

From: Ozzie Fonseca (<mailto:ofonseca@experianinteractive.com>)
Sent: Friday, October 26, 2012 6:35 PM
To: Stirling, Bryan
Cc: Greg Young; Thad Westbrook
Subject: RE: Experian PR contact

Bryan:

I spoke with our call center and they found a way to record the message in eastern terms. That will be done within the next 60 minutes.

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

Experian Consumer Direct
535 Anton, Suite 100. Costa Mesa, CA 92626
(949) 567-3851 - Desk
(949) 302-2299 - Cell
(949) 242-2938 - Fax
ozzie.fonseca@experian.com

Blog: www.Experian.com/blogs/data-breach
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-----Original Message-----

From: Stirling, Bryan (<mailto:BryanStirling@gov.sc.gov>)
Sent: Friday, October 26, 2012 3:23 PM
To: Ozzie Fonseca
Cc: Greg Young; Thad Westbrook
Subject: RE: Experian PR contact

Thank you, call him now.

-----Original Message-----

From: Ozzie Fonseca (<mailto:ofonseca@experianinteractive.com>)
Sent: Friday, October 26, 2012 6:22 PM
To: Stirling, Bryan
Cc: Greg Young; Thad Westbrook
Subject: Experian PR contact

Bryan:

Here is our PR contact:

Greg Young
949 567-3791
Greg.Young@experianinteractive.com

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

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Fw: From the Governor's Office re. cyber-attack at DOR

Schimsa, Rebecca

Sent: Friday, October 26, 2012 7:59 PM

To: Stirling, Bryan

FYI.

From: Larry Martin [mailto:lmartin@alicemfgco.com]

Sent: Friday, October 26, 2012 07:38 PM

To: Schimsa, Rebecca

Cc: Pitts, Ted; Veldran, Katherine

Subject: Re: From the Governor's Office re. cyber-attack at DOR

Rebecca:

They did so. Unfortunately, one has to call the toll free number, and it's swamped. If everyone has to make the call as a precursor for signing up, it will take a long time to get everyone signed up.

Our Tigers did well last night! It was good to see a Thursday night game go so well.

Hope you have a great weekend.

Larry

----- Original Message -----

From: Schimsa, Rebecca

To: 'lmartin@alicemfgco.com'

Cc: Pitts, Ted ; Veldran, Katherine

Sent: Friday, October 26, 2012 7:16 PM

Subject: Re: From the Governor's Office re. cyber-attack at DOR

Thank you for letting us know, Senator. I understand that our Chief of Staff, Bryan Stirling, has reached out to you in addition to our press office to walk you through the steps.

Please let us know if you have any further questions.

From: Larry Martin [mailto:lmartin@alicemfgco.com]

Sent: Friday, October 26, 2012 07:04 PM

To: Schimsa, Rebecca

Cc: Pitts, Ted; Veldran, Katherine

Subject: Re: From the Governor's Office re. cyber-attack at DOR

Not suggesting you reply to my comment this evening, but just want to report that protectmyid.com/scdor simply takes you to the default homepage of protectmyid.com . I tried it a couple of time and it doesn't take you to the scdor page.

Thanks!

Larry

----- Original Message -----

From: Schimsa, Rebecca

Cc: Pitts, Ted ; Veldran, Katherine

Sent: Friday, October 26, 2012 4:44 PM

Subject: From the Governor's Office re. cyber-attack at DOR

NEW INFORMATION INCLUDED.

Dear Members of the General Assembly,

In regards to the cyber-attack at the Department of Revenue announced this afternoon, we are sending you the following information: (1) the media release from our office (below); (2) the media release from the Department of Revenue (attached); (3) a link to the video of today's press conference; and (4) an invitation to a conference call on Monday morning with Chief Keel, Director Etter, and Inspector General Maley (below).

Sincerely,

Rebecca Schimsa
Office of the Governor

MEDIA RELEASE FROM THE GOVERNOR'S OFFICE:

S.C. Department of Revenue Responds to Cyber Attack, Will Provide Credit Monitoring and Identity Theft Protection to Taxpayers

Hacker illegally obtained credit card and Social Security numbers

COLUMBIA, S.C. – The South Carolina Department of Revenue today announced that approximately 3.6 million Social Security numbers and 387,000 credit and debit card numbers have been exposed in a cyber attack. Of the credit cards, the vast majority are protected by strong encryption deemed sufficient under the demanding credit card industry standards to protect the data and cardholders. Approximately 16,000 are unencrypted.

To protect taxpayers, the state will provide those affected with one year of credit monitoring and identity theft protection. Officials emphasized that no public funds were accessed or put at risk.

"On October 10, the S.C. Division of Information Technology informed the S.C. Department of Revenue of a potential cyber attack involving the personal information of taxpayers," said DOR Director James Etter. "We worked with them throughout that day to determine what may have happened and what steps to take to address the situation. We also immediately began consultations with state and federal law enforcement agencies and briefed the governor's office."

Upon the recommendation of law enforcement officials, DOR contracted Mandiant, one of the world's top information security companies, to assist in the investigation, help secure the system, install new equipment and software and institute tighter controls on access.

On October 16, investigators uncovered two attempts to probe the system in early September, and later learned that a previous attempt was made in late August. In mid-September, two other intrusions occurred, and to the best of the department's knowledge, the hacker obtained data for the first time. No other

intrusions have been uncovered at this time. On October 20, the vulnerability in the system was closed and, to the best of the department's knowledge, secured.

"The number of records breached requires an unprecedented, large-scale response by the Department of Revenue, the State of South Carolina and all our citizens," said Gov. Nikki Haley. "We are taking immediate steps to protect the taxpayers of South Carolina, including providing one year of credit monitoring and identity protection to those affected."

Anyone who has filed a South Carolina tax return since 1998 is urged to visit protectmyid.com/scdor or call 1-866-578-5422 to determine if their information is affected. If so, the taxpayer can immediately enroll in one year of identity protection service provided by Experian.

Experian's ProtectMyID™ Alert is designed to detect, protect and resolve potential identity theft, and includes daily monitoring of all three credit bureaus. The alerts and daily monitoring services are provided for one year, and consumers will continue to have access to fraud resolution agents and services beyond the first year.

In addition to the Experian service, state officials urged individuals to consider additional steps to protect their identity and financial information, including:

- Regularly review credit reports;
- Place fraud alerts with the three credit bureaus;
- Place a security freeze on financial and credit information with the three credit bureaus.

If credit card information is compromised, the best protection is to have the bank reissue the card. Anyone who has used a credit card in a transaction with the Department of Revenue should check bank accounts regularly to see if any unauthorized charges have occurred. If so, the cardholder should contact the credit card issuer immediately by calling the toll-free number located on the back of the card or on a monthly statement, tell them what you have seen, and ask them to cancel and reissue the card. Consumers should also change any credit card web account passwords immediately when unauthorized charges are detected.

"From the first moment we learned of this, our top priority has been to protect the taxpayers and the citizens of South Carolina, and every action we've taken has been consistent with that priority," Etter said. "We have an obligation to protect the personal information entrusted to us, and we are redoubling our efforts to meet that obligation."

-###-

VIDEO OF TODAY'S PRESS CONFERENCE:

The S.C. Department of Revenue announced on October 26, 2012 that approximately 3.6 million Social Security numbers and 387,000 credit and debit card numbers have been exposed in a cyber attack.

Governor Nikki Haley, South Carolina Law Enforcement Division Chief Mark Keel, United States Secret Service Special Agent in Charge Michael Williams, South Carolina Department of Revenue Director Jim Etter and State Inspector General Patrick Maley today responded to news of the cyber attack with consumer safety solutions during an afternoon press conference.

Video of the press conference is available here: <http://www.youtube.com/watch?v=0Dax66JEzVs&> Attached you will find a press kit that includes consumer safety solutions.

Anyone who has filed a South Carolina tax return since 1998 should take the following steps:

1. Call 1-866-578-5422 where you will enroll in a consumer protection service. **The call center is open 9:00 AM – 9:00 PM EST on Monday through Friday and 11:00 AM – 8:00 PM EST on Saturday and Sunday.**
2. Then you will determine if you wish to have an online or US Mail alert mechanism.
3. For the online service, visit <http://www.protectmyid.com/scdor>. For the US Mail service, you will receive notifications via the US mail.

Experian's ProtectMyID™ Alert is designed to detect, protect and resolve potential identity theft, and includes daily monitoring of all three credit bureaus. The alerts and daily monitoring services are provided for one year, and consumers will continue to have access to fraud resolution agents and services beyond the first year.

-###-

CONFERENCE CALL INFORMATION FOR LEGISLATORS:

Our office has arranged a conference call for members of the General Assembly to be held on Monday, October 29th at 10:00 a.m. with Chief Mark Keel, Director Jim Etter, and Inspector General Pat Maley. The purpose of the conference call is to give you the opportunity to receive information and ask questions about the cyber-attack at the Department of Revenue. There is a limited number of lines available. This call is only intended for you, members of the General Assembly, or a staff member calling in on your behalf.

Call Number: 1-800-670-1742 (No access code is needed.)

Directions:

1. Upon dialing the conference number, each participant will be asked his or her name and then be placed into the conference call.
2. Participants should plan to join the call 5-10 minutes prior to the start of the call.
3. Once the speakers have completed their statements, the call operator will provide instructions for the question and answer portion of the call.
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6. For operator assistance at any time during the call, please press *0.

-###-

Re: Experian PR contact

Greg Young [Greg.Young@experianinteractive.com]

Sent: Friday, October 26, 2012 7:38 PM

To: Stirling, Bryan

Bryan,

Still on call. Have some message points but getting more. Apologies for delay.

GY

Greg Young, APR
Experian Consumer Direct
Director, Public Relations /Consumer Engagement
949-294-5701

Sent by my iPhone

On Oct 26, 2012, at 3:48 PM, "Stirling, Bryan"
<BryanStirling@gov.sc.gov<mailto:BryanStirling@gov.sc.gov>> wrote:

That works for me. Thank you.

-----Original Message-----

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Sent: Friday, October 26, 2012 6:47 PM
To: Stirling, Bryan
Cc: Ozzie Fonseca; Greg Young; Thad Westbrook
Subject: RE: Experian PR contact

Bryan:

As long as the call center is recording the message, I would suggest stating that people have until January 31st ,2013 to request an activation code. If that works for you I'll have them add that language immediately.

Thanks

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

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Greg.Young@experianinteractive.com<<mailto:Greg.Young@experianinteractive.com>>

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Senior Director, Data Breach Resolution

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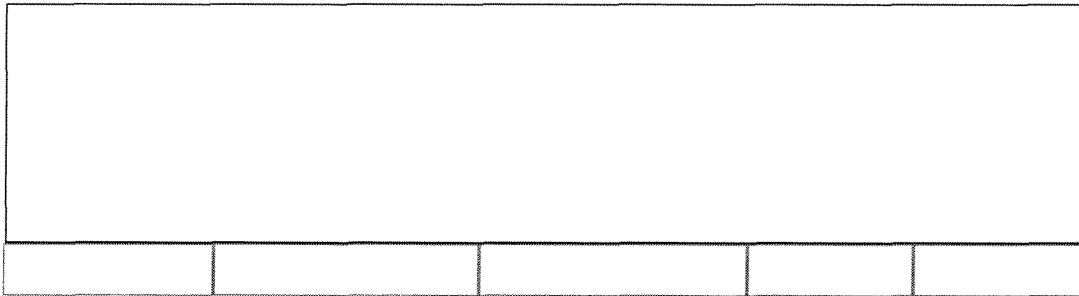
Fw: UPDATE ON COMPUTER HACKING - Please Read

Veldran, Katherine

Sent: Friday, October 26, 2012 7:27 PM**To:** Veldran, Katherine

From: Rep. Bill Taylor [mailto:bill@taylorschouse.com]
Sent: Friday, October 26, 2012 07:25 PM
To: Veldran, Katherine
Subject: UPDATE ON COMPUTER HACKING - Please Read

You're receiving this email because of your relationship with **TaylorSCHouse**. You may **unsubscribe** if you no longer wish to receive our emails.



SC's Computer Hacking Update

(Informational Newsletter)

UPDATE

The web link provided in the initial 'Hacker' newsletter doesn't seem to be useful. That web address, which was provided by the Governor's office and is being used by the news media, delivers you to a page that asks for an activation code.

We're told you have to call 866-578-5422 to get the activation code. Of course, the phones lines are so jammed, as one would expect in an event like this, you get a recording asking you to call back later.

It appears patience is the best prescription at the moment.
I'll send out updates as we learn more.



This email was sent to katherineveldran@gov.sc.gov by bill@taylorschouse.com |
[Update Profile/Email Address](#) | Instant removal with [SafeUnsubscribe™](#) | [Privacy Policy](#).



