

# FARUKI IRELAND & COX P.L.L.

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April 16, 2008

Martha Coakley  
Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

RE: Notice of Criminal Intrusion of SwimwearBoutique.com

Dear Ms. Coakley:

I am writing to you on behalf of my client SwimwearBoutique.com ("SWB") because it determined on March 28, 2008 that it was the victim of an illegal intrusion into its systems. Criminals unlawfully obtained access to certain databases containing various information, which could have included names, addresses, and credit card information of approximately 323 residents of Massachusetts, who were SWB customers. These criminals also corrupted data maintained by SWB, rendering certain data unreadable and unusable.

We have reported this crime to the Dallas office of the United States Secret Service, and are assisting with the investigation. We hope that the criminals responsible will be apprehended and prosecuted to the fullest extent of the law. SWB also worked with its existing Internet security provider, McAfee, to determine how these criminals gained access to this information and immediately implemented measures to counter such unlawful conduct. We are monitoring the site for further attempts to break into the site and we continue to work with McAfee to maintain the security of the site.

Pursuant to Mass. Gen. Laws 93H §§ 1-6, we are implementing a customer notification program to notify customers potentially affected by this unauthorized and illegal access. We already have notified our merchant bank and are cooperating with it to provide a list of the affected individuals to it. Notification letters will be sent out on April 23, 2008. A sample of the notification letter being sent to affected customers is enclosed. Affected customers also can contact us for more information at 1-866-SWIMWEAR. As you can see from the enclosed letter, it is our goal to provide our customers with the tools needed to protect themselves from these criminals. In addition, to any affected customer requesting assistance from us, SWB will



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Phone: 866-794-6932  
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[www.swimwearboutique.com](http://www.swimwearboutique.com)

DATE

A.B. Anyname  
ABC Company  
1234 Any Street  
Anytown US 06789-1234

Re: Your SwimwearBoutique.com Account

I am writing to you on behalf of SwimwearBoutique.com ("SWB") because we recently discovered that a person may have illegally gained unauthorized access to your personal information stored in your SWB account. We believe that this person unlawfully accessed the SWB Internet site between March 26, 2008 and March 28, 2008. The information accessed varied, but could have included your name, address, email address, SWB account password, and credit card account number.

We are working closely with law enforcement authorities in their investigation of this illegal activity. We hope the criminals responsible will be apprehended and prosecuted to the fullest extent of the law. We also have been working with an Internet security company, McAfee's Hacker Safe, to determine how these criminals gained access to this information and have implemented measures to counter this unlawful conduct.

We value our customers tremendously, and we understand how important the security of your personal information is to you. We deeply regret that a valued customer like you may have been affected by these criminals. We are committed to assisting you through this unfortunate situation. We are notifying you of this potential problem so that you can take steps to protect yourself from the possibility of unlawful activity by these criminals.

We have consulted a variety of sources available to learn about identity theft and steps these organizations suggest when personal information has been illegally obtained. We encourage you to visit the Identity Theft Resource Center at [www.idtheftcenter.org](http://www.idtheftcenter.org). In particular, you may wish to review the resources available at [www.idtheftcenter.org/v\\_resources/v\\_intro.shtml](http://www.idtheftcenter.org/v_resources/v_intro.shtml). You also are encouraged to visit the Privacy Rights Clearinghouse and its identity theft information page at [www.privacyrights.org/fs/fs17a.htm](http://www.privacyrights.org/fs/fs17a.htm).

While not a complete list, below are some of the steps that are suggested by these organizations.

#### **Contact Credit Card Issuer to Close Your Credit Card Account**

To protect yourself from the possibility of abuse of the information taken from your SWB account, you may want to determine which credit card you used in your transaction with us, and then immediately contact the card issuer and close the account or monitor it for fraudulent activity. When you contact the card issuer, tell them that your credit card account information may have been compromised.

### **Place a Fraud Alert or Credit Freeze on Your Credit Report**

You also may want to place a fraud alert on your credit report. A fraud alert lets creditors know to contact you before new accounts are opened. You can call any one of the three credit reporting agencies at the numbers below to place a fraud alert free of charge. By calling one agency, alerts will be placed with all three.

Equifax, P.O. Box 740241, Atlanta, GA, 30374, 1-888-766-0008

Experian, 475 Anton Boulevard, Costa Mesa, CA 92626, 1-888-397-3742

TransUnion, P.O. Box 6790, Fullerton, CA 92834, 1-800-680-7289

In addition to placing a fraud alert, you may want to regularly check your credit report. You may call one of the above numbers to order your report. You may access one free credit report from each credit bureau each year. You also may want to monitor your monthly credit card statements carefully to ensure that no unauthorized charges have been made.

If you see anything on your credit report that you do not understand, then call the credit agency at the telephone number on the report. If you do find suspicious activity on your credit reports or credit card statement, then call your local police or sheriff's office and file a police report. Get a copy of the police report. You may need to give copies of the police report to creditors to clear up your records.

Thirty-nine states currently have enacted laws permitting individuals to place credit freezes on their credit reports. Even for those states that do not have specific credit freeze laws, the three credit bureaus listed above may permit you to place a credit freeze on your credit report. A credit freeze prohibits new credit accounts from being opened in your name without your knowledge or permission. You are encouraged to visit [www.consumersunion.org/campaigns/learn\\_more/003484indiv.html](http://www.consumersunion.org/campaigns/learn_more/003484indiv.html) for information on credit freezes and specific state requirements.

### **Contact Our Toll-Free Telephone Number for Further Information**

If you have any questions regarding this notification or would like to provide any information useful to our investigation, please call 1-866-SWIMWEAR.

SWB regrets any trouble this incident may cause you. We pledge our continued commitment to reduce this type of crime. We will continue to work with our customers and appropriate authorities to improve data safeguards and privacy protections in an effort to protect against data thieves accessing this type of information in the future.

Very truly yours,

Peggie Perryman  
President, Mode Fashion, LLC, d/b/a SwimwearBoutique.com

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offer a year's subscription to the LoudSiren Identity Protection Network™. We are committed to helping our customers affected by these criminal acts.

If you would like more information on the unlawful intrusion into SWB's site or the investigation to locate those responsible for these criminal acts, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. Raether, Jr.', with a long horizontal flourish extending to the right.

Ronald I. Raether, Jr.

RIR/jmf  
Enclosure