



ATTORNEYS AT LAW SINCE 1895

VIA FEDERAL EXPRESS

Office of the Attorney General
33 Capitol Street
Concord, NH 03301
Attention: Attorney General Delaney

October 14, 2011

Re: Incident Notification

Dear Attorney General Delaney:

We submit this notification on behalf of our client, Avia Dental Plan, regarding some of the personal information it maintains in connection with its discount dental, vision, and prescription plans.

The United States Secret Service recently informed our client that they were investigating criminal theft of password information to the Avia Dental administrative software suite, by which an individual (or individuals) is believed to have accessed Avia Dental customer personal information. The personal information that may have been accessed consists of member names, dates of birth, addresses, email addresses, phone numbers, social security numbers, and credit card information. Information concerning Avia Dental members' dependents may have also been accessed. The potentially accessed information consists of the dependent's full name, relationship to the Avia Dental member, sex, and date of birth.

Our client took immediate action by launching an internal investigation, including working with information technology professionals, to identify any data that may have been compromised in the breach, and to investigate how the unauthorized individual may have obtained access. Our client is cooperating with the United States Secret Service's investigation into the matter, and is continuing to conduct its own investigation.

Pittsburgh

Philadelphia

Wheeling

Wilmington

Princeton

With the assistance of the United States Secret Service, our client has identified approximately 2,500 customers nationwide who may have been impacted by this breach. There is 1 New Hampshire resident potentially impacted by the breach. Notification was sent to all potentially impacted individuals on October 6, 2011. A sample of the notification letter sent to the potentially impacted New Hampshire resident is attached.

Thorp Reed & Armstrong LLP
One Oxford Centre
301 Grant Street 14th Floor
Pittsburgh PA 15219 1425
412 394 7711
412 394 2555 Fax

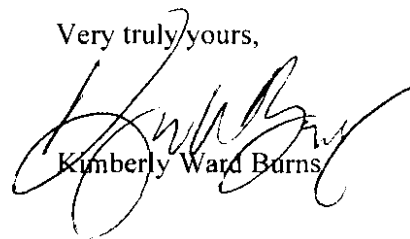


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Avia Dental Plan has informed us that at the time of the incident, it had in place password security procedures to safeguard access to its administrative software suite, and that it continues to maintain administrative and technical procedures consistent with safeguarding personal information. In order to help avoid any future incidents, our client is conducting a comprehensive internal review of its systems and procedures to further secure its customer information against unauthorized access.

Very truly yours,



Kimberly Ward Burns

KWB/efc
Enclosure

Dear *(name of customer)*:

We are writing to let you know about an information security situation that could potentially affect you, and to share with you the steps we've taken to address it.

Avia Dental recently learned that an unauthorized individual accessed Avia Dental administrative software, and may have retrieved Avia Dental member names, dates of birth, addresses, email addresses, phone numbers, social security numbers, and credit card information. Information concerning Avia Dental members' dependents may have also been accessed. The potentially accessed information consists of the dependent's full name, relationship to the Avia Dental member, sex, and date of birth. Avia Dental is working with the United States Secret Service and information technology professionals to determine the cause of the breach, and to determine the scope of individuals who may have been impacted. The breach may have affected approximately 2,500 people.

We recommend you closely monitor your financial accounts and, if you see any unauthorized activity, promptly contact your financial institution. We also suggest you submit a complaint with the Federal Trade Commission by calling 1-877-ID-THEFT (1-877-438-4338) or online at <https://www.ftccomplaintassistant.gov>

You may also want to contact the three U.S. credit reporting agencies (Equifax, Experian and TransUnion) to obtain a free credit report from each by calling 1-877-322-8228 or by logging on to www.annualcreditreport.com or by completing an Annual Credit Request Form at www.ftc.gov/bcp/menus/consumer/credit.rights.shtm and mailing it to Annual Credit Report Request Service, P.O. Box 1025281. When you receive a credit report from each agency, review the reports carefully. Look for accounts you did not open, inquiries from creditors that you did not initiate, and confirm that your personal information, such as home address and Social Security number, is accurate. If you see anything you do not understand or recognize, call the credit reporting agency at the telephone number on the report. You should also call your local police department and file a report of identity theft. Get and keep a copy of the police report because you may need to give copies to creditors to clear up your records or to access transaction records.

Even if you do not find signs of fraud on your credit reports, we recommend that you remain vigilant for incidents of fraud and identity theft. This includes reviewing your credit reports from the three major credit reporting agencies. You may obtain a free copy of your credit report once every twelve months.

To further protect yourself from the possibility of identity theft, we recommend that you immediately place a fraud alert on your credit files. A fraud alert conveys a special message to anyone requesting your credit report that you suspect you were a victim of fraud. When you or someone else attempts to open a credit account in your name, the lender should take measures to verify that you have authorized the request. A fraud alert should not stop you from using your existing credit cards or other accounts, but it may slow down your ability to get new credit. An initial fraud alert is valid for ninety (90) days. To place a fraud alert on your credit reports,

contact one of the free major credit reporting agencies at the appropriate number listed below or via their website. One agency will notify the other two on your behalf.

- Equifax (888) 766-0008 or www.fraudalert.equifax.com
- Experian (888) 397- 3742 or www.experian.com
- Transunion (800) 680-7289 or www.transunion.com

You can also consider placing a Security Freeze on your credit report. A Security Freeze prevents most potential creditors from viewing your credit reports and therefore, further restricts the opening of unauthorized accounts. To place a security freeze, you will need to send a letter requesting a security freeze to each of the credit reporting agencies. The letter must contain your full name (with middle initial and generation, such as Jr. or Sr.), your complete current address, your social security number, a copy of a document (such as a utility bill) that verifies your current mailing address, and a copy of any proof of identity theft (such as a police report). You should send your Security Freeze letter to:

Equifax Security Freeze
P.O. Box 105788
Atlanta, GA 30348

Experian Security Freeze
P.O. Box 9554
Allen, TX 75013

TransUnion
Fraud Victim Assistance Dept.
P.O. Box 6790
Fullerton, CA 92834

Keep in mind that when you place the freeze, you will not be able to borrow money, obtain instant credit, or get a new credit card until you temporarily lift or permanently remove the freeze. The cost of placing the freeze is no more than \$10 for each credit reporting agency for a total of \$30. However, if you are a victim of identity theft and have filed a report with your local law enforcement agency or submitted an ID Complaint form with the Federal Trade Commission, there may be no charge to place the freeze.

For more information on identity theft, you can visit the Federal Trade Commission's Identity Theft website at www.ftc.gov/bcp/edu/microsites/idtheft

If there is anything Avia Dental can do to further assist you, please contact us by phone at 888-431-2273, or by letter at Avia Dental Plan, 1025 Main Street, Suite 916, Wheeling, WV 26003. We will be available to answer any of your questions, including whether we maintained customer information about you, and the types of information we maintained about you or about our customers and in general.

Sincerely,

[Name]