

## Patel, Swati

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**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Thursday, December 13, 2012 9:11 AM  
**To:** Jon.Neiditz@nelsonmullins.com; Patel, Swati  
**Cc:** KimpsoM@sctax.org  
**Subject:** Letters

195,066 letters have been mailed out

Milton  
803-898-5131  
803-898-5147 (fax)

**Patel, Swati**

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Wednesday, December 12, 2012 5:56 PM  
**To:** Patel, Swati; Jon.Neiditz@nelsonmullins.com  
**Subject:** RE: FINAL

Great job all. I'll send it on to SourceLink.

Milton

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Wednesday, December 12, 2012 5:41 PM  
**To:** 'Jon Neiditz' (Jon.Neiditz@nelsonmullins.com) ; Milton Kimpson  
**Subject:** FINAL

This is FINAL from our end.

Milton – the printers will probably have to work with margins, etc to get it all to fit on one page with the letterhead, addressee and date.

## Patel, Swati

---

**From:** Jon Neiditz <Jon.Neiditz@nelsonmullins.com>  
**Sent:** Wednesday, December 12, 2012 1:52 PM  
**To:** Patel, Swati  
**Subject:** SC DOR Resident Ltr 12-12-12 125 (2).docx  
**Attachments:** SC DOR Resident Ltr 12-12-12 125 (2).docx

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## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Wednesday, December 12, 2012 11:21 AM  
**To:** Patel, Swati; Jon.Neiditz@nelsonmullins.com  
**Subject:** Update on mailing

Thus far, 132,402 non-resident letters have been mailed. Swati: Thanks for the preparing Gov. Haley. She did a great job!

Milton  
803-898-5131  
803-898-5147 (fax)

**Patel, Swati**

---

**From:** Schimsa, Rebecca  
**Sent:** Wednesday, December 12, 2012 10:24 AM  
**Cc:** Patel, Swati; Stirling, Bryan  
**Subject:** SCDOR - Experian Contract  
**Attachments:** Experian Contract 10.26.12 and Amendment 11.9.12 from DOR.pdf

Please see attached.

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

**Patel, Swati**

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Tuesday, December 11, 2012 2:21 PM  
**To:** Patel, Swati  
**Subject:** SourceLink

I spoke with Noel Hendley regarding the timeline. He does not believe that waiting until tomorrow for the letter will pose any problem or delay.

Milton  
803-898-5131  
803-898-5147 (fax)

## Patel, Swati

---

**From:** Neil Rashley <nrashley@scbankers.org>  
**Sent:** Tuesday, December 11, 2012 12:10 PM  
**To:** Patel, Swati  
**Cc:** Fred Green; kimpsom@sctax.org  
**Subject:** Re: Resident letter

Thank you. The answer is yes. We are at a conference with our bankers right now on the DOR issues. They are very concerned about customer response. So when you send I will immediately start to review.

Neil

Sent from my iPhone

On Dec 11, 2012, at 12:05 PM, "Patel, Swati" <[SwatiPatel@gov.sc.gov](mailto:SwatiPatel@gov.sc.gov)> wrote:

Neil and Fred,

I apologize for the delay in getting you the letter. We are attempting to finalize the letter on our end in the next hour and will send it you then. Will you be able to provide your comments this afternoon?

Again, I apologize for the short turn-around time.

Swati S. Patel  
Chief Legal Counsel  
Office of the Governor.South Carolina  
1205 Pendleton Street  
Columbia, SC 29201  
DD 803.734.5095

## Patel, Swati

---

**From:** Bowers, Butch <Butch.Bowers@wcsr.com>  
**Sent:** Tuesday, December 11, 2012 12:29 PM  
**To:** Patel, Swati  
**Subject:** Fw: this is the guy testifying for Experian

FYI

---

**From:** Jon Neiditz [mailto:Jon.Neiditz@nelsonmullins.com]  
**Sent:** Tuesday, December 11, 2012 12:21 PM  
**To:** Thad Westbrook <thad.westbrook@nelsonmullins.com>; Bowers, Butch  
**Subject:** this is the guy testifying for Experian

<http://www.linkedin.com/in/markkap>

### Jon A. Neiditz

Partner  
jon.neiditz@nelsonmullins.com

### Nelson Mullins Riley & Scarborough LLP

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<http://www.nelsonmullins.com/attorneys/jon-neiditz>

twitter: @jonneiditz

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## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Tuesday, December 11, 2012 10:41 AM  
**To:** Patel, Swati; Neiditz Jon  
**Subject:** Resident letters

Can we talk to finalize the resident letters today?

Milton

Sent from my iPhone

## Patel, Swati

---

**From:** Jon Neiditz <Jon.Neiditz@nelsonmullins.com>  
**Sent:** Tuesday, December 11, 2012 9:35 AM  
**To:** Grube-Lybarker, Carri  
**Cc:** Patel, Swati; Godfrey, Rob; Stirling, Bryan; eva@idtheftcenter.org; Milton Kimpson (KimpsoM@sctax.org); 'COOPERH@sctax.org'  
**Subject:** RE: Identity Theft Resource Center Services to South Carolina

Thanks so much, and of course that makes sense. I will consult with ITRC and try to reschedule for late today or tomorrow. If you want a briefing prior to any call with ITRC, of course I'd be glad to provide or participate in that.

### 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 Appointment-----

**From:** Grube-Lybarker, Carri [<mailto:clybarker@scconsumer.gov>]  
**Sent:** Tuesday, December 11, 2012 9:28 AM  
**To:** Jon Neiditz  
**Cc:** Patel, Swati; Godfrey, Rob; Stirling, Bryan; eva@idtheftcenter.org; Milton Kimpson (KimpsoM@sctax.org); 'COOPERH@sctax.org'  
**Subject:** Declined: Identity Theft Resource Center Services to South Carolina  
**When:** Tuesday, December 11, 2012 11:30 AM-12:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** Call In -888-543-4442, Participant Code: 404-322-6139

I appreciate being brought to the table, but I have a prior commitment during this time. Further, being first informed of this effort last night, our office would like more information on the proposed nature of the relationship the Governor's Office envisions between ITRC and DCA. We have never heard of this organization and need to look into them prior to any association. I hope you can appreciate these concerns. I am available after 3pm for a discussion as well as anytime tomorrow.

Best,  
Carri

Carri Grube Lybarker, Esq.

*Administrator | SC Department of Consumer Affairs*

2221 Devine Street, Suite 200

P.O. Box 5757 | Columbia, SC 29250-5757

803.734.4297 | 803.734.4229 FAX

[www.consumer.sc.gov](http://www.consumer.sc.gov) **\*\*Please note new website address\*\***



<< File: ATT07025 1.jpg >>



<< File: ATT62588 2.jpg >>



<< File: ATT55973 3.jpg >>

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## Patel, Swati

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**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Monday, December 10, 2012 3:45 PM  
**To:** Jon.Neiditz@nelsonmullins.com; Patel, Swati  
**Subject:** FW: SCDOR - Out of State

Swati and Jon:

My 4:00 meeting has been cancelled so I am available to take a call whenever everyone else is free. Thanks

Milton

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**From:** Amy Moore [mailto:amoore@sourcelink.com]  
**Sent:** Monday, December 10, 2012 3:31 PM  
**To:** Julianne Martin; Milton Kimpson  
**Cc:** Dale Brown  
**Subject:** RE: SCDOR - Out of State

Good afternoon all-

I'm not sure we got info back on the below yet. Just wanted to check in since Julianne started this email trail. Please advise.

Thanks so much!

Amy

---

**From:** Julianne Martin  
**Sent:** Wednesday, December 05, 2012 11:59 AM  
**To:** kimpsoM@sctax.org  
**Cc:** brownd@sctax.org; Amy Moore  
**Subject:** SCDOR - Out of State

Hi again!

We have run the file of 750,766 through CASS & NCOA. 22,466 of the records were deemed undeliverable addresses. I have posted a file of these records to the FTP site and the password will follow.

In addition, 7,627 of the records have moved back into SC from another state. Would you like for these records to receive the In-State letter now?

Please let me know if you have any questions.

Thanks!

*Julianne Martin*  
Direct Mail Client Services Manager

-----  
Work: (864) 678-5427  
-----

**SourceLink**  
*Connecting Data, Design & Delivery*  
1224 Poinsett Highway  
Greenville, SC 29609

<http://www.sourcelink.com>

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## Patel, Swati

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**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Friday, December 07, 2012 1:49 PM  
**To:** Patel, Swati; Jon.Neiditz@nelsonmullins.com  
**Subject:** RE: Massachusetts Letters

Thanks to everyone. Swati – did you have a draft of the resident letters? Thanks

Milton

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Friday, December 07, 2012 1:35 PM  
**To:** 'Jon.Neiditz@nelsonmullins.com'; Milton Kimpson  
**Subject:** Re: Massachusetts Letters

I'm not able to read this right now but I'm good since y'all are.

Approve.

---

**From:** Jon Neiditz [mailto:Jon.Neiditz@nelsonmullins.com]  
**Sent:** Friday, December 07, 2012 01:31 PM  
**To:** Milton Kimpson <KimpsoM@sctax.org>; Patel, Swati  
**Subject:** RE: Massachusetts Letters

Agreed! Approved. Thanks, Milton.

---

**From:** Milton Kimpson [mailto:KimpsoM@sctax.org]  
**Sent:** Friday, December 07, 2012 1:25 PM  
**To:** Jon Neiditz; SwatiPatel@gov.sc.gov  
**Subject:** Massachusetts Letters

They look fine to me.

Milton  
803-898-5131  
803-898-5147 (fax)

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## Patel, Swati

---

**From:** Jon Neiditz <Jon.Neiditz@nelsonmullins.com>  
**Sent:** Friday, December 07, 2012 3:23 PM  
**To:** Eva Velasquez  
**Subject:** RE: Contact Information

Thanks, Eva. You're right, the only letters that have been finalized are the notices to non-residents. I hope to be able to talk with Swati Patel, the State's General Counsel, about the in-state letters later today, and may try to contact you after that.

Best,

Jon

## Nelson Mullins

---

Jon A. Neiditz

Partner

jon.neiditz@nelsonmullins.com

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[\(View Bio\)](#)

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**From:** Eva Velasquez [<mailto:Eva@idtheftcenter.org>]

**Sent:** Friday, December 07, 2012 3:16 PM

**To:** Jon Neiditz

**Subject:** RE: Contact Information

Good Afternoon Jon,

I hope this email finds you well. I noted some news stories this morning that reference the breach letters that will be sent to South Carolinians. The articles reference letters that are going out next week. I'm assuming that those are the first batch of letters that are not including any information regarding the ITRC. I just wanted to touch base with you and let you know that nothing has changed on this end and we are prepared to be resource for those in need in South Carolina. Please don't hesitate to contact the ITRC for further discussion. Have a great weekend!

E.

## Eva Casey Velasquez

President/CEO

Identity Theft Resource Center

[Eva@idtheftcenter.org](mailto:Eva@idtheftcenter.org)

(858) 444-3284

---

**From:** Jon Neiditz [<mailto:Jon.Neiditz@nelsonmullins.com>]  
**Sent:** Monday, December 03, 2012 1:01 PM  
**To:** Eva Velasquez  
**Subject:** Contact Information

## Nelson Mullins

---

**Jon A. Neiditz**

Partner

[jon.neiditz@nelsonmullins.com](mailto:jon.neiditz@nelsonmullins.com)

### **Nelson Mullins Riley & Scarborough LLP**

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## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Tuesday, December 04, 2012 5:27 PM  
**To:** Patel, Swati  
**Subject:** RE: Bank action

No problems, see you tomorrow.

Milton

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Tuesday, December 04, 2012 5:25 PM  
**To:** Milton Kimpson  
**Subject:** Re: Bank action

We need to change the meeting time. Sorry. Can you not attend the oral argument and meet us at 10:00?

We have a Budget and Control Bd meeting at 9 tomorrow.

---

**From:** Milton Kimpson [mailto:KimpsoM@sctax.org]  
**Sent:** Tuesday, December 04, 2012 04:58 PM  
**To:** Patel, Swati  
**Subject:** RE: Bank action

Yes, I can do it. We are at the Supreme Court at 10 for an oral argument so that will work well. See you in the morning.

Milton

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Tuesday, December 04, 2012 4:56 PM  
**To:** Milton Kimpson  
**Subject:** Bank action

Milton,  
Can you meet in our office tomorrow at 9:00am with us and Jack Pringle.

