

### 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: The Goldman Sachs Group, Inc.  
 Address: 85 Broad Street, New York, New York 10004  
 Telephone: 212 902 - 1000  
 Fax: See below  
 Email: See below

**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: July 24, 2008

Date the Security Breach was discovered: First reported by State Street Bank and Trust Co. ("State Street") to Goldman Sachs on May 28, 2008

Estimated number of affected individuals: Approximately 1,859 (US and non-US residents); number includes Goldman Sachs investors and, for some investors, certain representatives like advisors, accountants and others who receive notices on behalf of those investors.

Estimated number of NC residents affected: 26

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): A third party vendor engaged by Investors Bank and Trust Co. ("IBT"); IBT had been acquired by State Street.

Describe the circumstances surrounding the Security Breach and state whether the information breached was in electronic or paper format: Theft of computer equipment; electronic format.

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: \_\_\_\_\_

Describe any measures taken to prevent a similar Security Breach from occurring in the future: We are working closely with State Street to monitor its data security practices so that the risk of similar incidents in the future is minimized.

Date affected NC residents were/will be notified: Notices began to be mailed June 27, 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): N/A

**If the delay was pursuant to a request from law enforcement pursuant to N.C.G.S. § 75-65(e), 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:

*Stewart A. Pomerantz*

Date: 7/24/08

Contact Person, Title: Stewart A. Pomerantz, Vice President & Associate General Counsel, Goldman Sachs & Co.

Address: 85 Broad Street, New York, New York  
10004

(if different from above)

Telephone: 212 357 - 7580 Fax: 212 357 -  
0445 Email: stewart.pomerantz@gs.com



Goldman, Sachs & Co | 32 Old Slip | New York, New York 10005  
Tel: 212-902-1000

June 27, 2008

Dear Client:

State Street Bank and Trust Company ("State Street"), whose various companies serve as administrators to certain private investment funds sponsored by Goldman Sachs, has informed us about a security incident at Investors Bank & Trust Company ("IBT"), which was acquired by State Street in July 2007, that affects you.

In connection with a regulatory inquiry, IBT provided certain data to a third party vendor engaged to assist IBT in responding to the inquiry. Subsequently, IBT was informed by the vendor that, in December 2007, computer equipment was stolen from the vendor's premises. The equipment contained information pertaining to a variety of IBT corporate clients, including Goldman Sachs Asset Management ("GSAM"). The GSAM data included personal information about certain investors in certain GSAM funds, including the investor's name and social security number and, in some cases, Goldman Sachs account number. In some cases, the information included the investor's name and Goldman Sachs account number, but no social security number.

The theft was reported to law enforcement agencies, which initiated their own investigations. Meanwhile, State Street undertook an in-depth analysis of the data set that was on the stolen equipment. In late May 2008 after the criminal investigation had progressed and data analysis had been performed, State Street informed GSAM about the incident and confirmed the identities of affected GSAM clients on June 9, 2008.

We are working closely with State Street as they and law enforcement authorities continue to investigate this incident. State Street and Federal authorities have advised us that they have no indication that your information has been misused. However, it is possible that you have been exposed to an increased risk of identity theft.

Please see the attached letter from State Street regarding this matter. State Street has engaged ConsumerInfo.com, Inc., an Experian® company, to provide you with two years of free credit monitoring. Please see the State Street letter under the heading "Enrollment" on the first page for details of how to enroll, and other steps you can take to prevent identity theft or fraud.

We apologize for any inconvenience this regrettable incident may cause you. We are working closely with State Street to monitor the progress and methodology of their data security procedures to minimize the risk of a similar occurrence in the future. We want to assure you that we take our responsibility to safeguard the personal information of our investors very seriously.

If you have questions, please contact your Goldman Sachs Professional.

Sincerely,

Goldman Sachs Asset Management

Confidential – Not for Disclosure or Distribution



## STATE STREET

June 27, 2008

Dear Client:

We are writing to let you know about a mid-December 2007 theft of computer equipment from a third party vendor engaged by Investors Bank & Trust Company ("IBT"), which had been acquired by State Street in July 2007. IBT provided global custody, transfer agency, accounting and benefit payment services to a variety of fund shareholders, private clients and pension retirees. Because the stolen equipment contained data with certain personal information about you -- such as your name and social security number, and in some cases, Goldman Sachs account number, or your name and Goldman Sachs account number, but no social security number -- we want to make sure that you are aware of the incident. In addition, although at this time we have no evidence to suggest that the data has been misused, we want to ensure that you have the information and tools you need to prevent and detect any misuse of your information.