Bill Taylor for SC House District 86 | P.O. Box 2646 | Aiken | SC | 29801

Fw: From the Governor's Office re. cyber-attack at DOR

Veldran, Katherine

Sent: Friday, October 26, 2012 7:05 PM

To: Veldran, Katherine

From: Larry Martin [mailto:lmartin@alicemfgco.com]

Sent: Friday, October 26, 2012 07:04 PM

To: Schimsa, Rebecca

Cc: Pitts, Ted; Veldran, Katherine

Subject: Re: From the Governor's Office re. cyber-attack at DOR

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Thanks!

Larry

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Cc: [Pitts, Ted](#) ; [Veldran, Katherine](#)

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Rebecca Schimsa
Office of the Governor

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On October 16, investigators uncovered two attempts to probe the system in early September, and later learned that a previous attempt was made in late August. In mid-September, two other intrusions occurred, and to the best of the department’s knowledge, the hacker obtained data for the first time. No other intrusions have been uncovered at this time. On October 20, the vulnerability in the system was closed and, to the best of the department’s knowledge, secured.

“The number of records breached requires an unprecedented, large-scale response by the Department of Revenue, the State of South Carolina and all our citizens,” said Gov. Nikki Haley. “We are taking immediate steps to protect the taxpayers of South Carolina, including providing one year of credit monitoring and identity protection to those affected.”

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In addition to the Experian service, state officials urged individuals to consider additional steps to protect their identity and financial information, including:

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If credit card information is compromised, the best protection is to have the bank reissue the card. Anyone who has used a credit card in a transaction with the Department of Revenue should check bank accounts regularly to see if any unauthorized charges have occurred. If so, the cardholder should contact the credit card issuer immediately by calling the toll-free number located on the back of the card or on a monthly statement, tell them what you have seen, and ask them to cancel and reissue the card. Consumers should also change any credit card web account passwords immediately when unauthorized charges are detected.

“From the first moment we learned of this, our top priority has been to protect the taxpayers and the citizens

of South Carolina, and every action we've taken has been consistent with that priority," Etter said. "We have an obligation to protect the personal information entrusted to us, and we are redoubling our efforts to meet that obligation."

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Directions:

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RE: Experian PR contact

Ozzie Fonseca [ofonseca@experianinteractive.com]

Sent: Friday, October 26, 2012 6:50 PM

To: Stirling, Bryan

Cc: Ozzie Fonseca [ofonseca@experianinteractive.com]; Greg Young [Greg.Young@experianinteractive.com]; Thad Westbrook [thad.westbrook@nelsonmullins.com]

Perfect. Thank youOzzie Fonseca, CIPP/US
Senior Director, Data Breach ResolutionExperian Consumer Direct
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"Stirling, Bryan" <BryanStirling@gov.sc.gov> wrote:

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Subject: RE: Experian PR contact

Bryan:

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Ozzie Fonseca, CIPP/US
Senior Director, Data Breach ResolutionExperian Consumer Direct
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"Stirling, Bryan" <BryanStirling@gov.sc.gov> wrote:

Thank you.

-----Original Message-----

From: Ozzie Fonseca [mailto:ofonseca@experianinteractive.com]
Sent: Friday, October 26, 2012 6:35 PM
To: Stirling, Bryan
Cc: Greg Young; Thad Westbrook
Subject: RE: Experian PR contact

Bryan:

I spoke with our call center and they found a way to record the message in eastern terms. That will be done within the next 60 minutes.

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach ResolutionExperian Consumer Direct
535 Anton, Suite 100. Costa Mesa, CA 92626
(949) 567-3851 - Desk
(949) 302-2299 - Cell

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RE: Experian PR contact

Ozzie Fonseca [ofonseca@experianinteractive.com]

Sent: Friday, October 26, 2012 6:46 PM

To: Stirling, Bryan

Cc: Ozzie Fonseca [ofonseca@experianinteractive.com]; Greg Young [Greg.Young@experianinteractive.com]; Thad Westbrook [thad.westbrook@nelsonmullins.com]

Bryan:

As long as the call center is recording the message, I would suggest stating that people have until January 31st, 2013 to request an activation code. If that works for you I'll have them add that language immediately.

Thanks

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

Experian Consumer Direct
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Costa Mesa, CA 92626
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(949) 302-2299 -
Cell (949) 242-2938 - Fax
ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>

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"Stirling, Bryan" <BryanStirling@gov.sc.gov> wrote:

Thank you.

-----Original Message-----

From: Ozzie Fonseca [mailto:ofonseca@experianinteractive.com]
Sent: Friday, October 26, 2012 6:35 PM
To: Stirling, Bryan
Cc: Greg Young; Thad Westbrook
Subject: RE: Experian PR contact

Bryan:

I spoke with our call center and they found a way to record the message in eastern

terms. That will be done within the next 60 minutes.

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

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ozzie.fonseca@experian.com

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-----Original Message-----

From: Stirling, Bryan [<mailto:BryanStirling@gov.sc.gov>]
Sent: Friday, October 26, 2012 3:23 PM
To: Ozzie Fonseca
Cc: Greg Young; Thad Westbrook
Subject: RE: Experian PR contact

Thank you, call him now.

-----Original Message-----

From: Ozzie Fonseca [<mailto:ofonseca@experianinteractive.com>]
Sent: Friday, October 26, 2012 6:22 PM
To: Stirling, Bryan
Cc: Greg Young; Thad Westbrook
Subject: Experian PR contact

Bryan:

Here is our PR contact:

Greg Young
949 567-3791
Greg.Young@experianinteractive.com

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

Experian Consumer Direct
535 Anton, Suite 100. Costa Mesa, CA 92626
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ozzie.fonseca@experian.com

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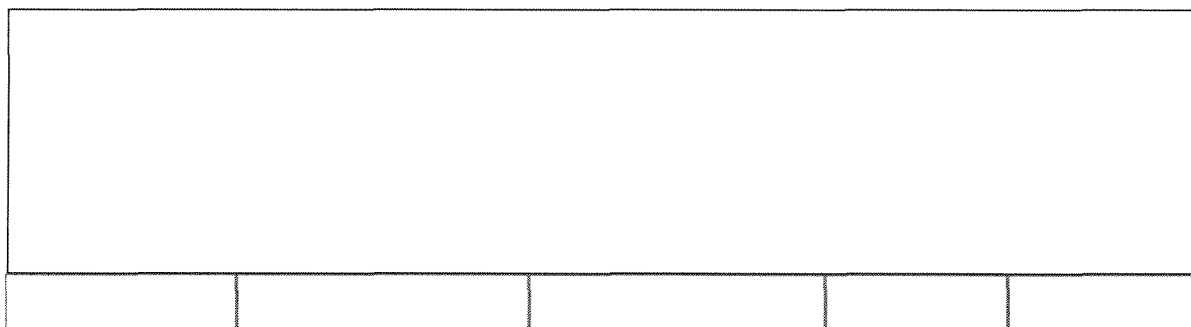
Fw: SC 's Been HACKED - This is a serious warning OPEN NOW

Veldran, Katherine

Sent: Friday, October 26, 2012 6:45 PM**To:** Veldran, Katherine

From: Rep. Bill Taylor [mailto:bill@taylorschouse.com]**Sent:** Friday, October 26, 2012 06:25 PM**To:** Veldran, Katherine**Subject:** SC 's Been HACKED - This is a serious warning OPEN NOW

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SC's Been HACKED !

(Informational Newsletter)

Dear Friends:

You may have heard the late breaking news that your identity may be at risk.

The SC Department of Revenue revealed this afternoon that they experienced a cyber attack and approximately **3.6 million Social Security numbers and 387,000 credit and debit card numbers** have been exposed. I've been receiving calls from folks concerned they may be a victim. Those concerns are justified. 3.6 million Social Security numbers includes most of us. The vast majority of credit cards on file with the Revenue Department are protected by strong encryption, but about **16,000 are unencrypted**.

The state says the cyber hole has been plugged, but you have every right to be concerned and take steps now to protect yourself from identity theft or misuse of your credit or debit card.

Here's what you need to do...

1. Anyone who has filed a South Carolina tax return since 1998 is urged to visit protectmyid.com/scdor or call **866-578-5422** to determine if their information is affected. (Expect long wait times on the phone call.) Phone will be answered until 9:00 pm and will be open again tomorrow.

2. To protect taxpayers, the state will provide those affected with one year of credit monitoring and identity theft protection.

3. In addition to the Experian monitoring service, state officials urged individuals to consider additional steps to protect their identity and financial information, including:

- * Regularly review credit reports
- * Place fraud alerts with the three credit bureaus
- * Place a security freeze on financial and credit information with the three credit bureaus.

Additional steps to protect yourself...

If credit card information is compromised, the best protection is to have the bank reissue the card. Anyone who has used a credit card in a transaction with the Department of Revenue should check bank accounts regularly to see if any unauthorized charges have occurred. If so, the cardholder should contact the credit card issuer immediately by calling the toll-free number located on the back of the card or on a monthly statement, tell them what you have seen, and ask them to cancel and reissue the card. Consumers should also change any credit card web account passwords immediately when unauthorized charges are detected.

Final Thought

This is a most serious and regrettable situation that puts you at risk. Legislators will be briefed Monday morning and I'll report back. In the meantime, I urge each of you to be on alert and take the necessary steps to protect your identity, credit and banking information.

In your Service,

Bill Taylor

803-270-2012

Representative
South Carolina General
Assembly

Bill@taylorschouse.com

www.Taylorschouse.com

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Bill Taylor for SC House District 86 | P.O. Box 2646 | Aiken | SC | 29801

Fw: A new message from Tommy Pope

Veldran, Katherine

Sent: Friday, October 26, 2012 6:45 PM

To: Veldran, Katherine

From: Tommy Pope via Rally [mailto:team@rally.org]

Sent: Friday, October 26, 2012 05:00 PM

To: Veldran, Katherine

Subject: A new message from Tommy Pope

UPDATE FROM

Tommy Pope

via

☐ Share this ☐ Post a comment

RALLY

The South Carolina Department of Revenue announced today that they experienced a security breach. Approximately 3.6 million Social Security numbers and 387,000 credit and debit card numbers have been exposed in a cyber attack. Although the majority of the credit cards are protected by strong encryption, approximately 16,000 are unencrypted.

The state intends to provide those affected with one year of credit monitoring and identity theft protection. No public funds were accessed or put at risk.

According to a press release from the Department of Revenue, "Anyone who has filed a South Carolina tax return since 1998 is urged to visit protectmyid.com/scdor or call 1- 866-578-5422 to determine if their information is affected. If so, the taxpayer can immediately enroll in one year of identity protection service provided by Experian."

To learn more about the security breach and additional steps to protect your identity and financial information, view the press release here:
<http://www.sctax.org/NR/rdonlyres/5AF6995A-F9F0-42E7-A430-EC620CCE8C7D/0/1DORmediarelease.pdf>

[continue reading]

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RE: Experian PR contact

Ozzie Fonseca [ofonseca@experianinteractive.com]

Sent: Friday, October 26, 2012 6:35 PM**To:** Stirling, Bryan**Cc:** Greg Young [Greg.Young@experianinteractive.com]; Thad Westbrook [thad.westbrook@nelsonmullins.com]

Bryan:

I spoke with our call center and they found a way to record the message in eastern terms. That will be done within the next 60 minutes.

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

Experian Consumer Direct
535 Anton, Suite 100. Costa Mesa, CA 92626
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ozzie.fonseca@experian.com

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-----Original Message-----

From: Stirling, Bryan [<mailto:BryanStirling@gov.sc.gov>]
Sent: Friday, October 26, 2012 3:23 PM
To: Ozzie Fonseca
Cc: Greg Young; Thad Westbrook
Subject: RE: Experian PR contact

Thank you, call him now.

-----Original Message-----

From: Ozzie Fonseca [<mailto:ofonseca@experianinteractive.com>]
Sent: Friday, October 26, 2012 6:22 PM
To: Stirling, Bryan
Cc: Greg Young; Thad Westbrook
Subject: Experian PR contact

Bryan:

Here is our PR contact:

Greg Young
949 567-3791
Greg.Young@experianinteractive.com

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

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Re: Experian PR contact

Greg Young [Greg.Young@experianinteractive.com]

Sent: Friday, October 26, 2012 6:31 PM

To: Stirling, Bryan

Bryan -

I am getting to a spot where I can talk. Also taking a call so I can have more answers when I call you.

GY

Greg Young, APR
Experian Consumer Direct
Director, Public Relations /Consumer Engagement
949-294-5701

Sent by my iPhone

On Oct 26, 2012, at 3:25 PM, "Stirling, Bryan"
<BryanStirling@gov.sc.gov<mailto:BryanStirling@gov.sc.gov>> wrote:

Do you have a cell phone? It went to voicemail. This is urgent.

