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January 29, 2010

CONSUMER PROTECTION DIVISION
RECEIVED
FEB 1 2010
OFFICE OF ATTORNEY GENERAL

VIA FACSIMILE AND U.S. MAIL

State of Maine
Office of the Attorney General Janet T. Mills
Attn: Security Breach Notification
6 State House Station
Augusta, ME 0433302

Re: Notice of Information Security Breach Pursuant to Me. Rev. Stat. Ann.,
Tit. 10, § 1348

Dear Attorney General Mills:

We are writing on behalf of Curian Capital, LLC (“Curian”) to inform you of an information security breach experienced by our client Curian. Curian is an investment adviser registered with the Securities and Exchange Commission that offers separately managed accounts to its clients through third party financial professionals (such as investment advisers and broker-dealers). Curian offers its customers leading-edge technology solutions as well as real-time systems for opening and viewing accounts and providing online client services. In this role, Curian maintains certain personal information about clients of participating financial professionals. In accordance with Maine Revised Statutes Annotated Title 10, Section 1348, on behalf of Curian, we are informing you that the personal information of a limited number of residents in your state who are clients of financial professionals to whom Curian provides services may have been inadvertently made available to a financial professional other than the client’s.

On January 19, 2010, during the posting of routine fee statements to the secure online filing cabinets of individual financial professionals, a technical fault in the generation of the reports resulted in a mismatch of client data. Accordingly, for less than one day, a limited number of customer fee statements containing personal information of clients of other financial professionals were made available to another financial professional through his/her secure online filing cabinet.

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The personal information that may have been inadvertently made available included clients' names, Curian account numbers and account balances, and social security numbers. Curian quickly identified that an error had been made and promptly removed the statements from the incorrect financial professional's secure online filing cabinet on the morning of January 20, 2010. Curian is implementing additional measures that will prevent such incidents in the future.

There is no indication that any client's personal information was misused by the financial professional that may have viewed the information or that this incident was anything other than an inadvertent computer systems error. Information posted on Curian's secure online filing system is posted only to that financial professional's online filing cabinet. Curian further believes any risk of harm to clients is minimal, as all such financial professionals have a contractual relationship with Curian.

As a precaution, on or about Monday, February 1, 2010, Curian will begin notifying all of the approximately 706 clients that were potentially affected resident in 40 states, including two Maine residents, by letter sent via first-class mail.

For your convenience, enclosed is a copy of the form of notice to your State's residents. The notice includes: (1) description of the general nature of the incident; (2) the categories of information that may have been made available; (3) Curian's contact information for inquiries regarding the incident; (4) contact information for each of the nationwide consumer reporting agencies; (5) information on how to obtain a free annual credit report from or place a fraud alert on the consumer's file with the nationwide consumer reporting agencies; (6) description of measures that Curian is taking to help ensure similar incidents do not occur in the future; (7) reminder to the consumer to review account statements and report any unusual or suspicious activity to the relevant financial institution.

Should you have any questions or require further information regarding this incident, please do not hesitate to contact me.

Sincerely,



Gilbert T. Schwartz

Enclosure

[DATE]

[Client Name]
[Street Address]
[Street Address]
[City, ST ZIP]

Dear [Client Name]:

We're writing to let you know that as a result of a computer systems error that occurred between January 19 and 20, 2010, some of your personal information may have inadvertently been made available to a Curian Financial Professional other than your own. This information included your name, Curian account number and account balance, and Social Security number. We discovered this error within a few hours of its occurrence and took immediate steps to correct it. We also have begun to put enhanced security measures in place to ensure this doesn't happen again.

Because the error was detected and fixed within 24 hours, we don't believe there's a significant risk your Curian account information will be misused. What's more, we don't have any evidence your information has been misused or that this incident was anything other than an inadvertent computer systems error. Even so, we suggest you remain vigilant by monitoring your credit report and Curian account statements as well as bank, credit card and other financial statements for unusual or suspicious activity.

If you notice any such activity, you should notify the relevant financial institution(s) immediately. Additionally, we recommend you contact the fraud department of one of the three major credit bureaus listed below to place a "fraud alert" on your consumer credit file, free of charge.

- Equifax: 1-800-525-6285; www.equifax.com; P.O. Box 740241, Atlanta, GA 30374-0241
- Experian: 1-888-397-3742; www.experian.com; P.O. Box 9532, Allen, TX 75013
- TransUnion: 1-800-680-7289; www.transunion.com; Fraud Victim Assistance Unit, P.O. Box 6790, Fullerton, CA 92834-6790

You can request a free copy of your credit report once every 12 months from these credit bureaus or through the Annual Credit Report Service at www.annualcreditreport.com or by calling 1-877-322-8228.

If you have any questions about this matter, please contact the Curian Care Center via email at customerservice@curian.com or by calling 1-877-847-4143.

Your privacy and confidence are important to us. We realize that you expect us to protect the information you provide us and to use it responsibly. We are committed to fulfilling the trust you've place in us and regret any inconvenience or concerns this may cause.

Sincerely,



Michael A. Bell
President and CEO
Curian Capital, LLC