

Morgan, Lewis & Bockius LLP
1701 Market Street
Philadelphia, PA 19103-2921
Tel: 215.963.5000
Fax: 215.963.5001
www.morganlewis.com

Morgan Lewis
C O U N S E L O R S A T L A W

K. Catherine Roney
Associate
215.963.5722
kroney@MorganLewis.com

June 30, 2010

Attorney General Janet Mills
Office of the Attorney General
6 State House Station
Augusta, Maine 04333

CONSUMER PROTECTION DIVISION
RECEIVED
JUL 6 2010
OFFICE OF ATTORNEY GENERAL

RE: *Notice of Data Breach Notification*

Dear Attorney General Mills:

This Firm represents Nix Check Cashing in connection with a theft of one of its computers inside a Nix Check Cashing branch. We are writing to notify you of the incident, as information on the stolen computer may have included personal information for a number of Nix Check Cashing customers.

The incident occurred when a Nix Check cashing branch was the victim of a burglary. Among the items stolen was a computer containing personal customer information, which may have included some combination of customer name, address, phone number, Social Security Number, or driver's license number. As soon as Nix Check Cashing became aware of the theft, they immediately contacted law enforcement authorities, who are currently conducting an investigation. To date, they have not been able to determine who is responsible or to recover the stolen computer. However, we have no evidence that the information on the computer has been used for fraudulent purposes.

Nix Check Cashing has taken the following actions:

1. The theft was reported to local authorities on 5/17/2010.
2. Nix Check Cashing promptly undertook measures to determine what personal information was on the computer.
3. Nix Check Cashing is sending notification letters via first-class mail to any individual whose personal information is believed to have been on the computer. (A copy of the notification letter is enclosed).

Attorney General Janet Mills
Office of the Attorney General
June 30, 2010
Page 2

Morgan Lewis
C O U N S E L O R S A T L A W

More details regarding the potential breach can be found in the attached letter being sent to the affected individuals. Only 81 residents of Maine were affected and will receive the letter.

Nix Check Cashing is committed to maintaining and protecting the confidentiality of its customers' personal information. Nix Check Cashing regrets that this situation has occurred and will be working to reduce the risks of a similar situation happening in the future.

If you have any questions, please feel free to contact me.

Respectfully,

A handwritten signature in cursive script, appearing to read "K. Roney".

K. Catherine Roney

Enclosure

SINCE 1966



[Date]

[Recipient's Name]

[Address]

[City, State, Zip (shows thru envelope window)]

RE: Important Notice About Your Customer Information

Dear [customer name]:

The security of your information is very important to us and we strive to handle it with care and discretion at all times. We are writing to let you know that there is a possibility some Nix Check Cashing electronic customer files, including yours, could have been compromised. We want to share with you what happened, what we are doing to protect you and address this situation, and additional precautions you can take to safeguard your personal information.

Unfortunately, one of our Nix Check Cashing branches was recently the victim of a burglary. Among the items stolen was a computer containing personal customer information, which included some combination of customer name, address, Social Security number and/or driver's license number. As soon as we became aware of the theft, we immediately contacted law enforcement authorities, who are currently conducting an investigation. We are now working closely with law enforcement officials to apprehend the thief and are prepared to prosecute to the fullest extent of the law.

We have no reason to believe your personal information has been accessed or misused in any way. There is no evidence that the thief was targeting this information, knew the computer contained customer data, or had any interest other than stealing a valuable computer.

However, because the privacy and security of our customers and their personal information is extremely important to us, we are offering you free enrollment in **Triple Alertsm** as a precautionary measure. We are providing this credit monitoring product to you at no cost for the next 12 months. As soon as you enroll in your complimentary **Triple Alert** membership, ConsumerInfo.com, Inc., an Experian company, will begin to monitor your credit reports from Experian, Equifax[®] and TransUnion[®] on a daily basis and notify you of key changes. This powerful tool will help you identify potentially fraudulent use of your information, and provide you with immediate assistance from a dedicated team of fraud resolution representatives should you ever need help. In addition you will receive \$25,000 in identity theft insurance coverage (\$10,000 for New York state residents).*

To activate your complimentary one year membership in **Triple Alert from Experian**, please visit the following website and enter your activation code:

Enrollment Website: <http://partner.consumerinfo.com/nix>

Activation Code: [ACTIVATION CODE]

You Must Enroll By: 90 DAYS FROM [DATE]

If you prefer, you can enroll on the phone by speaking with Experian Customer Care representatives toll-free at 1-866-274-3891.