-----Original Message-----

From: Ozzie Fonseca [<mailto:ofonseca@experianinteractive.com>]
Sent: Friday, October 26, 2012 6:22 PM
To: Stirling, Bryan
Cc: Greg Young; Thad Westbrook
Subject: Experian PR contact

Bryan:

Here is our PR contact:

Greg Young
949 567-3791
Greg.Young@experianinteractive.com<<mailto:Greg.Young@experianinteractive.com>>

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

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Experian PR contact

Ozzie Fonseca [ofonseca@experianinteractive.com]

Sent: Friday, October 26, 2012 6:21 PM

To: Stirling, Bryan

Cc: Greg Young [Greg.Young@experianinteractive.com]; Thad Westbrook [thad.westbrook@nelsonmullins.com]

Bryan:

Here is our PR contact:

Greg Young
949 567-3791
Greg.Young@experianinteractive.com

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

Experian Consumer Direct
535 Anton, Suite 100. Costa Mesa, CA 92626
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RE: Experian

Jon Neiditz [Jon.Neiditz@nelsonmullins.com]

Sent: Friday, October 26, 2012 5:23 PM

To: Stirling, Bryan; Ozzie Fonseca [ofonseca@experianinteractive.com]; Rush Smith [rush.smith@nelsonmullins.com]; Michael.Bruegger@experianinteractive.com

Cc: Thad Westbrook [thad.westbrook@nelsonmullins.com]; Jim Etter [etter_jf@sctax.org]; Harry T. Cooper Jr. Esquire [cooperh@sctax.org]; rick.silver@chernoffnewman.com; Tim.Kelly@chernoffnewman.com; Emily.Brady@chernoffnewman.com

The other suggested step is to make it clear in messaging going forward that people have until January 31st to enroll in the Experian product and that there is no reason to think that harm resulted from the delay to date or will result from waiting a day or two now. The message today appears to have made it seem that harm from this incident might be imminent, and appears to have made it sound as if you need to run -- not walk -- to enroll before we run out of spots or close the enrollment tonight. In fact, the information we have received is that the information has not been used yet, and (if you believe law enforcement) will never be used. In that way, what I believe one publication called the "mysterious" statements about law enforcement have made this into a much bigger deal than it truly is. Happy to explain further.

Jon A. Neiditz
Partner
jon.neiditz@nelsonmullins.com
Nelson Mullins Riley & Scarborough LLP
Atlantic Station
201 17th Street NW, Suite 1700
Atlanta, GA 30363
Tel: 404.322.6139 Fax: 404.322.6033
<http://www.nelsonmullins.com/attorneys/jon-neiditz>

-----Original Message-----

From: Stirling, Bryan [mailto:BryanStirling@gov.sc.gov]
Sent: Friday, October 26, 2012 3:36 PM
To: Jon Neiditz; Ozzie Fonseca; Rush Smith;
Michael.Bruegger@experianinteractive.com
Cc: Thad Westbrook; Jim Etter; Harry T. Cooper Jr. Esquire
Subject: RE: Experian

We also need if possible to have a wait time announced on the calls.

-----Original Message-----

From: Jon Neiditz [mailto:Jon.Neiditz@nelsonmullins.com]
Sent: Friday, October 26, 2012 3:21 PM
To: Stirling, Bryan; Ozzie Fonseca; Rush Smith;
Michael.Bruegger@experianinteractive.com
Cc: Thad Westbrook; Jim Etter; Harry T. Cooper Jr. Esquire
Subject: RE: Experian

To Bryan's point, the press is all over the call center issues:

<http://www.postandcourier.com/article/20121026/PC16/121029399/1180/36-mi>

llion-sc-taxpayers-social-security-numbers-hacked-in-cyber-attack-sc-off
icials-say

-----Original Message-----

From: Stirling, Bryan [<mailto:BryanStirling@gov.sc.gov>]
Sent: Friday, October 26, 2012 3:17 PM
To: Ozzie Fonseca; Rush Smith
Cc: Thad Westbrook; Jon Neiditz; Jim Etter; Harry T. Cooper Jr. Esquire
Subject: RE: Experian

Need to change the response from "Costumer Care Department is closed,"
to something else. Can we add capacity and keep people on hold instead
of telling them the department is closed?

-----Original Message-----

From: Ozzie Fonseca [<mailto:ofonseca@experianinteractive.com>]
Sent: Friday, October 26, 2012 3:15 PM
To: Rush Smith
Cc: Ozzie Fonseca; Stirling, Bryan; Thad H. Westbrook; Jon Neiditz; Jim
Etter; Harry T. Cooper Jr. Esquire
Subject: Re: Experian

Rush:

We have over 200 agents on the phone right now and we are working to add
more.

Regarding reporting, let me see what I can do.

Thanks

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

Experian Consumer Direct
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ozzie.fonseca@experian.com<<mailto:ozzie.fonseca@experian.com>>

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Rush Smith <rush.smith@nelsonmullins.com> wrote:

Ozzie,

In addition to Brian's question I'd like to ask if you could you provide email updates to us about hold times at intervals as we move through the next day or two. Thanks.

Rush

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson Mullins
Riley & Scarborough, LLP, Columbia SC

Sent from my iPad

On Oct 26, 2012, at 2:33 PM, "Stirling, Bryan"
<BryanStirling@gov.sc.gov> wrote:

> What progress have we made on adding people at the call center? Media reporting long wait times.

>

> ----- Original Message -----

> From: Rush Smith [<mailto:rush.smith@nelsonmullins.com>]

> Sent: Friday, October 26, 2012 02:25 PM

> To: ofonseca@experianinteractive.com

> <ofonseca@experianinteractive.com>

> Cc: jon.neiditz@nelsonmullins.com <jon.neiditz@nelsonmullins.com>;

> KimpsoM@sctax.org <KimpsoM@sctax.org>;

> thad.westbrook@nelsonmullins.com <thad.westbrook@nelsonmullins.com>;

> Emily.Brady@chernoffnewman.com <Emily.Brady@chernoffnewman.com>;

> Rick.Silver@chernoffnewman.com <Rick.Silver@chernoffnewman.com>;

> Tim.Kelly@chernoffnewman.com <Tim.Kelly@chernoffnewman.com>; Pitts,

> Ted; Stirling, Bryan; Harry T. Cooper Jr. Esquire <cooperh@sctax.org>

> Subject: Re: Experian

>

> Ozzie,

> We have finished press conference and local news media are continuing live with the story. I wanted to let you know.

> Rush

>

> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson

> Mullins Riley & Scarborough, LLP, Columbia SC

>

> Sent from my iPad

>

> On Oct 26, 2012, at 1:35 PM, "Stirling, Bryan"

<BryanStirling@gov.sc.gov> wrote:

>

>> Thank you. Please keep us posted.

>>

>> ----- Original Message -----

>> From: Ozzie Fonseca [<mailto:ofonseca@experianinteractive.com>]

>> Sent: Friday, October 26, 2012 01:34 PM

>> To: Rush Smith <rush.smith@nelsonmullins.com>

>> Cc: Ozzie Fonseca <ofonseca@experianinteractive.com>; Jon Neiditz

>> <jon.neiditz@nelsonmullins.com>; KimpsoM@sctax.org

>> <KimpsoM@sctax.org>; Thad Westbrook

>> <thad.westbrook@nelsonmullins.com>; Stirling, Bryan; Emily Brady
>> <Emily.Brady@chernoffnewman.com>; Rick Silver
>> <Rick.Silver@chernoffnewman.com>; Tim Kelly
>> <Tim.Kelly@chernoffnewman.com>; Pitts, Ted
>> Subject: Re: Experian
>>
>> On the phone with our call center management. Additional staffing
will be allocated as appropriate.
>>
>> Current hold time is now 5 minutes and dropping.
>>
>> Ozzie Fonseca, CIPP/US
>> Senior Director, Data Breach Resolution
>>
>> Experian Consumer Direct
>> 535 Anton, Suite 100.
>> Costa Mesa, CA 92626
>> (949) 567-3851 - Desk
>> (949) 302-2299 -
>> Cell (949) 242-2938 - Fax
>> ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>
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Receipt by anyone other than the named recipient(s) is not a waiver of
any attorney-client, work product, or other applicable privilege.
>>
>>
>> Rush Smith <rush.smith@nelsonmullins.com> wrote:
>>
>> Ozzie?
>>
>> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson
>> Mullins Riley & Scarborough, LLP, Columbia SC
>>
>> Sent from my iPad
>>
>> On Oct 26, 2012, at 1:29 PM, "Pitts, Ted" <TedPitts@gov.sc.gov>
wrote:
>>
>>> Called the 866 number am on the phone with rep now wait time was 8
minutes 19 seconds.
>>>
>>> Ted
>>>
>>> -----Original Message-----

>>> From: Rush Smith [<mailto:rush.smith@nelsonmullins.com>]
>>> Sent: Friday, October 26, 2012 1:27 PM
>>> To: Ozzie Fonseca
>>> Cc: Jon Neiditz; Kimpsom@sctax.org; Thad Westbrook; Stirling, Bryan;

>>> Pitts, Ted; Emily Brady; Rick Silver; Tim Kelly
>>> Subject: Re: Experian
>>>
>>> Ozzie,
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happier consumer experience. It should tell people to call the number,
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>>>>
>>>> If you decide that 3.6 million is the right number we will do our
best, but in the interest of the best customer experience I would
suggest ordering the correct amount. Otherwise, we should create a short
addendum to request additional codes later today.
>>>>
>>>> Please let me know your thoughts.
>>>>
>>>> Ozzie Fonseca, CIPP/US
>>>> Senior Director, Data Breach Resolution
>>>>
>>>> Experian Consumer Direct
>>>> 535 Anton, Suite 100.
>>>> Costa Mesa, CA 92626
>>>> (949) 567-3851 - Desk
>>>> (949) 302-2299 -
>>>> Cell (949) 242-2938 - Fax
>>>> ozzie.fonseca@experian.com<<mailto:ozzie.fonseca@experian.com>>
>>>>
>>>> Blog:
>>>> www.Experian.com/blogs/data-breach<<http://www.Experian.com/blogs/da>
>>>> ta-<<http://www.Experian.com/blogs/data-breach><<http://www.Experian.c>
>>>> om/blogs/data-<<http://www.Experian.com/blogs/data-breach><<http://www>
>>>> .Experian.com/blogs/data-<<http://www.Experian.com/blogs/data-breach>
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>>>> ian_DBR<http://www.Twitter.com/Experian_DBR<<http://www.Twitter.com/>
>>>> Experian_DBR>>> Visit us at <http://www.experian.com/databreach>
>>>>

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>>>>

>>>>

>>>> Rush Smith <rush.smith@nelsonmullins.com> wrote:

>>>>

>>>> Can you give us guidance on this? Story broke and you will start getting calls. Is call center ready? Please let us know when it will be. You should have signed contract soon.

>>>>

>>>> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson

>>>> Mullins Riley & Scarborough, LLP, Columbia SC

>>>>

>>>>

>>>>

>>>> -----Original Message-----

>>>> From: Tim Kelly [<mailto:Tim.Kelly@chernoffnewman.com>]

>>>> Sent: Friday, October 26, 2012 12:52 PM

>>>> To: Rush Smith

>>>> Subject: Experian

>>>>

>>>> People are going to site and being asked to enter a code.

>>>>

>>>> Sent from my iPhone

>

>

Recording

Ozzie Fonseca [ofonseca@experianinteractive.com]

Sent: Friday, October 26, 2012 5:19 PM

To: Stirling, Bryan

I'm still trying to track down my call center contact to get status. I'll send you an update as soon as I can.

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

Experian Consumer Direct
535 Anton, Suite 100. Costa Mesa, CA 92626
(949) 567-3851 - Desk
(949) 302-2299 - Cell
(949) 242-2938 - Fax
ozzie.fonseca@experian.com

Blog: www.Experian.com/blogs/data-breach
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legislator notifications

Schimsa, Rebecca

Sent: Friday, October 26, 2012 4:47 PM

To: Pitts, Ted; Veldran, Katherine; Stirling, Bryan; Godfrey, Rob

Cc: Haltiwanger, Katherine; Soura, Christian

This afternoon at 4:45 p.m., an email went out to members of the General Assembly including:

1. Media release from our office;
2. Media release from DOR;
3. Video of today's press conference; and
4. Conference call information for Monday.

Thanks.

Rebecca S. Schimsa
Office of Governor Nikki R. Haley
Staff Attorney & Commerce Liaison
O: (803) 734-6068 | C: (803) 429-4561

UPDATE - Video: Gov. Nikki Haley, SLED, U.S. Secret Service, S.C. DOR respond to cyber attack with consumer safety solutions

Godfrey, Rob

Sent: Friday, October 26, 2012 4:27 PM

Importance: High

Attachments: Media_Release_10262012.pdf (1 MB)

The S.C. Department of Revenue announced on October 26, 2012 that approximately 3.6 million Social Security numbers and 387,000 credit and debit card numbers have been exposed in a cyber attack.

Governor Nikki Haley, South Carolina Law Enforcement Division Chief Mark Keel, United States Secret Service Special Agent in Charge Michael Williams, South Carolina Department of Revenue Director Jim Etter and State Inspector General Patrick Maley today responded to news of the cyber attack with consumer safety solutions during an afternoon press conference.

Video of the press conference is available here: <http://www.youtube.com/watch?v=0Dax66JEzVs&>
Attached you will find a press kit that includes consumer safety solutions.

