



Agilent Technologies

April 4, 2008

Office of the Attorney General
Consumer Protection and Antitrust Bureau
33 Capitol Street
Concord, New Hampshire 03301

Re: *Legal Notice of Potential Data Security Breach Pursuant to N.H. Rev. Stat. Ann. § 359-C:20(i)(b)*

To Whom It May Concern:

Pursuant to New Hampshire law, we write to notify you of a potential data security breach involving the personal information of some New Hampshire residents. Stock & Option Solutions, Inc., ("Stock & Option Solutions") is a vendor that provided equity plan consulting services to Agilent Technologies, Inc. ("Agilent"). On March 4, 2008, Stock & Option Solutions informed Agilent that on March 1, 2008, someone broke into the locked rental car of a Stock & Option Solutions employee while it was parked in a public garage in San Francisco, California, and stole a laptop computer that contained personal data of Agilent's current and former employees, including names, home addresses, Social Security Numbers, and equity compensation information. The laptop was not encrypted but was password protected. We believe that an estimated 51,000 total individuals may have been affected by this incident worldwide, of which an estimated 27,000 are US residents and 631 are New Hampshire residents.

Upon discovery, the auto break in and theft were reported immediately to the San Francisco Police Department ("SFPD"), report number 080-220-933. A redacted copy of that police report is enclosed. Stock & Option Solutions has advised us that it has followed up with SFPD and the REACT High Tech Crimes Task Force in Silicon Valley to ensure that the serial number of the stolen laptop was entered into their respective database systems for monitoring. Stock & Option Solutions has also advised us that it will continue to follow up and work with law enforcement about the incident. At this time, Stock & Option Solutions and Agilent have no indication that this was anything more than a random theft or that personal data has been accessed or misused.

Stock & Option Solutions had signed a Personal Data Confidentiality Agreement with Agilent, which, among other things, requires them to adopt a reasonable degree of care in protecting the security of Agilent personal information.

Agilent has retained Equifax Personal Solutions for one year for its credit monitoring services, and 24 by 7 phone access to a live customer agent for personal identity theft victim assistance, and investigation of any inaccurate information to mitigate any potential problems for affected individuals that may result from this incident.

On March 6, 2008, Agilent notified all of its active employees of the possible data security breach by an e-mail communication entitled "InfoSpark Communication," a copy of which is enclosed. On March 10, 2008, Agilent sent another e-mail notification only to those active employees who might be affected by the incident, attaching instructions for the Credit Monitoring Sign-Up Process. A copy of that e-mail and attachment are also enclosed.

On March 17, 2008, Agilent mailed a hard copy letter about the possible data security breach, together with instructions for the Credit Monitoring Sign-Up Process and answers to Frequently Asked Questions, to its former employees who might be affected by the incident, copies of which are enclosed.

Agilent is now in the process of further notifying all individuals who might be affected by the possible data security breach by hard copy letter through first-class mail, postage prepaid, the mailing of which will begin in early April, 2008. Enclosed is a copy of the notification letter and enclosures being sent to all potentially affected individuals.

If you have any questions or need further information regarding this incident, please do not hesitate to contact us.

Sincerely yours,



James J. Allen, CIPP
Chief Privacy Officer

Encls.

RE: Lost Laptop Computer

Dear Agilent Colleague,

Following our e-mail message dated March 10, 2008, attached to the present letter, this communication is being sent to you with some additional information and guidance.

As a reminder, to further safeguard yourself against identity theft or other unauthorized use of personal information, you can take some simple steps. First, we recommend that you remain vigilant over the next 12 months and review your credit card bills and credit report for unauthorized activity. You should report any suspected identity theft or fraud to your local law enforcement agency, the U.S. Federal Trade Commission, your financial institutions, credit card issuers, and one of the three national consumer reporting agencies listed below. You also have the right to obtain a copy of a police report if you are the victim of identity theft.

Finally, as a Massachusetts resident, you have a right to place a security freeze on your consumer report. A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent; however, using a security freeze may delay your ability to obtain credit. You may request a security freeze be placed on your consumer report by sending a request to a consumer reporting agency by certified mail, overnight mail, or regular stamped mail to the address below. The following information should be included when requesting a security freeze (please note that if you are requesting a credit report for your spouse, this information should be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth (month, day and year); (4) current address for the past two years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicle. The request should also include a copy of a government-issued identification card (such as a driver's license or military ID card) and a copy of a recent utility bill or bank or insurance statement. Each copy should be legible, display your name and current mailing address, and the date of issue. The consumer reporting agency may charge a fee of up to \$5.00 to place a freeze or lift or remove a freeze. The fee may be waived if you or your spouse are a victim of identity theft and you submit to the consumer reporting agency a valid police report relating to the identity theft.

