

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: Norfolk Southern Corp.
Address: Three Commercial Place
Norfolk, VA 23510-9217
Telephone: (800) 267-3313
Fax: _____
Email: _____

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: December 17, 2008

Date the Security Breach was discovered: October 29, 2008

Estimated number of affected individuals: 5,400

Estimated number of NC residents affected: 415

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)): Imaging Solutions and Services, Inc. ("ISSI")

Describe the circumstances surrounding the Security Breach and state whether the information breached was in electronic or paper format: Paper format. A company hired by Norfolk Southern to convert our paper pension files to an electronic format, ISSI, experienced a theft of information from our files as they were being processed.

Regarding electronic information breached, state whether the information breached or potentially breached was password protected or encrypted in some manner. _____ If so, please describe the security measures protecting the information: _____

Describe any measures taken to prevent a similar Security Breach from occurring in the future: There is an active criminal investigation by a multi-jurisdictional task force and two suspects are in law enforcement custody.

Date affected NC residents were/will be notified: On or before December 22, 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): Notice issuance cleared by law enforcement on November 10, 2008.

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))

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

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

Signature: *Ed R. McNicholas* Date: 12/17/2008

Contact Person, Title: Edward R. McNicholas, Sidley Austin LLP

Address: 1501 K Street NW

(if different from above) Washington, DC 20005

Telephone: (202) 736-8010 Fax: (202) 736-8711 Email: emcnicholas@sidley.com



Norfolk Southern Corporation
Three Commercial Place
Norfolk, Virginia 23510-9211

Cindy C. Earhart
Vice President Human Resources

HR HelpDesk
800-267-3313
hrhelpdesk@nscorp.com

December 19, 2008

[Insert Name field here]
[Insert Street Address field here]
[Insert City, State, and Zip Code fields here]

Dear Norfolk Southern Employee, Retiree or Spouse:

I am writing regarding an incident that involves your personal information. A company hired by Norfolk Southern to convert our paper pension files to an electronic format, Imaging Solutions and Services, Inc. ("ISSI"), apparently experienced a theft of information from our files as they were being processed. You are receiving this notice because you are a Norfolk Southern retiree, spouse of a retiree, or a person whose information may have been stored in the files that were compromised, and I wanted to explain this regrettable incident to you and tell you what actions you may wish to take.

We understand that one or more ISSI personnel are suspected of intentionally taking information from our files, including names and Social Security Numbers, for the purpose of fraudulently obtaining credit. The theft occurred in November and December of 2007 and Norfolk Southern was alerted on October 29, 2008. At this point, the law enforcement task force assigned to this case has identified six Norfolk Southern retirees or their spouses that may have been the target of fraudulent activity. You are not one of the six that have been directly identified.

We recommend that you remain vigilant by reviewing your credit card and other account statements and by monitoring your credit reports for unauthorized activity. To help do this, Norfolk Southern is offering one year of free credit monitoring. The credit monitoring product is being provided through Experian. It includes toll-free customer service, 7-days a week, and \$25,000 in identity theft expense insurance. On the reverse side of this letter is additional information about the Experian product and instructions for registering by phone or using the internet. You will need to provide the unique individual code shown on the attached page when registering. If you wish to receive this free credit monitoring product, you must register by March 31, 2009. I encourage you to do so as soon as possible. I have also enclosed general information about identity theft that you may find helpful.

If you suspect your personal information has been misused, you should report this to your local law enforcement. We also ask that you advise Norfolk Southern of any suspected misuse by calling the Human Resources HelpDesk at 800-267-3313.

Let me assure you that we are fully committed to protecting all of the personal information that is entrusted to us, and we sincerely apologize for this unfortunate incident and any inconvenience or concern it has caused. If you have any questions regarding this letter, please contact the Human Resources HelpDesk at the number above.

Sincerely,

EXPERIAN TRIPLE ADVANTAGE PREMIUM CREDIT MONITORING

To help you detect the possible misuse of your personal information, we are providing you with a one year membership in Experian's Triple AdvantageSM Premium credit monitoring product at no cost to you. Triple Advantage Premium will monitor your credit reports at the three national credit reporting companies: Experian, Equifax[®] and TransUnion[®] and notify you of key changes. Triple Advantage Premium is a powerful tool that will help you identify potentially fraudulent use of your information. Your Triple Advantage Premium membership is completely free and will not hurt your credit score.