Anyone who has filed a South Carolina tax return since 1998 should take the following steps:

1. Call 1-866-578-5422 where you will enroll in a consumer protection service. **The call center is open 9:00 AM – 9:00 PM EST on Monday through Friday and 11:00 AM – 8:00 PM EST on Saturday and Sunday.**
2. Then you will determine if you wish to have an online or US Mail alert mechanism.
3. For the online service, visit <http://www.protectmyid.com/scdor>. For the US Mail service, you will receive notifications via the US mail.

Experian's ProtectMyID™ Alert is designed to detect, protect and resolve potential identity theft, and includes daily monitoring of all three credit bureaus. The alerts and daily monitoring services are provided for one year, and consumers will continue to have access to fraud resolution agents and services beyond the first year.

Rob Godfrey
Office of Gov. Nikki Haley
O: (803) 734-5074 | C: (803) 429-5086

RE: Experian

Ozzie Fonseca [ofonseca@experianinteractive.com]

Sent: Friday, October 26, 2012 4:16 PM

To: Stirling, Bryan

Cc: Ozzie Fonseca [ofonseca@experianinteractive.com]

The call center hours are 9 a.m. to 9 p.m. Monday through Friday and 11 a.m. to 8 p.m. Saturday and Sunday (all times are eastern)

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

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ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>

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"Stirling, Bryan" <BryanStirling@gov.sc.gov> wrote:

We also need to have the hours on the answer East Coast time.

-----Original Message-----

From: Ozzie Fonseca [mailto:ofonseca@experianinteractive.com]
Sent: Friday, October 26, 2012 3:39 PM
To: Jon Neiditz
Cc: Stirling, Bryan; Ozzie Fonseca; Rush Smith; Michael Bruemmer; Thad Westbrook; Jim Etter; Harry T. Cooper Jr. Esquire
Subject: RE: Experian

Jon:

We're continuing to add more staff for the calls. Let me look into the issue described below I'll send an update as soon as possible

thanks

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

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Jon Neiditz <Jon.Neiditz@nelsonmullins.com> wrote:

To Bryan's point, the press is all over the call center issues:

<http://www.postandcourier.com/article/20121026/PC16/121029399/1180/36-million-sc-taxpayers-social-security-numbers-hacked-in-cyber-attack-sc-officials-say>

-----Original Message-----

From: Stirling, Bryan [mailto:BryanStirling@gov.sc.gov]
Sent: Friday, October 26, 2012 3:17 PM
To: Ozzie Fonseca; Rush Smith
Cc: Thad Westbrook; Jon Neiditz; Jim Etter; Harry T. Cooper Jr. Esquire
Subject: RE: Experian

Need to change the response from "Costumer Care Department is closed," to something else. Can we add capacity and keep people on hold instead of telling them the department is closed?

-----Original Message-----

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>> On the phone with our call center management. Additional staffing
will be allocated as appropriate.
>>
>> Current hold time is now 5 minutes and dropping.
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>> Senior Director, Data Breach Resolution
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>> Experian Consumer Direct
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>> ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>
>>
>> Blog:
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>> oqs/data>
>> -breach<<http://www.Experian.com/blogs/data-breach>>
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>>>> Ozzie Fonseca, CIPP/US
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>>>> Costa Mesa, CA 92626
>>>> (949) 567-3851 - Desk
>>>> (949) 302-2299 -
>>>> Cell (949) 242-2938 - Fax

<https://scowa.sc.gov/owa/?ae=Item&t=IPM.Note&id=RgAAAAAaFa%2fCX%2forSYO...> 10/31/2012

RE: Experian

Ozzie Fonseca [ofonseca@experianinteractive.com]

Sent: Friday, October 26, 2012 3:39 PM

To: Jon Neiditz [Jon.Neiditz@nelsonmullins.com]

Cc: Stirling, Bryan; Ozzie Fonseca [ofonseca@experianinteractive.com]; Rush Smith [rush.smith@nelsonmullins.com]; Michael Bruemmer [Michael.Bruemmer@experianinteractive.com]; Thad Westbrook [thad.westbrook@nelsonmullins.com]; Jim Etter [etter_jf@sctax.org]; Harry T. Cooper Jr. Esquire [cooperh@sctax.org]

Jon:

We're continuing to add more staff for the calls. Let me look into the issue described below I'll send an update as soon as possible

thanks

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

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-----Original Message-----

From: Stirling, Bryan [<mailto:BryanStirling@gov.sc.gov>]
Sent: Friday, October 26, 2012 3:17 PM
To: Ozzie Fonseca; Rush Smith
Cc: Thad Westbrook; Jon Neiditz; Jim Etter; Harry T. Cooper Jr. Esquire
Subject: RE: Experian

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-----Original Message-----

From: Ozzie Fonseca [<mailto:ofonseca@experianinteractive.com>]
Sent: Friday, October 26, 2012 3:15 PM
To: Rush Smith
Cc: Ozzie Fonseca; Stirling, Bryan; Thad H. Westbrook; Jon Neiditz; Jim Etter; Harry T. Cooper Jr. Esquire
Subject: Re: Experian

Rush:

We have over 200 agents on the phone right now and we are working to add more.

Regarding reporting, let me see what I can do.

Thanks

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

Experian Consumer Direct
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Costa Mesa, CA 92626
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Rush Smith <rush.smith@nelsonmullins.com> wrote:

Ozzie,
In addition to Brian's question I'd like to ask if you could you provide email updates to us about hold times at intervals as we move through the next day or two. Thanks.
Rush

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson Mullins
Riley & Scarborough, LLP, Columbia SC

Sent from my iPad

On Oct 26, 2012, at 2:33 PM, "Stirling, Bryan"
<BryanStirling@gov.sc.gov> wrote:

> What progress have we made on adding people at the call center? Media reporting long wait times.

> ----- Original Message -----

> From: Rush Smith (mailto:rush.smith@nelsonmullins.com)

> Sent: Friday, October 26, 2012 02:25 PM

> To: ofonseca@experianinteractive.com

> <ofonseca@experianinteractive.com>

> Cc: jon.neiditz@nelsonmullins.com <jon.neiditz@nelsonmullins.com>;

> KimpsoM@sctax.org <KimpsoM@sctax.org>;

> thad.westbrook@nelsonmullins.com <thad.westbrook@nelsonmullins.com>;

> Emily.Brady@chernoffnewman.com <Emily.Brady@chernoffnewman.com>;

> Rick.Silver@chernoffnewman.com <Rick.Silver@chernoffnewman.com>;

> Tim.Kelly@chernoffnewman.com <Tim.Kelly@chernoffnewman.com>; Pitts,

> Ted; Stirling, Bryan; Harry T. Cooper Jr. Esquire <cooperh@sctax.org>

> Subject: Re: Experian

>

> Ozzie,

> We have finished press conference and local news media are continuing live with the story. I wanted to let you know.

> Rush

>

> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson

> Mullins Riley & Scarborough, LLP, Columbia SC

>

> Sent from my iPad

>

> On Oct 26, 2012, at 1:35 PM, "Stirling, Bryan"

<BryanStirling@gov.sc.gov> wrote:

>

>> Thank you. Please keep us posted.

>>

>> ----- Original Message -----

>> From: Ozzie Fonseca (mailto:ofonseca@experianinteractive.com)

>> Sent: Friday, October 26, 2012 01:34 PM

>> To: Rush Smith <rush.smith@nelsonmullins.com>

>> Cc: Ozzie Fonseca <ofonseca@experianinteractive.com>; Jon Neiditz

>> <jon.neiditz@nelsonmullins.com>; KimpsoM@sctax.org

>> <KimpsoM@sctax.org>; Thad Westbrook

>> <thad.westbrook@nelsonmullins.com>; Stirling, Bryan; Emily Brady

>> <Emily.Brady@chernoffnewman.com>; Rick Silver

>> <Rick.Silver@chernoffnewman.com>; Tim Kelly

>> <Tim.Kelly@chernoffnewman.com>; Pitts, Ted

>> Subject: Re: Experian

>>

>> On the phone with our call center management. Additional staffing will be allocated as appropriate.

>>

>> Current hold time is now 5 minutes and dropping.

>>

>> Ozzie Fonseca, CIPP/US

>> Senior Director, Data Breach Resolution

>>

>> Experian Consumer Direct

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>> Costa Mesa, CA 92626

>> (949) 567-3851 - Desk

>> (949) 302-2299 -

>> Cell (949) 242-2938 - Fax

>> ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>

>>

>> Blog:

>> www.Experian.com/blogs/data-breach<http://www.Experian.com/blogs/data-breach>

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>> <http://www.Experian.com/blogs/data-breach>> Follow us on Twitter:

