

## SAMPLE

[DATE]

**NOTICE OF DATA BREACH**

[Recipient's Name]

[Recipient's Address]

Dear [Name]:

We write to inform you of a cybersecurity incident that involved certain personal information about you. While we have no evidence at this time that any of your information has been misused, we are contacting you to explain the circumstances of the incident, the information involved, what we are doing, and steps that can be taken to protect your identity.

**What happened?** Gibson Dunn recently became aware of a cybersecurity incident that took place between April and May 2023, involving the unauthorized access by a third party to certain files obtained in connection with providing legal services. Upon learning of the incident, we immediately launched a thorough investigation, engaged leading cybersecurity and forensics experts, and notified federal law enforcement. Unfortunately, we determined that the files impacted in this incident may have included your personal information.

**What information was involved?** The information involved in this incident may have included your name, Social Security number, date of birth, passport number, driver's license number, account number, state identification number, military identification number and/or other identification number. As noted above, we have no evidence that any of your information has been misused.

**What we are doing.** We worked with leading cybersecurity and forensics experts to quickly contain the incident. We are cooperating with law enforcement in their investigation of the unauthorized third party. We have also taken additional steps to enhance our security and help prevent future incidents.

We are offering you a complimentary two-year membership to Experian's® IdentityWorks<sup>SM</sup>. This product provides you with identity detection and resolution of identity theft. If you would like to take advantage of this offer, please follow the steps in the attached instructions.

**What you can do.** Please review the enclosed Information About Identity Theft Protection for additional information on how to protect against identity theft and fraud. You can also enroll in Experian® IdentityWorks<sup>SM</sup>.

**For more information.** You may call us at (877) 200-0202.

We sincerely apologize for any inconvenience this may have caused you.

Sincerely,

Gibson, Dunn & Crutcher LLP

## **Information About Identity Theft Protection**

### **Monitor Your Accounts**

We recommend that you regularly review statements from your accounts and periodically obtain your credit report from one or more of the national credit reporting companies. You may obtain a free copy of your credit report online at [www.annualcreditreport.com](http://www.annualcreditreport.com), by calling toll-free 1-877-322-8228, or by mailing an Annual Credit Report Request Form (available at [www.annualcreditreport.com](http://www.annualcreditreport.com)) to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281. You may also purchase a copy of your credit report by contacting one or more of the three national credit reporting agencies listed below.

Equifax®  
P.O. Box 740241  
Atlanta, GA 30374-0241  
1-866-349-5191  
[www.equifax.com](http://www.equifax.com)

Experian®  
P.O. Box 2002  
Allen, TX 75013-9701  
1-866-200-6020  
[www.experian.com](http://www.experian.com)

TransUnion®  
P.O. Box 1000  
Chester, PA 19016-1000  
1-800-888-4213  
[www.transunion.com](http://www.transunion.com)

You should remain vigilant for incidents of fraud or identity theft by reviewing account statements and monitoring free credit reports. When you receive your credit reports, review them carefully. Look for accounts or creditor inquiries that you did not initiate or do not recognize. Look for information, such as home address and Social Security number, that is not accurate. If you see anything you do not understand, call the credit reporting agency at the telephone number on the report.

You have rights under the federal Fair Credit Reporting Act (FCRA), which governs the collection and use of information about you by consumer reporting agencies. For more information about your rights under the FCRA, please visit [www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf](http://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf) or [www.ftc.gov](http://www.ftc.gov).

### **Credit Freeze**

You have the right to put a security freeze, also known as a credit freeze, on your credit file, so that no new credit can be opened in your name without the use of a Personal Identification Number (PIN) that is issued to you when you initiate a freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to access your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. Pursuant to federal law, you cannot be charged to place or lift a credit freeze on your credit report. Should you wish to place a credit freeze, please contact all three major consumer reporting agencies listed below.

Equifax®  
P.O. Box 105788  
Atlanta, GA 30348-5788  
1-888-298-0045  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

Experian®  
P.O. Box 9554  
Allen, TX 75013-9554  
1-888-397-3742  
[www.experian.com/freeze/center.html](http://www.experian.com/freeze/center.html)

TransUnion®  
P.O. Box 160  
Woodlyn, PA 19094  
1-800-916-8800  
[www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

You must separately place a credit freeze on your credit file at each credit reporting agency. The following information should be included when requesting a credit freeze:

- Full name, with middle initial and any suffixes;
- Social Security number;
- Date of birth (month, day, and year);
- Current address and previous addresses for the past five (5) years;
- Proof of current address, such as a current utility bill or telephone bill;
- Other personal information as required by the applicable credit reporting agency.