Swati S. Patel  
Chief Legal Counsel  
Office of the Governor.South Carolina  
1205 Pendleton Street  
Columbia, SC 29201  
DD 803.734.5095

## Patel, Swati

---

**From:** Jon Neiditz <Jon.Neiditz@nelsonmullins.com>  
**Sent:** Monday, December 03, 2012 4:50 PM  
**To:** Stirling, Bryan; Patel, Swati  
**Subject:** FW: Link to release

The Identity Theft Resource Center® (ITRC) is a nationally recognized non-profit organization established to support victims of identity theft in resolving their cases, and to broaden public education and awareness in the understanding of identity theft. It is the on-going mission of the ITRC to assist victims, educate consumers, research identity theft and increase public and corporate awareness about this problem. Visit us online at [www.idtheftcenter.org](http://www.idtheftcenter.org). Victims may contact the ITRC toll-free at 888-400-5530

## Nelson Mullins

---

Jon A. Neiditz

Partner

[jon.neiditz@nelsonmullins.com](mailto:jon.neiditz@nelsonmullins.com)

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## Eva Casey Velasquez

President/CEO

Identity Theft Resource Center

[Eva@idtheftcenter.org](mailto:Eva@idtheftcenter.org)

(858) 444-3284

---

**From:** Karen Barney  
**Sent:** Thursday, November 29, 2012 11:45 AM  
**To:** Eva Velasquez  
**Subject:** Link to release

Yeah – here is the link to your release ☺

<http://www.prweb.com/releases/2012/11/prweb10186343.htm>

*Karen*

Karen Barney

Program Director  
Identity Theft Resource Center  
(858) 444-3286  
E-mail [karen@idtheftcenter.org](mailto:karen@idtheftcenter.org)  
[www.idtheftcenter.org](http://www.idtheftcenter.org)

The Identity Theft Resource Center® (ITRC) is a nationally recognized non-profit organization established to support victims of identity theft in resolving their cases, and to broaden public education and awareness in the understanding of identity theft. It is the on-going mission of the ITRC to assist victims, educate consumers, research identity theft and increase public and corporate awareness about this problem. Visit us online at [www.idtheftcenter.org](http://www.idtheftcenter.org). Victims may contact the ITRC toll-free at 888-400-5530

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## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Monday, December 03, 2012 1:43 PM  
**To:** Patel, Swati  
**Subject:** FW: First Class vs. Standard Postage

Information on the difference in processing

---

**From:** Noel Hendley [mailto:nhendley@sourcelink.com]  
**Sent:** Monday, December 03, 2012 1:38 PM  
**To:** Milton Kimpson  
**Subject:** First Class vs. Standard Postage

Milton,

The US Postal Service gives First Class mail a higher priority than Standard mail. Basically, this means that First Class mail is processed through the postal facilities first and then Standard mail is processed. If the volume of First Class mail is substantial, this could delay the delivery of Standard mail.

In South Carolina, there is usually no difference – a day or two between First Class delivery and Standard delivery. However, since this is the holiday season, there could be an additional delay.

Out-of-state there could be as much as 7-10 days difference. The USPS doesn't publish this number, but we will track the mail and be able to tell the last scan of each letter as it leaves the postal facility for delivery. We usually receive scans for 95%+ of the mail.

Thanks,  
Noel

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## Patel, Swati

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**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Monday, December 03, 2012 1:42 PM  
**To:** Patel, Swati  
**Subject:** FW: First Class vs. Standard Postage

FYI

---

**From:** Noel Hendley [mailto:nhendley@sourcelink.com]  
**Sent:** Friday, November 30, 2012 11:25 AM  
**To:** Milton Kimpson  
**Subject:** RE: First Class vs. Standard Postage

In South Carolina, there is virtually no difference – a day or two.

Out-of-state there could be as much as 7-10 days difference. The USPS doesn't publish this number, but we will track the mail and be able to tell the last scan of each letter as it leaves the postal facility for delivery. We usually receive scans on 95%+ of the mail.

Thanks,  
Noel

---

**From:** Milton Kimpson [mailto:KimpsoM@sctax.org]  
**Sent:** Friday, November 30, 2012 11:22 AM  
**To:** Noel Hendley  
**Subject:** RE: First Class vs. Standard Postage

Noel: What kind of time for delivery do we have with Standard as opposed to first class?

Milton

---

**From:** Noel Hendley [mailto:nhendley@sourcelink.com]  
**Sent:** Friday, November 30, 2012 10:50 AM  
**To:** Milton Kimpson  
**Subject:** First Class vs. Standard Postage

Milton,

After reviewing the Out-of-State letter copy, it looks like there is no personal information that would require the letters to be mailed First Class.

If there are legal reasons that require the SCDOR to use First Class postage, then Standard Mail would not be an option.

However, with the difference being about \$0.10 per letter, the postage savings would be around \$300,000. In order for us to ship the Standard Mail to the various postal facilities nationwide, freight costs would be about \$60,000 so the net savings of Standard Mail vs. First Class mail would be approximately \$240,000.

With Standard Mail, we would also need an Ancillary Service Endorsement printed on the envelope such as "Electronic Service Requested". I'm sure you have seen this on mail before.

Again, we are able to mail either First Class or Standard, but wanted to let you know the options.

Let me know if you have any questions.

Thanks,

Noel

Noel Hendley  
Director, Business Development  
Office: 864.678.2134  
**SourceLink**  
*Connecting Data, Design & Delivery*  
1224 Poinsett Highway  
Greenville, SC 29609



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## Patel, Swati

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**From:** Dale Brown <Brownd@sctax.org>  
**Sent:** Friday, November 30, 2012 4:26 PM  
**To:** Patel, Swati; Milton Kimpson  
**Subject:** RE: Basic Corporate Income Tax form

Swati,

Ok we will begin working on it. This is going to probably take a few days to run down the different forms for the various databases compromised. Do you have a drop dead date that you need them?

Thanks,

Dale Brown, PMP  
SC Department of Revenue  
Acting CIO/Administrator  
(803)898-5513 Office  
(803)727-2510 Cell  
(803)898-5507 FAX  
brownd@sctax.org

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Friday, November 30, 2012 4:23 PM  
**To:** Milton Kimpson  
**Cc:** Dale Brown  
**Subject:** RE: Basic Corporate Income Tax form

Dale:

Actually, we need links/copies of all forms that have been compromised. Is this a big task?

---

**From:** Milton Kimpson [mailto:KimpsoM@sctax.org]  
**Sent:** Friday, November 30, 2012 3:57 PM  
**To:** Patel, Swati  
**Cc:** Dale Brown  
**Subject:** Basic Corporate Income Tax form

[http://www.sctax.org/NR/rdonlyres/D088A9EB-5A28-4146-BAD1-053E85D0715D/0/SC1120\\_12092011.pdf](http://www.sctax.org/NR/rdonlyres/D088A9EB-5A28-4146-BAD1-053E85D0715D/0/SC1120_12092011.pdf).

Dale: Can you ask someone to send Swati links to the business forms that may have been compromised. Thanks

Milton  
803-898-5131  
803-898-5147 (fax)

## Patel, Swati

---

**From:** Dale Brown <Brownd@sctax.org>  
**Sent:** Friday, November 30, 2012 4:41 PM  
**To:** Patel, Swati; Milton Kimpson  
**Subject:** RE: Basic Corporate Income Tax form

Thanks, we will let you know when it is complete.

Dale Brown, PMP  
SC Department of Revenue  
Acting CIO/Administrator  
(803)898-5513 Office  
(803)727-2510 Cell  
(803)898-5507 FAX  
[brownd@sctax.org](mailto:brownd@sctax.org)

---

**From:** Patel, Swati [<mailto:SwatiPatel@gov.sc.gov>]  
**Sent:** Friday, November 30, 2012 4:39 PM  
**To:** Dale Brown; Milton Kimpson  
**Subject:** Re: Basic Corporate Income Tax form

Take your time. This is a low priority.

---

**From:** Dale Brown [<mailto:Brownd@sctax.org>]  
**Sent:** Friday, November 30, 2012 04:26 PM  
**To:** Patel, Swati; Milton Kimpson <[KimpsoM@sctax.org](mailto:KimpsoM@sctax.org)>  
**Subject:** RE: Basic Corporate Income Tax form

Swati,

Ok we will begin working on it. This is going to probably take a few days to run down the different forms for the various databases compromised. Do you have a drop dead date that you need them?

Thanks,

Dale Brown, PMP  
SC Department of Revenue  
Acting CIO/Administrator  
(803)898-5513 Office  
(803)727-2510 Cell  
(803)898-5507 FAX  
[brownd@sctax.org](mailto:brownd@sctax.org)

---

**From:** Patel, Swati [<mailto:SwatiPatel@gov.sc.gov>]  
**Sent:** Friday, November 30, 2012 4:23 PM  
**To:** Milton Kimpson  
**Cc:** Dale Brown  
**Subject:** RE: Basic Corporate Income Tax form

Dale:

Actually, we need links/copies of all forms that have been compromised. Is this a big task?

---

**From:** Milton Kimpson [mailto:KimpsoM@sctax.org]

**Sent:** Friday, November 30, 2012 3:57 PM

**To:** Patel, Swati

**Cc:** Dale Brown

**Subject:** Basic Corporate Income Tax form

[http://www.sctax.org/NR/rdonlyres/D088A9EB-5A28-4146-BAD1-053E85D0715D/0/SC1120\\_12092011.pdf](http://www.sctax.org/NR/rdonlyres/D088A9EB-5A28-4146-BAD1-053E85D0715D/0/SC1120_12092011.pdf).

Dale: Can you ask someone to send Swati links to the business forms that may have been compromised. Thanks

Milton

803-898-5131

803-898-5147 (fax)

**Patel, Swati**

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Friday, November 30, 2012 4:07 PM  
**To:** nhendley@sourcelink.com  
**Cc:** Patel, Swati; WattsL@sctax.org; Jaquetta Campbell Wright  
**Subject:** Executed Contracts and Confidentiality Agreement  
**Attachments:** DOR Contracts with SourceLink.pdf

Noel:

Please find contracts signed by the Department. If someone would sign on behalf of SourceLink and send fully executed back by e-mail. Thanks

Milton

Milton G. Kimpson  
General Counsel for Litigation  
South Carolina Department of Revenue  
P.O. Box 12265  
Columbia, SC 29211  
803-898-5131  
803-898-5147 (fax)

## Patel, Swati

---

**From:** Jon Neiditz <Jon.Neiditz@nelsonmullins.com>  
**Sent:** Friday, November 30, 2012 12:55 PM  
**To:** Stirling, Bryan; Patel, Swati  
**Subject:** Children's Credit

**Importance:** High

<http://www.experian.com/credit-advice/topic-minors-credit.html>

<http://bucks.blogs.nytimes.com/2011/09/21/why-its-not-easy-to-freeze-your-childs-credit-file/>

### 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>  
twitter: @jonneiditz

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## Patel, Swati

---

**From:** Godfrey, Rob  
**Sent:** Friday, November 30, 2012 12:36 PM  
**To:** Patel, Swati; Stirling, Bryan  
**Subject:** Re: Family Secure FAQs

Is this the final, approved version for public release?

---

**From:** Patel, Swati  
**Sent:** Friday, November 30, 2012 12:31 PM  
**To:** Godfrey, Rob; Stirling, Bryan  
**Subject:** Family Secure FAQs

Clean title.

Swati S. Patel  
Chief Legal Counsel  
Office of the Governor.South Carolina  
1205 Pendleton Street  
Columbia, SC 29201  
DD 803.734.5095

## Patel, Swati

---

**From:** Jon Neiditz <Jon.Neiditz@nelsonmullins.com>  
**Sent:** Friday, November 30, 2012 10:54 AM  
**To:** Patel, Swati; Michael Bruemmer  
**Cc:** Stirling, Bryan; Thad Westbrook; Ken Bixler; Greg Young; Ozzie Fonseca  
**Subject:** RE: Family Secure emails have started to go out

We are, thanks.

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

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Friday, November 30, 2012 10:37 AM  
**To:** Michael Bruemmer  
**Cc:** Jon Neiditz; Stirling, Bryan; Thad Westbrook; Ken Bixler; Greg Young; Ozzie Fonseca  
**Subject:** RE: Family Secure emails have started to go out

Thad or Jon - Are y'all okay with the FAQs?

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

**From:** Michael Bruemmer [mailto:Michael.Bruemmer@experianinteractive.com]  
**Sent:** Friday, November 30, 2012 10:31 AM  
**To:** Patel, Swati  
**Cc:** 'jon.neiditz@nelsonmullins.com'; Stirling, Bryan; 'thad.westbrook@nelsonmullins.com'; Ken Bixler; Greg Young; Ozzie Fonseca  
**Subject:** RE: Family Secure emails have started to go out

Thanks, Swati. The document looks good.

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

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Friday, November 30, 2012 6:18 AM  
**To:** Greg Young; Ozzie Fonseca  
**Cc:** 'jon.neiditz@nelsonmullins.com'; Stirling, Bryan; 'thad.westbrook@nelsonmullins.com'; Ken Bixler; Michael Bruemmer  
**Subject:** RE: Family Secure emails have started to go out

My apologies. The final FAQs are attached.

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

**From:** Greg Young [mailto:Greg.Young@experianinteractive.com]  
**Sent:** Thursday, November 29, 2012 7:13 PM  
**To:** Patel, Swati; Ozzie Fonseca  
**Cc:** 'jon.neiditz@nelsonmullins.com'; Stirling, Bryan; 'thad.westbrook@nelsonmullins.com'; Ken Bixler; Michael Bruemmer  
**Subject:** RE: Family Secure emails have started to go out

Swati -

We'd like to review the release prior to distribution.

GY

Greg Young, APR  
Director  
Public Relations

Experian Consumer Services  
535 Anton, suite 100  
Costa Mesa, CA 92626  
Direct: 949-567-3791  
Mobile: 949-294-5701  
greg.young@experianinteractive.com

freecreditreport.com  
freecreditscore.com  
creditreport.com  
protectmyid.com  
safetyweb.com

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

From: Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
Sent: Thursday, November 29, 2012 4:03 PM  
To: Ozzie Fonseca  
Cc: 'jon.neiditz@nelsonmullins.com'; Stirling, Bryan; Greg Young; 'thad.westbrook@nelsonmullins.com'  
Subject: Re: Family Secure emails have started to go out

Thank you.

