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VIA ELECTRONIC MAIL and EXPRESS DELIVERY

Office of the Attorney General
Attn: Data Security Incident Notification
33 Capitol Street
Concord, NH 03301
attorneygeneral@doj.nh.gov

April 8, 2016

Re: Legal Notice of Data Security Incident Pursuant to N.H. Rev. Stat. Ann. § 359-C:1 et seq.

Dear Sir or Madam:

In accordance with the above-referenced provision of New Hampshire law, I am contacting you on behalf of our client, OnDeck Capital, Inc., to inform you of a data security incident.

In November 2015, a company laptop was stolen from an OnDeck employee. Despite an immediate search, the laptop was never recovered. OnDeck has been conducting an investigation of the incident, and has determined that the laptop contained personal information of thirteen (13) New Hampshire residents. The information may have contained names, Social Security numbers and bank account numbers.

OnDeck is committed to the security of the personal information of its current and prospective customers, and deeply regrets this incident. It continuously examines its policies and procedures regarding data collection and retention and believes that it has mitigated this kind of risk from recurring, e.g., previously planned security enhancements to its hardware and software have been implemented.

Although the laptop was password protected, and OnDeck has no indication that the lost information was actually accessed without authorization or misused, on or around April 11, 2016, OnDeck will be providing notice of this incident via mail (substantially in the form of the attached letter) to those New Hampshire residents whose information has been discovered to be involved in this incident. While further analysis of the laptop is continuing, OnDeck has elected to notify the known individuals potentially impacted. In the event information of additional New Hampshire residents is determined to be involved, those individuals will be promptly notified and we will update your office. In all such cases, out of an abundance of caution, OnDeck is offering two (2) years of complimentary credit monitoring to affected New Hampshire residents.

If you have any questions or need further information regarding this incident, please do not hesitate to contact Jeff Martel, Head of Compliance, OnDeck Capital, 929-227-3023, jmartel@ondeck.com, or Cory Kampfer, General Counsel, OnDeck Capital, 917-677-7117.

Sincerely yours,

Jonathan Reiss
The Reiss Firm

enc.



901 North Stuart Street, Suite 700
Arlington, VA 22203

«Original_Full_Name»
«Original_Address_1»
«Original_Address_2»
«Original_City», «Original_State» «Original_Zip_Code»

<<DATE>>

Notice of Data Breach

Please read this entire letter

DEAR «Original_Full_Name»:

We value your privacy, so as a precaution we are writing to let you know about a data security incident involving your information.

What Happened

We learned that an OnDeck laptop used by one of our employees was lost or stolen in November 2015. We believe the laptop may have contained information your loan broker provided to us in conjunction with a request for an OnDeck loan. It is likely that the laptop was taken for its inherent value, not for the information it contained, and we have no evidence that any of your information has been misused. The laptop was password protected but, nonetheless, to take every precaution, we want to make you aware of this incident and the steps you can take to protect yourself.

What Information Was Involved

Based on our investigation, we believe the laptop may have contained your name, address, Social Security number, date of birth, and any financial account numbers you provided to us during your application process.

What We Are Doing

Upon learning of the missing laptop we began an investigation, and continue to evaluate our policies and procedures. We have made enhancements to our hardware and software, as well as our procedures to mitigate the future risk.

- To help safeguard your personal information, and to address any concerns you may have about this incident, we have arranged for **complimentary enrollment**, at your option, in Experian's® ProtectMyID® Elite for two years. ProtectMyID helps detect possible misuse of your personal information and provides you with superior identity protection support focused on immediate identification and resolution of identity theft.

Activate ProtectMyID Now in Three Easy Steps

1. ENSURE That You Enroll By: **June 30, 2016** (Your code will not work after this date.)
2. VISIT the ProtectMyID Web Site to enroll: <http://www.protectmyid.com/enroll>
3. PROVIDE the Activation Code: «Activation_Code»

Be aware that in order to enroll, you will have to provide some of your personal information, including your name and Social Security number, but a credit card is not required. If you have questions or need an alternative to enrolling online, please call 877-441-6943 and provide engagement #PC100033.

What You Can Do

- Even if you don't wish to enroll in ProtectMyID, you can place a *fraud alert* on your credit file. A fraud alert warns creditors to contact you before they open any new accounts for you or change any of your existing accounts. Placing a fraud alert with any one of the three major credit bureaus (listed below) automatically creates a fraud alert at all three of the bureaus. Once the alerts are in place, each bureau will send to you a copy of your credit report on

file with them, free of charge, for your review. While a fraud alert may cause some short delay if you are the one applying for credit, it might protect against someone else obtaining credit in your name.

The three major credit bureaus can provide information on alerts, freezes and other ways to protect against identity theft:

Equifax:
Consumer Fraud Division
P.O. Box 740256
Atlanta, GA 30374
www.equifax.com
1-888-766-0008

Experian:
Credit Fraud Center
P.O. Box 1017
Allen, TX 75013
www.experian.com
1-888-397-3742

TransUnion:
Fraud Victim Assistance Department
P.O. Box 6790
Fullerton, CA 92834
www.transunion.com
800-680-7289

- Alternatively, you can obtain a security freeze. A security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. While a fraud alert permits creditors to get your report as long as they take steps to verify your identity, a freeze generally stops all access to your credit report. As a result, using a security freeze may delay your ability to obtain credit. The cost to place and lift a freeze, and how long the freeze lasts, depends on the laws of your state. In many states, placing a freeze is free. Where there is a fee, it is usually between \$5 and \$20. This process is also completed through each of the credit reporting companies.
- You can always obtain free copies of your credit reports annually. Visit www.annualcreditreport.com, call toll-free at 1-877-322-8228, or complete the Annual Credit Report Request Form on the U.S. Federal Trade Commission (FTC) website at www.ftc.gov.
- If you find suspicious activity on your credit reports or have reason to believe your information has been misused, you should file a police report, and retain a copy of the report, since many creditors want the information it contains to absolve you of any fraudulent debts. You also should file a complaint with the FTC via the web at www.ftc.gov/idtheft, by phone at 1-877-ID-THEFT (877-438-4338), or by mail to the Federal Trade Commission, Bureau of Consumer Protection, 600 Pennsylvania Avenue, NW, Washington, D.C. 20580. Your complaint will be added to the FTC's Identity Theft Data Clearinghouse, where it will be accessible to law enforcement to aid in criminal investigations.
- You can also visit the FTC website for additional information, and to obtain a copy of their publication "*Take Charge: Fighting Back Against Identity Theft*", a comprehensive guide to help guard against and address identity theft.

You should continue to remain vigilant and monitor your credit reports, and, if you provided us with full financial account numbers, monitor those accounts as well.

For More Information

Your business, and the security of your information, is important to us, and we deeply regret this incident. We will continue to work to earn your confidence and ensure such incidents don't happen in the future. If you have any questions, please call us toll free at 1-888-269-4246 + option 3.

Sincerely,

Cory Kampfer
General Counsel

State specific information:

Residents of Maryland: You can obtain information about identity theft from the above sources, as well as the Maryland Attorney General's Office at 200 St. Paul Place, Baltimore, MD 21202, www.oag.state.md.us, 1-888-743-0023.

Residents of North Carolina: You can obtain information about identity theft from the above sources, as well as the North Carolina Attorney General's Office at 9001 Mail Service Center, Raleigh, NC 27699, www.ncdoj.gov, 1-919-716-6400.