



**EXPRESS SCRIPTS®**

September 14, 2009

**BY FEDERAL EXPRESS**

The Honorable Michael Delaney  
Office of the Attorney General  
State House Annex  
33 Capitol Street  
Concord, NH 03301-6397

Dear Attorney General Delaney,

I am contacting you on behalf of Express Scripts, Inc., a pharmacy benefit management company headquartered in St. Louis, Missouri, to notify you of additional information we have learned about the threat that was made against the company in October 2008 involving unauthorized access to personal information. We notified your office about this threat in our letter of November 12, 2008.

As you know, we received a letter in October 2008 from an unknown person or persons trying to extort money from the company by threatening to expose millions of member records allegedly stolen from our system. We immediately notified the FBI, and the investigation is continuing. The October 2008 letter included personal information of certain members, including their names, dates of birth, Social Security numbers, and in some instances, historical pharmaceutical prescription information. We notified affected individuals by letter, sent by first class mail, on or about October 28, 2008. In addition, as we also informed your office on November 12, 2008, we learned that a small number of our company's clients had also received threatening letters from apparently the same person(s). Those letters contained personal information from some additional members who were notified in accordance with the relevant state breach notification laws.

The FBI recently received additional information and as a result, we learned of additional personal information which was accessed without authorization, including names, social security numbers, and dates of birth. Although details regarding the situation are limited and we remain unaware of any actual misuse of the information, we are sending all affected members approximately 1771 individuals located in New Hampshire, notification letters and are complying with any relevant state breach notification laws.

We are fully cooperating with law enforcement authorities and their ongoing criminal investigation. We also are continuing to conduct an investigation with the help of outside experts in data security and computer forensics.

As you know, we issued press releases dated November 6 and 11, 2008 and launched a website, [www.esisupports.com](http://www.esisupports.com), to notify our clients and members of the existence of the threat

Page 2

September 14, 2009

and to provide information to assist them in protecting against possible identity theft. In addition, we have made available to members the expert services of Kroll Inc., a leading risk consulting company, which will provide identity restoration services to members, if any, who become victims of identity theft caused by this incident. The website and services of Kroll Inc. will be made available to the additional members who request that assistance.

Please contact me at [REDACTED] if you have any questions.

Sincerely,



Janice C. Forsyth  
Vice President & Deputy General Counsel

/JCF

Enclosure: Sample of letter sent to affected individuals

**|||azooz|||J|||azooz|||J|||azooz|||J|||azooz|||J|||azooz|||J|||azooz|||J|||**

Dr. E. J. P.

1-800-670-7000

### Actions you can take to safeguard your personal information

To protect against the unauthorized use of your personal information, you may want to consider placing a security/fraud alert or extended security/fraud alert on your credit bureau file. A security alert marker on your file would cause any issuer of credit to use additional scrutiny for any request for new or increased credit. This provides a significant level of protection; however, it may limit your ability to get "instant" credit such as the offers often made available at retail stores. You must contact one of the credit bureaus listed below, directly, to request this alert.

#### Equifax:

1-877-478-7625  
[www.equifax.com](http://www.equifax.com)  
P.O. Box 740241  
Atlanta, GA 30374-0241

#### Experian:

1-888-EXPERIAN (397-3742)  
[www.experian.com](http://www.experian.com)  
P.O. Box 9532  
Allen, TX 75013

#### TransUnion:

1-800-680-7289  
[www.transunion.com](http://www.transunion.com)  
Fraud Victim Assistance Division  
P. O. Box 6790  
Fullerton, CA 92834-6790

Some additional precautions that you can take:

- Periodically check your credit report to ensure that all your information is correct. You can obtain a free credit report once per year by visiting [www.annualcreditreport.com](http://www.annualcreditreport.com) or call (877) 322-8228. Checking your credit report periodically can help you spot problems and address them quickly.
- If you find suspicious activity on your credit reports or have reason to believe your information is being misused, contact your local law enforcement agency and file a police report. Get a copy of the report when it becomes available to you and retain it for further use as many creditors want the information it contains to absolve you of potential fraudulent debts.
- Close any compromised accounts.
- You can also contact the FTC at [www.consumer.gov/idtheft](http://www.consumer.gov/idtheft), or at 1-877-ID Theft (438-4338 or at 1-877-IDTHEFT (438-4338), or at Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Ave., NW, Washington, D.C. 20580.

000002-000001