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

From: Ozzie Fonseca [mailto:ofonseca@experianinteractive.com]  
Sent: Thursday, November 29, 2012 07:01 PM  
To: Patel, Swati  
Cc: Jon Neiditz <jon.neiditz@nelsonmullins.com>; Ozzie Fonseca <ofonseca@experianinteractive.com>; Stirling, Bryan; Greg Young <Greg.Young@experianinteractive.com>; Thad Westbrook <thad.westbrook@nelsonmullins.com>  
Subject: RE: Family Secure emails have started to go out

The enrollment end date is May 31, 2013.

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)<<http://www.Experian.com/blogs/data-breach>>  
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Visit us at <http://www.experian.com/databreach>

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"Patel, Swati" <SwatiPatel@gov.sc.gov> wrote:

Ozzie,  
I may have missed this, but how long will enrollment be open for Family Secure?

Swati

From: Jon Neiditz [mailto:Jon.Neiditz@nelsonmullins.com]  
Sent: Thursday, November 29, 2012 4:30 PM  
To: Ozzie Fonseca; Stirling, Bryan; Patel, Swati; 'COOPERH@sctax.org'; Milton Kimpson (KimpsoM@sctax.org)  
Cc: Greg Young; Thad Westbrook  
Subject: RE: Family Secure emails have started to go out

Great, Ozzie! Thanks for the news.

From: Ozzie Fonseca [mailto:ofonseca@experianinteractive.com]  
Sent: Thursday, November 29, 2012 4:28 PM  
To: Jon Neiditz; Bryan Stirling (bryanstirling@gov.sc.gov<mailto:bryanstirling@gov.sc.gov>)  
Cc: Greg Young  
Subject: Family Secure emails have started to go out

Ozzie Fonseca, CIPP/US  
Senior Director, Data Breach Resolution  
[Description: Image Detail]  
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)<<http://www.experian.com/blogs/data-breach>>  
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## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Thursday, November 29, 2012 9:14 PM  
**To:** Patel, Swati  
**Subject:** Re: SCDOR Breach-related contract

We should be able to get the contracts signed. Noel Hendley was not able to send me a WORD version of the contact so I may not be able to do the edits tonight though. I'll put together something on the contract process.

Milton

Sent from my iPhone

On Nov 29, 2012, at 9:08 PM, "Patel, Swati" <[SwatiPatel@gov.sc.gov](mailto:SwatiPatel@gov.sc.gov)> wrote:

Thanks Milton. Will we have a signed contract tomorrow?

Also, can you prepare a summary of the bidding process for me tomorrow?

I will send you my draft backgrounder.

---

**From:** Milton Kimpson [mailto:[KimpsoM@sctax.org](mailto:KimpsoM@sctax.org)]  
**Sent:** Thursday, November 29, 2012 06:15 PM  
**To:** Patel, Swati  
**Subject:** RE: SCDOR Breach-related contract

I have spoken with Emory and Jared Libet. They made some great suggestions to the contracts and I hope to incorporate them tonight. I need to inform the other vendors that we have chosen another firm so once the contracts are agreed upon, I'll inform the others of their non-selection. We have gotten at least one inquiry from another vendor who asked why it did not receive a bid request. Anyway, have a good evening and we'll revisit all of this tomorrow.

Milton

---

**From:** Patel, Swati [mailto:[SwatiPatel@gov.sc.gov](mailto:SwatiPatel@gov.sc.gov)]  
**Sent:** Thursday, November 29, 2012 3:59 PM  
**To:** Milton Kimpson  
**Subject:** RE: SCDOR Breach-related contract

I did but haven't had time to talk to them. Can you please call them?

---

**From:** Milton Kimpson [mailto:[KimpsoM@sctax.org](mailto:KimpsoM@sctax.org)]  
**Sent:** Thursday, November 29, 2012 3:45 PM  
**To:** Patel, Swati  
**Subject:** RE: SCDOR Breach-related contract

Have you heard anything from Emory? Dale and I will be talking to Sourcelink today at 4 about data transfer. We can probably tell them that we'll sign contracts tomorrow. I will also send the envelope around soon.

---

**From:** Patel, Swati [<mailto:SwatiPatel@gov.sc.gov>]  
**Sent:** Thursday, November 29, 2012 12:19 PM  
**To:** Emory Smith ([AGESMITH@scag.gov](mailto:AGESMITH@scag.gov))  
**Cc:** [AGJMCINTOSH@scag.gov](mailto:AGJMCINTOSH@scag.gov); Milton Kimpson  
**Subject:** SCDOR Breach-related contract

Emory,

Sen. Leatherman's staff asked that we send any contracts that SCDOR enters into related to the breach for the Attorney General's review. Please find attached agreements with a vendor that will print and mail notification letters to affected tax filers in the coming weeks. These agreements have not been signed by SCDOR yet.

Please call if you have any questions.

Thanks,  
Swati

Swati S. Patel  
Chief Legal Counsel  
Office of the Governor.South Carolina  
1205 Pendleton Street  
Columbia, SC 29201  
DD 803.734.5095

## Patel, Swati

---

**From:** Jon Neiditz <jneiditz@gmail.com>  
**Sent:** Wednesday, November 28, 2012 9:55 PM  
**To:** Patel, Swati  
**Subject:** Fwd: Need confirmation that Family Secure emails will begin to go out tomorrow

Confirmed

Sent from my iPad

Begin forwarded message:

**From:** Ozzie Fonseca <[ofonseca@experianinteractive.com](mailto:ofonseca@experianinteractive.com)>  
**Date:** November 28, 2012, 9:48:32 PM EST  
**To:** Jon Neiditz <[jneiditz@gmail.com](mailto:jneiditz@gmail.com)>  
**Cc:** Michael Bruemmer <[Michael.Bruemmer@experianinteractive.com](mailto:Michael.Bruemmer@experianinteractive.com)>, Ozzie Fonseca <[ofonseca@experianinteractive.com](mailto:ofonseca@experianinteractive.com)>, Greg Young <[Greg.Young@experianinteractive.com](mailto:Greg.Young@experianinteractive.com)>  
**Subject:** **Re: Need confirmation that Family Secure emails will begin to go out tomorrow**

Jon:

I just checked with our operations team and so far everything appears to be on schedule for tomorrow.

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

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

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Jon Neiditz <[jneiditz@gmail.com](mailto:jneiditz@gmail.com)> wrote:

Thanks!

Sent from my iPad

## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Wednesday, November 28, 2012 10:32 AM  
**To:** Patel, Swati  
**Subject:** RE: Best and Final Email

Got it and will send out now

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Wednesday, November 28, 2012 10:28 AM  
**To:** 'Jon.Neiditz@nelsonmullins.com'; Milton Kimpson  
**Subject:** Re: Best and Final Email

Yes

---

**From:** Jon Neiditz [mailto:Jon.Neiditz@nelsonmullins.com]  
**Sent:** Wednesday, November 28, 2012 10:25 AM  
**To:** Patel, Swati; KimpsoM@sctax.org <KimpsoM@sctax.org>  
**Subject:** RE: Best and Final Email

Thanks. I assume Milton should send.

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Wednesday, November 28, 2012 10:21 AM  
**To:** Jon Neiditz; 'KimpsoM@sctax.org'  
**Subject:** Re: Best and Final Email

Let's send it. We should change deadline for submission to 3:00 today.

---

**From:** Jon Neiditz [mailto:Jon.Neiditz@nelsonmullins.com]  
**Sent:** Tuesday, November 27, 2012 06:43 PM  
**To:** KimpsoM@sctax.org <KimpsoM@sctax.org>; Patel, Swati  
**Subject:** Best and Final Email

Milton,

I've redrafted some elements of the best-and-final email. Please feel free to make any changes, but please wait until Swati gives the high sign.

Thanks and best,

Jon

---

## Nelson Mullins

Jon A. Neiditz

Partner

[jon.neiditz@nelsonmullins.com](mailto:jon.neiditz@nelsonmullins.com)

**Nelson Mullins Riley & Scarborough LLP**

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201 17th Street NW, Suite 1700

Atlanta, GA 30363

Tel: 404.322.6139 Fax: 404.322.6033

[www.nelsonmullins.com](http://www.nelsonmullins.com)

(View Bio)

## Patel, Swati

---

**From:** Jon Neiditz <Jon.Neiditz@nelsonmullins.com>  
**Sent:** Wednesday, November 28, 2012 10:12 AM  
**To:** Patel, Swati; KimsoM@sctax.org; Thad Westbrook; tclaypoole@wcsr.com; COOPERH@sctax.org; Rush Smith; ofonseca@experianinteractive.com; Michael.Bruemmer@experianinteractive.com; Greg.Young@experianinteractive.com  
**Subject:** Hearing being broadcast live

LIVE NOW: We've got a crew in Columbia for the SC Senate panel hearing on #SCHacked. Watch live here:  
[http://www.foxcarolina.com/category/213550/live-video2 ...](http://www.foxcarolina.com/category/213550/live-video2)

### Jon A. Neiditz

Partner  
[jon.neiditz@nelsonmullins.com](mailto:jon.neiditz@nelsonmullins.com)

### Nelson Mullins Riley & Scarborough LLP

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201 17th Street NW, Suite 1700  
Atlanta, GA 30363  
Tel: 404.322.6139 Fax: 404.322.6033  
<http://www.nelsonmullins.com/attorneys/jon-neiditz>  
twitter: @jonneiditz

## Patel, Swati

---

**From:** Godfrey, Rob  
**Sent:** Tuesday, November 27, 2012 3:17 PM  
**To:** Stirling, Bryan; Pitts, Ted; Patel, Swati  
**Subject:** Fw: Would they consider a program through Kroll and LegalShield?

I am not the appropriate person to respond here. Would one of y'all please forward to the appropriate Revenue official?

---

**From:** Rachel M. J. Ray [mailto:rmray@legalshield.com]  
**Sent:** Tuesday, November 27, 2012 03:13 PM  
**To:** Director@sctax.org <Director@sctax.org>  
**Cc:** Godfrey, Rob  
**Subject:** Would they consider a program through Kroll and LegalShield?

Dear Director,

I've been working as an ID Theft Specialist with LegalShield since 2004 and we know, more than the general public, how individuals whole lives can be turned upside down by ID theft. Unlike ProtectMyID, we at LegalShield, partnered with Kroll Advisory Solutions and top rated attorneys across North America, because when understand that when you have an identity theft situation--you have a legal situation!

I would like an opportunity to show you why USC choose Kroll as their risk mitigation program. I'll be in Greenville on Friday, but I can meet you tomorrow afternoon or anytime on Thursday. Either this week, or next week, will be fine--please email me to let me know you got my message.

Sincerely,

Rachel M. J. Ray, *LegalShield Independent Associate*

Small Business, Employee Benefits and ID Theft Specialist

Offices in: South Carolina, New York, Texas, Orlando, Nashville & Atlanta

Mobile: (803) 466-8238

Fax: (866) 512-0476

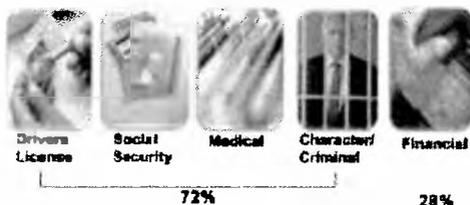
For more information, CALL (803) 466-8238.

Email: [rmray@legalshield.com](mailto:rmray@legalshield.com)

Website: [www.rachelmjray.com](http://www.rachelmjray.com)

### It happens every 3 seconds. Are you protected?

There are 5 common types of Identity Theft (IDT)  
Does your IDT service cover 28% or 100%?



## Patel, Swati

---

**From:** Jon Neiditz <Jon.Neiditz@nelsonmullins.com>  
**Sent:** Tuesday, November 27, 2012 12:42 PM  
**To:** Patel, Swati  
**Subject:** RE: Can you talk between 1:30 and 2 or any time after 3 on mailing vendors?

Perfect, thanks. I'll call you then.

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Tuesday, November 27, 2012 12:40 PM  
**To:** Jon Neiditz  
**Subject:** RE: Can you talk between 1:30 and 2 or any time after 3 on mailing vendors?

I'm free anytime you are. How about 1:30?

---

**From:** Jon Neiditz [mailto:Jon.Neiditz@nelsonmullins.com]  
**Sent:** Tuesday, November 27, 2012 12:39 PM  
**To:** Patel, Swati  
**Subject:** Can you talk between 1:30 and 2 or any time after 3 on mailing vendors?

Swati,

Whatever time works best for you; sorry about the delayed response.

Thanks and best,

Jon

**Jon A. Neiditz**

Partner  
[jon.neiditz@nelsonmullins.com](mailto: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>

twitter: @jonneiditz

## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Wednesday, November 14, 2012 10:30 AM  
**To:** Patel, Swati; Thad Westbrook  
**Subject:** FW: TrustWave Contracts  
**Attachments:** TrustWave Contracts.PDF

Redacted Trustwave contracts for today

---

**From:** Jean M. O'Connor  
**Sent:** Wednesday, November 14, 2012 8:19 AM  
**To:** Milton Kimpson  
**Subject:** TrustWave Contracts

*Jean M. O'Connor  
South Carolina Department of Revenue  
Office of General Counsel for Litigation  
PO Box 12265  
Columbia, SC 29211  
803-898-5135*

## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Wednesday, November 14, 2012 9:13 AM  
**To:** Patel, Swati  
**Subject:** Re: Overview

Good morning. I'll call I get out of my 9 meeting.

