additional individuals to whom it will be providing notice. The additional individuals' information is from network back-ups of employee work stations and includes personal information relating to shareholder accounts and equity compensation plan accounts maintained on behalf of corporate clients of BNY Mellon Shareowner Services.

Regarding electronic information breached, state whether the information breached or potentially breached was password protected or encrypted in some manner. No. If so, please describe the security measures protecting the information: The boxes containing the tapes were locked in metal boxes with tamper evident tape.

Describe any measures taken to prevent a similar Security Breach from occurring in the future:
Data stored on back-up tapes from BNY Mellon Shareowner Services' New Jersey location is now being encrypted. BNY Mellon has replaced Archive Services with Iron Mountain to handle off-site back-up tape storage.

Date affected NC residents were/will be notified: Mailings began on August 28, 2008

If there has been any delay in notifying affected NC residents, describe the circumstances surrounding the delay pursuant to N.C.G.S. § 75-65(a) and (c): BNY Mellon engaged in further forensic review of the data with an outside vendor to identify affected individuals.

If the delay was pursuant to a request from law enforcement pursuant to N.C.G.S. § 75-65(c), please include the written request or the contemporaneous memorandum.

How NC residents were/will be notified?

(pursuant to N.C.G.S. § 75-65(e))

Please attach copy of the notice if in written form or a copy of any scripted notice if in telephonic form.

- written notice
 electronic notice (email)
 telephone notice
 substitute notice

Signature: 

Date: August 29, 2008

Contact: Brendon M. Tavelli, on behalf of Bank of NY Mellon

Title: Associate Attorney
Proskauer Rose LLP

Address: 1001 Pennsylvania Ave., NW, Suite 400S
Washington, DC 20004

Telephone: 202.416.6896

Fax: 202.416.6899

Email: btavelli@proskauer.com



BNY MELLON
SHAREOWNER SERVICES

August 27, 2008

«NAME»
«ADDR»
«ADDR1»
«ADDR2»
«ADDR3»
«ADDR4»

Dear XXX,

We are writing to let you know that computer tapes containing some of your personal information were lost while being transported to an off-site storage facility by our archive services vendor. While we have no reason to believe that this information has been accessed or used inappropriately, we deeply regret that this incident occurred and we wanted to explain the precautionary steps we have taken to help protect you.

First, as background: BNY Mellon Shareowner Services provides stock transfer agency, employee plan administration and related services for issuers of securities such as publicly traded corporations. In the delivery of these services, we are required to maintain personal information on a large number of individuals, like you, who own securities, have owned securities in the past, or are participants in or previously have been participants in an organization's equity compensation plan.

Protecting the confidentiality of this information – and all of our clients' information – has long been a top priority at The Bank of New York Mellon. However, in late February 2008, our archive services vendor notified us that they could not account for one of several boxes of data backup tapes being transported to an off-site storage facility. The missing tapes held certain personal information, such as your name, address, Social Security number and/or shareowner account information.

Please note that while the timing of this notice was affected by our forensic investigation into the nature and scope of this incident, based on information received to date, we have no reason to believe your information has been or will be improperly accessed or misused as a result of this incident. We understand, however, that you may have questions and concerns. That is why we are offering you and other impacted individuals a free credit monitoring product, Triple AlertSM, for 24 months to help you detect possible misuse of your data. If you choose to enroll in this product, you must activate your credit monitoring membership within 90 days from the date of this letter by visiting <http://partner.consumerinfo.com/alert> and using your **unique single-use activation code xxxxxxxx**. In addition, if you place a credit freeze on your credit file within 90 days from the date of this letter, we will reimburse you for the cost of the initial placement and one removal of the credit freeze. Please see the reverse side of this letter to learn more about this product and important enrollment and reimbursement instructions.

We also want to encourage you to call our dedicated toll-free number at XXX-XXX-XXXX or to visit our Web site at <http://www.bnymellon.com/tapequery> for additional information and answers to the more frequently asked questions.

Please know that we take the protection of your personal information very seriously and have implemented a number of additional safeguards that will help prevent a similar occurrence. We sincerely regret any inconvenience or concern caused by this incident.

