Baker Hostetler

Baker&Hostetler LLP

45 Rockefeller Plaza
New York, NY 10111

T 212.589.4200
F 212.589.4201
www.bakerlaw.com

October 6, 2011

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

Re: Incident Notification

Dear Attorney General Delaney:

We write to inform you of an incident regarding some of the personal information that our client, The Nemours Foundation, maintains in connection with the services it provides to its patients.

On September 8, 2011, our client learned that a locked tape storage cabinet containing computer backup tapes was missing. Nemours immediately began an investigation and now believes the cabinet went missing from its Wilmington facility during a remodeling project on or about August 10, 2011. Nemours has been unable to locate the storage cabinet. The investigation has revealed that the cabinet contained three unencrypted backup tapes from a computer system Nemours stopped using in 2004. No medical records were on the backup tapes, but they did contain information that includes:

(1) For patients: patient billing information, including patient names, dates of birth, insurance information, medical treatment information and Social Security numbers;
(2) For employees: name, date of birth, address, marital status, social security number, insurance information, and bank account information;
(3) For patient guarantors: name, address, phone number, insurance information, and Social Security number;
(4) For vendors: name, address, and Social Security number.

Nemours is taking steps to help prevent this from happening in the future, including moving towards encrypting all backup tapes, retraining its employees, and enhancing its storage procedures. Nemours has no reason to believe that the cabinet was stolen, or that the information on the backup tapes has been accessed or used improperly. It would take highly specialized equipment and specific technical expertise to access any of the information on the tapes. Nonetheless, as a precautionary measure, Nemours is notifying all affected individuals of this incident and offering them one year of free credit monitoring and credit protection services through TransUnion.

There are approximately 173 New Hampshire residents potentially affected by this incident. Notification will be sent to those residents on October 7, 2011 in substantially the form attached hereto.

Very truly yours,

Theodore J. Kobus, III

Enclosure

cc: Steven R. Sparks, Esq.

103942357.1

Nemours®

10140 Centurion Blvd. North
Jacksonville, FL 32256
Nemours.org

October 7, 2011

##CMMC-99999-1-012345 T-0001 **********3-DIGIT 166
SAMPLE A SAMPLE
APT ABC
123 ANY ST.
ANYTOWN, US 12345-6789

Dear SAMPLE A SAMPLE:

Nemours has provided high quality and compassionate pediatric care for over 70 years, and the privacy and confidentiality of the information we maintain for our patients has always been an important part of the fundamental trust that we share with our patients and their families. Regrettably, we are writing to inform you about an incident involving some of that information.

On September 8, 2011, we learned that a locked tape storage cabinet containing computer backup tapes was missing. We immediately began an investigation and now believe the cabinet went missing from our Wilmington facility during remodeling on or about August 10, 2011. To date, we have been unable to locate the storage cabinet. We believe the cabinet contained three unencrypted backup tapes from a computer system we stopped using in 2004. No medical records were on the backup tapes, but they did contain your patient billing information, including name, date of birth, insurance information, medical treatment information, and Social Security number.

We are taking steps to help prevent this from happening again, including moving towards encrypting backup tapes, retraining our employees and enhancing our storage procedures. We have no reason to believe that the cabinet was stolen or that the information on the backup tapes has been accessed or used improperly. It would take highly specialized equipment and specific technical expertise to access any of the information on the tapes. As a precautionary measure, we have arranged for you to enroll, at no cost to you, for one (1) year in an online three-bureau credit monitoring service provided by TransUnion, one of the three major nationwide credit reporting companies.

To enroll in this free service, go to the TransUnion Monitoring Website at **www.transunionmonitoring.com** and in the space referenced as "Activation Code", enter the following 12-letter Activation Code **<<Insert Unique 12-letter Activation Code>>** and follow the simple steps to receive your services online within minutes.

If you have any questions regarding this incident, are concerned that you may have an identity theft issue, or do not have access to the Internet and wish to enroll in a similar offline, paper based, three-bureau credit monitoring service, please call the TransUnion Fraud Response Services toll-free hotline at **1-855-685-5408** Monday through Friday, 9:00 a.m. to 7:00 p.m. Eastern time. (Closed on all U.S. observed holidays). You can sign up for the online or offline credit monitoring service between now and **January 31, 2012**. Due to privacy laws, we cannot register you directly.