Sent from my iPhone

On Nov 14, 2012, at 8:58 AM, "Patel, Swati" <[SwatiPatel@gov.sc.gov](mailto:SwatiPatel@gov.sc.gov)> wrote:

Reading now. Thanks.

---

**From:** Milton Kimpson [mailto:[KimpsoM@sctax.org](mailto:KimpsoM@sctax.org)]  
**Sent:** Wednesday, November 14, 2012 12:28 AM  
**To:** Patel, Swati  
**Subject:** FW: Overview

Please forward to Rob.

---

**From:** Mkimpson [mailto:[mkimpson@aol.com](mailto:mkimpson@aol.com)]  
**Sent:** Wed 11/14/2012 12:26 AM  
**To:** Milton Kimpson  
**Subject:** Overview

As discussed. The information in bold must still be verified.

Milton

## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Monday, November 12, 2012 8:48 PM  
**To:** Patel, Swati  
**Subject:** Re: Letter to Bowers

Yes. See you then.

Milton

Sent from my iPhone

On Nov 12, 2012, at 8:13 PM, "Patel, Swati" <[SwatiPatel@gov.sc.gov](mailto:SwatiPatel@gov.sc.gov)> wrote:

Can you meet with Thad, Butch and me tomorrow at 11:00 in my office?

---

**From:** Milton Kimpson [mailto:[KimpsoM@sctax.org](mailto:KimpsoM@sctax.org)]  
**Sent:** Saturday, November 10, 2012 06:29 PM  
**To:** Patel, Swati  
**Subject:** Letter to Bowers

As discussed. Have a good weekend.

Milton  
803-898-5131  
803-898-5147 (fax)

## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Saturday, November 10, 2012 3:33 PM  
**To:** Patel, Swati  
**Subject:** Missed call

Sorry I missed your call yesterday. I called to update you on what I learned from our IT folk about the report to Trustwave. Rather than bother you on a Saturday, in the event you get this message, I am in the office and can be reached at 898-5131 or [REDACTED]

Milton

Milton G. Kimpson  
General Counsel for Litigation  
South Carolina Department of Revenue  
P.O. Box 12265  
Columbia, SC 29211  
803-898-5131  
803-898-5147 (fax)

## Patel, Swati

---

**From:** Jon Neiditz <Jon.Neiditz@nelsonmullins.com>  
**Sent:** Friday, November 09, 2012 7:35 PM  
**To:** Stirling, Bryan; Patel, Swati; jimfetter@gmail.com; Harry Cooper; KimpsoM@sctax.org  
**Cc:** Thad Westbrook  
**Subject:** Executed Experian Amendment  
**Attachments:** SCDOR - Amendment 11.9.12.pdf

---

**From:** Anel Nevarez [mailto:Anel.Nevarez@experianinteractive.com]  
**Sent:** Friday, November 09, 2012 7:27 PM  
**To:** Jon Neiditz; Thad Westbrook; Rush Smith  
**Cc:** Ken Bixler; Michael Bruemmer; Ozzie Fonseca  
**Subject:** RE: Amendment Executed by DoR

All,

A copy of SCDOR executed amendment dated November 9, 2012 is attached for your records. Please let us know if you have any questions.

Regards,  
Anel Nevarez  
Account Manager - Data Breach Resolution  
Experian Consumer Services



T: 949.567.7629  
C: 949.294.2183

---

**From:** Jon Neiditz [mailto:Jon.Neiditz@nelsonmullins.com]  
**Sent:** Friday, November 09, 2012 5:16 PM  
**To:** Michael Bruemmer; Ken Bixler; Ozzie Fonseca  
**Cc:** Thad Westbrook; Rush Smith  
**Subject:** Amendment Executed by DoR

Mike and Ken,

Here is the Amendment, executed by the DoR, as sent by Ken this morning. Please execute on your end and send us a copy.

Thanks and best,

Jon

---

## Nelson Mullins

**Jon A. Neiditz**

Partner

[jon.neiditz@nelsonmullins.com](mailto: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

[www.nelsonmullins.com](http://www.nelsonmullins.com)

(View Bio)

## Patel, Swati

---

**From:** Maley, Patrick  
**Sent:** Monday, November 05, 2012 11:19 AM  
**To:** Patel, Swati  
**Subject:** Re: The Seven Final Reports

Pls call 429-4946. Thanks

---

**From:** Patel, Swati  
**Sent:** Monday, November 05, 2012 11:15 AM  
**To:** Maley, Patrick  
**Subject:** RE: The Seven Final Reports

Thanks Pat.

Please let us know how you plan to disseminate this information.

Swati S. Patel  
Chief Legal Counsel  
Office of the Governor South Carolina  
1205 Pendleton Street  
Columbia, SC 29201  
DD 803.734.5095

---

**From:** Maley, Patrick  
**Sent:** Monday, November 05, 2012 11:14 AM  
**To:** Patel, Swati  
**Subject:** FW: The Seven Final Reports

Swati, attached are seven **final** reports. We have 3 in final draft form but held up due to diversion of attention to state-wide INFOSEC. The agencies are aware of the draft results and concur. Below is a summary of the methodology and summary data results for the 10 Cabinet Agencies reviewed in an aggregate, non-attributable manner to avoid compromising an agency's INFOSEC vulnerabilities.

### **SUMMARY:**

The OIG has conducted a policy compliance review, the cornerstone for an overall effective security program, at 15 of the 16 Cabinet Agencies. One agency reviews is still in progress. The Department of Health & Human Services (DHHS) was not included in the review inasmuch as a consultant has been retained to perform a more extensive review. Of the 14 agencies reviewed, four were found either not to retain any Personally Identifiable Information (PII) other than a minimal amount constituting a minimal risk, or information retained is considered a public record under the State's public record statutes.

Based on recommended security guidelines and best practices in government and the private sector, a questionnaire (attachment in final reports) was developed to test policies in nine fundamental information security categories in each agency against best practices. The questionnaire was completed by each agency, and

interviews were conducted with employees as needed to fully capture data for each question. These nine categories were:

- Documented Information Security Policy
- PII Inventory/Discovery Process
- Inventory and Monitoring of Network Devices and Activity
- Password Management
- Workstation, Laptop and Other IT Devices – Setup & Security
- Database Permissions, User Management and Application Security
- Employee Information Security Awareness Training
- Data Loss Protection Tools and Monitoring of Network Activity
- Data Loss Response Plan

It was noted there is no state-wide mandatory policy setting forth standards and guidance for information security policy. However, the Information Technology Solutions Committee (ITCS) has set forth a general policy in September 2012 requesting all state government entities develop and publish an individual agency IT Security Policy no later than February 1, 2013. The below chart depicts agencies compliance, or non-compliance, with each of the nine policy categories developed by the OIG consistent with best practices:

SUMMARY – COMPLIANCE REVIEW OF INFORMATION SECURITY POLICIES  
IN THE CABINET AGENCIES

October 31, 2012

| <u>Review Categories:</u>                  | <u>Number of:</u>                    |  |
|--|--------------------------------------|--|
|  | <u>Compliant</u><br><u>Responses</u> | <u>Non-Compliant</u><br><u>Responses</u> |
| Information Security Policy                | 10                                   | 0  |
| PII Discovery & Classification Process     | 2                                    | 8  |
| Inventory of Network Devices               | 10                                   | 0  |
| Password Management                        | 8                                    | 2  |
| Setup and Security of IT Devices           | 10                                   | 0  |
| Domain and Application Access Management   | 9                                    | 1  |
| Employee Security Awareness Training       | 6                                    | 4  |
| Network Monitoring and Control (DLP) Tools | 6                                    | 4  |
| Data Loss Response Plan                    | <u>2</u>                             | <u>8</u>                                 |
| TOTALS ---                                 | 63                                   | 27                                       |
| PERCENTAGES ---                            | 70%                                  | 30%                                      |

During the review, each agency was queried about any security breaches and two were identified. In one case, a box of paper records were left in a public place and found by a citizen who returned them to the agency. In the other instance, 24 records were unintentionally viewed by a member of the public who reported the incident and corrective action was taken.

To meet the public's interest in the Department of Revenue's (DOR) policy compliance review, the OIG noted it was the only agency compliant in the nine categories. DOR was compliant with the IRS's mandated security guidelines (<http://www.irs.gov/pub/irs-pdf/p1075.pdf>) for state Agencies maintaining federal tax data, which exceeded in many regards the baseline criteria used by the OIG to assess Agency policy compliance.

It was clear from the review, information security awareness has been heightened throughout the Cabinet Agencies since the April, 2012 DHHS data breach, and agency leadership was proactively engaged in ensuring an adequate information security posture. Agency Directors and their personnel demonstrated commitment to address areas identified needing improvement.

---

**From:** Davis, George  
**Sent:** Friday, November 02, 2012 3:35 PM  
**To:** Maley, Patrick  
**Subject:** The Seven Final Reports

George R. Davis, Investigator  
Office of the Inspector General  
110 Centerview Drive  
Kingstree Building, Suite 201  
Columbia, South Carolina 29210

[georgedavis@gov.sc.gov](mailto:georgedavis@gov.sc.gov)  
(803)896-4732  
1-855-SC-FRAUD

## Patel, Swati

---

**From:** Holly, Jim  
**Sent:** Friday, November 02, 2012 1:38 PM  
**To:** Patel, Swati  
**Subject:** FW: Complaint Filed 10.31.12  
**Attachments:** P. Morgan v N. Haley Complaint.PDF; ATT00001.htm; image001.gif; ATT00002.htm

FYI—from DOR Gen Counsel.

---

**From:** Milton Kimpson [mailto:KimpsoM@sctax.org]  
**Sent:** Friday, November 02, 2012 10:14 AM  
**To:** Holly, Jim  
**Subject:** Fwd: Complaint Filed 10.31.12

Good morning. We were able to pull this off the clerk's website. We still have not yet been served.

Milton

Sent from my iPhone

Begin forwarded message:

**From:** "Jean M. O'Connor" <OConnoJ@sctax.org>  
**To:** "Milton Kimpson" <KimpsoM@sctax.org>  
**Subject: Complaint Filed 10.31.12**

Let me know if you need something else please.

Jean M. O'Connor

South Carolina Department of Revenue

Office of General Counsel for Litigation

PO Box 12265

Columbia, SC 29211

803-898-5135

## Patel, Swati

---

**From:** Holly, Jim  
**Sent:** Thursday, November 01, 2012 4:22 PM  
**To:** Patel, Swati  
**Subject:** RE: John Hawkins suing the governor

thanks

---

**From:** Patel, Swati  
**Sent:** Thursday, November 01, 2012 3:43 PM  
**To:** Holly, Jim  
**Subject:** FW: John Hawkins suing the governor

Attached.

---

**From:** John Hawkins [john@hawkinslawsc.com]  
**Sent:** Wednesday, October 31, 2012 2:11 PM  
**To:** Doughman, Andrew  
**Subject:** Fwd: press release

---

John Hawkins  
The Hawkins Law Firm  
P.O. Box 5048  
Spartanburg, SC 29304  
[john@hawkinslawsc.com](mailto:john@hawkinslawsc.com)  
[www.hawkinslawsc.com](http://www.hawkinslawsc.com)  
864-574-8801  
FAX: 574-8810

Begin forwarded message:

**From:** Jennifer Smith <[jennifer@hawkinslawsc.com](mailto:jennifer@hawkinslawsc.com)>  
**Subject:** press release  
**Date:** October 31, 2012 1:51:09 PM EDT  
**To:** John Hawkins <[john@hawkinslawsc.com](mailto:john@hawkinslawsc.com)>, Logan Rollins  
<[logan@hawkinslawsc.com](mailto:logan@hawkinslawsc.com)>, Amy Southern <[amy@hawkinslawsc.com](mailto:amy@hawkinslawsc.com)>

Jennifer E Galbraith

**Mrs. Jennifer E Galbraith**

**Paralegal for The Hawkins Law Firm**

**Post Office Box 5048**

**Spartanburg, SC 29304**

**Phone : 864-574-8801**

**Fax: 864-886-2053**

**Email: [jennifer@hawkinslawsc.com](mailto:jennifer@hawkinslawsc.com)**

**Patel, Swati**

---

**From:** Holly, Jim  
**Sent:** Thursday, November 01, 2012 11:18 AM  
**To:** Patel, Swati  
**Subject:** DOR Breach

Could we get a copy of the new lawsuit if office has a copy to assess for CAFR's litigation section?

Jim

Jim Holly  
Chief of Staff  
SC Comptroller General's Office  
803-734-2588

## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Tuesday, January 22, 2013 4:42 PM  
**To:** Patel, Swati  
**Subject:** RE: Security breach letters - update

No problem –

Milton

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Tuesday, January 22, 2013 2:53 PM  
**To:** Milton Kimpson  
**Cc:** Stirling, Bryan; Veldran, Katherine  
**Subject:** Security breach letters - update

Milton,

I will need to put together an update for the General Assembly on the latest number of letters sent, completion of mailing, status of when the emails will go out, and when all emails will be sent. We will probably send it out on Thursday afternoon. Can you please make sure I have the latest information on these dates and numbers on Thursday morning?