* Insurance coverage is not available in US overseas Commonwealth or Territories (i.e. Puerto Rico).

We are committed to protecting our customers' information and deeply apologize for any inconvenience or concern this theft may cause you. We have already put new procedures into place, and are developing additional security measures to ensure that this type of situation cannot happen again.

While we have no indication that the information on the stolen computer has been accessed or used in any criminal activity, there are several additional precautions we suggest you take to monitor use of your personal information and prevent identity theft.

A Fraud Alert can be placed on your credit file for 90 days at no cost. This alert provides added protection because it recommends that creditors contact you before opening new accounts. To place a Fraud Alert or to obtain a free copy of your credit report, please contact:

- Experian: 1-888-397-3742 or www.experian.com
- Equifax: 1-800-525-6285 or www.equifax.com
- TransUnion: 1-800-680-7289 or www.transunion.com

You can also receive additional information and guidance about preventing identity theft from the following resources:

- Federal Trade Commission (FTC): 1-877-IDTHEFT www.ftc.gov/idtheft
- Social Security Administration's Fraud Hotline: 1-800-269-0271

We also suggest that you regularly review your credit report and look for accounts you did not open or inquiries from creditors you did not initiate. Also look for personal information, such as home address and Social Security number that is not accurate. If you suspect inappropriate activity, we suggest you contact the FTC at the number listed above as well as local law enforcement.

We want to hear from you with any questions or concerns about this issue. Please don't hesitate to call us at 1-866-350-4787 or visit our one of our Nix branches to speak with a Manager if you would like more information.

Sincerely,



Randy Dotemoto
President
Nix Check Cashing



Usted Es Alguien Especial

[Date] 25 de junio de 2010

[Recipient's Name]

[Address]

[City, State, Zip]

TEMA: Aviso importante sobre su información como cliente

Estimado cliente:

La seguridad de su información es muy importante para nosotros y nos esforzamos por manejarla con cuidado y discreción en todo momento. Estamos escribiéndole para informarle que existe la posibilidad de que algunos de los expedientes electrónicos de los clientes de Nix Check Cashing, incluyendo el suyo, puedan haber sido comprometidos. Queremos comunicarle lo que sucedió, lo que estamos haciendo para protegerlo y responder a esta situación y qué precauciones adicionales puede tomar para proteger su información personal.

Desafortunadamente, una de nuestras sucursales Nix Check Cashing recientemente fue víctima de un robo. Entre los artículos robados se encuentra una computadora que contiene información personal de los clientes y que fue incluido alguna combinación de los nombres, direcciones, números de Seguro Social y / o números de licencias para manejar de nuestros clientes. Apenas nos enteramos del robo, nos comunicamos de inmediato con las autoridades policíacas, quienes están realizando una investigación en este momento. Ahora estamos trabajando de cerca con oficiales de la policía para capturar al ladrón y estamos preparados para iniciar un procedimiento criminal con todo el peso de la ley.

No tenemos ninguna razón para pensar que el ladrón pudo acceder a su información personal o que la usó de manera inapropiada. No existe evidencia de que el ladrón haya tenido como objetivo obtener esta información, ni que haya sabido que la computadora contenía información de los clientes, ni que haya tenido algún interés más allá que el de robarse una valiosa computadora.