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>>>
```

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>>>> Rush Smith <rush.smith@nelsonmullins.com> wrote:
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>>>> Can you give us guidance on this? Story broke and you will start
>>>> getting calls. Is call center ready? Please let us know when it
>>>> will be. You should have signed contract soon.
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>>>> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson
>>>> Mullins Riley & Scarborough, LLP, Columbia SC
>>>>
>>>>
>>>> -----Original Message-----
>>>> From: Tim Kelly (<mailto:Tim.Kelly@chernoffnewman.com>)
>>>> Sent: Friday, October 26, 2012 12:52 PM
>>>> To: Rush Smith
>>>> Subject: Experian
>>>>
>>>> People are going to site and being asked to enter a code.
>>>>
>>>> Sent from my iPhone
>
>

RE: Experian

Jon Neiditz [Jon.Neiditz@nelsonmullins.com]

Sent: Friday, October 26, 2012 3:20 PM

To: Stirling, Bryan; Ozzie Fonseca [ofonseca@experianinteractive.com]; Rush Smith [rush.smith@nelsonmullins.com]; Michael.Bruemmer@experianinteractive.com

Cc: Thad Westbrook [thad.westbrook@nelsonmullins.com]; Jim Etter [etter_jf@sctax.org]; Harry T. Cooper Jr. Esquire [cooperh@sctax.org]

To Bryan's point, the press is all over the call center issues:

<http://www.postandcourier.com/article/20121026/PC16/121029399/1180/36-million-sc-taxpayers-social-security-numbers-hacked-in-cyber-attack-sc-officials-say>

-----Original Message-----

From: Stirling, Bryan [mailto:BryanStirling@gov.sc.gov]

Sent: Friday, October 26, 2012 3:17 PM

To: Ozzie Fonseca; Rush Smith

Cc: Thad Westbrook; Jon Neiditz; Jim Etter; Harry T. Cooper Jr. Esquire

Subject: RE: Experian

Need to change the response from "Costumer Care Department is closed," to something else. Can we add capacity and keep people on hold instead of telling them the department is closed?

-----Original Message-----

From: Ozzie Fonseca [mailto:ofonseca@experianinteractive.com]

Sent: Friday, October 26, 2012 3:15 PM

To: Rush Smith

Cc: Ozzie Fonseca; Stirling, Bryan; Thad H. Westbrook; Jon Neiditz; Jim Etter; Harry T. Cooper Jr. Esquire

Subject: Re: Experian

Rush:

We have over 200 agents on the phone right now and we are working to add more.

Regarding reporting, let me see what I can do.

Thanks

Ozzie Fonseca, CIPP/US

Senior Director, Data Breach Resolution

Experian Consumer Direct

535 Anton, Suite 100.

Costa Mesa, CA 92626

(949) 567-3851 - Desk

(949) 302-2299 -

Cell (949) 242-2938 - Fax

ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>

Blog:

www.Experian.com/blogs/data-breach<<http://www.Experian.com/blogs/data-breach>>

Follow us on Twitter:

www.Twitter.com/Experian_DBR<http://www.Twitter.com/Experian_DBR>

Visit us at <http://www.experian.com/databreach>

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Rush Smith <rush.smith@nelsonmullins.com> wrote:

Ozzie,

In addition to Brian's question I'd like to ask if you could you provide email updates to us about hold times at intervals as we move through the next day or two. Thanks.

Rush

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson Mullins
Riley & Scarborough, LLP, Columbia SC

Sent from my iPad

On Oct 26, 2012, at 2:33 PM, "Stirling, Bryan"
<BryanStirling@gov.sc.gov> wrote:

> What progress have we made on adding people at the call center? Media reporting long wait times.

>

> ----- Original Message -----

> From: Rush Smith [<mailto:rush.smith@nelsonmullins.com>]

> Sent: Friday, October 26, 2012 02:25 PM

> To: ofonseca@experianinteractive.com

> <ofonseca@experianinteractive.com>

> Cc: jon.neiditz@nelsonmullins.com <jon.neiditz@nelsonmullins.com>;

> KimpsoM@sctax.org <KimpsoM@sctax.org>;

> thad.westbrook@nelsonmullins.com <thad.westbrook@nelsonmullins.com>;

> Emily.Brady@chernoffnewman.com <Emily.Brady@chernoffnewman.com>;

> Rick.Silver@chernoffnewman.com <Rick.Silver@chernoffnewman.com>;

> Tim.Kelly@chernoffnewman.com <Tim.Kelly@chernoffnewman.com>; Pitts,

> Ted; Stirling, Bryan; Harry T. Cooper Jr. Esquire <cooperh@sctax.org>

> Subject: Re: Experian

>

> Ozzie,

> We have finished press conference and local news media are continuing live with the story. I wanted to let you know.

> Rush

>

> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson

> Mullins Riley & Scarborough, LLP, Columbia SC

>

> Sent from my iPad
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>>
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>> From: Ozzie Fonseca [<mailto:ofonseca@experianinteractive.com>]
>> Sent: Friday, October 26, 2012 01:34 PM
>> To: Rush Smith <rush.smith@nelsonmullins.com>
>> Cc: Ozzie Fonseca <ofonseca@experianinteractive.com>; Jon Neiditz
>> <jon.neiditz@nelsonmullins.com>; KimpsoM@sctax.org
>> <KimpsoM@sctax.org>; Thad Westbrook
>> <thad.westbrook@nelsonmullins.com>; Stirling, Bryan; Emily Brady
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>> <Rick.Silver@chernoffnewman.com>; Tim Kelly
>> <Tim.Kelly@chernoffnewman.com>; Pitts, Ted
>> Subject: Re: Experian
>>
>> On the phone with our call center management. Additional staffing
will be allocated as appropriate.
>>
>> Current hold time is now 5 minutes and dropping.
>>
>> Ozzie Fonseca, CIPP/US
>> Senior Director, Data Breach Resolution
>>
>> Experian Consumer Direct
>> 535 Anton, Suite 100.
>> Costa Mesa, CA 92626
>> (949) 567-3851 - Desk
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>> Cell (949) 242-2938 - Fax
>> ozzie.fonseca@experian.com<<mailto:ozzie.fonseca@experian.com>>
>>
>> Blog:
>> www.Experian.com/blogs/data-breach<<http://www.Experian.com/blogs/data-breach><<http://www.Experian.com/blogs/data-breach><<http://www.Experian.com/blogs/data-breach>>> Follow us on Twitter:
>> www.Twitter.com/Experian_DBR<http://www.Twitter.com/Experian_DBR<http://www.Twitter.com/Experian_DBR<http://www.Twitter.com/Experian_DBR>>
>> Visit us at <http://www.experian.com/databreach>
>>
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or files is confidential and may contain privileged information intended
only for the named recipient(s). If you are not the intended
recipient(s), you are hereby notified that the dissemination,
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you receive this message in error, or are not the named recipient(s),
please notify the sender at the email address above, delete this email
from your computer, and destroy any copies in any form immediately.
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>> Rush Smith <rush.smith@nelsonmullins.com> wrote:
>>
>> Ozzie?
>>

>> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson
>> Mullins Riley & Scarborough, LLP, Columbia SC
>>
>> Sent from my iPad
>>
>> On Oct 26, 2012, at 1:29 PM, "Pitts, Ted" <TedPitts@gov.sc.gov>
wrote:
>>
>>> Called the 866 number am on the phone with rep now wait time was 8
minutes 19 seconds.
>>>
>>> Ted
>>>
>>> -----Original Message-----
>>> From: Rush Smith [<mailto:rush.smith@nelsonmullins.com>]
>>> Sent: Friday, October 26, 2012 1:27 PM
>>> To: Ozzie Fonseca
>>> Cc: Jon Neiditz; Kimpsom@sctax.org; Thad Westbrook; Stirling, Bryan;

>>> Pitts, Ted; Emily Brady; Rick Silver; Tim Kelly
>>> Subject: Re: Experian
>>>
>>> Ozzie,
>>> We need some content on the website ASAP so that we can have a
happier consumer experience. It should tell people to call the number,
get a code, and the return to the website to enroll. Please get that
added. Thanks much.
>>> Rush
>>>
>>> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson
>>> Mullins Riley & Scarborough, LLP, Columbia SC
>>>
>>> Sent from my iPad
>>>
>>> On Oct 26, 2012, at 12:58 PM, "Ozzie Fonseca"
<ofonseca@experianinteractive.com> wrote:
>>>
>>>> I just hung up with our call center. They are getting calls already
and I are distributing codes to those were interested.
>>>>
>>>> Given the fact that we are already taking calls I am a little
concerned by not having enough codes to assign to each individual.
>>>>
>>>> If you decide that 3.6 million is the right number we will do our
best, but in the interest of the best customer experience I would
suggest ordering the correct amount. Otherwise, we should create a short
addendum to request additional codes later today.
>>>>
>>>> Please let me know your thoughts.
>>>>
>>>> Ozzie Fonseca, CIPP/US
>>>> Senior Director, Data Breach Resolution
>>>>
>>>> Experian Consumer Direct
>>>> 535 Anton, Suite 100.
>>>> Costa Mesa, CA 92626
>>>> (949) 567-3851 - Desk
>>>> (949) 302-2299 -
>>>> Cell (949) 242-2938 - Fax
>>>> ozzie.fonseca@experian.com<<mailto:ozzie.fonseca@experian.com>>

Re: Experian

Ozzie Fonseca [ofonseca@experianinteractive.com]

Sent: Friday, October 26, 2012 3:14 PM**To:** Rush Smith [rush.smith@nelsonmullins.com]**Cc:** Ozzie Fonseca [ofonseca@experianinteractive.com]; Stirling, Bryan; Thad H. Westbrook [thad.westbrook@nelsonmullins.com]; Jon Neiditz [Jon.Neiditz@nelsonmullins.com]; Jim Etter [etter_jf@sctax.org]; Harry T. Cooper Jr. Esquire [cooperh@sctax.org]

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ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>Blog: www.Experian.com/blogs/data_breach<http://www.Experian.com/blogs/data_breach>
Follow us on Twitter: www.Twitter.com/Experian_DBR<http://www.Twitter.com/Experian_DBR>
Visit us at <http://www.experian.com/databreach>

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RushRush Smith | 803-255-9492 | rush.smith@nelsonmullins.com
Nelson Mullins Riley & Scarborough, LLP, Columbia SC

Sent from my iPad

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> To: ofonseca@experianinteractive.com <ofonseca@experianinteractive.com>

> Cc: jon.neiditz@nelsonmullins.com <jon.neiditz@nelsonmullins.com>; KimpsoM@sctax.org <KimpsoM@sctax.org>; thad.westbrook@nelsonmullins.com <thad.westbrook@nelsonmullins.com>; Emily.Brady@chernoffnewman.com <Emily.Brady@chernoffnewman.com>; Rick.Silver@chernoffnewman.com <Rick.Silver@chernoffnewman.com>; Tim.Kelly@chernoffnewman.com <Tim.Kelly@chernoffnewman.com>; Pitts, Ted; Stirling, Bryan; Harry T. Cooper Jr. Esquire <cooperh@sctax.org>

> Subject: Re: Experian

> Ozzie,

> We have finished press conference and local news media are continuing live with the story. I wanted to let you know.

> Rush

> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com
> Nelson Mullins Riley & Scarborough, LLP, Columbia SC

> Sent from my iPad

> On Oct 26, 2012, at 1:35 PM, "Stirling, Bryan" <BryanStirling@gov.sc.gov> wrote:

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>> Sent: Friday, October 26, 2012 01:34 PM

>> To: Rush Smith <rush.smith@nelsonmullins.com>

>> Cc: Ozzie Fonseca <ofonseca@experianinteractive.com>; Jon Neiditz <jon.neiditz@nelsonmullins.com>; KimpsoM@sctax.org <KimpsoM@sctax.org>; Thad Westbrook <thad.westbrook@nelsonmullins.com>; Stirling, Bryan; Emily Brady <Emily.Brady@chernoffnewman.com>; Rick Silver <Rick.Silver@chernoffnewman.com>; Tim Kelly <Tim.Kelly@chernoffnewman.com>; Pitts, Ted

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>> Ozzie Fonseca, CIPP/US
>> Senior Director, Data Breach Resolution>> Experian Consumer Direct
>> 535 Anton, Suite 100.
>> Costa Mesa, CA 92626
>> (949) 567-3851 - Desk

<https://scowa.sc.gov/owa/?ae=Item&t=IPM.Note&id=RgAAAAAaFa%2fCX%2forSYO...> 10/31/2012

```
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>>>> People are going to site and being asked to enter a code.
>>>>
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RE: Experian

Tim Kelly [Tim.Kelly@chernoffnewman.com]

Sent: Friday, October 26, 2012 3:12 PM

To: Ozzie Fonseca [ofonseca@experianinteractive.com]; Jon Neiditz [Jon.Neiditz@nelsonmullins.com]

Cc: Rush Smith [rush.smith@nelsonmullins.com]; Pitts, Ted; Stirling, Bryan; Harry T. Cooper Jr. Esquire [cooperh@sctax.org]

The current message on the number is stating that the call center is closed.

-----Original Message-----

From: Ozzie Fonseca [mailto:ofonseca@experianinteractive.com]

Sent: Friday, October 26, 2012 2:51 PM

To: Jon Neiditz

Cc: Rush Smith; Ozzie Fonseca; KimpsoM@sctax.org; Thad Westbrook; Emily Brady; Rick Silver; Tim Kelly; Pitts, Ted; Stirling, Bryan; Harry T. Cooper Jr. Esquire

Subject: RE: Experian

Jon:

And FAQ regarding minors would certainly be useful. We have received a few calls regarding children.

Thanks

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

Experian Consumer Direct
535 Anton, Suite 100.
Costa Mesa, CA 92626
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ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>

Blog:

www.Experian.com/blogs/data-breach<<http://www.Experian.com/blogs/data-breach>>

Follow us on Twitter:

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Jon Neiditz <Jon.Neiditz@nelsonmullins.com> wrote:

Hats off to Jim Etter, the calming voice in the storm. Ozzie, the reporters (in addition to telling everyone the state has probably paid \$50 per enrollee, and calculating that out at 100% participation) have suggested that children should be enrolled. Do you have or need an FAQ on the likelihood of children's SSNs being included in the records?

Jon A. Neiditz
Partner
jon.neiditz@nelsonmullins.com
Nelson Mullins Riley & Scarborough LLP
Atlantic Station
201 17th Street NW, Suite 1700
Atlanta, GA 30363
Tel: 404.322.6139 Fax: 404.322.6033
<http://www.nelsonmullins.com/attorneys/jon-neiditz>

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From: Rush Smith
Sent: Friday, October 26, 2012 2:25 PM
To: ofonseca@experianinteractive.com
Cc: Jon Neiditz; KimpsoM@sctax.org; Thad Westbrook;
Emily.Brady@chernoffnewman.com; Rick.Silver@chernoffnewman.com;
Tim.Kelly@chernoffnewman.com; Pitts, Ted; Stirling, Bryan; Harry T.
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Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com

Nelson Mullins Riley & Scarborough, LLP, Columbia SC

Sent from my iPad

On Oct 26, 2012, at 1:35 PM, "Stirling, Bryan"
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> <jon.neiditz@nelsonmullins.com>; KimpsoM@sctax.org

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> <thad.westbrook@nelsonmullins.com>; Stirling, Bryan; Emily Brady

> <Emily.Brady@chernoffnewman.com>; Rick Silver

> <Rick.Silver@chernoffnewman.com>; Tim Kelly

> <Tim.Kelly@chernoffnewman.com>; Pitts, Ted

> Subject: Re: Experian

>

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<https://scowa.sc.gov/owa/?ae=Item&t=IPM.Note&id=RgAAAAAaFa%2fCX%2forSYO...> 10/31/2012

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any attorney-client, work product, or other applicable privilege.

>>>

>>>

>>> Rush Smith <rush.smith@nelsonmullins.com> wrote:

>>>

>>> Can you give us guidance on this? Story broke and you will start
>>> getting calls. Is call center ready? Please let us know when it
>>> will be. You should have signed contract soon.

>>>

>>> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson

>>> Mullins Riley & Scarborough, LLP, Columbia SC

>>>

>>>

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>>> Sent: Friday, October 26, 2012 12:52 PM

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S.C. Department of Revenue Responds to Cyber Attack, Will Provide Credit Monitoring and Identity Theft Protection to Taxpayers

Godfrey, Rob

Sent: Friday, October 26, 2012 3:06 PM

Attachments: Media_Release_10262012.pdf (1 MB)

S.C. Department of Revenue Responds to Cyber Attack, Will Provide Credit Monitoring and Identity Theft Protection to Taxpayers

Hacker illegally obtained credit card and Social Security numbers

COLUMBIA, S.C. – The South Carolina Department of Revenue today announced that approximately 3.6 million Social Security numbers and 387,000 credit and debit card numbers have been exposed in a cyber attack. Of the credit cards, the vast majority are protected by strong encryption deemed sufficient under the demanding credit card industry standards to protect the data and cardholders. Approximately 16,000 are unencrypted.

*****Press kit attached with information regarding the chronology of the investigation and consumer safety solutions is attached.*****

To protect taxpayers, the state will provide those affected with one year of credit monitoring and identity theft protection. Officials emphasized that no public funds were accessed or put at risk.