Once you are enrolled, you will be able to obtain one year of unlimited access to your TransUnion credit report and credit score. The daily three-bureau credit monitoring service will notify you if there are any critical changes to your credit files at TransUnion, Experian and Equifax, including fraudulent activity, new

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inquiries, new accounts, new public records, late payments, change of address and more. The service also includes up to $25,000 in identity theft protection with no deductible. (Certain limitations and exclusions may apply.)

Whether or not you enroll in credit monitoring, we recommend that you remain vigilant to the possibility of fraud and identity theft by reviewing your credit card, bank, and other financial statements for unauthorized activity and monitoring free credit reports. Under federal law, you are also entitled to one free credit report, free of charge once every 12 months, from each of the three major nationwide credit reporting companies. To order your free report visit www.annualcreditreport.com or call toll free at 1-877-322-8228.

You also have the right to ask that the nationwide credit reporting companies place a "Fraud Alert" on your credit file to let potential credit grantors know to verify your identification before extending credit in your name in case someone is using your information without your consent. This is a free service and must be renewed every 90 days. A Fraud Alert can make it more difficult for someone to get credit in your name; however, please be aware that it also may delay your ability to obtain credit. You can call one of the three nationwide credit reporting companies to place your Fraud Alert: TransUnion, Equifax, or Experian. As soon as the credit reporting company confirms your Fraud Alert, they will also forward your alert request to the other two nationwide credit reporting companies so you do not need to contact each of them separately. The contact information for the three nationwide credit reporting companies is:

Equifax	TransUnion	Experian
PO Box 740256	PO Box 6790	PO Box 9554
Atlanta, GA 30374	Fullerton,CA 92834	Allen, TX 75013
www.equifax.com	www.transunion.com	www.experian.com
1-800-525-6285	1-800-680-7289	1-888-397-3742

If you believe you are the victim of identity theft or have reason to believe your information is being misused, you should immediately contact the police in your jurisdiction and file a police report of identity theft. Obtain a copy of the police report as you may need to provide copies of the report to creditors to clear up your records. You should also contact the Federal Trade Commission and the attorney general's office in your home state.

We also recommend that you regularly review the explanation of benefits statements that you receive from your insurer. If you see any service that you believe you did not receive, please contact your insurer.

We deeply regret any inconvenience this incident may cause you. If you have any questions about this incident, please call 1-855-685-5408 Monday through Friday, 9:00 a.m. to 7:00 p.m. Eastern time. (Closed on all U.S. observed holidays).

Sincerely,

David J. Bailey, MD

David J. Bailey, M.D.
President and Chief Executive Officer
Nemours Foundation

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10140 Centurion Blvd. North
Jacksonville, FL 32256
www.Nemours.org

October 7, 2011

78796-E-AO-007630 T-0027 **********3-DIGIT 327

[redacted]

Dear [redacted]:

The privacy and security of the personal information we maintain is a top priority at Nemours, and we value the trust we share with our Associates, both past and present. Regrettably, this letter concerns an incident related to that information.

On September 8, 2011, we learned that a locked tape storage cabinet containing computer backup tapes was missing. We immediately began an investigation and now believe the cabinet went missing from our Wilmington facility during remodeling on or about August 10, 2011. To date, we have been unable to locate the storage cabinet. We believe the cabinet contained three unencrypted backup tapes from a computer system we stopped using in 2004. The backup tapes contained your name, date of birth, address, marital status, social security number, insurance information and bank account information related to your employment at Nemours.

We are taking steps to help prevent this from happening again, including moving towards encrypting backup tapes, retraining our employees and enhancing our storage procedures. We have no reason to believe that the cabinet was stolen or that the information on the backup tapes has been accessed or used improperly. It would take highly specialized equipment and specific technical expertise to access any of the information on the tapes. As a precautionary measure, we have arranged for you to enroll, at no cost to you, for one (1) year in an online three-bureau credit monitoring service provided by TransUnion, one of the three major nationwide credit reporting companies.

