MINTZ LEVIN

Cynthia J. Larose | 617 348 1732 | cjlarose@mintz.com

One Financial Center
Boston, MA 02111
617-542-6000
617-542-2241 fax
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July 6, 2015

Via Email (ocp@dcca.hawaii.gov) and Federal Express

Office of Consumer Protection
Department of Commerce and
Consumer Affairs
Leiopapa A Kamehameha Bldg.
235 South Beretania Street
Suite 801
Honolulu, HI 96813

RE: Reporting of Security Incident Pursuant to Hawaii Rev. Statutes section 487N-2

Dear Sir or Madam:

This law firm represents Automotive Recovery Services, Inc. ("ARS") doing business as Vehicle Donation Processing Center ("VDPC") (collectively, the "Company"). On June 1, 2015, the Company learned that an intruder may have acquired consumer personally identifiable information from a Company server containing information obtained by the Company from individuals who donated a vehicle to a charitable organization between July 2012 and May 2015. The Company has worked diligently to investigate and resolve this unfortunate situation. This letter serves to notify your office of the situation, and to comply with the requirements of Hawaii Revised Statutes section 487N-2(f).

The Company has no knowledge of any personal information being used improperly, and has no direct evidence that personally identifiable information was in fact stolen. However, out of an abundance of caution the Company will be providing notice to all affected donors, including those whose records do not include "personally identifiable information" as defined under the Hawaii Breach Notification Act, and will be providing 12 months of identity protection and credit monitoring services through AllClear ID at no cost to all the individuals. Additionally, ARS is continuing to assess its systems, and is actively reviewing its procedures to ensure that personally identifiable information is protected.

A sample copy of the Company's notification to the 1,163 affected Hawaii residents under Hawaii Statute § 487N-2(a) is attached. The notification will be mailed to affected residents no later than July 6, 2015.

If you have any questions or concerns, please do not hesitate to contact me at (617)348-1732 or at CJLarose@mintz.com.

Very truly yours,

Cynthia J. Larose

Cynthia J. Larose

AUTOMOTIVE RECOVERY SERVICES, INC.
Processing Center • P.O. BOX 141578 • Austin, TX 78714

00002
ACD1234
00-ACIDLT1E-3

00113
JOHN Q. SAMPLE
1234 MAIN STREET
ANYTOWN US 12345-6789

July 1, 2015

Dear John Sample,

We are writing to you because you donated a vehicle to a charitable organization between 2005 and 2014. Automotive Recovery Services ("ARS"), which you may know as Vehicle Donation Processing Center ("VDPC"), processed these vehicle donations for the charitable organization. In connection with these services, ARS may have collected personal information from you.

ARS takes the security of this information seriously. Unfortunately, we have discovered that unauthorized person(s) gained access to certain VDPC legacy systems. While the source of this intrusion is still under investigation, it may have exposed your personal information between July 2012 and May 2015, including your name, social security number, street address, email address, phone number, driver's license number, the type of vehicle you donated, and/or the name of the charity to which you donated your vehicle. This incident occurred on our systems and not the systems of the charity to which you donated your vehicle.

We have no evidence that your information has been misused, stolen or compromised. We nonetheless want to make you aware of steps you may take to guard against potential identity theft or fraud. Please review the enclosed information about protecting your identity. Please also be aware of any suspicious emails purporting to come from a charity.

As an added precaution, we have arranged to have AllClear ID protect your identity for 12 months at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next 12 months.

AllClear SECURE: The team at AllClear ID is ready and standing by if you need help protecting your identity. You are automatically eligible to use this service. If a problem arises, simply call 1-855-861-4023 and a dedicated investigator will do the work to recover financial losses, restore your credit and make sure your identity is returned to its proper condition. AllClear ID maintains an A+ rating at the Better Business Bureau.

AllClear PRO: This service offers additional layers of protection including credit monitoring and a $1 million identity theft insurance policy. To use the PRO service, you will need to provide your personal information to AllClear ID. You may sign up online at enroll.allclearid.com or by phone by calling 1-855-861-4023 using the following redemption code: Redemption Code.

Please note: Additional steps may be required by you in order to activate your phone alerts.