"On October 10, the S.C. Division of Information Technology informed the S.C. Department of Revenue of a potential cyber attack involving the personal information of taxpayers," said DOR Director James Etter. "We worked with them throughout that day to determine what may have happened and what steps to take to address the situation. We also immediately began consultations with state and federal law enforcement agencies and briefed the governor's office."

Upon the recommendation of law enforcement officials, DOR contracted Mandiant, one of the world's top information security companies, to assist in the investigation, help secure the system, install new equipment and software and institute tighter controls on access.

On October 16, investigators uncovered two attempts to probe the system in early September, and later learned that a previous attempt was made in late August. In mid-September, two other intrusions occurred, and to the best of the department's knowledge, the hacker obtained data for the first time. No other intrusions have been uncovered at this time. On October 20, the vulnerability in the system was closed and, to the best of the department's knowledge, secured.

"The number of records breached requires an unprecedented, large-scale response by the Department of Revenue, the State of South Carolina and all our citizens," said Gov. Nikki Haley. "We are taking immediate steps to protect the taxpayers of South Carolina, including providing one year of credit monitoring and identity protection to those affected."

Anyone who has filed a South Carolina tax return since 1998 is urged to visit protectmyid.com/scdor or call 1- 866-578-5422 to determine if their information is affected. If so, the taxpayer can immediately enroll in one year of identity protection service provided by Experian.

Experian's ProtectMyID™ Alert is designed to detect, protect and resolve potential identity theft, and includes daily monitoring of all three credit bureaus. The alerts and daily monitoring services are provided for one year, and consumers will continue to have access to fraud resolution agents and services beyond the first year.

In addition to the Experian service, state officials urged individuals to consider additional steps to protect their identity and financial information, including:

- Regularly review credit reports;
- Place fraud alerts with the three credit bureaus;
- Place a security freeze on financial and credit information with the three credit bureaus.

If credit card information is compromised, the best protection is to have the bank reissue the card. Anyone who has used a credit card in a transaction with the Department of Revenue should check bank accounts regularly to see if any unauthorized charges have occurred. If so, the cardholder should contact the credit card issuer immediately by calling the toll-free number located on the back of the card or on a monthly statement, tell them what you have seen, and ask them to cancel and reissue the card. Consumers should also change any credit card web account passwords immediately when unauthorized charges are detected.

"From the first moment we learned of this, our top priority has been to protect the taxpayers and the citizens of South Carolina, and every action we've taken has been consistent with that priority," Etter said. "We have an obligation to protect the personal information entrusted to us, and we are redoubling our efforts to meet that obligation."

-###-

Rob Godfrey
Office of Gov. Nikki Haley
O: (803) 734-5074 | C: (803) 429-5086



State of South Carolina
Department of Revenue

300A Outlet Pointe Blvd., Columbia, South Carolina 29210
P.O. Box 125, Columbia, South Carolina 29214

C-450 (Rev. 8/29/12) 6371

For Immediate Release:

October 26, 2012

Contact: Rob Godfrey

Office of Gov. Nikki Haley

(803) 734-5074 (803) 429-5086

Samantha Cheek

SC Department of Revenue

(803) 898-5281

SC Department of Revenue Responds to Cyber Attack, Will Provide Credit Monitoring and Identity Theft Protection to Taxpayers

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- Place a security freeze on financial and credit information with the three credit bureaus.

If credit card information is compromised, the best protection is to have the bank reissue the card. Anyone who has used a credit card in a transaction with the Department of Revenue should check bank accounts regularly to see if any unauthorized charges have occurred. If so, the cardholder should contact the credit card issuer immediately by calling the toll-free number located on the back of the card or on a monthly statement, tell them what you have seen, and ask them to cancel and reissue the card. Consumers should also change any credit card web account passwords immediately when unauthorized charges are detected.

"From the first moment we learned of this, our top priority has been to protect the taxpayers and the citizens of South Carolina, and every action we've taken has been consistent with that priority," Etter said. "We have an obligation to protect the personal information entrusted to us, and we are redoubling our efforts to meet that obligation."

###

Chronology

October 10:

- The SC Department of Revenue was informed by the South Carolina Division of Information Technology (DSIT) of a potential cyber attack involving the personal information of taxpayers.
- DOR worked with DSIT throughout the day to determine what may have happened and what steps needed to be taken immediately to deal with the situation.
- DOR consulted with state and federal law enforcement agencies for guidance.
- Law enforcement recommended several steps to be taken, including consulting the nation's top cyber security firms.
- DOR assessed the top 3 recommendations from law enforcement and contacted Mandiant of Alexandria, VA.
- DOR contacted the Governor's office.
- SLED Chief Keel briefed Governor Haley.

October 11:

- DOR met with the Governor's office in the morning to give her a full briefing, including laying out our 4-pronged approach:
 - Contract with Mandiant, which we signed on October 12 with the approval of the Governor, to find and fix the leak;
 - Conduct an internal investigation of all outside contractors and certain employees to see if they have been involved with any security breaches;
 - Develop of a public notification plan;
 - Institute additional protection tools on our system.
- DSIT began monitoring DOR and its main servers to detect any unauthorized intrusions.
- DOR made the decision that if DSIT or DOR identified any unusual exfiltrations of data, the system impacted would be shut down immediately.

October 12:

- DOR signed a contract with Mandiant.
- Mandiant began working on plans to send surveillance and monitoring tools to be installed at DOR in SC.

October 15:

- DOR worked with Mandiant to begin installing surveillance and monitoring equipment which was completely in place within 48 hours.
- DOR began daily status update calls with complete team, including representatives from law enforcement, DSIT, DOR, Mandiant- the first call was planning session.

October 16:

- Mandiant began deploying a monitoring agent on every computer workstation throughout DOR, a process was completed by October 20.

- By the daily status call on Oct. 16, Mandiant was able to confirm that an unknown hacker or hackers probed the system in early September. We also learned that in mid-September, two other intrusions occurred, and to the best of our knowledge, the hacker obtained data for the first time.

October 18:

- Daily team status meetings were held and systems were continuously monitored.

October 19:

- Mandiant sent a four member team to begin the on-site investigation at DOR.
- DOR is still managing day-to-day business of state of SC while managing this major issue.
- DOR contacted South Carolina law firm, Nelson Mullins, about getting assistance with breach management.

October 20:

- The “hole” was closed and system was secured, to the best of our current knowledge.

October 21-25:

- We continued to monitor the system to make sure no more data was compromised.
- The number of records breached requires an unprecedented, large-scale response by the Department of Revenue, the State of South Carolina and all our citizens.
- We confirmed that NO public funds were accessed or put at risk as those servers are completely separate from those that were breached.
- However, approximately 3.6 million Social Security numbers may be affected. Approximately 387,000 credit card numbers were in the materials that were taken, but approximately 371,000 are protected by strong encryption deemed sufficient under the demanding credit card industry standards to protect the data and cardholders, and the others are dated from before 2003.

Safety Precautions:

- We are taking immediate steps to protect the taxpayers of South Carolina, including providing one year of credit monitoring to those who may be affected through Experian’s ProtectMyID Alert. This service includes:
 - A free credit report;
 - Daily credit monitoring across three credit bureaus to detect any suspicious activity;
 - A \$1 million identity theft insurance policy.
- The public is urged to be aware of scams. DOR will never call or otherwise contact those affected asking for personal information. Beneficiaries are advised to never give out their Social Security numbers or other identifying information to people you do not know.
- If you filed a South Carolina tax return since 1998, you are urged to call the toll-free call center that DOR has established, which will be operating 24/7 beginning at noon on Friday, October 26, 2012, for anyone who wishes to know if their personal information was included and to immediately enroll in one year of credit monitoring: 1-866-578-5422. Also please visit: ProtectMyID.com/SCDOR.
- Please see list of additional Consumer Safety Solutions.

Consumer Safety Solutions

You can help prevent your information from being misused by taking some of the following simple steps.

In addition to these steps, the South Carolina Department of Revenue will be protecting the taxpayers of South Carolina, by providing one year of credit monitoring to those who may be affected through Experian's ProtectMyID Alert. This service includes:

- A free credit report;
- Daily credit monitoring to detect suspicious activity;
- A \$1 million identity theft insurance policy.

The public is urged to be aware of scams. DOR will never call or otherwise contact those affected asking for personal information. Beneficiaries are advised to never give out their Social Security numbers or other identifying information to people you do not know.

If you filed a South Carolina tax return since 1998, you are urged to call the toll-free call center that DOR has established, which will be operating 24/7 beginning noon on Friday, October 26, 2012, for anyone who wishes to know if their personal information was included and to immediately enroll in one year of credit monitoring: 1-866-578-5422. Also please visit ProtectMyID.com/scdor for more information.

1. Review Your Credit Reports and Bank Statements. We recommend that you remain vigilant by reviewing account statements and monitoring credit reports. You can receive free credit reports by placing fraud alerts and through your credit monitoring. Under federal law, you also are entitled every 12 months to one free copy of your credit report from each of the three major credit reporting companies. To obtain a free annual credit report, go to www.annualcreditreport.com or call 1-877-322-8228. You may wish to stagger your requests so that you receive a free report by one of the three credit bureaus every four months.

You should also know that you have the right to file a police report if you ever experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide some kind of proof that you have been a victim. A police report is often required to dispute fraudulent items. You can report suspected incidents of identity theft to local law enforcement.

2. Contact Credit/Debit Card Issuer. When credit/debit card information is compromised, the best protection is reissue of the card. So to protect yourself from the possibility of unauthorized charges, we recommend that you check your bank account statements regularly. If you detect any

unauthorized charges, we strongly suggest that ***you contact your credit/debit card issuer immediately by calling the toll-free number located on the back of your card or on your monthly statement, tell them what you have seen, and ask them to cancel and reissue the card.*** You should tell your credit/debit card issuer that your account may have been compromised and review all charges on your account for potentially fraudulent activity. We also recommend that you change your credit/debit card web account password immediately when you discover unauthorized charges.

3. Place Fraud Alerts with the three credit bureaus. You can place a fraud alert at one of the three major credit bureaus by phone and also via Experian's website. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. The contact information for all three bureaus is as follows:

Credit Bureaus

Equifax Fraud Reporting
1-800-525-6285
P.O. Box 740241
Atlanta, GA 30374-0241
www.equifax.com

Experian Fraud Reporting
1-888-397-3742
P.O. Box 9532
Allen, TX 75013
www.experian.com

TransUnion Fraud Reporting
1-800-680-7289
Fraud Victim Assistance Division
P.O. Box 6790
Fullerton, CA 92834-6790
www.transunion.com

It is necessary to contact only ONE of these bureaus and use only ONE of these methods. As soon as one of the three bureaus confirms your fraud alert, the others are notified to place alerts on their records as well. You will receive confirmation letters in the mail and will then be able to order all three credit reports, free of charge, for your review.

4. Security Freeze: By placing a freeze, someone who fraudulently acquires your personal identifying information will not be able to use that information to open new accounts or borrow money in your name. You will need to contact the three national credit reporting bureaus listed above in writing to place the freeze. Keep in mind that when you place the freeze, you will not be able to borrow money, obtain instant credit, or get a new credit card until you temporarily lift or permanently remove the freeze. In South Carolina, there is no charge to you for placing, thawing or lifting the freeze.

Credit Bureaus

Equifax Security Freeze
P.O. Box 105788
Atlanta, GA 30348
www.freeze.equifax.com

Experian Security Freeze
P.O. Box 9554
Allen, TX 75013
www.experian.com/freeze

TransUnion Fraud Reporting
1-800-680-7289
Fraud Victim Assistance Division
P.O. Box 6790
Fullerton, CA 92834-6790
<http://freeze.transunion.com>

5. You Can Obtain Additional Information about the steps you can take to avoid identity theft from the following:

For South Carolina Residents:

South Carolina Office of the Attorney General
The Honorable Alan Wilson
P.O. Box 11549
Columbia, S.C. 29211
1-803-734-3970
www.scag.gov

South Carolina Department of Consumer Affairs:

1-800-922-1594 (Toll-Free)
803-734-4200
scdca@scconsumer.gov
Mailing Address:
PO Box 5757
Columbia SC 29250-5246
www.consumer.sc.gov

For all U.S. Residents:

Identity Theft Clearinghouse
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580
www.consumer.gov/idtheft
1-877-IDTHEFT (438-4338)
TDD: 1-202-326-2502

Follow-up

Rush Smith [rush.smith@nelsonmullins.com]

Sent: Friday, October 26, 2012 3:05 PM

To: Stirling, Bryan; Pitts, Ted; Thad H. Westbrook [thad.westbrook@nelsonmullins.com]

Cc: Jon Neiditz [Jon.Neiditz@nelsonmullins.com]

I will be out of town this weekend. That is coming Back to town this afternoon. I will not be able to check messages for the next six hours or so - at least not reliably - because I will be on the road. My partner Jon in Atlanta will be helping With Experian and other things. If you need me, please call my cell. I will continue to monitor emails, but I wanted to let you know that I was not going to be able to check them regularly.