Katherine – any other information we will need for the update?

Thanks!

Swati

## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Thursday, January 10, 2013 6:16 PM  
**To:** Patel, Swati  
**Subject:** FW: Issues that we are having

FYI

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

**From:** Ozzie Fonseca [mailto:ofonseca@experianinteractive.com]  
**Sent:** Thursday, January 10, 2013 5:46 PM  
**To:** Samantha Cheek  
**Cc:** Milton Kimpson; Meredith Cleland; Patrick Kane; Perry Mathis; Anel Nevarez; Jean Funches; Colette Parsons  
**Subject:** RE: Issues that we are having

Samantha:

Everyone who enrolled in ProtectMyID by Dec 27th has been sent an email or a letter with the Family Secure code. People who have not yet received their email/letter should wait for it. In case the email/letter was received but was lost, deleted, etc. Please escalate those to my team and we'll assist them.

Please do not send escalations for people who want to get their code ahead of receiving the email/letter.

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

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

**From:** Samantha Cheek [mailto:CheekS@sctax.org]

Sent: Thursday, January 10, 2013 10:32 AM

To: Ozzie Fonseca

Cc: Milton Kimpson; Meredith Cleland; Patrick Kane; Perry Mathis; Anel Nevarez; Jean Funches

Subject: RE: Issues that we are having

Thanks Ozzie, do you have a suggestion for what taxpayers should do who have not yet received the Family Secure code or for those who have lost the code?

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

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

Sent: Wednesday, January 09, 2013 2:39 PM

To: Samantha Cheek

Cc: Milton Kimpson; Meredith Cleland; Patrick Kane; Perry Mathis; Anel Nevarez; Jean Funches

Subject: RE: Issues that we are having

Thanks for the additional information. The examples below might be misunderstandings but I will certainly make sure our folks are providing correct information. Since we record all our calls any other specifics you can share can help us locate the interactions and hear what was actually said.

For the first example an additional code is necessary to activate the Family Secure membership, not ProtectMyID. Those codes are being emailed or mailed to ProtectMyID members.

The second example may be touching on the verification process to help monitor people without credit. Individuals without a credit file are unable to use ProtectMyID. Instead we monitor for the creation of a file. Since we don't have any information (a credit file for example) to verify the caller prior to enrollment our team can ask for proper documentation to finalize the process.

Regards,

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)

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

From: Samantha Cheek [mailto:CheekS@sctax.org]  
Sent: Wednesday, January 09, 2013 10:44 AM  
To: Ozzie Fonseca  
Cc: Milton Kimpson; Meredith Cleland; Patrick Kane; Perry Mathis; Jean Funches  
Subject: RE: Issues that we are having

Here are two emails that I've received from DOR employees:

I've had a few calls where people are saying Experian is telling them to call us because we have a separate code for under age children to be registered for protectmyid. I haven't been notified of that, did I miss something, or is that not true?

Lady called and said that she spoke to Experian and they refused to sign her up for the free protection because she has no credit. Therefore they asked her to send them a copy of her driver's license and a copy of her utility bill. The lady quoted me there correct phone number and address from Experian. From what I understand that is not the correct procedure or is it?

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

From: Ozzie Fonseca [mailto:ofonseca@experianinteractive.com]  
Sent: Wednesday, January 09, 2013 11:15 AM  
To: Samantha Cheek  
Cc: Ozzie Fonseca; Milton Kimpson; Meredith Cleland; Patrick Kane; Perry Mathis; Jean Funches  
Subject: Re: Issues that we are having

Samantha:

Thank you for bringing up these issues. I will address them with our call center.

So that we can best pinpoint the source of the concerns are you able to share any specific examples?

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)<<http://www.Experian.com/blogs/data-br>  
each>

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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.

Samantha Cheek <CheekS@sctax.org> wrote:

Hi Ozzie - I just wanted to make you aware of two issues that we are having:

The DOR call center has received multiple callers stating that Experian has told them to call DOR to request a separate code for minor children in order to enroll with PMID.

In addition, we are also receiving calls from taxpayers who are unable to enroll due to having no credit history. As you've told us before, the PMID call center is familiar with the steps to enroll these individuals, but it appears some call operators are still unable to provide assistance to SC taxpayers.

If you could address these two issues, or let us know how we can best address these issues, we'd greatly appreciate it.

As always, thanks for your help!  
Samantha

Samantha Cheek  
Public Information Director  
SC Department of Revenue  
P.O. Box 125, Columbia, SC 29214  
P: 803.898.5281 | F: 803.898.5020  
[www.sctax.org](http://www.sctax.org) | Twitter: @SCDOR

**Patel, Swati**

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Wednesday, January 09, 2013 4:45 PM  
**To:** Patel, Swati  
**Subject:** Letters

This is what I got earlier today:

Good Morning Milton!

After today's drop, below are the quantities that have been mailed to-date:

Resident – 1,232,915  
Non-Resident – 791,192

Thanks!  
Julianne Martin  
Direct Mail Client Services Manager

**Total: 2,024,107**

Milton G. Kimpson  
General Counsel for Litigation  
South Carolina Department of Revenue  
P.O. Box 12265  
Columbia, SC 29211  
803-898-5131  
803-898-5147 (fax)

## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Wednesday, January 09, 2013 12:11 PM  
**To:** Patel, Swati  
**Subject:** FW: SC DOR Resident email 1-3-13 final - need Subject line for email, email address for replies

FYI

---

**From:** Colette Parsons [mailto:Colette.Parsons@experianinteractive.com]  
**Sent:** Wednesday, January 09, 2013 12:04 PM  
**To:** Milton Kimpson  
**Subject:** RE: SC DOR Resident email 1-3-13 final - need Subject line for email, email address for replies

Thank you.

I have all the information ready to go, so I can create the appropriate requests to get the process started.

### *Colette Parsons*

Marketing Operations Manager, Experian® Data Breach Resolution

535 Anton Blvd, Suite 100  
Costa Mesa, CA 92626  
Office: 949.567.2840  
Cell: 214.717.2985

Website: [www.Experian.com/DataBreach](http://www.Experian.com/DataBreach)  
Blog: [www.Experian.com/DBBlog](http://www.Experian.com/DBBlog)  
Follow us on Twitter: [www.Twitter.com/Experian\\_DBR](http://www.Twitter.com/Experian_DBR)

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---

**From:** Milton Kimpson [mailto:KimpsoM@sctax.org]  
**Sent:** Wednesday, January 09, 2013 9:03 AM  
**To:** Colette Parsons; Ozzie Fonseca  
**Cc:** swatipatel@gov.sc.gov; Jon.Neiditz@nelsonmullins.com  
**Subject:** RE: SC DOR Resident email 1-3-13 final - need Subject line for email, email address for replies

Thanks. We are working with the company handling the letters on the date that they will complete mailing and should have that information for you later today.

Milton

---

**From:** Colette Parsons [<mailto:Colette.Parsons@experianinteractive.com>]  
**Sent:** Wednesday, January 09, 2013 11:50 AM  
**To:** Milton Kimpson; Ozzie Fonseca  
**Cc:** [swatipatel@gov.sc.gov](mailto:swatipatel@gov.sc.gov); [Jon.Neiditz@nelsonmullins.com](mailto:Jon.Neiditz@nelsonmullins.com)  
**Subject:** RE: SC DOR Resident email 1-3-13 final - need Subject line for email, email address for replies

Thank you Milton.

I will send a proof when it is complete.

One last thing we are still needing. When are you anticipating the letter drops to be complete. We need to work to schedule this email drop at the tail end. I have to get this into our creative and development queue for the work to begin, but cannot do so until I have a date.

Thanks.

*Colette Parsons*

Marketing Operations Manager, Experian® Data Breach Resolution

535 Anton Blvd, Suite 100  
Costa Mesa, CA 92626  
Office: 949.567.2840  
Cell: 214.717.2985

Website: [www.Experian.com/DataBreach](http://www.Experian.com/DataBreach)  
Blog: [www.Experian.com/DBBlog](http://www.Experian.com/DBBlog)  
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---

**From:** Milton Kimpson [<mailto:KimpsoM@sctax.org>]  
**Sent:** Wednesday, January 09, 2013 8:47 AM  
**To:** Colette Parsons; Ozzie Fonseca  
**Cc:** [swatipatel@gov.sc.gov](mailto:swatipatel@gov.sc.gov); [Jon.Neiditz@nelsonmullins.com](mailto:Jon.Neiditz@nelsonmullins.com)  
**Subject:** RE: SC DOR Resident email 1-3-13 final - need Subject line for email, email address for replies

Colette:

Good morning. Let's use [databreachinfo@sctax.org](mailto:databreachinfo@sctax.org) for the email address in the emails Experian will send out. Please send a final proof with the email line in it when you get a chance. Thanks so much

Milton

---

**From:** Milton Kimpson  
**Sent:** Monday, January 07, 2013 6:47 PM  
**To:** 'Colette Parsons'; Ozzie Fonseca ([ofonseca@experianinteractive.com](mailto:ofonseca@experianinteractive.com))

**Cc:** [swatipatel@gov.sc.gov](mailto:swatipatel@gov.sc.gov) ; Jon Neiditz ([Jon.Neiditz@nelsonmullins.com](mailto:Jon.Neiditz@nelsonmullins.com))

**Subject:** RE: SC DOR Resident email 1-3-13 final - need Subject line for email, email address for replies

Colette and Ozzie:

Thanks for the message, sorry for the delayed response. For the subject line, let's just use "SC Department of Revenue Data Breach Update"

I am still working on the email address for inquiries but should have that by tomorrow afternoon. Also, I am waiting on some additional information in order to estimate the start date for emails. Is the uptick in the number of calls to the call center since we started sending the letters becoming overwhelming?

Finally, we have been getting a number of questions from persons that enrolled in ProtectMyID via computer and furnished email addresses, who have nevertheless still received the update letters we have mailed out (instead of the email notifications that will eventually go out.). Thus far, we have told these people that only 576,000 persons will get emails instead of the entire email population, which leads to the inevitable question how we chose which enrollees to send emails as opposed to letters. Is there a better answer that we can give?

As always, thanks!

Milton

Milton G. Kimpson  
General Counsel for Litigation  
South Carolina Department of Revenue  
P.O. Box 12265  
Columbia, SC 29211  
803-898-5131  
803-898-5147 (fax)

---

**From:** Colette Parsons [<mailto:Colette.Parsons@experianinteractive.com>]

**Sent:** Monday, January 07, 2013 1:07 PM

**To:** Milton Kimpson

**Cc:** Jon Neiditz ([Jon.Neiditz@nelsonmullins.com](mailto:Jon.Neiditz@nelsonmullins.com)) ; Ozzie Fonseca ; [swatipatel@gov.sc.gov](mailto:swatipatel@gov.sc.gov)

**Subject:** FW: SC DOR Resident email 1-3-13 final - need Subject line for email, email address for replies

Good Morning Milton,

We have received final approval from all parties to use the attached document for the SC resident email.

I have the logo you sent in December.

However, we are still in need of two things in order to move forward.

- 1) **Subject line for the email**
- 2) **Email address for inquiries / replies to go to. We will be inserting a line in the email indicating that replies should go to whatever address you provide.**

As soon as I receive this information, I will be able to submit the project.

I do believe we agreed that the emails would be on the tail end of your letter notifications. **Do you have a date when you believe you will be finished sending the letters?** I will work to schedule the email drop then, so we are still working to not overwhelm the call center.

Thank you.

## *Colette Parsons*

Marketing Operations Manager, Experian® Data Breach Resolution

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---

**From:** Ozzie Fonseca  
**Sent:** Friday, January 04, 2013 8:23 AM  
**To:** Colette Parsons; Ken Bixler  
**Subject:** Fwd: SC DOR Resident email 1-3-13 final.docx

FYI

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)

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

Subject: SC DOR Resident email 1-3-13 final.docx

From: Jon Neiditz <[Jon.Neiditz@nelsonmullins.com](mailto:Jon.Neiditz@nelsonmullins.com)>

To: Ozzie Fonseca <[ofonseca@experianinteractive.com](mailto:ofonseca@experianinteractive.com)>

CC: "Swati Patel ([swatipatel@gov.sc.gov](mailto:swatipatel@gov.sc.gov))" <[swatipatel@gov.sc.gov](mailto:swatipatel@gov.sc.gov)>, "Milton Kimpson ([KimpsoM@sctax.org](mailto:KimpsoM@sctax.org))" <[KimpsoM@sctax.org](mailto:KimpsoM@sctax.org)>

(Just added a missing space. Thx.)

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## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Wednesday, January 09, 2013 11:59 AM  
**To:** Patel, Swati  
**Subject:** FW: SCDOR Stats

---

**From:** Anel Nevarez [mailto:Anel.Nevarez@experianinteractive.com]  
**Sent:** Tuesday, January 08, 2013 10:03 PM  
**To:** 'Stirling, Bryan'  
**Cc:** Michael Bruemmer; Ozzie Fonseca ; 'Jon.Neiditz@nelsonmullins.com' ; Ken Bixler ; 'thad.westbrook@nelsonmullins.com' ; Greg Young ; Milton Kimpson  
**Subject:** SCDOR Stats

My apologies for the delay, below find the current numbers:

Activations: 1,048,504  
Family Secure: 24,026  
Calls: 947,056  
Average speed of answer: 3.9min

Best Regards,  
Anel Nevarez Linsenhardt  
Account Manager - Data Breach Resolution  
Experian Consumer Services



T: 949.567.7629  
C: 949.294.2183

## Patel, Swati

---

**From:** Ozzie Fonseca <ofonseca@experianinteractive.com>  
**Sent:** Tuesday, January 08, 2013 11:11 PM  
**To:** Patel, Swati  
**Cc:** Milton Kimpson  
**Subject:** Re: Call  
**Attachments:** image003.jpg

I believe I have addressed the question with Milton.

