STATE OF NH
DEPT OF JUSTICE
2015 JUL -6 AM 11: 15

July 2, 2015

Melissa K. Ventrone
312.821.6105 (direct)
312.485.0540 (mobile)
Melissa.Ventrone@wilsonelser.com

Attorney General Joseph Foster
Office of the Attorney General
33 Capitol Street
Concord, NH 03302

Re: Data Security Incident

Dear Attorney General Foster:

We represent FireKeepers Casino Hotel ("FireKeepers"), with respect to a recent security incident involving the potential exposure of certain personally identifiable information and personal health information described in more detail below.

FireKeepers is a casino and hotel located in Battle Creek, Michigan that is owned and operated by the Nottawaseppi Huron Band of Potawatomi. In addition to hotel and casino operations, FireKeepers has food, beverage, and retail shops on its property.

1. Nature of security incident.

On April 16, 2015, Firekeepers learned that its credit and debit card processing system may have been compromised, and as part of its investigation, immediately hired independent IT forensic experts to assist. While the investigation is still ongoing, it appears that credit and debit cards used between September 7, 2014, and April 25, 2015 for food, beverage and retail purchases may have been affected. The security compromise has been contained, and credit and debit cards have been processed securely since April 26, 2015.

During the investigation, on May 6, 2015, FireKeepers discovered unauthorized access to a file storage server. After additional and extensive research, FireKeepers' experts determined that the file server may have contained documents with its employees' and their dependents' name, address, Social Security number and limited personal health information such as your benefits plan selection and billing information. For a limited number of employees, this information may also include driver's license number and financial account information, such as a bank account number. FireKeepers has found no evidence that any of the data on the file server was accessed or misused. However, out of an abundance of caution, FireKeepers has notified its customers and employees and offered them free identity protection

services.

2. **Number of New Hampshire residents affected.**

Firekeepers provided substitute notice of the payment card processing security incident by placing a statement on its website, www.firekeeperscasino.com, and issuing a press release to media outlets. For those individuals identified as having information located on the file server, it appears two (2) New Hampshire residents were affected by the security incident. A notification letter to these individual was mailed on July 2, 2015 via regular mail. A copy of the notification letter is included with this letter.

3. **Steps you have taken or plan to take relating to the incident.**

FireKeepers has taken steps to prevent this type of event from happening again. This includes installing new payment card processing equipment, strengthening its firewalls, incorporating two-factor authentication to secure customer and employee information and reviewing its security policies and procedures. FireKeepers is also offering potentially impacted individuals with identity protection services through AllClear ID. Notice was also provided to the credit reporting agencies.

4. Contact information.

FireKeepers remains dedicated to protecting the sensitive information in its systems. If you have any questions or need additional information, please do not hesitate to contact me at Melissa.Ventrone@wilsonelser.com or (312) 821-6105.

Very truly yours,

Wilson Elser Moskowitz Edelman & Dicker LLP

Melissa K. Ventrone

Enclosure

FIREKEEPERS
CASINO • HOTEL
BATTLE CREEK

Processing Center • P.O. BOX 141578 • Austin, TX 78714

38030
JOHN Q. SAMPLE
1234 MAIN STREET
ANYTOWN US 12345-6789

ACD1234
00-ACIDLT1E-2

July 2, 2015

Dear John Sample,

FireKeepers Casino Hotel (FireKeepers) is writing to inform you, as a current or former employee, of a data security incident that may have resulted in the disclosure of your personal information, including your name and Social Security number. We take the privacy and security of your information very seriously, and sincerely apologize for any concern or inconvenience this may cause you. This letter contains information about steps you can take to protect your information, and resources we are making available to help you.

On April 16, 2015, we learned that our credit and debit card processing system may have been compromised, and immediately hired computer forensic experts to assist with our investigation. During the investigation, on May 6, 2015, we discovered unauthorized access to a file storage server. After additional and extensive research, our experts determined that the file server may have contained documents with your name, address, Social Security number and limited personal health information such as your benefits plan selection and billing information. For a limited number of employees, this information may also include your driver's license number and/or financial account information, such as your bank account number. Although we have no evidence that any of the data on the file server was accessed or misused, we wanted to let you know about this event as a precaution.

Your trust is a top priority for FireKeepers, and we deeply regret any concern this may cause. Although we are not aware of any misuse of your information, we have arranged to have AllClear ID protect your identity for 12 months at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next 12 months.

AllClear SECURE: The team at AllClear ID is ready and standing by if you need identity repair assistance. This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-855-861-4021 and a dedicated investigator will do the work to recover financial losses, restore your credit and make sure your identity is returned to its proper condition. AllClear ID maintains an A+ rating at the Better Business Bureau.