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com
Nelson Mullins Riley & Scarborough, LLP, Columbia SC

Sent from my iPhone

RE: Experian

Ozzie Fonseca [ofonseca@experianinteractive.com]

Sent: Friday, October 26, 2012 2:50 PM

To: Jon Neiditz [Jon.Neiditz@nelsonmullins.com]

Cc: Rush Smith [rush.smith@nelsonmullins.com]; Ozzie Fonseca [ofonseca@experianinteractive.com]; KimpsoM@sctax.org; Thad Westbrook [thad.westbrook@nelsonmullins.com]; Emily.Brady@chernoffnewman.com; Rick.Silver@chernoffnewman.com; Tim.Kelly@chernoffnewman.com; Pitts, Ted; Stirling, Bryan; Harry T. Cooper Jr. Esquire [cooperh@sctax.org]

JON:

And FAQ regarding minors would certainly be useful. We have received a few calls regarding children.

Thanks

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution

Experian Consumer Direct
535 Anton, Suite 100.
Costa Mesa, CA 92626
(949) 567-3851 - Desk
(949) 302-2299 -
Cell (949) 242-2938 - Fax
ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>

Blog: www.Experian.com/blogs/data-breach<http://www.Experian.com/blogs/data-breach>
Follow us on Twitter: www.Twitter.com/Experian_DBRhttp://www.Twitter.com/Experian_DBR
Visit us at <http://www.experian.com/databreach>

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Jon Neiditz <Jon.Neiditz@nelsonmullins.com> wrote:

Hats off to Jim Etter, the calming voice in the storm. Ozzie, the reporters (in addition to telling everyone the state has probably paid \$50 per enrollee, and calculating that out at 100% participation) have suggested that children should be enrolled. Do you have or need an FAQ on the likelihood of children's SSNs being included in the records?

Jon A. Neiditz
Partner
jon.neiditz@nelsonmullins.com
Nelson Mullins Riley & Scarborough LLP
Atlantic Station
201 17th Street NW, Suite 1700
Atlanta, GA 30363
Tel: 404.322.6139 Fax: 404.322.6033
<http://www.nelsonmullins.com/attorneys/jon-neiditz>

-----Original Message-----

From: Rush Smith
Sent: Friday, October 26, 2012 2:25 PM
To: ofonseca@experianinteractive.com
Cc: Jon Neiditz; KimpsoM@sctax.org; Thad Westbrook;
Emily.Brady@chernoffnewman.com; Rick.Silver@chernoffnewman.com;
Tim.Kelly@chernoffnewman.com; Pitts, Ted; Stirling, Bryan; Harry T.
Cooper Jr. Esquire
Subject: Re: Experian

Ozzie,
We have finished press conference and local news media are continuing live with the story. I wanted to let you know.
Rush

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com

Nelson Mullins Riley & Scarborough, LLP, Columbia SC

Sent from my iPad

On Oct 26, 2012, at 1:35 PM, "Stirling, Bryan"
<BryanStirling@gov.sc.gov> wrote:

> Thank you. Please keep us posted.
>
> ----- Original Message -----
> From: Ozzie Fonseca [mailto:ofonseca@experianinteractive.com]
> Sent: Friday, October 26, 2012 01:34 PM
> To: Rush Smith <rush.smith@nelsonmullins.com>
> Cc: Ozzie Fonseca <ofonseca@experianinteractive.com>; Jon Neiditz
> <jon.neiditz@nelsonmullins.com>; KimpsoM@sctax.org
> <KimpsoM@sctax.org>; Thad Westbrook
> <thad.westbrook@nelsonmullins.com>; Stirling, Bryan; Emily Brady
> <Emily.Brady@chernoffnewman.com>; Rick Silver
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> Subject: Re: Experian
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> On the phone with our call center management. Additional staffing
will be allocated as appropriate.

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> Current hold time is now 5 minutes and dropping.
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> Ozzie Fonseca, CIPP/US
> Senior Director, Data Breach Resolution
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> Cell (949) 242-2938 - Fax
> ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>
>
> Blog:
> www.Experian.com/blogs/data-breach<<http://www.Experian.com/blogs/data-breach>>
> <http://www.Experian.com/blogs/data-breach><<http://www.Experian.com/blogs/data-breach>>
> breach> Follow us on Twitter:
> www.Twitter.com/Experian_DBR<http://www.Twitter.com/Experian_DBR>
> Visit us at <http://www.experian.com/databreach>
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>
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> Ozzie?
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> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson
> Mullins Riley & Scarborough, LLP, Columbia SC
>
> Sent from my iPad
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> On Oct 26, 2012, at 1:29 PM, "Pitts, Ted" <TedPitts@gov.sc.gov> wrote:
>
>> Called the 866 number am on the phone with rep now wait time was 8 minutes 19 seconds.
>>
>> Ted
>>
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>> From: Rush Smith [<mailto:rush.smith@nelsonmullins.com>]
>> Sent: Friday, October 26, 2012 1:27 PM
>> To: Ozzie Fonseca
>> Cc: Jon Neiditz; KimpsoM@sctax.org; Thad Westbrook; Stirling, Bryan;
>> Pitts, Ted; Emily Brady; Rick Silver; Tim Kelly
>> Subject: Re: Experian
>>
>> Ozzie,
>> We need some content on the website ASAP so that we can have a happier consumer experience. It should tell people to call the number, get a code, and the return to the website to enroll. Please get that added. Thanks much.
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>>
>> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson
>> Mullins Riley & Scarborough, LLP, Columbia SC
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>> Sent from my iPad
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>> On Oct 26, 2012, at 12:58 PM, "Ozzie Fonseca" <ofonseca@experianinteractive.com> wrote:
>>
>>> I just hung up with our call center. They are getting calls already and I are distributing codes to those were interested.
>>>
>>> Given the fact that we are already taking calls I am a little concerned by not having enough codes to assign to each individual.
>>>
>>> If you decide that 3.6 million is the right number we will do our best, but in the interest of the best customer experience I would suggest ordering the correct amount. Otherwise, we should create a short addendum to request additional codes later today.
>>>
>>> Please let me know your thoughts.
>>>
>>> Ozzie Fonseca, CIPP/US
>>> Senior Director, Data Breach Resolution
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>>> Experian Consumer Direct
>>> 535 Anton, Suite 100.
>>> Costa Mesa, CA 92626
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>>> ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>
>>>
>>> Blog:
>>> www.Experian.com/blogs/data-breach<<http://www.Experian.com/blogs/data-breach>>
>>> <http://www.Experian.com/blogs/data-breach><<http://www.Experian.com/blogs/data-breach>>
>>> a-<<http://www.Experian.com/blogs/data-breach>>

```
>>> /blogs/data->
>>> breach> Follow us on Twitter:
>>>
www.Twitter.com/Experian_DBR<http://www.Twitter.com/Experian_DBR>http://www.Twitter.com/Experian_DBR<http://www.Twitter.com/Experian_DBR
>>> p://www.Twitter.com/Experian_DBR<http://www.Twitter.com/Experian_DBR
>>> >> Visit us at http://www.experian.com/databreach
>>>
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from your computer, and destroy any copies in any form immediately.
Receipt by anyone other than the named recipient(s) is not a waiver of
any attorney-client, work product, or other applicable privilege.
>>>
>>>
>>> Rush Smith <rush.smith@nelsonmullins.com> wrote:
>>>
>>> Can you give us guidance on this? Story broke and you will start
>>> getting calls. Is call center ready? Please let us know when it
>>> will be. You should have signed contract soon.
>>>
>>> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson
>>> Mullins Riley & Scarborough, LLP, Columbia SC
>>>
>>>
>>> -----Original Message-----
>>> From: Tim Kelly [mailto:Tim.Kelly@charpoffnewman.com]
>>> Sent: Friday, October 26, 2012 12:52 PM
>>> To: Rush Smith
>>> Subject: Experian
>>>
>>> People are going to site and being asked to enter a code.
>>>
>>> Sent from my iPhone
>
>
```

Re: Experian

Rush Smith [rush.smith@nelsonmullins.com]

Sent: Friday, October 26, 2012 2:46 PM**To:** ofonseca@experianinteractive.com**Cc:** Stirling, Bryan; Thad H. Westbrook [thad.westbrook@nelsonmullins.com]; Jon Neiditz [Jon.Neiditz@nelsonmullins.com]; Jim Etter [etter_jf@sctax.org]; Harry T. Cooper Jr. [cooperh@sctax.org]

Ozzie,
In addition to Brian's question I'd like to ask if you could you provide email updates to us about hold times at intervals as we move through the next day or two. Thanks.
Rush

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com
Nelson Mullins Riley & Scarborough, LLP, Columbia SC

Sent from my iPad

On Oct 26, 2012, at 2:33 PM, "Stirling, Bryan" <BryanStirling@gov.sc.gov> wrote:

> What progress have we made on adding people at the call center? Media reporting long wait times.

>
> ----- Original Message -----
> From: Rush Smith [mailto:rush.smith@nelsonmullins.com]
> Sent: Friday, October 26, 2012 02:25 PM
> To: ofonseca@experianinteractive.com <ofonseca@experianinteractive.com>
> Cc: jon.neiditz@nelsonmullins.com <jon.neiditz@nelsonmullins.com>; KimpsoM@sctax.org <KimpsoM@sctax.org>; thad.westbrook@nelsonmullins.com <thad.westbrook@nelsonmullins.com>; Emily.Brady@chernoffnewman.com <Emily.Brady@chernoffnewman.com>; Rick.Silver@chernoffnewman.com <Rick.Silver@chernoffnewman.com>; Tim.Kelly@chernoffnewman.com <Tim.Kelly@chernoffnewman.com>; Pitts, Ted; Stirling, Bryan; Harry T. Cooper Jr. Esquire <cooperh@sctax.org>
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> Ozzie,
> We have finished press conference and local news media are continuing live with the story. I wanted to let you know.
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>> Ozzie?

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>>> www.Experian.com/blogs/data-breach<<http://www.Experian.com/blogs/data-breach>>
>>> <http://www.Experian.com/blogs/data-breach><<http://www.Experian.com/blogs/data-breach>>
>>> Breach> Follow us on Twitter:
>>>
>>> www.Twitter.com/Experian_DBR<http://www.Twitter.com/Experian_DBR>
>>> Visit us at <http://www.experian.com/databreach>
>>>
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>>> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com Nelson
>>> Mullins Riley & Scarborough, LLP, Columbia SC
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>>> From: Tim Kelly [<mailto:Tim.Kelly@chernoffnewman.com>]
>>> Sent: Friday, October 26, 2012 12:52 PM
>>> To: Rush Smith
>>> Subject: Experian
>>>
>>> People are going to site and being asked to enter a code.
>>>
>>> Sent from my iPhone
>
>

RE: Experian

Jon Neiditz [Jon.Neiditz@nelsonmullins.com]

Sent: Friday, October 26, 2012 2:34 PM**To:** Rush Smith [rush.smith@nelsonmullins.com]; ofonseca@experianinteractive.com**Cc:** KimpsoM@sctax.org; Thad Westbrook [thad.westbrook@nelsonmullins.com]; Emily.Brady@chernoffnewman.com; Rick.Silver@chernoffnewman.com; Tim.Kelly@chernoffnewman.com; Pitts, Ted; Stirling, Bryan; Harry T. Cooper Jr. Esquire [cooperh@sctax.org]

Hats off to Jim Etter, the calming voice in the storm. Ozzie, the reporters (in addition to telling everyone the state has probably paid \$50 per enrollee, and calculating that out at 100% participation) have suggested that children should be enrolled. Do you have or need an FAQ on the likelihood of children's SSNs being included in the records?

Jon A. Neiditz
 Partner
 jon.neiditz@nelsonmullins.com
 Nelson Mullins Riley & Scarborough LLP
 Atlantic Station
 201 17th Street NW, Suite 1700
 Atlanta, GA 30363
 Tel: 404.322.6139 Fax: 404.322.6033
<http://www.nelsonmullins.com/attorneys/jon-neiditz>

-----Original Message-----

From: Rush Smith
 Sent: Friday, October 26, 2012 2:25 PM
 To: ofonseca@experianinteractive.com
 Cc: Jon Neiditz; KimpsoM@sctax.org; Thad Westbrook;
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 Tim.Kelly@chernoffnewman.com; Pitts, Ted; Stirling, Bryan; Harry T.
 Cooper Jr. Esquire
 Subject: Re: Experian

Ozzie,
 We have finished press conference and local news media are continuing live with the story. I wanted to let you know.
 Rush

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com

Nelson Mullins Riley & Scarborough, LLP, Columbia SC

Sent from my iPad

On Oct 26, 2012, at 1:35 PM, "Stirling, Bryan"
 <BryanStirling@gov.sc.gov> wrote:

> Thank you. Please keep us posted.

