



P.O. Box 30285  
Salt Lake City, UT 84130-0285

May 18, 2010

Attorney General Michael A. Delaney  
New Hampshire Department of Justice  
33 Capitol Street  
Concord, NH 03301

Dear Attorney General Delaney:

Pursuant to N.H. Title 31, §359-C:20, we are writing to notify you of an unauthorized access to or use of personal information involving one (1) New Hampshire resident.

An internal investigation revealed that a fraud ring may have obtained certain customer information. In connection with this investigation, we have notified and cooperated with law enforcement. Any identified fraud cases associated with this event have been resolved with the victims. We have also taken aggressive action to prevent this from happening in the future, including enhancement of fraud monitoring capabilities.

The Capital One investigation identified those customers whose records may have been improperly accessed and therefore who are considered at-risk for identity theft. In order to mitigate the risk of identity theft associated with this incident, we are offering impacted consumers 12 months of Credit Watch Gold credit protection service by Equifax.

Capital One is providing written notice on May 18, 2010 to the one New Hampshire resident believed to be potentially at-risk pursuant to New Hampshire Statutes, Title 31, §359-C:20. We have attached a copy of the customer notification to be sent.

We remain committed to maintaining high standards for customer service and customer data security and want to assure you that we are taking appropriate steps to protect the personal information of our customers.

Regards,

A handwritten signature in black ink that reads "James H. McFadden".

James McFadden  
Vice President Chief Privacy Officer



275 Broadhollow Road  
Melville, NY 11747

Date

Customer Name  
Address  
Address

Case No. DSE 3015086

Dear Customer Name:

We are writing to inform you about an incident that may have compromised the privacy of your personal information at Capital One, National Association ("Capital One"). We are bringing this incident to your attention so that you can be alert to signs of any possible misuse of your personal information.

At Capital One, we take the safety and security of our customer information seriously. We undertake significant steps to protect our customer information including working with law enforcement agencies to prosecute offenders. Recently, though, it was discovered that the security of certain information relating to your Capital One account may have been compromised. In particular, we believe your name, address, account number, social security number and other sensitive customer information may have been compromised.

An Capital One investigation revealed that a fraud ring may have obtained your account information during the time period between December 2009 and February 2010.. In connection with this investigation, we have notified and cooperated with law enforcement. We have also taken aggressive action to prevent this from happening in the future, including enhancing our fraud monitoring capabilities.

Please bring any unauthorized transactions on any Capital One account to our attention so we can work with you to refund any losses as appropriate. We want to share certain precautionary measures that we recommend you take in order to help you safeguard your personal information or alert you to attempts by third parties to assume your identity.

- Review all account statements thoroughly and promptly.
  - You should report any incidents of suspected identity theft to the relevant financial services provider and/or to local law enforcement.
- Remain vigilant over the next twelve to twenty-four months.
- Request and review credit reports from each nationwide credit bureau noted below.
  - Once you receive your reports, review them for suspicious activity, such as inquiries from companies you did not contact, accounts you did not open, and debts on your accounts that you did not authorize.
  - Verify the accuracy of your social security number, address(es), complete name and employer(s).
  - Notify the credit bureaus if any information is incorrect in order to have it corrected or deleted.

To obtain free credit reports, simply visit [www.annualcreditreport.com](http://www.annualcreditreport.com), call 1-877-322-8228, or complete the Annual Credit Report Request Form, which can be found at <http://www.ftc.gov/bcp/edu/resources/forms/requestformfinal.pdf>, and mail it to: Annual Credit Report

Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. For more information on getting your credit reports free once a year or buying additional reports, read *Your Access to Free Credit Reports* at <http://www.ftc.gov/bcp/edu/pubs/consumer/credit/cre34.shtm>.

Additionally, you can call the toll-free fraud number of any one of the three nationwide credit bureaus and place an **initial fraud alert** on your credit report.

**Equifax:** 1-800-525-6285; [http://www.equifax.com/answers/set-fraud-alerts/en\\_cp](http://www.equifax.com/answers/set-fraud-alerts/en_cp); Equifax Information Services LLC, P.O. Box 105069, Atlanta, GA 30348-5069

**Experian:** 1-888-EXPERIAN (397-3742); <https://www.experian.com/consumer/cac/InvalidateSession.do?code=SECURITYALERT>; P.O. Box 9532, Allen, TX 75013

**TransUnion:** 1-800-680-7289; <http://www.transunion.com/corporate/personal/fraudIdentityTheft.page>; Fraud Victim Assistance Division, P.O. Box 6790, Fullerton, CA 92834-6790

An **initial fraud alert** stays on your credit report for 90 days and acts as an alert to potential granters of credit.

As an additional precautionary measure, we have arranged with Equifax to provide you with their “Credit Watch™ Gold with 3-in-1 Monitoring” service. Should you decide to enroll in this service, Capital One will pay the cost of your initial one-year membership fee. This offer is valid through EXPIRATION DATE.

The Equifax Credit Watch™ Gold with 3-in-1 Monitoring service includes:

- Comprehensive credit file monitoring of your Equifax, Experian, and TransUnion credit reports with daily notification of key changes to your credit files from any of the three agencies.
- Wireless alerts and customizable alerts available.
- One 3-in-1 Credit Report and unlimited access to your Equifax Credit Report™.
- \$20,000 in identity theft insurance with \$0 deductible at no additional cost to you.<sup>1</sup>
- 24 by 7 live agent Customer Service to assist you in understanding the content of your Equifax credit information, to provide personalized identity theft victim assistance, and in initiating an investigation of inaccurate information.

Refer to Equifax’s website for additional information about this service.

To enroll in this credit protection program, Equifax has a simple Internet-based verification and enrollment process at:

[www.myservices.equifax.com/tri](http://www.myservices.equifax.com/tri)

During the “check out” process, provide the following promotional code in the “Enter Promotion Code” box: CREDIT WATCH CODE  
(This code eliminates the need to provide a credit card number for payment.)

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<sup>1</sup> The insurance described is subject any terms and conditions established by Equifax and the applicable insurance policy, as well as applicable state or federal law

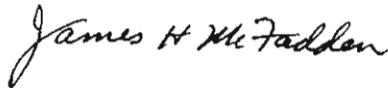
To sign up for US Mail delivery of the product, dial 1-866-937-8432 for access to the Equifax Credit Watch automated enrollment process. Note that all credit reports and alerts will be sent to you via US Mail only.

If you would like more information about precautions against identity theft or if you suspect that your information has been misused, visit the Federal Trade Commission's web site at [www.ftc.gov/bcp/edu/microsites/idtheft/](http://www.ftc.gov/bcp/edu/microsites/idtheft/), call their hot line at 1-877-ID-THEFT (438-4338) or write to the Federal Trade Commission at Federal Trade Commission Consumer Response Center, 600 Pennsylvania Avenue, N.W., Washington, DC 20580.

Capital One deeply regrets this incident and any inconvenience that it may cause. We remain committed to maintaining high standards for customer data security and want to assure you that we are taking appropriate steps to protect the personal information of our customers.

If you have any questions or concerns, please contact our office at 800-655-2265 or the address listed above. Capital One representatives will be available to assist you.

Sincerely,

A handwritten signature in cursive script that reads "James H. McFadden".

James McFadden  
Vice President Chief Privacy Officer