Milton, please let me know if this is for different matter.

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)  
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"Patel, Swati" <SwatiPatel@gov.sc.gov> wrote:

Of course. I'm generally available all day. Let me what time works.

From: Ozzie Fonseca [mailto:ofonseca@experianinteractive.com]  
Sent: Tuesday, January 08, 2013 07:25 PM  
To: Milton Kimpson <KimpsoM@sctax.org>  
Cc: Patel, Swati  
Subject: RE: Call

Milton:

Sorry for the delayed response. The day got away from me.

Can we chat tomorrow?

Ozzie Fonseca, CIPP/US  
Senior Director, Data Breach Resolution  
[Description: Image Detail]  
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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From: Milton Kimpson [mailto:KimpsoM@sctax.org]  
Sent: Tuesday, January 08, 2013 12:10 PM  
To: Ozzie Fonseca  
Cc: SwatiPatel@gov.sc.gov  
Subject: Call

Ozzie:

Thanks for speaking with me today. Another question about emails has arisen. Do you have time to talk to me and Swati today by telephone? Give me a time that is good for you. I have something at 4 that may take about 20 minutes, however. Thanks

Milton  
803-898-5131  
803-898-5147 (fax)

## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Monday, January 07, 2013 12:04 PM  
**To:** Patel, Swati; rush.smith@nelsonmullins.com  
**Cc:** thad.westbrook@nelsonmullins.com  
**Subject:** RE: Chernoff Newman Contract

Will do.

Milton

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Monday, January 07, 2013 11:41 AM  
**To:** 'rush.smith@nelsonmullins.com'; Milton Kimpson  
**Cc:** 'thad.westbrook@nelsonmullins.com'  
**Subject:** Re: Chernoff Newman Contract

Milton,

Please send this contract to Paul Koch and explain the procurement of the Chernoff contract by Nelson Mullins. Also, please let him know that no reimbursement payments have been made to NM for the Chernoff services.

Thanks,  
Swati

---

**From:** Rush Smith [mailto:rush.smith@nelsonmullins.com]  
**Sent:** Monday, January 07, 2013 10:35 AM  
**To:** Patel, Swati; kimpsoM@sctax.org <kimpsoM@sctax.org>  
**Cc:** Thad Westbrook <thad.westbrook@nelsonmullins.com>; Diane Argabright <diane.argabright@nelsonmullins.com>;  
Rush Smith <rush.smith@nelsonmullins.com>  
**Subject:** RE: Chernoff Newman Contract

Rush Smith | 803-255-9492 | [rush.smith@nelsonmullins.com](mailto:rush.smith@nelsonmullins.com)  
Nelson Mullins Riley & Scarborough, LLP, Columbia SC

**From:** "Patel, Swati" <SwatiPatel@gov.sc.gov>  
**Date:** January 7, 2013, 10:08:21 AM EST  
**To:** Rush Smith <rush.smith@nelsonmullins.com>, "Thad H. Westbrook  
([thad.westbrook@nelsonmullins.com](mailto:thad.westbrook@nelsonmullins.com)) ([thad.westbrook@nelsonmullins.com](mailto:thad.westbrook@nelsonmullins.com))"  
<[thad.westbrook@nelsonmullins.com](mailto:thad.westbrook@nelsonmullins.com)>, "Jon Neiditz" ([Jon.Neiditz@nelsonmullins.com](mailto:Jon.Neiditz@nelsonmullins.com))"  
<[Jon.Neiditz@nelsonmullins.com](mailto:Jon.Neiditz@nelsonmullins.com)>  
**Cc:** "Pitts, Ted" <[TedPitts@gov.sc.gov](mailto:TedPitts@gov.sc.gov)>, "kimpsoM@sctax.org" <[kimpsoM@sctax.org](mailto:kimpsoM@sctax.org)>  
**Subject:** Chernoff Newman Contract

Rush,

Can you please send us and Milton the executed Chernoff Newman contract asap. We have the contract that is signed by Chernoff only.

Thanks,  
Swati

---

**From:** Pitts, Ted  
**Sent:** Monday, January 07, 2013 9:46 AM  
**To:** Patel, Swati  
**Subject:** FW: Chernoff Newman Contract

---

**From:** Lisa Catalanotto [<mailto:LisaCatalanotto@scsenate.gov>]  
**Sent:** Friday, January 04, 2013 4:51 PM  
**To:** Pitts, Ted  
**Subject:** Chernoff Newman Contract

Ted:

Thank you for your presentation yesterday to the Senate subcommittee. You indicated that the Chernoff Newman contract was available. Could you send a copy of this contract? Thanks for your help.

Lisa H. Catalanotto, Esq.  
Research Analyst  
Senate Finance Committee  
Senate of South Carolina  
111 Gressette Building  
Columbia, SC 29201  
(803) 212-6651  
[lisacatalanotto@scsenate.gov](mailto:lisacatalanotto@scsenate.gov)

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## Patel, Swati

---

**From:** Jon Neiditz <Jon.Neiditz@nelsonmullins.com>  
**Sent:** Friday, January 04, 2013 10:19 AM  
**To:** Ozzie Fonseca (ofonseca@experianinteractive.com)  
**Cc:** Patel, Swati; Milton Kimpson (KimpsoM@sctax.org)  
**Subject:** SC DOR Resident email 1-3-13 final.docx  
**Attachments:** SC DOR Resident email 1-3-13 final.docx

Ozzie,

Here's the resident email as approved by the Governor's Office. Many thanks.

Jon

## Nelson Mullins

---

**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

[www.nelsonmullins.com](http://www.nelsonmullins.com)

[\(View Bio\)](#)

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## Patel, Swati

---

**From:** Bowers, Butch <Butch.Bowers@wcsr.com>  
**Sent:** Thursday, January 03, 2013 3:27 PM  
**To:** Patel, Swati; Carroll, Todd  
**Subject:** Fw: Phillip Morgan v. Nikki Haley, et al. - Trustwave's Motion to Set Aside Default [IWOV-NPCHAR1.FID901601]  
**Attachments:** 1-3-13 ltr to counsel serving Trustwave\_s Motion to Set Aside.PDF

---

**From:** Werdenie, Sharon A. [mailto:SWerdenie@nexsenpruet.com]  
**Sent:** Thursday, January 03, 2013 03:19 PM  
**To:** john@hawkinslawsc.com <john@hawkinslawsc.com>; logan@hawkinslawsc.com <logan@hawkinslawsc.com>; rstepp@sowellgray.com <rstepp@sowellgray.com>; rtyson@sowellgray.com <rtyson@sowellgray.com>; bdurant@sowellgray.com <bdurant@sowellgray.com>; kimpsom@sctax.org <kimpsom@sctax.org>; Bowers, Butch; Claypoole, Theodore F.  
**Cc:** Long, James G. <JLong@nexsenpruet.com>; Hollingsworth, Jennifer J. <JHollingsworth@nexsenpruet.com>  
**Subject:** Phillip Morgan v. Nikki Haley, et al. - Trustwave's Motion to Set Aside Default [IWOV-NPCHAR1.FID901601]

Attached please find a letter from Jimmy Long serving Defendants Trustwave Holdings, Inc. and Trustwave Corporation's Motion to Set Aside Default.

### Sharon Werdenie

Legal Practice Assistant for  
James G. Long, III,  
Jennifer Hollingsworth and  
Tanya Gee  
Nexsen Pruet, LLC  
1230 Main Street, Suite 700  
Columbia, South Carolina 29201  
T: 803-771-8900x 3342 F: 803.253.8277  
[SWerdenie@nexsenpruet.com](mailto:SWerdenie@nexsenpruet.com)

[www.nexsenpruet.com](http://www.nexsenpruet.com)

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## Patel, Swati

---

**From:** Laura Watts <WattsL@sctax.org>  
**Sent:** Thursday, January 03, 2013 11:16 AM  
**To:** Patel, Swati  
**Subject:** RE: Copy 1Blank page for Mandient report.docx

Did you get the first two pages from Marshall at Mandient?

Laura

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Thursday, January 03, 2013 10:42 AM  
**To:** Laura Watts  
**Subject:** RE: Copy 1Blank page for Mandient report.docx

Thanks.

---

**From:** Laura Watts [mailto:WattsL@sctax.org]  
**Sent:** Thursday, January 03, 2013 10:39 AM  
**To:** Patel, Swati  
**Subject:** FW: Copy 1Blank page for Mandient report.docx

---

**From:** Laura Watts  
**Sent:** Thursday, January 03, 2013 10:35 AM  
**To:** 'swatipatel@sc.gov.us'  
**Cc:** Laura Watts (WattsL@sctax.org)  
**Subject:** Copy 1Blank page for Mandient report.docx

Good Morning,

Process: Print two copies of each file and insert into printer to make one double-sided page.  
Then, reinsert this double-sided page into the printer and copy the first two pages

Let me know if you need anything else.

Thanks

Laura W. Watts, CFO  
Sr. Administrator Support Services Division  
(803) 898-5038  
Cell: (803) 727-3549  
[WattsL@sctax.org](mailto:WattsL@sctax.org)

## Patel, Swati

---

**From:** Marshall Heilman <Marshall.Heilman@mandiant.com>  
**Sent:** Thursday, January 03, 2013 11:12 AM  
**To:** Patel, Swati  
**Subject:** RE: IR report with revised date

No problem.

r/  
Marshall  
Director  
+1 (808) 230-4707

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Thursday, January 03, 2013 11:10 AM  
**To:** Marshall Heilman  
**Subject:** RE: IR report with revised date

Thanks Marshall!

---

**From:** Marshall Heilman [mailto:Marshall.Heilman@mandiant.com]  
**Sent:** Thursday, January 03, 2013 11:06 AM  
**To:** Patel, Swati  
**Subject:** IR report with revised date  
**Importance:** High

(Confidential: Attorney-Client Communication Privilege and Attorney Work Product)

Swati,

I've attached a new copy of the IR report that includes revised date on the cover page to December 21, 2012.

r/  
Marshall

Marshall S. Heilman  
MANDIANT  
Director  
2318 Mill Road  
Suite 500  
Alexandria, VA 22314  
+1 (703) 224-2896 t  
+1 (703) 683-2891 f  
+1 (808) 230-4707 m  
[marshall.heilman@mandiant.com](mailto:marshall.heilman@mandiant.com)  
[www.mandiant.com](http://www.mandiant.com)

## Patel, Swati

---

**From:** Jon Neiditz <Jon.Neiditz@nelsonmullins.com>  
**Sent:** Wednesday, January 02, 2013 4:04 PM  
**To:** Milton Kimpson (KimpsoM@sctax.org); Pitts, Ted; Rush Smith; Patel, Swati  
**Subject:** FW: SCDOR Stats for 1.2.13

More than a million served!

---

**From:** Anel Nevarez [mailto:Anel.Nevarez@experianinteractive.com]  
**Sent:** Wednesday, January 02, 2013 4:01 PM  
**To:** 'Stirling, Bryan'  
**Cc:** Michael Bruemmer; Ozzie Fonseca; Jon Neiditz; Ken Bixler; Thad Westbrook; Greg Young; 'Milton Kimpson'  
**Subject:** SCDOR Stats for 1.2.13

Hello,

Current numbers are:

Activations: 1,002,995  
Family Secure: 20,638  
Calls: 912,622  
Average speed of answer: 3.9min

Best Regards,  
Anel Nevarez Linsenbardt  
Account Manager - Data Breach Resolution  
Experian Consumer Services



T: 949.567.7629  
C: 949.294.2183

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## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Wednesday, January 02, 2013 10:45 AM  
**To:** Patel, Swati; Jon Neiditz  
**Subject:** RE: Happy New Year; Do we need a status call?

Thanks everyone!

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Wednesday, January 02, 2013 10:43 AM  
**To:** Milton Kimpson; Jon Neiditz  
**Subject:** RE: Happy New Year; Do we need a status call?

3:30 works for me.

---

**From:** Milton Kimpson [mailto:KimpsoM@sctax.org]  
**Sent:** Wednesday, January 02, 2013 10:42 AM  
**To:** Jon Neiditz; Patel, Swati  
**Subject:** RE: Happy New Year; Do we need a status call?

Sorry. I was in a meeting. I have a 2:00 meeting here – if we push the status call to 3:30 does that create a problem? Thanks

Milton

---

**From:** Jon Neiditz [mailto:Jon.Neiditz@nelsonmullins.com]  
**Sent:** Wednesday, January 02, 2013 10:38 AM  
**To:** Patel, Swati; Milton Kimpson  
**Subject:** RE: Happy New Year; Do we need a status call?

Works for me, thanks. Milton?