Sincerely,

Investor Care Response Team
1-8XX-XXX-XXXX

BNY Mellon Shareowner Services
PO Box XXXX | Manchester, CT 06045

Additional Information

BNY Mellon Shareowner Services has engaged ConsumerInfo.com, Inc., an Experian® Company, to provide you with their Triple AlertSM Credit Monitoring product, which includes daily monitoring of your credit reports from the three national credit reporting companies (Experian, Equifax® and TransUnion®) and email monitoring alerts of key changes to your credit reports. As part of the Triple AlertSM Credit Monitoring product, residents of states other than New York will also receive \$25,000 in identity theft insurance* provided by Virginia Surety Company, Inc., with no deductible as well as access to dedicated fraud resolution representatives if needed. *Please note that, due to New York state law restrictions, identity theft insurance coverage cannot be offered to residents of New York.

- To learn more about Triple Alert and to enroll, go to <http://partner.consumerinfo.com/alert> and follow the instructions. You will need the activation code we provided to you. This code is unique for your use and should not be shared.
- If you have questions about the incident, please visit our Web site at <http://www.bnymellon.com/tapequery>.
- Should you need further assistance, including credit monitoring enrollment support for those that may not have a computer, please call us toll-free at 1-8XX-XXX-XXXX. Our customer service representatives are available weekdays, from 8 a.m. to 8 p.m. ET, and on Saturday, from 9 a.m. to 4 p.m. ET.

Even if you do not feel the need to enroll in the credit monitoring product, we recommend that you regularly review statements from your accounts and obtain your credit report from one or more of the national credit reporting companies. Report any fraudulent transactions to the creditor or credit reporting company from whom you received the statement or report. You may obtain a free copy of your credit report once every 12 months by visiting <http://www.annualcreditreport.com>, calling toll-free 877-322-8228, or by completing an Annual Credit Report Request Form and mailing it to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281 (you can print a copy of the request form at <http://www.ftc.gov/bcp/menus/consumer/credit/rights.shun>). You can also purchase a copy of your credit report by contacting one of the three national credit reporting companies:

Equifax
(800) 685-1111
www.equifax.com
P.O. Box 740241
Atlanta, GA 30374-0241

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

TransUnion
(800) 916-8800
www.transunion.com
P.O. Box 6790
Fullerton, CA 92834-6790

We recommend you remain vigilant with respect to reviewing your account statements and credit reports, and promptly report any suspicious activity or suspected identity theft to us and to proper law enforcement authorities, including local law enforcement, your state's attorney general and/or the Federal Trade Commission ("FTC"). You may contact the FTC to obtain additional information about avoiding identity theft.

Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue, NW
Washington, DC 20580
1-877-IDTHEFT (438-4338)
<http://www.ftc.gov/bcp/edu/microsites/idtheft/>

There are also two types of fraud alerts that you can place on your credit report to put your creditors on notice that you may be a victim of fraud: an initial alert and an extended alert. An initial fraud alert stays on your credit report for 90 days. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An extended fraud alert stays on your credit report for seven years. You can have an extended alert placed on your credit report if you have been a victim of identity theft and you provide the credit reporting company with the documentary proof it requires. You can place a fraud alert on your credit report by calling the toll-free fraud number of any of the three credit reporting companies provided above.

In some U.S. states, you have the right to put a credit freeze (also known as a security freeze) on your credit file so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate a freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. Therefore, using a credit freeze may interfere with or delay your ability to obtain credit. Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies at the numbers above to find out more information. There may be fees for placing, lifting, and/or removing a credit freeze, which generally range from \$5-20 per action. Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. If you place a credit freeze within 90 days of the date of our letter, we will cover the cost of the initial placement and one removal (whether a temporary or permanent removal) of a credit freeze, even if you are not the victim of identity theft. Because credit freezes can be temporarily removed on more than one occasion, you may incur costs associated with having a credit freeze on your credit file that BNY Mellon will not cover. To learn how to request reimbursement, please call us toll-free at 1-XXX-XXX-XXXX.