

# BakerHostetler

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March 20, 2013

### Via UPS

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

Craig A. Hoffman  
direct dial: 513.929.3491  
cahoffman@bakerlaw.com

*Re: Incident Notification*

Dear Attorney General Delaney:

Our client, Tennis Express, learned in mid-February 2013 that an unknown person gained access to its computer network on December 19, 2012, because of a vulnerability in a program provided to it by a third party vendor. The unknown person may have had the ability to decrypt and take sales transaction information stored in Tennis Express's database server. This information may have included name, address, credit card number, verification value, and expiration date for customers. Upon learning of this incident, Tennis Express took additional steps to secure its computer network, notified the credit card companies, and began a forensic investigation.

To prevent something like this from happening in the future, Tennis Express conducted an internal review of its practices and procedures and is updating its system protections. These steps have included the removal of credit card information from the database and the addition of secure third party payment methods (Paypal, Google Wallet and Amazon Checkout) to prevent such issues in the future.

We are notifying approximately 55 New Hampshire residents. Notification is being sent to those residents in substantially the form attached hereto, with mailing commencing on March 21, 2013.

Sincerely,



Craig A. Hoffman

Enclosure

Chicago   Cincinnati   Cleveland   Columbus   Costa Mesa  
Denver   Houston   Los Angeles   New York   Orlando   Washington, DC

[Tennis Express letterhead]

March 21, 2013

[first name] [last name]  
[street address]  
[city], [state] [zip code]

Dear [first name] [last name],

Tennis Express recognizes the importance of the privacy and confidentiality of the personal information provided to us by our customers. We are writing to inform you about an incident involving some of that information.

We learned in mid-February 2013 that an unknown person gained access to our computer network on December 19, 2012, because of a vulnerability in a program provided to us by a third party vendor. The unknown person may have had the ability to decrypt and take sales transaction information stored in our database server. This information may have included your name, address, credit card number, verification value, and expiration date. Upon learning of this incident, we took additional steps to secure our computer network, we notified the credit card companies, and began a forensic investigation.

A thorough investigation did not reveal whether any transaction information was actually decrypted or taken; however, in an abundance of caution, we wanted to notify you of the incident. We recommend that you remain vigilant to the possibility of fraud and identity theft by reviewing your credit report and credit card, bank, and other financial statements for any unauthorized activity. Report any unauthorized activity to the company that issued your credit card because federal law may limit your liability for fraudulent charges.

You may also obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report please visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

Equifax	Experian	TransUnion
PO Box 740256	PO Box 9554	PO Box 6790
Atlanta, GA 30374	Allen, TX 75013	Fullerton, CA 92834
<a href="http://www.equifax.com">www.equifax.com</a>	<a href="http://www.experian.com">www.experian.com</a>	<a href="http://www.transunion.com">www.transunion.com</a>
1-800-525-6285	1-888-397-3742	1-800-680-7289

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the attorney general's office in your home state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records.

Contact information for the Federal Trade Commission is as follows:

Federal Trade Commission  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
[www.ftc.gov](http://www.ftc.gov)  
1-877-438-4338

We want to assure you that we are committed to the security of your personal information and are taking this matter seriously. We have conducted an internal review of our practices and procedures and are updating our system protections. These steps have included the removal of credit card information from the database and the addition of secure third party payment methods (Paypal, Google Wallet and Amazon Checkout) to prevent such issues in the future. If you have any questions, or you need further assistance, you may contact us at 866-314-3680.

Regards,

[name]  
[title]