Because your social security number may have been involved, we recommend that you take advantage of and activate this free service.

01-03-2-00

We are taking steps to prevent a similar occurrence by refining our security programs and implementing additional security layers.

If you have further questions or concerns about this incident, please contact 1-855-861-4023. We sincerely regret any inconvenience or concern caused by this incident.

Sincerely,

John Bean

John Bean
Vice President
Automotive Recovery Services, Inc.

Information about Identity Theft Prevention

We recommend that you remain vigilant and 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, by calling toll-free 1-877-322-8228, or by mailing an Annual Credit Report Request Form (available at 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 105139, Atlanta, Georgia 30374-0241, 1-800-685-1111, www.equifax.com
Experian, P.O. Box 2002, Allen, TX 75013, 1-888-397-3742, www.experian.com
TransUnion, P.O. Box 6790, Fullerton, CA 92834-6790, 1-800-916-8800, www.transunion.com

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.

We recommend you remain vigilant with respect to reviewing your account statements and credit reports, and promptly report any suspicious activity or suspected identity theft to us and to the proper law enforcement authorities, including local law enforcement, your state's attorney general and/or the Federal Trade Commission ("FTC"). You may contact the FTC or your state's regulatory authority to obtain additional information about avoiding identity theft.

Federal Trade Commission, Consumer Response Center
600 Pennsylvania Avenue, NW, Washington, DC 20580, 1-877-IDTHEFT (438-4338), www.ftc.gov/idtheft

For residents of Maryland: You may also obtain information about preventing and avoiding identity theft from the Maryland Office of the Attorney General:

Maryland Office of the Attorney General, Consumer Protection Division
200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023, www.oag.state.md.us

For residents of Massachusetts: You also have the right to obtain a police report.

For residents of North Carolina: You may also obtain information about preventing and avoiding identity theft from the North Carolina Attorney General's Office:

North Carolina Attorney General's Office, Consumer Protection Division
9001 Mail Service Center, Raleigh, NC 27699-9001, 1-877-5-NO-SCAM, www.ncdoj.gov

Fraud Alerts: There are also two types of fraud alerts that you can place on your credit report to put your creditors on notice that you may be a victim of fraud: an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for at least 90 days. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. You can place a fraud alert on your credit report by calling the toll-free fraud number of any of the three national credit reporting agencies listed below.

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

Credit Freezes (for Non-Massachusetts Residents): You may have the right to put a credit freeze, also known as a security freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number 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 get access to your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. In addition, you may incur fees to place, lift and/or remove a credit freeze. Credit freeze laws vary from state to state. The cost of placing, temporarily lifting, and removing a credit freeze also varies by state, generally $5 to $20 per action at each credit reporting company. *Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company.* Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit reporting companies as specified below to find out more information:

Equifax, P.O. Box 105788, Atlanta, GA 30348, www.equifax.com
Experian, P.O. Box 9554, Allen, TX 75013, www.experian.com
TransUnion, LLC, P.O. Box 2000, Chester, PA, 19022-2000, www.transunion.com

You can obtain more information about fraud alerts and credit freezes by contacting the FTC or one of the national credit reporting agencies listed above.

Credit Freezes (for Massachusetts Residents): Massachusetts law gives you the right to place a security freeze on your consumer reports. A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. Using a security freeze, however, may delay your ability to obtain credit. You may request that a freeze be placed on your credit report by sending a request to a credit reporting agency by certified mail, overnight mail or regular stamped mail to the address below:

Equifax, P.O. Box 105788, Atlanta, GA 30348, www.equifax.com
Experian, P.O. Box 9554, Allen, TX 75013, www.experian.com
TransUnion, LLC, P.O. Box 2000, Chester, PA, 19022-2000, www.transunion.com

Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company. The following information should be included when requesting a security freeze (documentation for you and your spouse must be submitted when freezing a spouse's credit report): 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; and applicable fee (if any) or incident report or complaint with a law enforcement agency or the Department of Motor Vehicles. The request should also include a copy of a government-issued identification card, such as a driver's license, state or military ID card, and a copy of a utility bill, bank or insurance statement. Each copy should be legible, display your name and current mailing address, and the date of issue (statement dates must be recent). The credit reporting company may charge a reasonable fee of up to $5 to place a freeze or lift or remove a freeze, unless you are a victim of identity theft or the spouse of a victim of identity theft, and have submitted a valid police report relating to the identity theft to the credit reporting company.

