

February 3, 2010

The Honorable Michael A. Delaney  
Attorney General  
Department of Justice  
Consumer Protection Bureau  
33 Capital Street  
Concord, NH 03301

Dear Mr. Delaney:

Pursuant to N.H. Rev. Stat. Ann. §§ 359-C:19 et seq., we are writing to notify you of an unauthorized access or use of personal information involving seventeen New Hampshire residents. The affected New Hampshire residents will shortly receive notice in the form of a written letter.

**NATURE OF THE SECURITY BREACH OR UNAUTHORIZED USE OR ACCESS**

On January 25, 2010 a customer alerted her securities broker to the fact she was able to access customer information through the ingfunds.com website. An electronic file containing customers' personal information was inadvertently made accessible through the ingfunds.com website due to an isolated error, which has been resolved. The file was mistakenly posted to the website in August 2008. The error was quickly detected and the ability to access the file via link on the website was removed. The file, however, remained accessible through a specific search conducted via a web search engine. The file included the name, address, account number and social security number for 106 shareholders. As soon as ING Funds was made aware of the issue we immediately removed the information from the website.

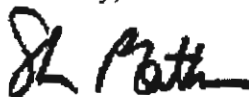
**STEPS WE HAVE TAKEN OR PLAN TO TAKE RELATING TO THE INCIDENT**

ING has no evidence that the information was used for fraudulent purposes. ING has reviewed all activity since June 2008 in all affected accounts with ING Funds with the social security number contained in the electronic file and did not identify any activity that appeared to be suspicious. Nevertheless, ING will include with each customer's letter concerning the incident, a statement showing activity in the customers' accounts for 2010 and year end statements for 2009 and 2008 (if their account has been open that long) for those accounts to enable them to review their accounts if they so wish. We encouraged them to do so. In the unlikely event that any suspicious activity is found we have asked our customers to contact us immediately so that we may further our investigation. As a further security measure, we have changed the account number on their accounts.

Further, although ING believes the risk of identity theft is low, we offered each customer one year of free credit monitoring and identity fraud coverage at ING Funds' expense. We also suggested that even if they do not find any suspicious activity on their initial credit reports, the Federal Trade Commission (FTC) recommends that they check their credit reports, credit card statements and financial accounts periodically for unauthorized activity.

If you have questions or need further information, please contact

Sincerely,



Shaun P. Mathews,  
President and Chief Executive Officer  
ING Funds

February 3, 2010

<Donald Jones>  
<ABC Corporation>  
<100 Main Street>  
<Anytown, Any State Zip>  
<USA

**Dear**

This letter is to inform you that an electronic file containing your personal information was inadvertently made accessible through the ING Funds website due to an isolated error, which has been resolved. The file was mistakenly posted to the website in August 2008. The error was quickly detected and the ability to access the file via link on the website was removed. The file, however, remained accessible through a specific search conducted via a web search engine. The file included your name, account number and social security number. As soon as ING was made aware of the issue on Monday, January 25, 2010, we immediately removed the information from the website server.

We regret this incident and apologize for any inconvenience this may have caused you. Please be assured that we have instituted additional safeguards to reduce the chance of and protect against improper disclosure of personal data. Strict guidelines exist to instruct our personnel on how personal information is to be gathered, stored and used. This protection also includes technologies that guard the confidentiality of our customer databases. In the instance that personal information is improperly disclosed, it is our policy to immediately take steps necessary to minimize the impact.

We have reviewed all activity since July 2008 in all your accounts with ING Funds associated with the social security number contained in the electronic file and did not identify any activity that appeared to be suspicious. Additionally, for your convenience we have included with this letter a statement showing activity in your accounts for 2010 and year end statements for 2009 and 2008 (if your account has been open that long) for those accounts. We recommend that you review those statements. In the unlikely event that you find any suspicious activity, please contact us immediately so that we may further our investigation. Even if you do not find any suspicious activity on your initial credit reports, the Federal Trade Commission (FTC) recommends that you check your credit reports, credit card statements and financial accounts periodically for unauthorized activity. As a further security measure, we have changed the account number on your accounts. You should receive a confirmation with your new account number shortly.

Although we believe the risk of identity theft is low, we are offering you one year of free credit monitoring and identity fraud coverage at our expense. We have arranged with Equifax, a leading credit reporting agency, to enroll you in this program if you are interested. If you wish to participate in the complimentary Equifax program, we have included a participant code for you to do so. Additional information regarding the Equifax service is included with this letter.