To enroll in this free service, go to the TransUnion Monitoring Website at **www.transunionmonitoring.com** and in the space referenced as "Activation Code", enter the following 12-letter Activation Code and follow the simple steps to receive your services online within minutes.

If you have any questions regarding this incident, are concerned that you may have an identity theft issue, or do not have access to the Internet and wish to enroll in a similar offline, paper based, three-bureau credit monitoring service, please call the TransUnion Fraud Response Services toll-free hotline at **1-855-685-5408** Monday through Friday, 9:00 a.m. to 7:00 p.m. Eastern time. (Closed on all U.S. observed holidays). You can sign up for the online or offline credit monitoring service between now and **January 31, 2012**. Due to privacy laws, we cannot register you directly.

Once you are enrolled, you will be able to obtain one year of unlimited access to your TransUnion credit report and credit score. The daily three-bureau credit monitoring service will notify you if there are any critical changes to your credit files at TransUnion, Experian and Equifax, including fraudulent activity, new

(Over Please)

inquiries, new accounts, new public records, late payments, change of address and more. The service also includes up to $25,000 in identity theft protection with no deductible. (Certain limitations and exclusions may apply.)

Whether or not you enroll in credit monitoring, we recommend that you remain vigilant to the possibility of fraud and identity theft by reviewing your credit card, bank, and other financial statements for unauthorized activity and monitoring free credit reports. Under federal law, you are also entitled to one free credit report, free of charge once every 12 months, from each of the three major nationwide credit reporting companies. To order your free report visit www.annualcreditreport.com or call toll free at 1-877-322-8228.

You also have the right to ask that the nationwide credit reporting companies place a "Fraud Alert" on your credit file to let potential credit grantors know to verify your identification before extending credit in your name in case someone is using your information without your consent. This is a free service and must be renewed every 90 days. A Fraud Alert can make it more difficult for someone to get credit in your name; however, please be aware that it also may delay your ability to obtain credit. You can call one of the three nationwide credit reporting companies to place your Fraud Alert: TransUnion, Equifax, or Experian. As soon as the credit reporting company confirms your Fraud Alert, they will also forward your alert request to the other two nationwide credit reporting companies so you do not need to contact each of them separately. The contact information for the three nationwide credit reporting companies is:

Equifax	TransUnion	Experian
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Atlanta, GA 30374	Fullerton,CA 92834	Allen, TX 75013
www.equifax.com	www.transunion.com	www.experian.com
1-800-525-6285	1-800-680-7289	1-888-397-3742

If you believe you are the victim of identity theft or have reason to believe your information is being misused, you should immediately contact the police in your jurisdiction and file a police report of identity theft. Obtain a copy of the police report as you may need to provide copies of the report to creditors to clear up your records. You should also contact the Federal Trade Commission and the attorney general's office in your home state.

We also recommend that you regularly review the explanation of benefits statements that you receive from your insurer. If you see any service that you believe you did not receive, please contact your insurer.

We deeply regret any inconvenience this incident may cause you. If you have any questions about this incident, please call 1-855-685-5408 Monday through Friday, 9:00 a.m. to 7:00 p.m. Eastern time. (Closed on all U.S. observed holidays).

Sincerely,

David J. Bailey, MD

David J. Bailey, M.D.
President and Chief Executive Officer
Nemours Foundation

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10140 Centurion Blvd. North
Jacksonville, FL 32256
www.Nemours.org

October 7, 2011

78796-M-AO-453432 T-0027 *******ALL FOR AADC 320

[redacted]

Dear Parents of [redacted]:

Nemours has provided high quality and compassionate pediatric care for over 70 years, and the privacy and confidentiality of the information we maintain for our patients has always been an important part of the fundamental trust that we share with our patients and their families. Regrettably, we are writing to inform you about an incident involving some of that information.