If you request a credit freeze online or by phone, then the credit reporting agencies have one (1) business day after receiving your request to place a credit freeze on your credit file report. If you request a lift of the credit freeze online or by phone, then the credit reporting agency must lift the freeze within one (1) hour. If you request a credit freeze or lift of a credit freeze by mail, then the credit agency must place or lift the credit freeze no later than three (3) business days after getting your request.

### **Fraud Alerts**

You also have the right to place an initial or extended fraud alert on your file at no cost. An initial fraud alert lasts one (1) year and is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven (7) years. Should you wish to place a fraud alert, please contact any one of the agencies listed below. The agency you contact will then contact the other two credit agencies.

Equifax®  
P.O. Box 105069  
Atlanta, GA 30348-5069  
1-800-525-6285  
[www.equifax.com/personal/credit-report-services/credit-fraud-alerts/](http://www.equifax.com/personal/credit-report-services/credit-fraud-alerts/)

Experian®  
P.O. Box 9554  
Allen, TX 75013-9554  
1-888-397-3742  
[www.experian.com/fraud/center.html](http://www.experian.com/fraud/center.html)

TransUnion®  
P.O. Box 2000  
Chester, PA 19016-2000  
1-800-680-7289  
[www.transunion.com/fraud-alerts](http://www.transunion.com/fraud-alerts)

### **Federal Trade Commission and State Attorneys General Offices**

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact local law enforcement, the Federal Trade Commission and/or the Attorney General's office in your home state. If you are a **Maryland resident**, you may contact the Maryland Office of the Attorney General at Consumer Protection Division Office, 44 North Potomac Street, Suite 104, Hagerstown, MD 21740, <https://www.marylandattorneygeneral.gov/Pages/contactus.aspx>, 1-888-743-0023, or 410-528-8662 (consumer). If you are a **New York resident**, you may contact the Office of the New York State Attorney General, The Capitol Albany NY 12224-0341, <https://ag.ny.gov/contact-attorney-general-letitia-james>, 1-800-771-7755. If you are a **North Carolina resident**, you may contact the North Carolina Office of the Attorney General at Consumer Protection, 9001 Mail Service Center Raleigh, NC 27699-9001, <https://ncdoj.gov/contact-doj/>, (877) 566-7226, or (919) 716-6000. You may also contact these agencies for information on how to prevent or minimize the risks of identity theft, including the use of fraud alerts and security freezes. You may contact the **Federal Trade Commission**, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20580, [www.ftc.gov/bcp/edu/microsites/idtheft/](http://www.ftc.gov/bcp/edu/microsites/idtheft/), 1-877-IDTHEFT (438-4338).

## Instructions for Activating Complimentary Membership in Experian's® IdentityWorksSM

To help protect your identity, we are offering complimentary access to Experian IdentityWorksSM for 24 months.

If you believe there was fraudulent use of your information as a result of this incident and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. If, after discussing your situation with an agent, it is determined that identity restoration support is needed then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred from the date of the incident (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that Identity Restoration is available to you for 24 months from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at [www.ExperianIDWorks.com/restoration](http://www.ExperianIDWorks.com/restoration).

While identity restoration assistance is immediately available to you, we also encourage you to activate the fraud detection tools available through Experian IdentityWorks as a complimentary 24-month membership. This product provides you with superior identity detection and resolution of identity theft. To start monitoring your personal information, please follow the steps below:

- Ensure that you **enroll by 09/30/2023** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bcredit>
- Provide your **activation code**: [Activation Code]

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 1-877-890-9332 by 09/30/2023. Be prepared to provide engagement number B096038 as proof of eligibility for the Identity Restoration services by Experian.

### ADDITIONAL DETAILS REGARDING YOUR 24-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP

A credit card is not required for enrollment in Experian IdentityWorks. You can contact Experian immediately regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.\*
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance\*\*:** Provides coverage for certain costs and unauthorized electronic fund transfers.

\* Offline members will be eligible to call for additional reports quarterly after enrolling.

\*\* The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.