



STATE OF NH  
DEPT OF JUSTICE

2015 APR -3 PM 12: 18

April 1, 2015

Office of the Attorney General  
New Hampshire Department of Justice  
33 Capitol Street  
Concord, NH 03301

To Whom It May Concern:

Pursuant to RSA 359-C:20, and on behalf of Momentive Performance Materials ("Momentive") Savings Plan, we are writing to notify you of an unauthorized disclosure of personal information involving seven New Hampshire residents. Fidelity Investments ("Fidelity") is trustee for the Momentive Performance Materials Plan.

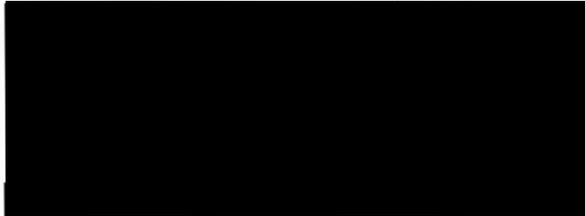
On January 28, 2015, information about participants in the Momentive Performance Materials Savings Plan was inadvertently included in a file that was sent by Fidelity to another Fidelity client firm. The file was only accessible by one employee at the client firm through a password-protected Web application. When the employee realized that the data did not belong to her company's plan, she notified Fidelity. The file included for each participant: name, Social Security number, plan number, status, annual salary amount, effective date and last update.

Fidelity became aware of this matter on February 3, 2015 and removed the file from the secure Web application later that afternoon. A review of our Web application logs confirmed that only one employee accessed the file. This employee has confirmed that the file was not saved. Fidelity notified Momentive of the breach by letter on February 12, 2015. Since February 12, 2015, Momentive has been working with Fidelity to investigate the incident. On March 6, 2015, Momentive requested that Fidelity begin steps to notify the impacted residents. The planned notification process was finalized on March 27, 2015.

This incident impacted seven New Hampshire residents. We are not aware of any misuse of the customers' personal information. We are notifying the residents on April 1, 2015. A copy of the notification letter is attached. While the risk associated with this matter appears minimal and we are not aware of any misuse of this information; Momentive, as a precautionary measure, has requested that Fidelity offer the affected residents a free subscription to a credit monitoring service for two years. Fidelity has agreed to provide this subscription to all affected residents.

Upon learning of this incident, Fidelity handled the issue in accordance with its internal procedures. The issue was researched and it was determined that the root cause was a manual processing error. Fidelity is currently reviewing the process of uploading files via the password-protected Web application to assess how existing controls can be strengthened and whether additional controls are needed.

Sincerely,







200 Seaport Blvd. Z1C  
Boston, MA 02210

April 1, 2015

[First Name Last Name]

[Street Address]

[City, State Zip]

[First Name Last Name]:

We are writing in regard to a matter that involved some personal information about you held by Fidelity Investments as trustee for the Momentive Performance Materials Savings Plan. On January 28, 2015, due to an administrative error, information about you was inadvertently provided through our secure website to another Fidelity employer client. The information about you included your name, Social Security number, plan number, status and annual salary amount, effective date and last update. Only one authorized employee at the Fidelity client had access to your information. This employee is generally responsible for handling personal data on a confidential basis in her job.

Fidelity became aware of this matter on February 3, 2015 when the client employee discovered the error and notified us. We corrected the issue on that same day and your information is no longer available to that Fidelity client. Fidelity notified Momentive of the breach by letter on February 12, 2015. Since February 12, 2015, Momentive has been working with Fidelity to investigate the incident. Fidelity deeply regrets this error and is keenly aware of how important the security and privacy of your personal information are to you. At this time, we are not aware of any misuse of your information, nor do we anticipate any.

As a precautionary measure, we recommend that you remain vigilant for incidence of fraud and identity theft by reviewing account statements, monitoring free credit reports, and promptly reporting any suspicious activity or suspected incidents of identity theft to local law enforcement or the attorney general. Additionally, Fidelity has arranged for you to enroll, at your option, in a credit monitoring service for two years at no cost to you. This service allows you to monitor your credit and to detect any unusual activity that may affect your personal financial situation. The service is provided by Equifax, a major credit reporting company. For details on how to enroll in this service and for additional ways you may protect yourself, please refer to the enclosed instruction sheet.

We take the protection of personal information very seriously and sincerely apologize for any concern or inconvenience this matter may cause you. If you have any questions regarding this situation, please feel free to call the Fidelity Service Center at 1-800-835-5095 between the hours of 8:30 a.m. through 8:30 p.m. EST.

Sincerely,

William Duserick  
Chief Privacy Officer  
Fidelity Investments

## CREDIT MONITORING INSTRUCTION SHEET

Activation Code: **INSERT Credit Monitoring Code**

### About the Equifax Credit Watch™ Gold with 3-in-1 Monitoring identity theft protection product

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. Note: You must be over age 18 with a credit file in order to take advantage of the product.