### Credit Monitoring and Identity-Theft Assistance

To help protect you against any possible misuse of this data, we have engaged ConsumerInfo.com, Inc., an Experian<sup>®</sup> company, to provide you with two years of free credit monitoring.

### Enrollment

You may enroll online, or by telephone. If you have questions or need help enrolling, toll-free registration assistance is available in both English and Spanish, seven days per week. You will be asked for the Activation Code shown below to activate this membership, regardless of the enrollment method you choose. Your personal credit monitoring activation code is SSBTAEE.

- To sign up online, please visit <http://partner.consumerinfo.com/statestreet> and follow the instructions. If you sign up online, all credit reports and alerts will be delivered via email.
- To sign up by telephone, dial 866-584-9479. If you sign up by telephone, all credit reports and alerts will be delivered by the US Post Office.

To take advantage of the free credit monitoring membership, you must enroll within ninety (90) days from the date of this letter. According to Federal law, we are not able to activate this membership for you.

This credit monitoring membership will monitor and alert you about key changes in your three national credit reports that may help you to identify fraudulent activity.

The complimentary two year membership in Triple Advantage<sup>SM</sup> Premium includes:

- Daily monitoring of your three national credit files from Experian, Equifax<sup>®</sup> and TransUnion<sup>®</sup>
- Notifications alerting you of any key changes to your credit reports which may help to identify possible fraudulent activity
- Monthly "no hit" alerts confirming the absence of key changes
- Monthly credit score updates
- One, free three-bureau credit report upon enrollment and unlimited access to your Experian credit report for the duration of the membership
- Access to a dedicated team of fraud resolution representatives if you should become a victim of identity theft
- \$25,000 in identity theft insurance with no deductible provided by Virginia Surety Company, Inc. (certain limitations and exclusions apply) (\*Due to New York state law restrictions, identity theft insurance coverage cannot be offered to residents of New York.)
- Helpful information on preventing identity theft, as well as various financial calculators and tools

### Additional Steps

There are several additional steps you can take to further protect your credit.

First, as always, you should remain vigilant by closely reviewing your bills and account statements upon receipt, and monitoring your credit reports, for unauthorized or suspicious activity, which may indicate fraud or identity theft. You may also wish to consider contacting your vendors and financial institutions, such as your bank and credit card companies, regarding this security incident. But, in order to minimize the risk of harm to you, we recommend that you only provide this information on a need-to-know basis.

You can request a free credit report annually from each of the three credit reporting companies.

These reports can be obtained by visiting [www.annualcreditreport.com](http://www.annualcreditreport.com) or by contacting each of the three companies directly. The credit reporting companies, their addresses and telephone numbers are as follows:

Equifax  
P.O. Box 740241  
Atlanta, GA 30374  
www.equifax.com  
1-800-525-6285

Experian  
P.O. Box 9554  
Allen, TX 75013  
www.experian.com  
1-888-397-3742

TransUnion  
P.O. Box 2000  
Chester, PA 19022  
www.transunion.com  
1-800-680-7289

The Federal Trade Commission (FTC) recommends that you also consider placing a fraud alert on your credit file, which tells creditors to contact you before they open any new accounts or change your existing accounts. (Please note, however, that this may delay your ability to obtain credit.) You can place a fraud alert by calling any one of the three major credit bureaus. As soon as one credit bureau confirms your fraud alert, it will notify the other two, which must then place fraud alerts in your file.

An initial alert stays in your file for at least 90 days. To place an initial alert, you will be required to provide appropriate proof of your identity, which may include your Social Security Number. If you ask for an extended alert, you will have to provide an *identity theft report*, which includes a copy of a report you have filed with a federal, state, or local law enforcement agency, and additional information a consumer reporting agency may require you to submit.