On September 8, 2011, we learned that a locked tape storage cabinet containing computer backup tapes was missing. We immediately began an investigation and now believe the cabinet went missing from our Wilmington facility during remodeling on or about August 10, 2011. To date, we have been unable to locate the storage cabinet. We believe the cabinet contained three unencrypted backup tapes from a computer system we stopped using in 2004. No medical records were on the backup tapes, but they did contain your child's billing information, including name, date of birth, insurance information, medical treatment information, and Social Security number.

We are taking steps to help prevent this from happening again, including moving towards encrypting backup tapes, retraining our employees and enhancing our storage procedures. We have no reason to believe that the cabinet was stolen or that the information on the backup tapes has been accessed or used improperly. It would take highly specialized equipment and specific technical expertise to access any of the information on the tapes. As a precautionary measure, we have arranged for all affected and eligible individuals to enroll, at no cost to the individual, for one (1) year in an online three-bureau credit monitoring service provided by TransUnion, one of the three major nationwide credit reporting companies.

To enroll in this free service, go to the TransUnion Monitoring Website at **www.transunionmonitoring.com** and in the space referenced as "Activation Code", enter the following 12-letter Activation Code and follow the simple steps to receive these services online within minutes.

If you have any questions regarding this incident, are concerned that you may have an identity theft issue, or do not have access to the Internet and wish to enroll in a similar offline, paper based, three-bureau credit monitoring service, please call the TransUnion Fraud Response Services toll-free hotline at **1-855-685-5408** Monday through Friday, 9:00 a.m. to 7:00 p.m. Eastern time. (Closed on all U.S. observed holidays). You can sign up for the online or offline credit monitoring service between now and **January 31, 2012**. Due to privacy laws, we cannot register you directly.

All eligible enrollees will be able to obtain one year of unlimited access to their TransUnion credit report and credit score. The daily three-bureau credit monitoring service will notify the individual if there are any critical changes to their credit files at TransUnion, Experian and Equifax, including fraudulent activity, new

(Over Please)

inquiries, new accounts, new public records, late payments, change of address and more. The service also includes up to $25,000 in identity theft protection with no deductible. (Certain limitations and exclusions may apply.)

Special note for minors affected by this incident: The same service referred to above may not be available to affected minors. For general information on child identity theft and what precautions parents can take, you can access the following site: **www.transunion.com/childidentitytheft** or a TransUnion representative at the telephone number above will be able to assist you.

We recommend remaining vigilant to the possibility of fraud and identity theft by reviewing credit card, bank, and other financial statements for unauthorized activity and monitoring free credit reports. Under federal law, people are also entitled to one free credit report, free of charge once every 12 months, from each of the three major nationwide credit reporting companies. To order a free report visit www.annualcreditreport.com or call toll free at 1-877-322-8228.

Individuals also have the right to ask that the nationwide credit reporting companies place a "Fraud Alert" on their credit file to let potential credit grantors know to verify their identification before extending credit in their name in case someone is using their information without their consent. This is a free service and must be renewed every 90 days. A Fraud Alert can make it more difficult for someone to get credit in an individual's name; however, please be aware that it also may delay the ability to obtain credit. One of the three nationwide credit reporting companies can place a Fraud Alert: TransUnion, Equifax, or Experian. As soon as the credit reporting company confirms a Fraud Alert, they will also forward the alert request to the other two nationwide credit reporting companies so you do not need to contact each of them separately. The contact information for the three nationwide credit reporting companies is:

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Atlanta, GA 30374	Fullerton,CA 92834	Allen, TX 75013
www.equifax.com	www.transunion.com	www.experian.com
1-800-525-6285	1-800-680-7289	1-888-397-3742

If you believe you or your child are the victim of identity theft or have reason to believe your or your child's information is being misused, you should immediately contact the police in your jurisdiction and file a police report of identity theft. Obtain a copy of the police report as you may need to provide copies of the report to creditors to clear up your records. You should also contact the Federal Trade Commission and the attorney general's office in your home state.

We recommend that you regularly review the explanation of benefits statements that you receive from your child's insurer. If you see any service that you believe your child did not receive, please contact the insurer.