Equifax Credit Watch provides you with the following key features and benefits:

- Comprehensive credit file monitoring and automated alerts of key changes to your **Equifax, Experian, and TransUnion** credit reports
- Wireless alerts and customizable alerts available (available online only)
- One 3-in-1 Credit Report and access to your Equifax Credit Report™
- Up to \$1 million in identity theft insurance <sup>1</sup> with \$0 deductible, at no additional cost to you
- 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.
- 90 day Fraud Alert <sup>2</sup> placement with automatic renewal functionality\* (available online only)

### **How to Enroll: You can sign up online or over the phone**

To sign up online for **online delivery** go to [www.myservices.equifax.com/tri](http://www.myservices.equifax.com/tri)

1. **Welcome Page:** Enter the Activation Code provided at the top of this page in the “Activation Code” box and click the “Submit” button.
2. **Register:** Complete the form with your contact information (name, gender, home address, date of birth, Social Security Number and telephone number) and click the “Continue” button.
3. **Create Account:** Complete the form with your email address, create a User Name and Password, check the box to accept the Terms of Use and click the “Continue” button.
4. **Verify ID:** The system will then ask you up to four security questions to verify your identity. Please answer the questions and click the “Submit Order” button.
5. **Order Confirmation:** This page shows you your completed enrollment. Please click the “View My Product” button to access the product features.

To sign up for **US Mail delivery**, dial 1-866-937-8432 for access to the Equifax Credit Watch automated enrollment process. Note that all credit reports and alerts will be sent to you via US Mail only.

1. **Activation Code:** You will be asked to enter your enrollment code as provided at the top of this letter.
2. **Customer Information:** You will be asked to enter your home telephone number, home address, name, date of birth and Social Security Number.
3. **Permissible Purpose:** You will be asked to provide Equifax with your permission to access your credit file and to monitor your file. Without your agreement, Equifax cannot process your enrollment.
4. **Order Confirmation:** Equifax will provide a confirmation number with an explanation that you will receive your Fulfillment Kit via the US Mail (when Equifax is able to verify your identity) or a Customer Care letter with further instructions (if your identity can not be verified using the information provided). Please allow up to 10 business days to receive this information.

1 - Identity Theft Insurance underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.. This product is not intended for minors (under 18 years of age)

2 - The Automatic Fraud Alert feature made available to consumers by Equifax Information Services LLC and fulfilled on its behalf by Equifax Consumer Services LLC

## **ADDITIONAL STEPS TO PROTECT YOURSELF**

### Directions for Placing a Fraud Alert

You may want to consider placing an initial fraud alert on your credit file. A fraud alert tells creditors to contact you before they open any new accounts or change your existing accounts. You may place a fraud alert in your file by calling one of the three nationwide credit reporting agencies. The agency that processes your fraud alert will notify the other two credit reporting agencies on your behalf. An initial fraud alert stays on your credit report for 90 days. When you place this alert on your credit report, you will receive information about ordering one free credit report from each of the credit reporting companies. Once you receive your reports, review them carefully for inquiries from companies you did not contact, accounts you did not open, and debts on your accounts that you cannot explain. Verify the accuracy of your Social Security number, address(es), full name and employer(s). Notify the credit reporting companies if any information is incorrect.

You can also obtain information from the credit reporting agencies on how to place a security freeze on your credit reports. A security freeze prohibits a credit reporting agency from releasing any information from a consumer's credit report without written authorization. However, please be aware that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing or other services.

Equifax: 877-478-7625 [www.equifax.com](http://www.equifax.com); PO Box 740241, Atlanta GA, 30374-0241

Experian: 888-397-3742 [www.experian.com](http://www.experian.com); PO Box 9532, Allen TX 75013

TransUnion LLC: 800-680-7289 [www.transunion.com](http://www.transunion.com); PO Box 6790, Fullerton CA 92834

### Directions for Obtaining a Credit Report

Please remember that while this matter may not involve significant risk, it is always good practice to take sensible steps to protect yourself by regularly reviewing your account statements and your credit report. As you may know, under federal law, you are entitled to one free copy of your credit report every 12 months from each of the major credit reporting agencies. You may obtain a free copy of your credit report by calling 1-877-FACT ACT (1-877-322-8228) or by visiting [www.annualcreditreport.com](http://www.annualcreditreport.com).

### Resources

Additional information about steps to avoid identity theft is available from the following sources:

Federal Trade Commission

Consumer Response Center

600 Pennsylvania Avenue, NW

Washington, DC 20580

Toll-free Identity Theft Helpline: 1-877-ID-THEFT (1-877-438-4338); TTY: 1-866-653-4261

Website: [www.ftc.gov/bcp/edu/microsites/idtheft/](http://www.ftc.gov/bcp/edu/microsites/idtheft/)

For Maryland and North Carolina Residents - You can obtain information from these sources about preventing identify theft:

**Maryland Attorney General's Office**

Identity Theft Unit

200 St. Paul Place

Baltimore, MD 21202

Phone: 1-888-743-0023

<http://www.oag.state.md.us/>

**North Carolina Office of the Attorney General**

Consumer Protection Division

9001 Mail Service Center

Raleigh, NC 27699-9001

Telephone: 1-877-566-07226

Website: [www.ncdoj.com/Protect-Yourself/2-4-3-Protect-Your-Identity.aspx](http://www.ncdoj.com/Protect-Yourself/2-4-3-Protect-Your-Identity.aspx)