Experian Security Freeze
P.O. Box 9554
Allen, Texas 75013
www.experian.com

Equifax Security Freeze
P.O. Box 105788
Atlanta, Georgia 30348
www.equifax.com

TransUnion
Fraud Victim Assistance
Department
P.O. Box 6790
Fullerton, California 92834-6798
www.transunion.com

The access to Equifax Credit Watch™ Gold that we are offering will provide you with an initial copy of one 3-in-1 credit report free of charge. There are other ways to obtain your consumer credit report without charge. Under federal law, you are entitled to one free copy of your consumer credit report from each of the three national consumer reporting agencies. You may request your free annual consumer credit report by visiting www.annualcreditreport.com or by calling 1-877-FACTACT (1-877-322-8228). You may want to obtain copies of your consumer credit report to ensure the accuracy of the report information.

To learn more and to report incidents of identity theft, you can go to www.ftc.gov/credit, or www.consumer.gov/idtheft, or call 1-877-IDTHEFT (1-877-438-4338).

Again, we apologize for any inconvenience this incident may cause you.

Sincerely,

Jean Halloran, Senior Vice President, Human Resources

James J. Allen, CIPP, Chief Privacy Officer



Final Draft
Credit Monitoring Sign-up Process

March 17, 2008

Dear Former Agilent Employee,

This letter is to inform you that a laptop computer containing sensitive Agilent employee data was stolen from the car of an Agilent vendor, Stock & Option Solutions, in San Francisco, California on Saturday, March 1. Agilent was not informed of the incident until late in the day on March 4. The computer contained personal information about all current and former Agilent employees worldwide who have ever received equity awards (e.g. stock options, restricted stock units, stock appreciation rights). The information included Social Security Numbers as well as employee name and ID, home address and historical data on equity awards transactions.

The files did not contain any personal PIN or passwords or any other login information that could be used to access employee accounts.

While the incident appears to have been a random laptop theft which, in most situations like this, does not result in the misuse of stolen information, we are taking prudent precautions including offering free credit monitoring through Equifax to guard against identity theft. To enroll in the Equifax Credit Watch product, please see the enclosed documentation.

Our priority has absolutely been to prevent this kind of incident. To this end, we continually evaluate and modify our vendor processes and contracts with the goal of maintaining specific data privacy rules and guidelines. Unfortunately, a chain is only as strong as its weakest link. Stock & Options Solutions was highly recommended to us and the standard Agilent contract and data privacy agreements were in place. The vendor made a serious error – in violation of the contracted agreement – that has undermined Agilent's diligence around security. We hold Stock & Option Solutions accountable.

We understand your concern and realize that that our actions may not offer much reassurance to those impacted by the current theft. We do, however, want to reiterate our commitment to protect the privacy of our employees.

Attached you will find an FAQ that should answer any questions you may have. If you have any additional questions about the incident, please call Agilent HR at 1-408-553-7672 or e-mail us at americas-hr_agilent@agilent.com.

Regards,

Jean Halloran, Senior Vice President, Human Resources

Jim Allen, Chief Privacy Officer

We have arranged with Equifax Personal Solutions to help you protect your identity and your credit information at no cost to you. The steps to follow are:

1. Enroll in Equifax Credit Watch™ Gold with 3-in-1 Monitoring identity theft protection product. This product is being provided to you at no cost for one year.
2. Additionally, you may choose to adopt an increased level of protection by placing a fraud alert on your credit file at Equifax and the other two credit reporting agencies.

Enroll in Equifax Credit Watch™ Gold with 3-in-1 Monitoring

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:

- o Comprehensive credit file monitoring of your Equifax, Experian, and TransUnion credit reports with daily notification of key changes to your credit files from any of the three agencies
- o Wireless alerts and customizable alerts available
- o One 3-in-1 Credit Report and access to your Equifax Credit Report™
- o \$20,000 in identity theft insurance with \$0 deductible, at no additional cost to you †
- o 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/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:** 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 "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: 401307645 in the "Enter Promotion Code" box. (no spaces) After entering your code press the "Apply Code" button and then the "Submit Order" button at the bottom of the page. (This code eliminates the need to provide a credit card number for payment.)
4. **Order Confirmation:** Click "View My Product" to access your 3-in-1 Credit Report and other product features.