Terms of Use for AllClear Secure

If you become a victim of fraud using your personal information without authorization, AllClear ID will help recover your financial losses and restore your identity. Benefits include:

- Automatic 12 months of coverage;
- No cost to you – ever. AllClear Secure is paid for by the participating Company.

Services Provided

If you suspect identity theft, simply call AllClear ID to file a claim. AllClear ID will provide appropriate and necessary remediation services ("Services") to help restore the compromised accounts and your identity to the state prior to the incident of fraud. Services are determined at the sole discretion of AllClear ID and are subject to the terms and conditions found on the AllClear ID website. AllClear Secure is not an insurance policy, and AllClear ID will not make payments or reimbursements to you for any financial loss, liabilities or expenses you incur.

Coverage Period

You are automatically protected for 12 months from the date the breach incident occurred, as communicated in the breach notification letter you received from Company (the "Coverage Period"). Fraud Events that occurred prior to your Coverage Period are not covered by AllClear Secure services.

Eligibility Requirements

To be eligible for Services under AllClear Secure coverage, you must fully comply, without limitations, with your obligations under the terms herein, you must be a citizen eighteen (18) years of age or older, reside in the United States, and have a valid U.S. Social Security number. Minors under eighteen (18) years of age may be eligible, but must be sponsored by a parent or guardian. The Services cover only you and your personal financial and medical accounts that are directly associated with your valid U.S. Social Security number, including but not limited to credit card, bank, or other financial accounts and/or medical accounts.

How to File a Claim

If you become a victim of fraud covered by the AllClear Secure services, you must:

- Notify AllClear ID by calling 1.855.434.8077 to report the fraud prior to expiration of your Coverage Period;
- Provide proof of eligibility for AllClear Secure by providing the redemption code on the notification letter you received from the sponsor Company;
- Fully cooperate and be truthful with AllClear ID about the Event and agree to execute any documents AllClear ID may reasonably require;
- Fully cooperate with AllClear ID in any remediation process, including, but not limited to, providing AllClear ID with copies of all available investigation files or reports from any institution, including, but not limited to, credit institutions or law enforcement agencies, relating to the alleged theft.

Coverage under AllClear Secure Does Not Apply to the Following:

Any expense, damage or loss:

- Due to
  - Any transactions on your financial accounts made by authorized users, even if acting without your knowledge
  - Any act of theft, deceit, collusion, dishonesty or criminal act by you or any person acting in concert with you, or by any of your authorized representatives, whether acting alone or in collusion with you or others (collectively, your "Misrepresentation")
- Incurred by you from an Event that did not occur during your coverage period;
- In connection with an Event that you fail to report to AllClear ID prior to the expiration of your AllClear Secure coverage period.

Other Exclusions:

- AllClear ID will not pay or be obligated for any costs or expenses other than as described herein, including without limitation fees of any service providers not retained by AllClear ID; AllClear ID reserves the right to investigate any asserted claim to determine its validity;
- AllClear ID is not an insurance company, and AllClear Secure is not an insurance policy; AllClear ID will not make payments or reimbursements to you for any loss or liability you may incur;
- AllClear ID is not a credit repair organization, is not a credit counseling service, and does not promise to help you improve your credit history or rating beyond resolving incidents of fraud; and
- You are expected to protect your personal information in a reasonable way at all times. Accordingly, you will not recklessly disclose or publish your Social Security number or any other personal information to those who would reasonably be expected to improperly use or disclose that Personal Information, such as, by way of example, in response to "phishing" scams, unsolicited emails, or pop-up messages seeking disclosure of personal information.

Opt-out Policy

If for any reason you wish to have your information removed from the eligibility database for AllClear Secure, please contact AllClear ID:

<u>E-mail</u>	<u>Mail</u>	<u>Phone</u>
support@allclearid.com	AllClear ID, Inc. 823 Congress Avenue Suite 300 Austin, Texas 78701	1.855.434.8077

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