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November 16, 2009

By First Class Mail

Office of the Attorney General
Attn: Mary Thayer
Consumer Protection and Antitrust Bureau
33 Capitol Street
Concord, NH 03301

Re: Legal Notice of Information Security Breach

Dear Ms. Thayer:

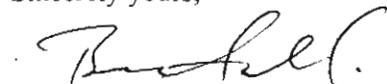
I write on behalf of my client, Eisai Inc. ("Eisai"), to inform you of an information security breach involving approximately twenty-seven residents of your state. On October 21, 2009, a laptop computer was stolen from the vehicle of an Eisai employee in New Jersey. Eisai's employee filed a police report and the police are investigating the incident.

Unfortunately, a file on the laptop contained personal information about some Eisai employees, former employees and/or applicants, including their names, addresses, and Social Security numbers. Twenty-seven such employees, former employees and/or applicants are residents of your state. The laptop is password protected, but the information is not encrypted.

At this time Eisai has no reason to believe that any personal information has been or will be accessed or misused. Nonetheless, as a precaution, Eisai is notifying all affected individuals via written letter to each through first class mail, and offering them the opportunity to enroll in a free credit monitoring service for one year. These notifications began mailing on November 13, 2009. A copy of the form of notice to affected individuals is attached for your reference.

If you have any questions or need further information regarding this incident, please call me.

Sincerely yours,



Brendon M. Tavelli

Enclosure

November ____, 2009

Re: Notice Regarding Potential Acquisition of Personal Information

Dear _____ :

We are writing to inform you that, on October 21, 2009, a laptop containing information about certain Eisai employees, former employees and/or applicants was stolen from the vehicle of an employee in our Human Resources Department. The laptop had on it several human resource related files which, unfortunately, we believe may have contained certain personal information about you, including your name, address and Social Security number. The laptop was password protected, but the information it contained was not encrypted. The theft was promptly reported to local law enforcement, and they are investigating the incident.

At this time, we have no evidence that your personal information has been or will be misused. Nonetheless, we want to alert you to the incident and make you aware of some precautions you can take to protect yourself against the possibility of becoming a victim of identity theft. Please see the enclosure to learn more about these precautions and services.

Additionally, as a precaution and to assist you in guarding against possible misuse of your personal information, we are providing you with a one-year membership for credit monitoring services, at no cost to you through Experian. You have until January 31, 2010 to activate the credit monitoring by using your unique activation code. **Please see the enclosure to learn more about these services and about important enrollment instructions.** However, even if you choose not to enroll in the free credit monitoring service, we strongly encourage you to actively monitor your financial accounts and free credit reports that are available to you. You should report any suspected identity theft to us and to appropriate law enforcement officials.

Please be assured that we are taking steps to help prevent a similar occurrence, and we stand ready and willing to help you. If you have any questions about this incident please contact your local human resources representative, or _____ at 201-XXX-XXXX.

Sincerely,

Vice President, Human Resources

TRIPLE ALERTSM CREDIT MONITORING

To help you detect the possible misuse of your personal information, we are providing you with a complimentary one year membership to Experian's Triple AlertSM credit monitoring product at no cost to you. Triple Alert will monitor your credit reports at the three national credit reporting companies: Experian, Equifax[®] and TransUnion[®] and notify you of key changes. Triple Alert is a powerful tool that will help you identify potentially fraudulent use of your information. Your Triple Alert membership is completely free and will not hurt your credit score.

The complimentary 12-month **Triple Alert**SM membership includes:

- Tri-bureau credit monitoring and alerts: Automatic daily monitoring of the Experian, Equifax and TransUnion credit files and e-mail alerts of key changes
- Monthly "no-hit" reports: Updates letting you know there were no changes with your credit activity
- Fraud resolution assistance: Toll-free access to fraud resolution specialists who help investigate each incident; contact credit grantors to dispute charges, close accounts and compile documents; and contact all relevant government agencies and law enforcement officials as needed
- Identity theft insurance: \$25,000 maximum insurance coverage with zero deductible provided by Virginia Surety Company, Inc. for certain identity theft expenses*

The web site to enroll in Triple Alert and your individual activation code are both listed below. To sign up, please visit the web site and enter your individual activation code. Please keep in mind that once activated, the code cannot be re-used for another enrollment. The web site will guide you through the process of enrolling in Triple Alert. If you need technical assistance, please call (866) 252-0121.

Triple Alert Web Site: <http://partner.consumerinfo.com/triple>
Your Activation Code: [insert Activation Code]

Even if you do not feel the need to register for the credit monitoring service, we recommend that you carefully consider the important steps to help prevent fraud described on the next page.

* Insurance coverage for residents of the State of New York is limited to \$10,000.

IMPORTANT STEPS TO HELP PREVENT FRAUD

1. **Carefully review your banking, credit card and other account statements and report any unauthorized transactions.** You should regularly review your accounts to look for unauthorized or suspicious activity. You may also want to notify your financial institution(s) and credit card companies that you received this notice. This will tell them that your information may have been viewed or accessed by an unauthorized party.
2. **Contact the fraud department at the three major credit bureaus listed below and ask them to place a “fraud alert” on your credit file.** A fraud alert tells creditors to contact you before they open any new credit accounts or change your existing accounts. To place a fraud alert on your credit file, contact one of the three national credit bureaus at the numbers provided below.

Equifax (800) 685-1111 www.equifax.com P.O. Box 740241 Atlanta, GA 30374-0241	Experian (888) 397-3742 www.experian.com P.O. Box 9532 Allen, TX 75013	TransUnion (800) 916-8800 www.transunion.com P.O. Box 6790 Fullerton, CA 92834-6790
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3. **Obtain a copy of your credit report from each of the three major credit reporting agencies and review them to be sure they are accurate and include only authorized accounts.** You are entitled to one free copy of your report every 12 months. To order your report, visit www.annualcreditreport.com, or call toll-free (877) 322-8228, or complete an Annual Credit Report Request Form and mail it to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281 (you can print a copy of the request form at <http://www.ftc.gov/bcp/menus/consumer/credit/rights.shtm>). Carefully review your credit reports to verify that your name, address, account, and any other information are accurate and notify the credit reporting agencies of any errors you detect, and about any accounts you did not open or inquiries from creditors you did not initiate. In addition to your free credit report, you can also purchase a copy of your credit report by contacting one of the three national credit reporting companies listed above.
4. **Contact the Federal Trade Commission (“FTC”) to obtain additional information about how to protect against identity theft.** The FTC is a good resource for general questions about identity theft. You can call the FTC’s identity theft hotline at 1-877-IDTHEFT (438-4338), or visit their website at www.ftc.gov/bcp/edu/microsites/idtheft/.
5. **You may also put a “credit freeze” on your credit file so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate a freeze.** Since the instructions for how to establish a credit freeze differ from state to state, please contact the three major credit bureaus using the information below to find out more.

Equifax Security Freeze P.O. Box 105788 Atlanta, GA 30348 www.equifax.com	Experian Security Freeze P.O. Box 9554 Allen, TX 75013 www.experian.com	TransUnion (FVAD) P.O. Box 6790 Fullerton, CA 92834-6790 www.transunion.com
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6. **We recommend that you remain vigilant over the next 12 to 24 months and report any suspected identity theft or other misuse of personal information immediately to the proper law enforcement authorities.** You have the right to obtain a police report if you are the victim of identity theft.