Your complimentary 12-month **Triple AdvantageSM Premium** membership includes:

- Triple Advantage Premium monitors your credit reports every day so you don't have to
- Email alerts when key changes are detected so you can act quickly
- A free three bureau credit report and score
- If you become a victim of fraud or identity theft, our Fraud Resolution Team will assist you with the recovery process, every step of the way
- \$25,000 in identity theft insurance provided by Virginia Surety Company, Inc. with no deductible (this benefit is not available to residents of New York under New York law)

Once again, you have until March 31, 2009, if you wish to activate this membership, which will then continue for 12 full months. We encourage you to activate your credit monitoring membership as soon as possible.

The web site to enroll in Triple Advantage Premium and your individual activation code are both listed below. To sign up, please visit the web site and enter your individual activation code. Please keep in mind that once activated, the code cannot be re-used for another enrollment. The web site will guide you through the process of enrolling in Triple Advantage Premium.

Triple Advantage Premium Web Site: <http://partner.consumerinfo.com/norfolksouthern>

Your Activation Code: [insert Activation Code]

If you wish to enroll over the phone for delivery of your membership via US mail, please call (866) 252-0121.

Please note that your method of enrollment in Triple Advantage Premium – either by telephone or over the internet -- will dictate the method that you receive the Experian credit monitoring product. If enrollment is by the internet, you will receive the credit monitoring product through the internet only. If enrollment is by telephone, you will receive the credit monitoring product in paper form through the mail only.

TIPS FOR PROTECTING AGAINST IDENTITY THEFT

In addition to activating the Experian credit monitoring, also consider the identity theft protection tips below. You should remain vigilant by reviewing your credit card bills and credit reports for unauthorized activity. Experian's Fraud Resolution team can help if you become a victim of identity theft.

Request an annual consumer credit report

Everyone is entitled to receive annually one free copy of their consumer credit report from each of the three national consumer reporting agencies. You may request your free annual consumer credit report immediately by visiting www.annualcreditreport.com or by calling 1-877-FACTACT (1-877-322-8228). You should promptly report any suspected identity theft to your local law enforcement agency, the U.S. Federal Trade Commission, your financial institution, and to the Fraud Alert phone line of a consumer reporting agency. The toll free numbers for the three national reporting agencies are:

- Equifax: 1-877-478-7625 or online at www.fraudalerts.equifax.com
- Experian: 1-888-397-3742
- TransUnion: 1-800-680-7289

Place a fraud alert

If your Social Security Number was involved, consider placing a fraud alert on your credit files. A fraud alert requires potential creditors to use what the law refers to as "reasonable policies and procedures" to verify your identity before issuing credit in your name. A fraud alert lasts for 90 days. You can place an alert by calling one of the three credit reporting agencies listed above.

File a police report

If your personal information has been misused, report it to your local law enforcement, and get a copy of the police report. You may need to give copies of the police report to creditors to clear up your records.

Place a security freeze

Victims of identity theft also have the right to place a security freeze on their consumer reports. A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. However, a security freeze may delay your ability to obtain credit. You may request that a security freeze be placed on your consumer report by sending a request to a consumer reporting agency by certified mail, overnight mail, or regular stamped mail to the addresses below:

Equifax Security Freeze
P.O. Box 105788
Atlanta, Georgia 30348
www.equifax.com

Experian Security Freeze
P.O. Box 9554
Allen, Texas 75013
www.experian.com

TransUnion Fraud Victim Assistance
P.O. Box 6790
Fullerton, California 92834
www.transunion.com

(over)

Place a security freeze (continued)

The following information should be included when requesting a security freeze:

- (1) full name, with middle initial and any suffixes;
- (2) Social Security number;
- (3) date of birth;
- (4) current address for the past two years;
- (5) any applicable incident report or complaint with a law enforcement agency.

The request should also include a copy of a government-issued identification card (such as a driver's license or military ID) and a copy of a recent utility bill or bank or insurance statement. Each copy should be legible, display your name and current mailing address, and the date of issue. The consumer reporting agency may charge a fee to place or lift a freeze, unless you are a victim of identity theft or the spouse or dependent of a victim of identity theft, and you have submitted a valid police report relating to the identity theft to the consumer reporting agency.

Learn More About Identity Theft

To learn more about identity theft or to report an incident of identity theft, you can go to the Federal Trade Commission's web sites, www.consumer.gov/idtheft, www.ftc.gov/idtheft, or call the FTC's Identity Theft Hotline at 877-438-4338 to request information.

Special Note for residents of Maryland:

You can also learn more about identity theft from the Maryland Office of the Attorney General, by visiting their web site at <http://www.oag.state.md.us/idtheft/index.htm>, calling the Maryland Identity Theft Unit at 410-567-6491, or requesting more information at Maryland's Identity Theft Unit, 200 St. Paul Place, 16th Floor, Baltimore, MD 21202.