Because of the increasing number of incidents of identity theft in the United States, the FTC has made available excellent advice on how you can protect yourself against such fraud. You should consider reviewing the identity theft materials posted for consumers on the FTC's Web site, [www.ftc.gov/bcp/edu/microsites/idtheft/](http://www.ftc.gov/bcp/edu/microsites/idtheft/) and particularly, the posted copy of the FTC's booklet, "*Take Charge: Fighting Back Against Identity Theft.*"

If you find suspicious activity on your credit reports or on your other account statements, you may be able to place a **security freeze** on your credit report depending on the state where you live so that the credit reporting agencies will not release information about your credit without your express authorization. A security freeze will cause delay should you wish to obtain credit and may cost some money to get or remove, but it does provide extra protection against an identity thief obtaining credit in your name without your knowledge. You may get information about security freezes by contacting the credit bureaus as follows: Equifax: 1-800-525-6285, Experian 1-888-397-3742, TransUnion 1-800-680-7289.

Again, we regret this incident and apologize for any inconvenience this may have caused you. We stand ready to answer your questions and are prepared to take any additional steps necessary to ensure your personal, confidential information is secure.

Please call Rich Lavold (x72622) or Dave Podolak (x72605) at 1-800-336-3436 between 6:00 am and 3:00 pm Mountain Standard Time (8:00 am and 5:00 pm Eastern Standard Time), if you have any questions about this incident or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Mathews".

Shaun P. Mathews,  
President and Chief Executive Officer  
ING Funds



### About Equifax Credit Watch™

Equifax Credit Watch™ will provide you with an “early warning system” to changes to your credit file and help you to understand the content of your credit file at the three major credit reporting agencies. The key features and benefits are listed below.

Equifax Credit Watch provides you with the following benefits:

- Comprehensive credit file monitoring and automated alerts of key changes to your Equifax, Experian, and TransUnion credit reports.
- Wireless alerts and customizable alerts available
- One 3-in-1 Credit Report and access to your Equifax Credit Report™
- Up to \$1,000,000 in identity theft insurance with \$0 deductible, at no additional cost to you. †
- 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.
- 90 day Fraud Alert placement with automatic renewal functionality (available online only).

### How to Enroll: (you may enroll online or through the mail)

To sign up online for **online delivery** go to [www.myservices.equifax.com/tri](http://www.myservices.equifax.com/tri)

1. Consumer Information: complete the form with your contact information (name, address and e-mail address) and click “Continue” button. The information is provided in a secured environment.
2. Identity Verification and Payment Information: complete the form with your Social Security Number, date of birth, telephone #s, create a User Name and Password, agree to the Terms of Use and enter the promotion code provided at the bottom of this letter and click “Continue” button. The system will ask you up to two security questions to verify your identity.
3. Order Summary: – Click “Continue” button.
4. Order Confirmation: Click “View My Product” to access your 3-in-1 Credit Report and other product features.

To sign up for **US Mail delivery**, 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.

1. Promotion Code: You will be asked to enter your promotion code provided in this letter (**do not include the dash or any spaces**)
2. Customer Information: You will be asked to enter your home telephone number, home address, name, date of birth and Social Security Number.
3. Permissible Purpose: You will be asked to provide Equifax with your permission to access your credit file and to monitor your file. Without your agreement, Equifax can not process your enrollment.
4. Order Confirmation: Equifax will provide a confirmation number with an explanation that you will receive your Fulfillment Kit via the US Mail (when Equifax is able to verify your identity) or a Customer Care letter with further instructions (if your identity can not be verified using the information provided). Please allow up to 10 business days to receive this information.

### Directions for placing a Fraud Alert

A fraud alert is a consumer statement added to your credit report. This statement alerts creditors of possible fraudulent activity within your report as well as requests that they contact you prior to establishing any accounts in your name. Once the fraud alert is added to your credit report, all creditors should contact you prior to establishing any account in your name. To place a 90 day fraud alert on your credit file, log into the Equifax Member Center and click on the fraud alert tab, visit [www.fraudalerts.equifax.com](http://www.fraudalerts.equifax.com) or call our auto fraud line at 1-877-478-7625, and follow the simple prompts. Once the fraud alert has been placed with Equifax, a notification will be sent to the other two

