

January 19, 2011

VIA FIRST CLASS MAIL

The Honorable Michael A. Delaney
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

RE: Notice Pursuant to N.H. Rev. Stat. §359-C

Dear Attorney General Delaney:

Ember Corporation (the “Company”), a Massachusetts corporation located at 47 Farnsworth Street, Boston, Massachusetts 02110, will begin notifying individuals whose information may have been compromised in transit from a third party service provider. Two of those individuals are New Hampshire residents and the purpose of this letter is provide you notice pursuant to New Hampshire Stat. §359-C:20(I)(b).

On Monday, January 10, 2011, the Company received a package from its third party payroll provider, Ceridian, via Federal Express. Upon examination, it appeared that the package had been tampered with: clear packing tape was used to seal the envelope, with two corners of the package opened, and the contents were wrinkled. The package contained individual W-2 forms for the Company’s employees (and some former employees), each in separate envelopes, and the employer summary forms which were not in a separate envelope.

The individual envelopes were intact, and nothing appeared to be missing or open. The Company’s concern was heightened when it clearly appeared that the employer summary forms were out of order, wrinkled, and had been tampered with. The types of personal information contained in the employer summary forms included employee names, addresses, social security numbers and 2010 payroll information. Federal Express would not accept any responsibility, or provide any information to the Company to assist with our investigation. Although Ceridian has not accepted any responsibility, it did offer to provide a credit monitoring service to our employees through Equifax. The Company filed a police report and is providing this notice to your office, out of an abundance of caution. Informal notice has already been provided to affected individuals (via internal email and a company meeting) to reassure them of the

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Company's actions to assist. Formal written notice will be provided to them on Friday, January 22, 2011 (a draft is enclosed herewith).

The Company's investigation did not lead to any facts suggesting that information was lost, removed, or otherwise viewed by a third party. However, because the Company does not know how or why the package arrived at our offices in the condition that it did, it cannot be 100% sure that there was no unauthorized access to personal information contained within the Federal Express envelope.

The incident involved the personal information of 50 current or former Company employees. Two of that number are New Hampshire residents and will be provided with the formal written notice enclosed. The Company considered the Ceridian offer of credit monitoring service, but found it to be inadequate in many respects, including the fact that Ceridian required that it have control over the process of notifying Ember's own employees. The Company is in the process of contracting with a third party provider, Debix, and will offer all affected individuals credit monitoring services for a period of one year. The Company is also evaluating the incident and will discuss it with Ceridian to determine whether to request changes in how Ceridian sends paper documents to it that contain the personal information of our employees.

The Company has in place administrative and technical procedures consistent with safeguarding personal information and is committed to maintaining the privacy of its employees' personal information. Please do not hesitate to contact me at [REDACTED] if I can provide you with any further information.

Very truly yours,



Cynthia J. Larose, CIPP

Enclosure

ember

corporation

47 Farnsworth St
Boston Ma 02210

January 22, 2011

Name
Address
City, State Zip

Dear _____,

This letter is to notify you of a recent incident involving records containing some of your personal information.

On January 10, 2011, we received a package via Federal Express from our third-party payroll processor that appeared to have been tampered with. The package contained Ember's individual W-2 forms, along with the employer summary forms. The individual forms were in separate envelopes and none appeared to have been disturbed. However, the employer summary form was not in an internal envelope and the pages were wrinkled and out of alphabetical order. We contacted both the payroll provider and Federal Express, but no one seems to be able to explain what may have happened.

We have not found anything to indicate that information was lost, or viewed by a third party. However, we cannot be 100% sure that there was no unauthorized access to the employer summary forms, which included your name, address, social security number and payroll information. Out of an abundance of caution, therefore, we are providing this notice to you so that you may be vigilant and take steps to protect yourself.

Due to the nature of the information involved, you may wish to place a fraud alert with one of the three major credit bureaus. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change any of your existing accounts. A fraud alert can protect you but may also delay you when you seek to obtain credit or activate credit monitoring. Contact information for the three bureaus and the website address for Experian are:

Equifax Fraud Reporting (800) 525-6285 P.O Box 740241 Atlanta, GA 30374-0241	Experian Fraud Reporting (888) 397-3742 P.O Box 9532 Allen, TX 75013 www.experian.com	TransUnion Fraud Reporting (800) 680-7289 Fraud Victim Assistance Division P.O Box 6790 Fullerton, CA 92834-6790
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You only have to contact ONE of the three bureaus to place a fraud alert. As soon as one of the three bureaus confirms your fraud alert, the others will automatically place alerts on their records as well. You will receive confirmation letters in the mail and will then be able to order all three credit reports, free of charge, for your review.

Right to Request a Police Report and Security Freezes: Massachusetts law also gives you the right to request a police report and the right to request that a security freeze be placed on your credit 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, or prevent the timely approval of any requests you make for new loans, employment, housing or other services. If you have been a victim of identity theft, and you provide the credit reporting agency with a valid police report, it cannot charge you to place, lift, or remove a security freeze. In all other cases, a credit reporting agency may charge you up to \$5.00 each to place, temporarily lift, or permanently remove a security freeze.

To place a security freeze on your credit report, you must send a written request to **each** of the three major consumer reporting agencies by regular, certified or overnight mail to addresses below:

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

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

TransUnion Security Freeze
Fraud Victim Assistance
Department
P.O. Box 6790
Fullerton, CA 92834

In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial, as well as Jr., Sr., II, III, etc)
2. Social Security number
3. Date of birth
4. If you have moved in the past five (5) years, provide the addresses where you have lived over the past five (5) years
5. Proof of current address, such as a current utility bill or telephone bill
6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.)
7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft
8. If you are not a victim of identity theft, include payment by check, money order, or credit card (Visa, MasterCard, American Express, or Discover only). Do not send cash through the mail.

The credit reporting agencies have three (3) business days after receiving your request to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five (5) business days and provide you with a unique personal

identification number (PIN) or password, or both, that can be used by you to authorize the removal or lifting of the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, you must call or send a written request to the credit reporting agencies by mail and include proper identification (name, address, and social security number) and the PIN or password provided to you when you placed the security freeze as well as the identities of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. This cannot be done by telephone. The credit reporting agencies have three (3) business days after receiving your request to lift the security freeze for those identified entities or for the specified period of time. They may charge you up to \$5.00 each for such requests.

To remove the security freeze, you must send a written report to **each** of the three credit bureaus by mail and include proper identification (name, address, social security number) and the PIN or password provided to you when you placed the security freeze. The credit bureaus have three (3) business days after receiving your request to remove the security freeze. They may charge you up to \$5.00 each for such requests.

Ember has taken aggressive action in response to this breach, filed a police report with the local police department, and because we regret that the failure of others may cause you concern, we will provide you with one year of credit monitoring services by Debix at our expense. Debix offers the following coverage:

- Identity theft insurance of up to \$1 million
- Triple Bureau coverage (Experian, Transunion, Equifax)
- On call credit alerts by phone
- Live, on call licensed private investigators if attack occurs

Ember is committed to ensuring the privacy of all employee information and we expect all other providers with whom we do business to demonstrate the same level of commitment. We will continue to try to understand how this incident happened and take steps to prevent anything similar from ever happening again.

Yours truly,

Jim Sheehan
SVP and Chief Financial Officer