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**DIRECTOR & SENIOR CORPORATE COUNSEL**  
**LEXISNEXIS® RISK & INFORMATION ANALYTICS GROUP**

May 1, 2009

The Honorable Kelly A. Ayotte  
Attorney General of New Hampshire  
33 Capitol Street  
Concord, NH 03301

Re: Data Breach Notification

Dear General Ayotte:

We are writing in accordance with your state's information security breach notification statute to inform you that we are notifying consumers, including residents of New Hampshire, of an incident in which sensitive personal information about them held by ChoicePoint<sup>1</sup> and LexisNexis (hereinafter LexisNexis) may have been viewed without authorization. We anticipate that notice will be sent to potentially affected consumers nationwide by U.S. mail on or about May 1, 2009. Among those to be notified are 156 residents of New Hampshire. A copy of the form notification letter is attached for your reference.

LexisNexis was contacted by the United States Postal Inspection Service (USPIS) in 2007 concerning an ongoing investigation into alleged credit card fraud perpetrated by the above-mentioned former customers of LexisNexis. By utilizing fraudulently-opened mail boxes at commercial mail receiving businesses and personal information of United States residents obtained via LexisNexis through fraudulent accounts, which have been terminated, these individuals were able to apply for and obtain fraudulent credit cards. The unauthorized access to personal information by the former LexisNexis customers may have occurred sometime between June 14, 2004, and October 10, 2007, and the information accessed may have included the name, date of birth, and/or social security number of potentially affected consumers.

We have not notified potentially affected consumers prior to this time at the request of USPIS, which has been conducting an investigation in connection with this matter. USPIS has informed us that it is lifting its law enforcement hold in this matter as of May 1, 2009 and we are promptly notifying potentially affected consumers. USPIS has already contacted consumers that they believe were victims of credit card fraud; we are notifying all potentially affected consumers. We are offering potentially affected consumers one year of free credit monitoring and other assistance, which is further detailed in the accompanying letter that we are sending to potentially affected state residents by U.S. mail, and which is attached hereto.

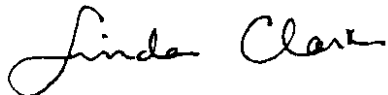
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<sup>1</sup> ChoicePoint is now a LexisNexis company.

Over the course of the last several years and since this occurrence, LexisNexis has taken a number of steps to strengthen its privacy and security safeguards to improve the overall protection of consumers' information. Some of the measures we have put in place include the implementation of a standards-based security control framework that drives protections for our network, access, and monitoring of product use to detect and respond to potentially fraudulent activity. We also limit access to sensitive personally identifiable information except where there is a critical business need coupled with a permissible purpose for such access. Additionally, prospective customers must undergo a multi-stepped, rigorous process of verification or "credentialing," including site visits in many instances, to affirm that the prospective user is a legitimate business with permissible purpose. LexisNexis has implemented numerous policies, procedures and standards that set forth clear parameters for data governance across the organization and for customers. LexisNexis also maintains a robust program of audit and compliance that serves as a system of checks and balances to assure that security controls are functioning efficiently and effectively and that policies, procedures and standards are being followed.

If you have any questions regarding this matter please contact me by telephone at 561-999-3963 or by electronic mail at [Linda.Clark@LexisNexis.com](mailto:Linda.Clark@LexisNexis.com).

Very Truly Yours,

A handwritten signature in cursive script that reads "Linda Clark".

Linda K. Clark, Esq. & CIPP

Enclosure



[Date]

[Consumer Name]  
[Address]  
[City], [State], [ZIP code]

Dear [Consumer Name]:

I am writing to inform you that sensitive personally identifiable information about you may have been viewed by a few individuals who should not have had access to such information. These individuals were operating businesses that at one time were both ChoicePoint<sup>1</sup> and LexisNexis (hereafter "LexisNexis") customers, but are no longer. *Please be aware that the United States Postal Inspection Service, a federal law enforcement agency investigating this matter, has already notified you directly if it has reason to believe you have been an actual victim of a crime.*

We want to provide as much information as possible to keep you fully informed.

#### **What Information May Have Been Viewed, When and By Whom**

LexisNexis was contacted by the United States Postal Inspection Service ("USPIS") concerning an ongoing investigation into alleged credit card fraud perpetrated by the above-mentioned former customers of LexisNexis. By utilizing fraudulently-opened mail boxes at commercial mail receiving businesses and personal information of United States residents obtained via LexisNexis, these individuals were able to apply for and obtain fraudulent credit cards. The unauthorized access to personal information by the former LexisNexis customers may have occurred sometime between June 14, 2004, and October 10, 2007, and the information accessed may have included your name, date of birth, and/or social security number.

In order to preserve the integrity of the criminal investigation, the USPIS instructed LexisNexis to delay notifying you until the completion of the USPIS investigation. This letter is the first opportunity to share information with those whose information may have been viewed, but for whom the USPIS has advised us that there is no evidence of identity fraud. If you are among those who have been identified as a victim of credit card fraud by USPIS, you have already been notified by the USPIS.

Over the course of the last several years and since this occurrence, LexisNexis has taken a number of steps to strengthen its privacy and security safeguards to improve the overall protection of consumers' information. Some of the measures we have put in place include the implementation of a standards-based security control framework that drives protections for our network, access, and monitoring of product use to detect and respond

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