AllClear PRO: This service offers additional layers of protection including credit monitoring and a $1 million identity theft insurance policy. To use the PRO service, you will need to provide your personal information to AllClear ID. You may sign up online at enroll.allclearid.com or by phone by calling 1-855-861-4021 using the following redemption code: Redemption Code.

Please note: Additional steps may be required by you in order to activate your phone alerts.

We want to assure you that we have taken steps to help prevent this type of event from happening again. This includes installing new payment card processing equipment, strengthening our firewalls,

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incorporating two-factor authentication to secure your information, and reviewing our data security policies and procedures.

Please call 1-855-861-4021 Monday through Saturday from 9:00 a.m. – 9:00 p.m., Eastern Time, with any questions or concerns. We sincerely apologize for any inconvenience or concern that this matter may cause you and remain dedicated to protecting your privacy.

Sincerely,

R. Bruce McKee
Chief Executive Officer

U.S. State Notification Requirements

For residents of *Hawaii, Michigan, Missouri, Virginia, Vermont,* and *North Carolina*:
It is recommended by state law that you remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

For residents of *Illinois, Iowa, Maryland, Missouri, North Carolina, Oregon,* and *West Virginia*:
It is required by state laws to inform you that you may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report by contacting any one or more of the following national consumer reporting agencies:

Equifax
P.O. Box 105851
Atlanta, GA 30348
1-800-685-1111
www.equifax.com

Experian
P.O. Box 2002
Allen, TX 75013
1-888-397-3742
www.experian.com

TransUnion
P.O. Box 6790
Fullerton, CA 92834
1-800-916-8800
www.transunion.com

You may also obtain a free copy of your credit report online at www.annualcreditreport.com, by calling toll-free 1-877-322-8228, or by mailing an Annual Credit Report Request Form (available at www.annualcreditreport.com) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

For residents of *Iowa*:
State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

For residents of *Oregon*:
State laws advise you to report any suspected identity theft to law enforcement, as well as the Federal Trade Commission.

For residents of *Maryland, Illinois,* and *North Carolina*:
You can obtain information from the Maryland and North Carolina Offices of the Attorneys General and the Federal Trade Commission about fraud alerts, security freezes, and steps you can take toward preventing identity theft.

Maryland Office of the Attorney General
Consumer Protection Division
200 St. Paul Place
Baltimore, MD 21202
1-888-743-0023
www.oag.state.md.us

North Carolina Office of the Attorney General
Consumer Protection Division
9001 Mail Service Center
Raleigh, NC 27699-9001
1-877-566-7226
www.ncdoj.com

Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue, NW
Washington, DC 20580
1-877-IDTHEFT (438-4338)
www.ftc.gov/bcp/edu/microsites/idtheft

For residents of *Massachusetts*:
It is required by state law that you are informed of your right to obtain a police report if you are a victim of identity theft.

For residents of *all states*:
Fraud Alerts: You can place fraud alerts with the three credit bureaus at one of the three major credit bureaus by phone and also via Experian's or Equifax's website. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. The contact information for all three credit bureaus is below:
Monitoring: You should always remain vigilant and monitor your accounts for suspicious or unusual activity.
Security Freeze: You also have the right to place a security freeze on your credit report. A security freeze is intended to prevent credit, loans and services from being approved in your name without your consent. To place a security freeze on your credit report, you need to send a request to each consumer reporting agency by certified mail, overnight mail, or regular stamped mail. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy 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, but is free if you are a victim of identity theft or the spouse of a victim of identity theft, and you have submitted a valid police report relating to the identity theft incident to the consumer reporting agency. You may obtain a security freeze by contacting any one or more of the following national consumer reporting agencies:

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

Experian Security Freeze
P.O. Box 9554
Allen, TX 75013
http://www.experian.com/freeze

TransUnion (FVAD)
P.O. Box 2000
Chester, PA 19022
www.transunion.com

More information can also be obtained by contacting the Federal Trade Commission listed above.

FIREKEEPERS
CASINO • HOTEL
BATTLE CREEK

Processing Center • P.O. BOX 141578 • Austin, TX 78714

00001
ACD1234
00-ACIDLT1E-2

JOHN Q. SAMPLE
1234 MAIN STREET
ANYTOWN US 12345-6789

July 2, 2015

Dear John Sample,

FireKeepers Casino Hotel (FireKeepers) is writing to inform you of a data security incident that may have resulted in the disclosure of your personal information, including your name and Social Security number. You may have provided FireKeepers with this information if you had tax-reportable winnings. We take the privacy and security of your information very seriously, and sincerely apologize for any concern or inconvenience this may cause you. This letter contains information about steps you can take to protect your information, and resources we are making available to help you.