Finally, all of the major credit reporting companies also offer you the opportunity to freeze your credit file, which prevents the release of your credit report without your consent. You should be aware that a freeze and the process required to lift it in order to release your report may delay or interfere with approval of subsequent requests for credit (including point of sale credit), insurance, government services or payments, housing, employment, utilities and phone bills.

Each of the three credit reporting companies has its own process for requesting a freeze. Please refer to the websites of each company for complete instructions.

#### Equifax

How to request a freeze: mail, to Equifax Security Freeze, P.O. Box 105788, Atlanta, Georgia 30348. Your request must include name, address, date of birth, Social Security Number, and proof of current address such as a current utility bill. You must also include payment for any applicable fees. If paying by credit card, include name of the person as it appears on the credit card, type of credit card (American Express, Mastercard, VISA, or Discover Card), complete account number, and expiration data (month and year). If using American Express, include the 4 digit Card Identification Number (on front of card above the account number). If paying with Mastercard, VISA, or Discover Card, include the 3 digit Card Identification Number (on back of card at the end of the account number). If you are an identity theft victim you must also include a copy of a police report, Identity Theft report, or other government law enforcement agency report, such as a DMV report.

More information: [www.equifax.com](http://www.equifax.com) (search for "place freeze")

## Experian

How to request a freeze: log onto [www.experian.com/freeze](http://www.experian.com/freeze), or mail, to Experian Security Freeze, P.O. Box 9554, Allen, TX 75013. Your request must include full name, with middle initial and generation, such as JR, SR, II, III, etc.; Social Security Number; date of birth (month, day and year); current address and previous addresses for the past two years; any applicable fee or a valid investigative or incident report or complaint with a law enforcement agency or the DMV; one copy of a government-issued identification card, such as a driver's license, state or military ID card, etc.; and one copy of a utility bill or bank or insurance statement.

More information: [www.experian.com/consumer/security\\_freeze.html](http://www.experian.com/consumer/security_freeze.html)

## TransUnion

How to request a freeze: mail, to TransUnion, Fraud Victim Assistance Department, P.O. Box 6790, Fullerton, CA 92834. Your request must include your name, address, Social Security Number along with the applicable fee, if any (check, money order, or credit card (American Express, Discover, MasterCard and Visa)), proof of your current residence, such as a state issued identification card or driver's license, and, if applicable, a valid identity theft report, a DMV investigation report, or similar proof that you have been a victim of ID theft.

More information:

[www.transunion.com/corporate/personal/fraudIdentityTheft/preventing/securityFreeze.page](http://www.transunion.com/corporate/personal/fraudIdentityTheft/preventing/securityFreeze.page)

## Other Information

The FTC's website at [www.ftc.gov/bcp/edu/microsites/idtheft](http://www.ftc.gov/bcp/edu/microsites/idtheft) contains a great deal of helpful information about identity theft prevention. Suspected identity theft should be reported to the FTC or other law enforcement authorities. The FTC's contact information is as follows:

Identity Theft Clearinghouse  
Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
1-877-ID-THEFT (438-4338)

## Additional Information for Maryland residents:

Information about steps you can take to avoid identity theft is also available from the Office of the Maryland Attorney General:

Maryland Attorney General  
[www.oag.state.md.us/idtheft/index.htm](http://www.oag.state.md.us/idtheft/index.htm)  
1-888-743-0023  
Office of the Attorney General  
200 St. Paul Place  
Ballimore, MD 21202

**Additional Information for Massachusetts residents:**

You have the right to obtain a copy of any police report that you file. In addition, you may freeze your credit file at each of the major credit reporting companies, as described above. If you are a Massachusetts resident and a victim of identity theft (or a spouse of an identity theft victim), there is no fee to place a freeze on your credit report. If you are a Massachusetts resident, but not a victim of identity theft, there is a \$5.00 fee to place a freeze.

**Additional Information for Vermont and Wyoming residents:**

You may reach your Goldman Sachs Professional toll free at 1-866-PWM-HELP (1-866-796-4357), Option 1.

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State Street is committed to protecting your privacy and confidentiality, and we sincerely apologize for any inconvenience or worry this may cause.

Sincerely,

State Street Bank and Trust Co.