---

**From:** Patel, Swati [mailto:SwatiPatel@gov.sc.gov]  
**Sent:** Wednesday, January 02, 2013 10:34 AM  
**To:** Jon Neiditz; Milton Kimpson (KimpsoM@sctax.org)  
**Subject:** RE: Happy New Year; Do we need a status call?

Happy New Year!

I'm available this afternoon around 3:00.

---

**From:** Jon Neiditz [mailto:Jon.Neiditz@nelsonmullins.com]  
**Sent:** Wednesday, January 02, 2013 10:10 AM  
**To:** Patel, Swati; Milton Kimpson (KimpsoM@sctax.org)  
**Subject:** Happy New Year; Do we need a status call?

Hope all is well, and thanks.

**Jon A. Neiditz**

Partner

[jon.neiditz@nelsonmullins.com](mailto: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>

twitter: @jonneiditz

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## Patel, Swati

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Monday, December 31, 2012 2:23 PM  
**To:** Pitts, Ted  
**Cc:** Patel, Swati; Stirling, Bryan  
**Subject:** FW: Chernoff Newman-NMRS Agreements  
**Attachments:** Chernoff Newman Invoice 19561.pdf; Chernoff Newman Invoice 019559-00.pdf; Chernoff Newman Invoice 019560-00.pdf; Chernoff Newman Non-Disclosure Agreement.pdf; Agency Service Agreement.pdf

Copies of the Chernoff contract and billing statements

Milton

---

**From:** Jessica Trautman [mailto:jessica.trautman@nelsonmullins.com]  
**Sent:** Monday, November 19, 2012 3:12 PM  
**To:** Milton Kimpson  
**Cc:** Rush Smith  
**Subject:** Chernoff Newman-NMRS Agreements

Mr. Kimpson,

Please find attached the following documents that Rush asked me to forward to you:

- Independent Contractor Unilateral Confidentiality and Non-Disclosure Agreement
- Agency Service Agreement
- Chernoff Newman Invoice# 19561
- Chernoff Newman Invoice # 019559-00
- Chernoff Newman Invoice # 019560-00

Thank you.

## Nelson Mullins

---

Jessica Trautman  
Administrative Assistant  
[jessica.trautman@nelsonmullins.com](mailto:jessica.trautman@nelsonmullins.com)

### Nelson Mullins Riley & Scarborough LLP

Meridian, 17th Floor  
1320 Main Street, Columbia, SC 29201  
Tel: 803.255.5535  
[www.nelsonmullins.com](http://www.nelsonmullins.com)

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## Patel, Swati

---

**From:** Neil Rashley <[nrashley@scbankers.org](mailto:nrashley@scbankers.org)>  
**Sent:** Friday, December 28, 2012 2:11 PM  
**To:** Patel, Swati  
**Subject:** Re: DOR letter

Thanks!

Sent from my iPhone

On Dec 28, 2012, at 2:04 PM, "Patel, Swati" <[SwatiPatel@gov.sc.gov](mailto:SwatiPatel@gov.sc.gov)> wrote:

Of course. We'll send it today.

---

**From:** Neil Rashley [<mailto:nrashley@scbankers.org>]  
**Sent:** Friday, December 28, 2012 01:55 PM  
**To:** Patel, Swati  
**Subject:** DOR letter

Swati,

Is there any way we can get a copy of the letter DOR sent out? We've asked from them but gotten no response.

Thanks,

Neil Rashley  
Senior Vice President and Counsel  
South Carolina Bankers Association  
2009 Park Street  
P.O. Box 1483  
Columbia, SC 29202  
(803) 779-0850  
(803) 256-8150 (fax)  
[nrashley@scbankers.org](mailto:nrashley@scbankers.org)  
[www.scbankers.org](http://www.scbankers.org)

**Patel, Swati**

---

**From:** Milton Kimpson <KimpsoM@sctax.org>  
**Sent:** Friday, December 28, 2012 2:28 PM  
**To:** Patel, Swati  
**Subject:** Re: DOR letter

Hello. I'll get it to Neil today. Hope you had a good trip.

Milton

Sent from my iPhone

On Dec 28, 2012, at 2:04 PM, "Patel, Swati" <[SwatiPatel@gov.sc.gov](mailto:SwatiPatel@gov.sc.gov)> wrote:

Hi Milton - Can you send them the resident letter?

Thanks.

---

**From:** Neil Rashley [<mailto:nrashley@scbankers.org>]  
**Sent:** Friday, December 28, 2012 01:55 PM  
**To:** Patel, Swati  
**Subject:** DOR letter

Swati,

Is there any way we can get a copy of the letter DOR sent out? We've asked from them but gotten no response.

Thanks,

Neil Rashley  
Senior Vice President and Counsel  
South Carolina Bankers Association  
2009 Park Street  
P.O. Box 1483  
Columbia, SC 29202  
(803) 779-0850  
(803) 256-8150 (fax)  
[nrashley@scbankers.org](mailto:nrashley@scbankers.org)  
[www.scbankers.org](http://www.scbankers.org)

## Patel, Swati

---

**From:** Marshall Heilman <Marshall.Heilman@mandiant.com>  
**Sent:** Friday, December 21, 2012 5:42 PM  
**To:** Patel, Swati  
**Subject:** RE: Final IR report  
**Attachments:** South Carolina Department of Revenue - Incident Response Report.pdf  
  
**Importance:** High

Swati,

I made a material change to the IR report. Please destroy all copies of the old version and use this version.

r/  
Marshall  
Director  
+1 (808) 230-4707

---

**From:** Marshall Heilman  
**Sent:** Wednesday, December 19, 2012 4:54 PM  
**To:** Swati Patel ([swatipatel@gov.sc.gov](mailto:swatipatel@gov.sc.gov)) ([swatipatel@gov.sc.gov](mailto:swatipatel@gov.sc.gov))  
**Subject:** Final IR report  
**Importance:** High

(Confidential: Attorney-Client Communication Privilege and Attorney Work Product)

Swati,

I have attached the final IR report. The report is password protected with our standard password. Please note that I am sending each recipient their own watermarked version of the report.

r/  
Marshall

Marshall S. Heilman  
MANDIANT  
Director  
2318 Mill Road  
Suite 500  
Alexandria, VA 22314  
+1 (703) 224-2896 t  
+1 (703) 683-2891 f  
+1 (808) 230-4707 m  
[marshall.heilman@mandiant.com](mailto:marshall.heilman@mandiant.com)  
[www.mandiant.com](http://www.mandiant.com)

## Patel, Swati

---

**From:** Bowers, Butch <Butch.Bowers@wcsr.com>  
**Sent:** Friday, December 21, 2012 4:43 PM  
**To:** Patel, Swati  
**Subject:** FW: Phillip Morgan v. Nikki Haley, et al. - Motion to Dismiss [IWOV-NPCHAR1.FID901601]  
**Attachments:** 12-21-12 ltr to Counsel serving Trustwave\_s filed Motion to Dismiss and Notice of Appearance.PDF

FYI

---

**From:** Werdenie, Sharon A. [mailto:SWerdenie@nexsenpruet.com]  
**Sent:** Friday, December 21, 2012 4:26 PM  
**To:** john@hawkinslawsc.com; logan@hawkinslawsc.com; rstepp@sowellgray.com; rtyson@sowellgray.com; bdurant@sowellgray.com; kimpsom@sctax.org; Bowers, Butch; Claypoole, Theodore F.  
**Cc:** Long, James G.; Hollingsworth, Jennifer J.  
**Subject:** Phillip Morgan v. Nikki Haley, et al. - Motion to Dismiss [IWOV-NPCHAR1.FID901601]

Attached please find a letter from Jimmy Long serving Defendants Trustwave Holdings, Inc. and Trustwave Corporation's Motion to Dismiss and a Notice of Appearance in the above-referenced case.

### Sharon Werdenie

Legal Practice Assistant for  
James G. Long, III,  
Jennifer Hollingsworth and  
Tanya Gee  
Nexsen Pruet, LLC  
1230 Main Street, Suite 700  
Columbia, South Carolina 29201  
T: 803-771-8900x 3342 F: 803.253.8277  
[SWerdenie@nexsenpruet.com](mailto:SWerdenie@nexsenpruet.com)

[www.nexsenpruet.com](http://www.nexsenpruet.com)

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## Patel, Swati

---

**From:** Stirling, Bryan  
**Sent:** Friday, December 21, 2012 3:52 PM  
**To:** Godfrey, Rob; Jon Neiditz (Jon.Neiditz@nelsonmullins.com); Patel, Swati  
**Subject:** FW: Experian Business Credit Advantage

---

**From:** Fingersh, Adam [mailto:[adam.fingersh@experian.com](mailto:adam.fingersh@experian.com)]  
**Sent:** Friday, December 21, 2012 3:50 PM  
**To:** Stirling, Bryan  
**Cc:** Young, Greg  
**Subject:** Experian Business Credit Advantage

Bryan-

Per our quick conversation, we will extend the enrollment period for Experian Business Credit Advantage to March 31<sup>st</sup> 2013.

Please let me know if you have any questions.

Regards,  
Adam

**Adam D. Fingersh**

Senior Vice President, Products and Marketing  
Experian Business Information Services  
Tel: 714.830.7707 | [adam.fingersh@experian.com](mailto:adam.fingersh@experian.com)

**Executive Assistant: Tina De La Cuadra**

Tel: 714.830.5433 | [tina.delacuadra@experian.com](mailto:tina.delacuadra@experian.com)



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## Patel, Swati

---

**From:** Marshall Heilman <Marshall.Heilman@mandiant.com>  
**Sent:** Wednesday, December 19, 2012 9:57 PM  
**To:** Terry Garber; Jon Neiditz; Harry Cooper; Milton Kimpson; Patel, Swati; tclaypoole@wcsr.com; Dale Brown  
**Subject:** RE: Trustwave Internal Penetration Teat Report

Thanks Terry, I'll go through this data in the morning.

r/  
Marshall  
Director  
+1 (808) 230-4707

---

**From:** Terry Garber [mailto:GARBERT@sctax.org]  
**Sent:** Wednesday, December 19, 2012 9:49 PM  
**To:** Jon Neiditz; Harry Cooper; Milton Kimpson; swatipatel@gov.sc.gov; tclaypoole@wcsr.com; Dale Brown; Marshall Heilman  
**Subject:** Trustwave Internal Penetration Teat Report

Attached.

Thanks,  
TG

Terry Garber, PMP  
Manager, Information Services  
Data Warehouse/Business Intelligence  
South Carolina Department of Revenue

 301 Gervais Street Columbia, SC 29201

 803-898-5521 | fax 803-898-5900

 [garbert@sctax.org](mailto:garbert@sctax.org)

## Patel, Swati

---

**From:** Bowers, Butch <Butch.Bowers@wcsr.com>  
**Sent:** Wednesday, December 19, 2012 1:11 PM  
**To:** Patel, Swati; Carroll, Todd  
**Subject:** Fw: Phillip Morgan v. Nikki Haley, et. al. Case Number: 2012-CP-40-7331  
**Attachments:** Letter to Atty for Nikki Haley with Protocol for Discovery, Cosent Protective Order, Stipulation, & Discovery Requests.pdf

One more...

---

**From:** April Million [mailto:april@hawkinslawsc.com]  
**Sent:** Wednesday, December 19, 2012 01:08 PM  
**To:** Carroll, Todd; Bowers, Butch; Hall, Kevin; Claypoole, Theodore F.  
**Cc:** KimpsoM@sctax.org <KimpsoM@sctax.org>; rtyson@sowellgray.com <rtyson@sowellgray.com>; rstepp@sowellgray.com <rstepp@sowellgray.com>; Logan Rollins <logan@hawkinslawsc.com>; John Hawkins <john@hawkinslawsc.com>  
**Subject:** Phillip Morgan v. Nikki Haley, et. al. Case Number: 2012-CP-40-7331

Please see the attached documents in the above referenced matter.

Thank you.

**April Million**  
**Litigation Paralegal**  
**The Hawkins Law Firm**  
**P.O. Box 5048**  
**Spartanburg, SC 29304**  
**Phone: 864-574-8801**  
**Fax: 864-886-2051**

---

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## Patel, Swati

---

**From:** Bowers, Butch <Butch.Bowers@wcsr.com>  
**Sent:** Wednesday, December 19, 2012 1:10 PM  
**To:** Patel, Swati; KimpsoM@sctax.org; Carroll, Todd  
**Subject:** Fw: Phillip Morgan v. Nikki Haley, et. al. Case Number: 2012-CP-40-7331  
**Attachments:** Letter to Atty for Etter & DOR with Protocol for Discovery, Consent Protective Order, Stipulation, & Discovery Requests.pdf

FYI

---

**From:** April Million [mailto:april@hawkinslawsc.com]  
**Sent:** Wednesday, December 19, 2012 01:06 PM  
**To:** KimpsoM@sctax.org <KimpsoM@sctax.org>  
**Cc:** rtyson@sowellgray.com <rtyson@sowellgray.com>; rstepp@sowellgray.com <rstepp@sowellgray.com>; Carroll, Todd; Bowers, Butch; Hall, Kevin; Claypoole, Theodore F.; Logan Rollins <logan@hawkinslawsc.com>; John Hawkins <john@hawkinslawsc.com>  
**Subject:** Phillip Morgan v. Nikki Haley, et. al. Case Number: 2012-CP-40-7331

Please see the attached documents in the above referenced matter.

Thank you.