On April 16, 2015, we learned that our credit and debit card processing system may have been compromised, and immediately hired computer forensic experts to assist with our investigation. During the investigation, on May 6, 2015, we also discovered unauthorized access to a file storage server. After additional and extensive research, our experts determined that the file server may have contained documents with your name, address, Social Security number, and driver's license number. Although we have no evidence that any of the data on the file server was accessed or misused, we wanted to let you know about this event as a precaution.

Your trust is a top priority for FireKeepers, and we deeply regret any concern this may cause. Although we are not aware of any misuse of your information, we have arranged to have AllClear ID protect your identity for 12 months at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next 12 months.

AllClear SECURE: The team at AllClear ID is ready and standing by if you need identity repair assistance. This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-855-861-4021 and a dedicated investigator will do the work to recover financial losses, restore your credit and make sure your identity is returned to its proper condition. AllClear ID maintains an A+ rating at the Better Business Bureau.

AllClear PRO: This service offers additional layers of protection including credit monitoring and a $1 million identity theft insurance policy. To use the PRO service, you will need to provide your personal information to AllClear ID. You may sign up online at enroll.allclearid.com or by phone by calling 1-855-861-4021 using the following redemption code: Redemption Code.

Please note: Additional steps may be required by you in order to activate your phone alerts.

We want to assure you that we have taken steps to help prevent this type of event from happening again. This includes installing new payment card processing equipment, strengthening our firewalls,

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incorporating two-factor authentication to secure your information, and reviewing our data security policies and procedures.

Please call 1-855-861-4021 Monday through Saturday from 9:00 a.m. – 9:00 p.m., Eastern Time, with any questions or concerns. We sincerely apologize for any inconvenience or concern that this matter may cause you and remain dedicated to protecting your privacy.

Sincerely,

R. Bruce McKee
Chief Executive Officer

U.S. State Notification Requirements

For residents of *Hawaii, Michigan, Missouri, Virginia, Vermont,* and *North Carolina*:
It is recommended by state law that you remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

For residents of *Illinois, Iowa, Maryland, Missouri, North Carolina, Oregon,* and *West Virginia*:
It is required by state laws to inform you that you may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report by contacting any one or more of the following national consumer reporting agencies:

Equifax
P.O. Box 105851
Atlanta, GA 30348
1-800-685-1111
www.equifax.com

Experian
P.O. Box 2002
Allen, TX 75013
1-888-397-3742
www.experian.com

TransUnion
P.O. Box 6790
Fullerton, CA 92834
1-800-916-8800
www.transunion.com

You may also obtain a free copy of your credit report online at www.annualcreditreport.com, by calling toll-free 1-877-322-8228, or by mailing an Annual Credit Report Request Form (available at www.annualcreditreport.com) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

For residents of *Iowa*:
State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

For residents of *Oregon*:
State laws advise you to report any suspected identity theft to law enforcement, as well as the Federal Trade Commission.

For residents of *Maryland, Illinois,* and *North Carolina*:
You can obtain information from the Maryland and North Carolina Offices of the Attorneys General and the Federal Trade Commission about fraud alerts, security freezes, and steps you can take toward preventing identity theft.

Maryland Office of the Attorney General
Consumer Protection Division
200 St. Paul Place
Baltimore, MD 21202
1-888-743-0023
www.oag.state.md.us

North Carolina Office of the Attorney General
Consumer Protection Division
9001 Mail Service Center
Raleigh, NC 27699-9001
1-877-566-7226
www.ncdoj.com

Federal Trade Commission
Consumer Response Center
600 Pennsylvania Avenue, NW
Washington, DC 20580
1-877-IDTHEFT (438-4338)
www.ftc.gov/bcp/edu/microsites/idtheft

For residents of *Massachusetts*:
It is required by state law that you are informed of your right to obtain a police report if you are a victim of identity theft.

For residents of *all states*:
Fraud Alerts: You can place fraud alerts with the three credit bureaus at one of the three major credit bureaus by phone and also via Experian's or Equifax's website. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. The contact information for all three credit bureaus is below:
Monitoring: You should always remain vigilant and monitor your accounts for suspicious or unusual activity.
Security Freeze: You also have the right to place a security freeze on your credit report. A security freeze is intended to prevent credit, loans and services from being approved in your name without your consent. To place a security freeze on your credit report, you need to send a request to each consumer reporting agency by certified mail, overnight mail, or regular stamped mail. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy 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, but is free if you are a victim of identity theft or the spouse of a victim of identity theft, and you have submitted a valid police report relating to the identity theft incident to the consumer reporting agency. You may obtain a security freeze by contacting any one or more of the following national consumer reporting agencies:

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

Experian Security Freeze
P.O. Box 9554
Allen, TX 75013
http://www.experian.com/freeze

TransUnion (FVAD)
P.O. Box 2000
Chester, PA 19022
www.transunion.com

More information can also be obtained by contacting the Federal Trade Commission listed above.