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> From: Ozzie Fonseca [<mailto:ofonseca@experianinteractive.com>]

> Sent: Friday, October 26, 2012 01:34 PM

> To: Rush Smith <rush.smith@nelsonmullins.com>

> Cc: Ozzie Fonseca <ofonseca@experianinteractive.com>; Jon Neiditz

> <jon.neiditz@nelsonmullins.com>; KimpsoM@sctax.org
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> www.Experian.com/blogs/data-breach<<http://www.Experian.com/blogs/data-breach>> Follow us on Twitter:
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Ozzie,
We have finished press conference and local news media are continuing live with the story. I wanted to let you know.
Rush

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Fwd: Experian

Rush Smith [rush.smith@nelsonmullins.com]

Sent: Friday, October 26, 2012 1:36 PM

To: Stirling, Bryan

We should condition folks to hold times today.Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com
Nelson Mullins Riley & Scarborough, LLP, Columbia SC

Sent from my iPad

Begin forwarded message:

From: Ozzie Fonseca <ofonseca@experianinteractive.com>
Date: October 26, 2012, 1:34:01 PM EDT
To: Rush Smith <rush.smith@nelsonmullins.com>
Cc: Ozzie Fonseca <ofonseca@experianinteractive.com>, Jon Neiditz <jon.neiditz@nelsonmullins.com>, "KimpsoM@sctax.org" <KimpsoM@sctax.org>, Thad Westbrook <thad.westbrook@nelsonmullins.com>, "Stirling, Bryan" <BryanStirling@gov.sc.gov>, Emily Brady <Emily.Brady@chernoffnewman.com>, Rick Silver <Rick.Silver@chernoffnewman.com>, Tim Kelly <Tim.Kelly@chernoffnewman.com>, "Pitts, Ted" <TedPitts@gov.sc.gov>
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>>> (949) 567-3851 - Desk

>>> (949) 302-2299 -

>>> Cell (949) 242-2938 - Fax

>>> ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>

>>>

>>> Blog:
>>> www.Experian.com/blogs/data-breach<http://www.Experian.com/blogs/data-breach><http://www.Experian.com/blogs/data-breach><http://www.Experian.com/blogs/data-breach>
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Re: Experian

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Sent: Friday, October 26, 2012 1:35 PM

To: Ozzie Fonseca [ofonseca@experianinteractive.com]

Cc: Jon Neiditz [jon.neiditz@nelsonmullins.com]; KimpsoM@sctax.org; Thad Westbrook [thad.westbrook@nelsonmullins.com]; Stirling, Bryan; Pitts, Ted; Emily Brady [Emily.Brady@chernoffnewman.com]; Rick Silver [Rick.Silver@chernoffnewman.com]; Tim Kelly [Tim.Kelly@chernoffnewman.com]

Ozzie,
We are going to the press conference shortly and will be grateful for everything you can do to staff it up and shorten hold times. Thanks very much.
Rush

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com
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Sent from my iPad

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On the phone with our call center management. Additional staffing will be allocated as appropriate.

Current hold time is now 5 minutes and dropping.

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Sent from my iPad

On Oct 26, 2012, at 12:58 PM, "Ozzie Fonseca" <ofonseca@experianinteractive.com> wrote:

> I just hung up with our call center. They are getting calls already and I am distributing codes to those who were interested.

>

> Given the fact that we are already taking calls I am a little concerned by not having enough codes to assign to each individual.

>

> If you decide that 3.6 million is the right number we will do our best, but in the interest of the best customer experience I would suggest ordering the correct amount. Otherwise, we should create a short addendum to request additional codes later today.

>

> Please let me know your thoughts.

>

> Ozzie Fonseca, CIPP/US

> Senior Director, Data Breach Resolution

>

> Experian Consumer Direct

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> Costa Mesa, CA 92626

> (949) 567-3851 - Desk

> (949) 302-2299 -

> Cell (949) 242-2938 - Fax

> ozzie.fonseca@experian.com<mailto:ozzie.fonseca@experian.com>

>

> Blog: www.Experian.com/blogs/data-breach<<http://www.Experian.com/blogs/data-breach>>

> Follow us on Twitter:

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> Visit us at <http://www.experian.com/databreach>

>

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>

>

> Rush Smith <rush.smith@nelsonmullins.com> wrote:

>

> Can you give us guidance on this? Story broke and you will start
> getting calls. Is call center ready? Please let us know when it will
> be. You should have signed contract soon.

>

> Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com

> Nelson Mullins Riley & Scarborough, LLP, Columbia SC

>

>

>

> -----Original Message-----

> From: Tim Kelly [<mailto:Tim.Kelly@chernoffnewman.com>]

> Sent: Friday, October 26, 2012 12:52 PM

> To: Rush Smith

> Subject: Experian

>

> People are going to site and being asked to enter a code.

>

> Sent from my iPhone

>

>

>

Talking points gov DOR SLED presser

Pitts, Ted

Sent: Friday, October 26, 2012 12:15 PM

To: LeMoine, Leigh; Stirling, Bryan; Godfrey, Rob

Attachments: Talking points gov DOR SL~1.docx (19 KB)

Gov. Haley Talking Points

- The State of South Carolina is the victim of a crime committed by a very sophisticated hacker.
- On October 10th South Carolina Department of Revenue and SLED were notified that a server that warehouses taxpayer data was breached and copies of taxpayer information was stolen.
- For the last two week's State and Federal law enforcement agencies and SCDOR have been working around the clock on this case.
- We can report that the access point used to access the information has been plugged, SC DOR and it's computer forensic experts have determined what information was compromised and the system is now secure.
- Our State will respond to this crime with an unprecedented, large-scale plan.
- I have ordered Jim Etter and SCDOR to take every means necessary to protect South Carolina's taxpayers. A part of this protection is that every taxpayer can sign up for one year of identity theft protection and credit monitoring. All they have to do is call the 1800 number.
- 1) Call Center- By calling the 1800 number taxpayers can have any questions answered.
- 2) Credit Protection- While we do not believe every taxpayer's information has been exposed, out of an abundance of caution, the state is prepared to offer this protection to any taxpayer who has filed a return with our State since 1998.
- 3) Holistic look and approach by IG- In this day and age, cyber-security is a paramount concern, and we must make every effort to protect ourselves. Because of this, I have asked our State's Inspector General to lead the effort in looking at all of our State IT systems in a holistic view and make recommendations to State leaders on how we can assure we have limited our vulnerabilities.
- I have confidence that Jim Etter and Department of Revenue are working diligently to take the right steps in this constant battle with an evolving information and technology environment we live in.
- I also have confidence in Chief Keel, SLED and our Federal partners as they continue to investigate this matter.
- I cannot emphasize enough that if you have filed a tax return since 1998, it is important that you call the 800 number or visit the website today to find out if your information is at risk and how to protect yourself.

FW: Updated agreement - SC Dept of Revenue

Rush Smith [rush.smith@nelsonmullins.com]

Sent: Friday, October 26, 2012 9:36 AM
To: agiwmcinto@scag.gov
Cc: Thad Westbrook [thad.westbrook@nelsonmullins.com]; Pitts, Ted; Stirling, Bryan; Jon Neiditz [Jon.Neiditz@nelsonmullins.com]; Rush Smith [rush.smith@nelsonmullins.com]
Importance: High

John,

This should be the last of 3 emails from me providing information about the contract, which I understand you will be reviewing. The first sent the proposed contract; the second described an amendment that will be made to the proposed contract; this one supplies some background about the process around the contract. Experian was willing to train its employees to have a call center ready by 11 eastern today without a signed contract, but it has advised us that it will not proceed with another critical step without a signed contract, and as you see it says that it will "review ongoing service options" if it does not receive a signed contract in a timely fashion. Again, my cell is 803-606-1406.

Rush

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com
Nelson Mullins Riley & Scarborough, LLP, Columbia SC

From: Michael Bruemmer [mailto:Michael.Bruemmer@experianinteractive.com]
Sent: Thursday, October 25, 2012 8:01 PM
To: Rush Smith
Cc: Ozzie Fonseca; Anel Nevarez; Ken Bixler
Subject: RE: Updated agreement - SC Dept of Revenue

Rush –

Thank you for this update. We have initiated the Activation Code production process and call center personnel training has been commenced.

My understanding from discussions with Ozzie is that we should be in receipt of a signed agreement from the State on or before 9 a.m. ET tomorrow, October 26th. If for whatever reason we do not have the signed agreement from the State at that time, we will nevertheless in good faith commence fielding incoming calls tomorrow morning and servicing the affected consumers consistent with the agreement terms, however we only be able to operate in this manner for a short period of time. If we do not have a signed agreement from the State before 1 p.m. ET October 26th we will have to review ongoing service options, including limiting our intake of further calls.

We look forward to receipt of the signed agreement and moving forward with the engagement in all due course.

Thanks and best regards

Mike Bruemmer

Michael Bruemmer CIPP/US
VP, Experian® Data Breach Resolution



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From: Rush Smith [<mailto:rush.smith@nelsonmullins.com>]
Sent: Thursday, October 25, 2012 3:54 PM
To: Ozzie Fonseca; Ken Bixler
Cc: Jon Neiditz; KimpsoM@sctax.org; etter_jf@sctax.org; Harry Cooper; Rush Smith; Pitts, Ted
Subject: RE: Updated agreement
Importance: High

Ozzie,

Thank you for the document. We're reviewing it and I've distributed it to the appropriate people here, and we will let you know if there are further questions.

Emily Brady is sending the FAQs as I type this. If you did not receive the document, please let me know. Thank you for your cooperation in initiating training, and please do let us know if there are any questions.

Jim Etter has authorized me to tell you, yes, you are at liberty to distribute codes to—i.e., enroll—people who identify themselves as victims within the first 24 hours.

I have also confirmed with Jim, as we discussed yesterday, that there are at least 3 million persons involved.

Please let me know if you need anything else.
Rush

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com
Nelson Mullins Riley & Scarborough, LLP, Columbia SC

From: Ozzie Fonseca [<mailto:ofonseca@experianinteractive.com>]

Sent: Thursday, October 25, 2012 5:45 PM

To: Rush Smith; Ken Bixler

Cc: Jon Neiditz; KimpsoM@sctax.org

Subject: Updated agreement

Rush:

Attached please find redlined and clean versions of the agreement. Please review the document and let us know if you have any concerns.

I spoke with our executives about the possibility of getting started without a signed agreement, but I did not get approval for that approach. Given the size and scope of the engagement, they would be most comfortable with a formal contract.

Since time is of the essence, Ken and I are available to jump on a call to work out any final details.

On a final note we'll need 24 hours (we are aiming for less) to upload the eligible individual file, but will start getting calls right away. Are we at liberty to distribute codes to people who identify themselves as victims within the first 24 hours?

Thanks

Ozzie Fonseca, CIPP/US
Senior Director, Data Breach Resolution



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FW: Experian--contract

Rush Smith [rush.smith@nelsonmullins.com]

Sent: Friday, October 26, 2012 9:24 AM**To:** agjwmcinto@scag.gov**Cc:** Thad Westbrook [thad.westbrook@nelsonmullins.com]; Pitts, Ted; Stirling, Bryan**Importance:** High

John,

Please note the second paragraph below, relating to the contract. Where the "call center" order in the proposed contract provides for 3 million persons at \$.23 each, we will substitute 3.6 million at \$.20 each.

Rush

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com
Nelson Mullins Riley & Scarborough, LLP, Columbia SC

-----Original Message-----

From: Rush Smith

Sent: Friday, October 26, 2012 7:04 AM

To: Ozzie Fonseca

Cc: brownd@sctax.org; Jon Neiditz; etter_jf@sctax.org; Harry Cooper; Tim Kelly; Ted Pitts; Rick Silver; Milton Kimpson; Emily Brady; Rush Smith

Subject: Experian--press release and contract

Ozzie,

The press conference is scheduled for 11:30 am eastern. Please let us know ASAP if your compliance people have any questions about the press release.

The number of 3.6 million in the press release is the current approximate figure to the best of our knowledge. Based on your email, we understand that the order associated with the contract--specifically the call center order--will need to be changed from 3 million at \$.23 to 3.6 million at \$.20.

Thank you for your continuing cooperation. My cell phone number, in case you do not have it, is 803-606-1406.

Rush

Rush Smith | 803-255-9492 | rush.smith@nelsonmullins.com
Nelson Mullins Riley & Scarborough, LLP, Columbia SC

Sent from my iPhone

On Oct 26, 2012, at 6:29 AM, "Ozzie Fonseca" <ofonseca@experianinteractive.com> wrote:

> Rush:

>

>

>

> I will follow up with our compliance people in a few hours regarding the press release. I will send it to you as soon as possible.

>

>

>

> One question that came up is what is the number of people listed on the file that will be transferred later today? According to the press release the number is 3.6 million but we only have 3 million codes. That means that we don't have enough codes to assign one per person.

>

>

>

> If my understanding is correct, I suggest revising the order form so that the number of codes requested matches the list. Also, please feel free to lower the call center fee to \$.20 per person since the volume is closer to 4 million.

>
>
>
> Please let me know if you have any questions.
>
>
>
> Thanks
>
>
>
>
>
> Ozzie Fonseca, CIPP/US
> Senior Director, Data Breach Resolution
>
> Experian Consumer Services
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