Sin embargo, debido a que para nosotros la privacidad y la seguridad de nuestros clientes y su información personal es extremadamente importante, le estamos ofreciendo la inscripción gratuita a **Triple Alertsm** como una medida de precaución. Le estamos proporcionando este producto de monitoreo de su crédito sin costo alguno durante los próximos 12 meses. Tan pronto como se inscriba en la membresía gratuita **Triple Alert**, ConsumerInfo.com, Inc., una compañía de Experian, comenzará a monitorear sus reportes de crédito de Experian, Equifax[®] y TransUnion[®] todos los días y le avisarán si hay algún cambio clave. Esta poderosa herramienta le ayudará a identificar si alguien usa su información en forma potencialmente fraudulenta y podrá recibir ayuda de inmediato, si la necesita, por parte de un dedicado equipo de representantes de resolución de fraude. Además, usted recibirá una cobertura de seguro contra el robo de identidad por un valor de \$25,000 (\$10,000 para los residentes del estado de Nueva York).*

Para activar su membresía gratuita por un año en **Triple Alert de Experian**, visite la siguiente página electrónica e ingrese su código de activación:

Página electrónica de inscripción: <http://partner.consumerinfo.com/nix>

Código de activación: [ACTIVATION CODE]

Debe inscribirse antes de 90 días a partir del [DATE /25 de junio de 2010]

* La cobertura de seguro no está disponible en el estado o territorio libre asociado en Estados Unidos (es decir, Puerto Rico).

Si prefiere, puede inscribirse por teléfono, hablando con representantes de Atención al Cliente de Experian al número gratuito 1-866-274-3891.

Estamos comprometidos a proteger la información de nuestros clientes y le pedimos disculpas sinceramente por cualquier molestia o preocupación que este robo le pueda causar. Ya hemos establecido nuevos procedimientos y estamos desarrollando medidas de seguridad adicionales para cerciorarnos de que este tipo de situación no vuelva a suceder.

Aunque nada indica que se haya accedido a la información contenida en la computadora robada ni que esta información haya sido usada en alguna actividad criminal, existen varias precauciones adicionales que sugerimos que tome para monitorear el uso de su información personal y para evitar el robo de su identidad.

Se puede poner un aviso de fraude en su expediente de crédito durante 90 días sin costo alguno. Este aviso de alerta le da mayor protección, recomendando a los acreedores a comunicarse con usted antes de abrir una cuenta nueva. Para poner un aviso de alerta de fraude o para obtener una copia gratuita de su reporte de crédito, por favor comuníquese con:

- Experian: 1-888-397-3742 o www.experian.com
- Equifax: 1-800-525-6285 o www.equifax.com
- TransUnion: 1-800-680-7289 o www.transunion.com

También puede obtener información adicional y consejos de las siguientes agencias para evitar el robo de su identidad:

- Comisión Federal de Comercio (FTC): 1-877-IDTHEFT www.ftc.gov/idtheft
- Línea de ayuda contra Fraudes de la Administración del Seguro Social: 1-800-269-0271

También le sugerimos que revise con regularidad su reporte de crédito y que se fije si hay cuentas que usted no ha abierto o si hay indagaciones de acreedores que usted no ha iniciado. También fíjese en la información personal, como un domicilio y un número de Seguro Social incorrecto. Si sospecha que hay cierta actividad indebida, le sugerimos que se comunique con la FTC al número que aparece arriba, así como también con las autoridades policíacas locales.

Queremos que se comunique con nosotros si tiene alguna pregunta o preocupación sobre este tema. Por favor no dude en llamarnos al 1-866-350-4787 o visite una de nuestras sucursales para hablar con un gerente o si desea obtener más información.

Atentamente,



Randy Dotemoto
Presidente
Nix Check Cashing

Identity Theft Reference Guide

In the event that you ever suspect that you are a victim of identity theft, we encourage you to consider taking the following steps:

Contact the Federal Trade Commission. You can contact the Federal Trade Commission's Consumer Response Center at 600 Pennsylvania Avenue, NW, Washington, DC, 20580 or at <http://www.ftc.gov/bcp/menus/business/data.shtml>, to obtain more information about steps you can take to avoid identity theft.

Order Your Free Credit Report. To order your free credit report, visit www.annualcreditreport.com, call toll-free at 877-322-8228, or complete the Annual Credit Report Request Form on the U.S. Federal Trade Commission's website at www.ftc.gov and mail it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. Do not contact the three credit bureaus individually. They provide free annual credit reports only through the website or toll-free number.

