



**New York Life Insurance Company**  
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**Brian M. O'Neill**  
Vice President and Associate General Counsel

July 2, 2007

**VIA UPS**

New Hampshire Department of Justice  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03301

Dear Sir/Madam:

Pursuant to N.H. Rev. Stat. § 359-C:20, this letter is submitted to notify the Office of the Attorney General of a security breach as defined by N.H. Rev. Stat. § 359-C:19. The security breach affects two New Hampshire residents.

We learned on June 18, 2007, that an employee in the New York Life Insurance Company human resources department, who had access to current and former employees' personal information in connection with his job responsibilities, had e-mailed employee personal information to his spouse. The personal information was in the form of a Microsoft Excel spreadsheet and listed the names and Social Security numbers of employees enrolled in certain life insurance plans. As this was a violation of the Company's security policy, the employee was immediately questioned and this matter was thoroughly investigated.

The employee admitted to e-mailing this information to his wife because the information was contained in Excel using a format that he thought would be helpful to his wife who was learning how to use this program. In an affidavit signed by the employee, he stated that he understood that he violated the Company's security procedures and he agreed that this information would be purged from his system as well as his wife's. Investigators from the Company went over to this employee's home and verified that all information pertaining to this spreadsheet was deleted from their computer systems.

Although we have no reason to believe the employee acted with any malicious intent, the fact remains that some employees' personal information was sent outside of the

Company's secure environment. In an abundance of caution, we feel that the prudent thing to do in this circumstance is to notify all impacted employees, including the two employees residing in New Hampshire. We plan to send a letter to employees this week about this incident (copy enclosed). Included with this letter are instructions for employees to enroll in a credit monitoring service paid for by the Company.

If we can be of further assistance, please call me at 914-846-3620.

Sincerely,

A handwritten signature in cursive script that reads "Brian M. O'Neill".

Brian M. O'Neill  
Vice President and Associate General Counsel

Enclosures

July 2, 2007



Dear John:

0000001  
MM07

The confidentiality and security of our former and current employees' personal information is very important to New York Life. Our commitment to safeguarding sensitive information is reflected in the enterprise-wide security policies and procedures we have implemented, and in our extensive employee communication and training programs on information security.

Through our e-mail monitoring system, we learned recently of an unfortunate incident in which an employee violated the Company's security policy by sending a spreadsheet that contained employees' names and Social Security Numbers to the personal e-mail address of his spouse. The employee was authorized to access this information in the course of his normal work responsibilities but should not have e-mailed this information outside the Company. Your name and Social Security Number were included on this spreadsheet.

Although we have no reason to believe the employee acted with any malicious intent, the fact remains that your personal information was sent outside of the Company's secure environment.

Consistent with our program to ensure compliance with various state privacy laws, we are informing you about this incident so that you can determine whether you should take some additional steps to protect yourself from identity theft. You may choose to place an initial fraud alert on your credit report. A fraud alert lets creditors know to contact you before opening new accounts. The initial fraud alert stays on your credit file for at least 90 days. To place the initial fraud alert on your credit report, you are only required to provide to the consumer reporting agency information they can use to verify your identity, such as your Social Security Number. You only need to contact one of the consumer reporting agencies listed below to place a fraud alert on your credit file.

**Equifax - [www.equifax.com](http://www.equifax.com)**  
1-800-525-6285

**Trans Union - [www.transunion.com](http://www.transunion.com)**  
1-800-680-7289

**Experian - [www.experian.com](http://www.experian.com)**  
1-888-397-3742

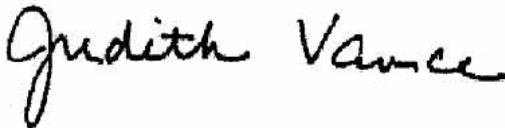
Once the alert is processed, the agency you contacted will notify the other two, which then must also place fraud alerts on your file. You will receive a free copy of your credit report from these agencies. When you receive your credit report, please review it carefully. Look for accounts you did not open and inquiries from creditors that you did not initiate. Also, look for inaccurate personal information, such as home address and Social Security Number. If you see anything you do not understand, or if you find suspicious activity on your credit report, immediately call the credit agency and make a report. At this time, you may want to place an extended fraud alert on your file, which will remain on your credit file for seven years.

Even if you do not find any signs of fraud on your credit report, we recommend that you check your credit report every three months for the next year. You can call one of the consumer reporting agency numbers provided to order your report and to keep the fraud alert in place.

We are taking necessary steps to ensure that this does not happen again. In addition, we will purchase for you one-year of credit monitoring services. Please see the enclosed instructions for enrollment in the Equifax Credit Watch™ Gold Service.

If you have any questions or concerns about this unfortunate incident, please call the following toll-free number, 1-866-801-1117. Representatives will be available weekdays, from Monday, July 2, through Friday, July 27, from 9 a.m. to 5 p.m., Eastern Time, to answer any questions you may have. We regret any inconvenience this may cause you.

Sincerely,

A handwritten signature in black ink that reads "Judith Vance". The signature is written in a cursive, flowing style.

Judith Vance  
Senior Vice President  
Human Resources

Enclosures

## Equifax Credit Watch™ Gold Enrollment Instructions

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 Equifax credit file. The key features and benefits are listed below.

Equifax Credit Watch provides you with a 1 year membership service:

- Comprehensive credit file monitoring of your Equifax credit report with daily notification of key changes to your credit file.
- Wireless alerts and customizable alerts available.
- Unlimited access to your Equifax Credit Report™.
- \$20,000 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.

### How to Enroll

Equifax has a simple Internet-based verification and enrollment process.

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

1. Consumer Information: complete the form with your contact information (name, address and e-mail address) and click the “Continue” button. The information is provided in a secured environment.
2. Identity Verification: complete the form with your Social Security Number, date of birth, telephone numbers, create a User Name and Password, agree to the Terms of Use and click the “Continue” button. The system will ask you up to two security questions to verify your identity.
3. Payment Information: During the “check out” process, provide the following promotional code in the “Enter Promotion Code” box (no spaces, include dash). After entering your code press the “Apply Code” button and then the “Submit Order” button at the bottom of the page.

**Promotional Code: 30019-814578615**

(This code eliminates the need to provide a credit card number for payment.)

4. Order Confirmation: – Click “View My Product” to access your Equifax Credit Report.

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.

1. Promotion Code: You will be asked to enter your promotion code as shown above (no spaces, no dash).
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 cannot 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 cannot be verified using the information provided).

\* Identity Fraud Expense Reimbursement Master Policy underwritten by Travelers Casualty and Surety Company of America and its property casualty affiliates, Hartford, CT 06183. Coverage for all claims or losses depends on actual policy provisions. Availability of coverage can depend on our underwriting qualifications and state regulations. Coverage not available for residents of New York. Equifax's credit monitoring products are protected by US Patent 7,208,052