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**Litigation Paralegal**  
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**Phone: 864-574-8801**  
**Fax: 864-886-2051**

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**Patel, Swati**

---

**From:** Bowers, Butch <Butch.Bowers@wcsr.com>  
**Sent:** Wednesday, December 19, 2012 1:06 PM  
**To:** Patel, Swati; KimpsoM@sctax.org  
**Cc:** Carroll, Todd  
**Subject:** Fw: Phillip Morgan v. Nikki Haley, et al. / Case Number: 2012-CP-40-7331  
**Attachments:** Letter to Atty for DSIT with Protocol for Discovery, Consent Protective Order, Stipulation, & Discovery Requests.pdf

Swati and Milton - fyi, please see attached. I haven't reviewed this yet because I'm in a CLE all day today, but wanted to send it to you ASAP.

---

**From:** April Million [mailto:april@hawkinslawsc.com]  
**Sent:** Wednesday, December 19, 2012 01:02 PM  
**To:** rtyson@sowellgray.com <rtyson@sowellgray.com>; rstepp@sowellgray.com <rstepp@sowellgray.com>  
**Cc:** KimpsoM@sctax.org <KimpsoM@sctax.org>; Carroll, Todd; Bowers, Butch; Hall, Kevin; Claypoole, Theodore F.; Logan Rollins <logan@hawkinslawsc.com>; John Hawkins <john@hawkinslawsc.com>  
**Subject:** Phillip Morgan v. Nikki Haley, et al. / Case Number: 2012-CP-40-7331

Please see the attached documents in the above referenced matter.

Thank you.

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**Litigation Paralegal**  
**The Hawkins Law Firm**  
**P.O. Box 5048**  
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**Phone: 864-574-8801**  
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## Patel, Swati

---

**From:** Harry Cooper <COOPERH@sctax.org>  
**Sent:** Tuesday, December 18, 2012 6:01 PM  
**To:** Patel, Swati  
**Cc:** Jon.Neiditz@nelsonmullins.com; thad.westbrook@nelsonmullins.com; Rush Smith; kimpsom@sctax.org  
**Subject:** Re: From Greg Young, re: Extension of PMID enrollment period

Great news!

Sent from my iPhone

On Dec 18, 2012, at 5:44 PM, "Patel, Swati" <SwatiPatel@gov.sc.gov> wrote:

Good news. See below.

---

**From:** Stirling, Bryan  
**Sent:** Tuesday, December 18, 2012 5:43 PM  
**To:** Patel, Swati; Pitts, Ted; Godfrey, Rob  
**Subject:** Fw: From Greg Young, re: Extension of PMID enrollment period

---

**From:** Greg Young [<mailto:Greg.Young@experianinteractive.com>]  
**Sent:** Tuesday, December 18, 2012 05:38 PM  
**To:** Stirling, Bryan  
**Cc:** Michael Bruemmer <[Michael.Bruemmer@experianinteractive.com](mailto:Michael.Bruemmer@experianinteractive.com)>; Ozzie Fonseca <[ofonseca@experianinteractive.com](mailto:ofonseca@experianinteractive.com)>; Ken Bixler <[Ken.Bixler@experianinteractive.com](mailto:Ken.Bixler@experianinteractive.com)>; Colette Parsons <[Colette.Parsons@experianinteractive.com](mailto:Colette.Parsons@experianinteractive.com)>  
**Subject:** From Greg Young, re: Extension of PMID enrollment period

Bryan,

Per our conversation last week and today, we have agreed to a final extension of the enrollment period for PMID to March 31, 2013. We expect that the State will honor its commitment to maintain a staggered mailing, not to exceed 100,000 letters per day, or a combination of emails and letters that do not exceed 100,000 notifications per day.

Please get back to me with questions.

GY

**Greg Young, APR**  
Director  
Public Relations

Experian Consumer Services  
535 Anton, suite 100

Costa Mesa, CA 92626  
Direct: 949-567-3791  
Mobile: 949-294-5701  
[greg.young@experianinteractive.com](mailto:greg.young@experianinteractive.com)

[freecreditreport.com](http://freecreditreport.com)  
[freecreditscore.com](http://freecreditscore.com)  
[creditreport.com](http://creditreport.com)  
[protectmyid.com](http://protectmyid.com)  
[safetyweb.com](http://safetyweb.com)

## Patel, Swati

---

**Subject:** letter  
**Location:** Call In -888-543-4442, Participant Code: 404-322-6139

**Start:** Tue 12/11/2012 5:15 PM  
**End:** Tue 12/11/2012 5:45 PM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Jon Neiditz  
**Required Attendees:** Patel, Swati; Milton Kimpson (KimpsoM@sctax.org)

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## Patel, Swati

---

**Subject:** Resident letter  
**Location:** Call In -888-543-4442, Participant Code: 404-322-6139

**Start:** Tue 12/11/2012 11:30 AM  
**End:** Tue 12/11/2012 12:00 PM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Jon Neiditz  
**Required Attendees:** Patel, Swati; Milton Kimpson (KimpsoM@sctax.org); 'COOPERH@sctax.org'

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## Patel, Swati

---

**Subject:** Canceled: Identity Theft Resource Center Services to South Carolina  
**Location:** Call In -888-543-4442, Participant Code: 404-322-6139

**Start:** Tue 12/11/2012 11:30 AM  
**End:** Tue 12/11/2012 12:30 PM  
**Show Time As:** Free

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Jon Neiditz

**Importance:** High

As discussed with Swati and Eva, the purpose of the call is to establish real linkage between the ITRC and an ombudsperson function at the DCA, enabling the ITRC to get up to speed on SC and the DCA to benefit from the depth of expertise at the ITRC as the letters to SC residents are going out.

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## Patel, Swati

---

**Subject:** In-state letter  
**Location:** Call In -888-543-4442, Participant Code: 404-322-6139  
**Start:** Mon 12/10/2012 4:45 PM  
**End:** Mon 12/10/2012 5:15 PM  
**Show Time As:** Tentative  
**Recurrence:** (none)  
**Meeting Status:** Not yet responded  
**Organizer:** Jon Neiditz  
**Required Attendees:** Patel, Swati; Milton Kimpson (KimpsoM@sctax.org); 'COOPERH@sctax.org'

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## Patel, Swati

---

**From:** Terry Garber <GARBERT@sctax.org>  
**Sent:** Wednesday, December 19, 2012 9:49 PM  
**To:** Jon Neiditz; Harry Cooper; Milton Kimpson; Patel, Swati; tclaypoole@wcsr.com; Dale Brown; marshall.heilman@mandiant.com  
**Subject:** Trustwave Internal Penetration Teat Report  
**Attachments:** Trustwave\_Internal\_Network\_SCDOR\_Internal\_-\_Year\_1\_of\_5\_12-19-2012.pdf

Attached.

Thanks,  
TG

Terry Garber, PMP  
Manager, Information Services  
Data Warehouse/Business Intelligence  
South Carolina Department of Revenue

 301 Gervais Street Columbia, SC 29201

 803-898-5521 | fax 803-898-5900

 [garbert@sctax.org](mailto:garbert@sctax.org)

**Patel, Swati**

---

**From:** Terry Garber <GARBERT@sctax.org>  
**Sent:** Wednesday, December 19, 2012 9:55 PM  
**To:** Jon Neiditz; Harry Cooper; Milton Kimpson; Patel, Swati; tclaypoole@wcsr.com; Dale Brown; marshall.heilman@mandiant.com  
**Subject:** Trustwave External Penetration Teat Report  
**Attachments:** Trustwave\_External\_Network\_South\_Caroline\_Department\_of\_Revenue\_External\_-\_Year\_1\_of\_5\_12-19-2012.pdf

Attached.

Thanks,  
TG

Terry Garber, PMP  
Manager, Information Services  
Data Warehouse/Business Intelligence  
South Carolina Department of Revenue

: 301 Gervais Street Columbia, SC 29201

: 803-898-5521 | fax 803-898-5900

: [garbert@sctax.org](mailto:garbert@sctax.org)

## Patel, Swati

---

**Subject:** Mailing vendor  
**Location:** Call In -888-543-4442, Participant Code: 404-322-6139  
**Start:** Wed 11/28/2012 2:50 PM  
**End:** Wed 11/28/2012 3:20 PM  
**Show Time As:** Tentative  
**Recurrence:** (none)  
**Meeting Status:** Not yet responded  
**Organizer:** Jon Neiditz  
**Required Attendees:** Patel, Swati; Milton Kimpson (KimpsoM@sctax.org); Stirling, Bryan

**Patel, Swati**

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**From:** Leidinger, Bill  
**Sent:** Monday, November 05, 2012 9:23 AM  
**To:** Pitts, Ted  
**Cc:** Loftis, Curtis; Patel, Swati  
**Subject:** Briefing

Ted, when you can, the Treasurer and I would like a few minutes of your time for an update on the DOR security breach. The Treasurer would also like a few minutes to talk to you and Swati about the Investment Commission.

Please let me know what days and times this week are good for you.

Thanks.....Bill

William Leidinger  
Chief of Staff  
State Treasurer's Office  
P.O. Box 11778  
Columbia, SC 29201

(803) 734-5063 Office  
(803) 608-2378 Mobile

## Patel, Swati

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**Subject:** Server(s)  
**Location:** Call In -888-543-4442, Participant Code: 404-322-6139

**Start:** Thu 1/10/2013 4:00 PM  
**End:** Thu 1/10/2013 4:30 PM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Jon Neiditz  
**Required Attendees:** Patel, Swati; tclaypoole@wcsr.com; Marshall Heilman  
(Marshall.Heilman@mandiant.com)

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## Patel, Swati

---

**Subject:** PFI Report  
**Location:** Call In -888-543-4442, Participant Code: 404-322-6139

**Start:** Fri 12/21/2012 11:00 AM  
**End:** Fri 12/21/2012 11:30 AM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Jon Neiditz  
**Required Attendees:** Marshall Heilman (Marshall.Heilman@mandiant.com); tclaypoole@wcsr.com; Patel, Swati; 'COOPERH@sctax.org'; Milton Kimpson (KimpsoM@sctax.org); Terry Garber (GARBERT@sctax.org)

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## Patel, Swati

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**Subject:** Experian Contract  
**Location:** Call In -888-543-4442, Participant Code: 404-322-6139  
**Start:** Tue 12/18/2012 5:00 PM  
**End:** Tue 12/18/2012 5:30 PM  
**Show Time As:** Tentative  
**Recurrence:** (none)  
**Meeting Status:** Not yet responded  
**Organizer:** Jon Neiditz

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## Patel, Swati

---

**Subject:** PFI Report  
**Location:** Call In -888-543-4442, Participant Code: 404-322-6139

**Start:** Wed 12/19/2012 3:00 PM  
**End:** Wed 12/19/2012 3:30 PM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Jon Neiditz

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## Patel, Swati

---

**Subject:** Incident Report  
**Location:** Call In -888-543-4442, Participant Code: 404-322-6139

**Start:** Tue 12/18/2012 2:30 PM  
**End:** Tue 12/18/2012 3:00 PM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Jon Neiditz  
**Required Attendees:** Marshall Heilman (Marshall.Heilman@mandiant.com); tclaypoole@wcsr.com; Patel, Swati; 'COOPERH@sctax.org'; Milton Kimpson (KimpsoM@sctax.org); Dale Brown (Brownd@sctax.org); Terry Garber (GARBERT@sctax.org)

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## Patel, Swati

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**Subject:** Investigation and PFI Reports  
**Location:** Call In -888-543-4442, Participant Code: 404-322-6139

**Start:** Mon 12/17/2012 1:30 PM  
**End:** Mon 12/17/2012 2:30 PM  
**Show Time As:** Tentative

**Recurrence:** (none)

**Meeting Status:** Not yet responded

**Organizer:** Jon Neiditz  
**Required Attendees:** Marshall Heilman (Marshall.Heilman@mandiant.com); Patel, Swati;  
tclaypoole@wcsr.com

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## Patel, Swati

---

**From:** Veldran, Katherine  
**Sent:** Wednesday, December 12, 2012 11:47 AM  
**To:** Barton Vincent  
**Cc:** Pitts, Ted; Patel, Swati  
**Subject:** RE: Inmate access to ProtectMyID

Barton,  
Thank you for the follow up.  
The draft is still being worked on as soon as it's ready I will make sure to pass it along.  
Thank you,  
Katherine

Katherine F. Veldran  
Legislative Liaison | Office of Governor Nikki Haley  
O: 803-734-5124 | C: 803-767-7583  
[KatherineVeldran@gov.sc.gov](mailto:KatherineVeldran@gov.sc.gov)

---

**From:** Barton Vincent [<mailto:Vincent.Barton@doc.sc.gov>]  
**Sent:** Wednesday, December 12, 2012 9:21 AM  
**To:** Veldran, Katherine  
**Subject:** Inmate access to ProtectMyID

Katherine:

I wanted to thank you for meeting with us to discuss some of the unique situations we are having with our inmate population as it relates to registering with Experian. In following up on that meeting, could you forward a draft "notice" letter at your earliest convenience? Thank you for your attention to this matter.

**Barton J. Vincent, Esquire**  
**Deputy General Counsel**  
**S.C. Department of Corrections**  
**Post Office Box 21787**  
**Columbia, South Carolina 29221-1787**  
**803-896-8508 (Office)**  
**803-896-1766 (Fax)**

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