When you receive your credit report, review the entire report carefully. Look for any inaccuracies and/or accounts you don't recognize, and notify the credit bureaus as soon as possible in the event there are any.

Place a Fraud Alert on Your Credit File: To protect yourself from possible identity theft, consider placing a fraud alert on your credit file. A fraud alert helps protect you against the possibility of an identity thief opening new credit accounts in your name. When a merchant checks the credit history of someone applying for credit, the merchant gets a notice that the applicant may be a victim of identity theft. The alert notifies the merchant to take steps to verify the identity of the applicant. You can report potential identity theft to all three of the major credit bureaus by calling any one of the toll-free fraud numbers below. You will reach an automated telephone system that allows you to flag your file with a fraud alert at all three bureaus.

Equifax	P.O. Box 740241 Atlanta, Georgia 30374-0241	877-478-7625	www.equifax.com
Experian	P.O. Box 9532 Allen, Texas 75013	888-397-3742	www.experian.com
TransUnion	Fraud Victim Assistance Division P.O. Box 6790 Fullerton, California 92834-6790	800-680-7289	www.transunion.com

Place a Security Freeze on Your Credit File. You may wish to place a "security freeze" on your credit file. A security freeze generally will prevent creditors from accessing your credit file at the three nationwide credit bureaus without your consent. You can request a security freeze by contacting the credit bureaus at:

Equifax	P.O. Box 105788 Atlanta, Georgia 30348	www.equifax.com
Experian	P.O. Box 9554 Allen, Texas 75013	www.experian.com
TransUnion	Fraud Victim Assistance Division P.O. Box 6790 Fullerton, California 92834-6790	www.transunion.com

The credit bureaus may charge a reasonable fee to place a freeze on your account, and may require that you provide proper identification prior to honoring your request. In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.)
2. Social Security number
3. Date of birth
4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior five years.
5. Proof of current address, such as a current utility bill or telephone bill
6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.)
7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to law enforcement agency concerning identity theft
8. If you are not a victim of identity theft, include payment by check, money order, or credit card (Visa, MasterCard, American Express or Discover only). Do not send cash through the mail.

Placing a security freeze on your credit file may delay, interfere with, or prevent timely approval of any requests you make for credit, loans, employment, housing or other services. For more information regarding credit freezes, please contact the credit reporting agencies directly.

Contact the U.S. Federal Trade Commission. If you detect any incident of identity theft or fraud, promptly report the incident to your local law enforcement authorities, your state Attorney General and the Federal Trade Commission ("FTC"). If you believe your identity has been stolen, the FTC recommends that you take these additional steps.

- Close the accounts that you have confirmed or believe have been tampered with or opened fraudulently. Use the FTC's ID Theft Affidavit (available at www.ftc.gov/idtheft) when you dispute new unauthorized accounts.
- File a local police report. Obtain a copy of the police report and submit it to your creditors and any others that may require proof of the identity theft crime.

You can learn more about how to protect yourself from becoming an identity theft victim or by contacting the FTC:

Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue, NW
Washington, DC 20580
1-877-IDTHEFT (438-4338)

For Maryland Residents: You can obtain information from the Maryland Office of the Attorney General about steps you can take to help prevent identity theft. You can contact the Maryland Attorney General at:

Maryland Office of the Attorney General
Consumer Protection Division
200 St. Paul Place
Baltimore, MD 21202
888-743-0023, www.oag.state.md.us

For Massachusetts Residents: You have a right to request from us a copy of any police report filed in connection with this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it. If you have been a victim of identity theft, and you provide the credit reporting agency with a valid police report, it cannot charge you to place, lift or remove a security freeze. In all other cases, a credit reporting agency may charge you up to \$5 each to place, temporarily lift, or permanently remove a security freeze.

For North Carolina Residents: You can obtain information from the North Carolina Office of the Attorney General about steps you can take to help prevent identity theft. You can contact Attorney General Roy Cooper's Consumer Hotline toll-free within North Carolina at 1-877-5-NO-SCAM.