We deeply regret any inconvenience this incident may cause you. If you have any questions about this incident, please call 1-855-685-5408 Monday through Friday, 9:00 a.m. to 7:00 p.m. Eastern time. (Closed on all U.S. observed holidays).

Sincerely,

David J. Bailey, MD

David J. Bailey, M.D.
President and Chief Executive Officer
Nemours Foundation

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10140 Centurion Blvd. North
Jacksonville, FL 32256
Nemours.org

October 7, 2011

78796-D-AO-000149 T-0003 ********MIXED AADC 166
TO THE ESTATE OF [redacted]

To the Estate of [redacted]:

Nemours has provided high quality and compassionate pediatric care for over 70 years, and the privacy and confidentiality of the information we maintain for our patients has always been an important part of the fundamental trust that we share with our patients and their families. Regrettably, we are writing to inform you about an incident involving some of that information.

On September 8, 2011, we learned that a locked tape storage cabinet containing computer backup tapes was missing. We immediately began an investigation and now believe the cabinet went missing from our Wilmington facility during remodeling on or about August 10, 2011. To date, we have been unable to locate the storage cabinet. We believe the cabinet contained three unencrypted backup tapes from a computer system we stopped using in 2004. No medical records were on the backup tapes, but they did contain your family member's billing information, including name, date of birth, insurance information, medical treatment information, and Social Security number.

We are taking steps to help prevent this from happening again, including moving towards encrypting backup tapes, retraining our employees, and enhancing our storage procedures. We have no reason to believe that the cabinet was stolen or that the information on the backup tapes has been accessed or used improperly. It would take highly specialized equipment and specific technical expertise to access any of the information on the tapes.

We deeply regret any inconvenience this incident may cause you. If you have any questions about this incident, please call 1-855-755-8483 Monday through Friday, 8:00 a.m. to 5:00 p.m. Eastern time. (Closed on all U.S. observed holidays).

Sincerely,

David J. Bailey, MD

David J. Bailey, M.D.
President and CEO
Nemours Foundation

10140 Centurion Blvd. North
Jacksonville, FL 32256

Nemours®

October 7, 2011

To the Guarantor of <Patient first name><patient last name>
<street address>
<city>, <state> <zip code>

Dear Guarantor of <patient first name><patient last name>:

Nemours has provided high quality and compassionate pediatric care for over 70 years, and the privacy and confidentiality of the information we maintain for our patients has always been an important part of the fundamental trust that we share with our patients and their families. Regrettably, we are writing to inform you about an incident involving some of that information.

On September 8, 2011, we learned that a locked tape storage cabinet containing computer backup tapes was missing. We immediately began an investigation and now believe the cabinet went missing from our Wilmington facility during remodeling on or about August 10, 2011. To date, we have been unable to locate the storage cabinet. We believe the cabinet contained three unencrypted backup tapes from a computer system we stopped using in 2004. No medical records were on the backup tapes, but they did contain your personal information as part of your child's billing information, including your name, address, phone number, insurance information, and Social Security number.

We are taking steps to help prevent this from happening again, including moving towards encrypting all backup tapes, retraining employees, and enhancing our storage procedures. We have no reason to believe that the cabinet was stolen or that the information on the backup tapes has been accessed or used improperly. It would take highly specialized equipment and specific technical expertise to access any of the information on the tapes. As a precautionary measure, however, we have arranged for you to enroll, at no cost to you, for one (1) year in an online three-bureau credit monitoring service provided by TransUnion, one of the three major nationwide credit reporting companies.

To enroll in this free service, go to the TransUnion Monitoring Website at **www.transunionmonitoring.com** and in the space referenced as "Activation Code", enter the following 12-letter Activation Code **<<Insert Unique 12-letter Activation Code>>** and follow the simple steps to receive your services online within minutes.

If you have any questions regarding this incident, are concerned that you may have an identity theft issue, or do not have access to the Internet and wish to enroll in a similar offline, paper based, three-bureau credit monitoring service, please call the TransUnion Fraud Response Services toll-free hotline at **1-855-685-5408** Monday through Friday, 9:00 a.m. to 7:00 p.m. Eastern time. (Closed on all U.S. observed holidays) You can sign up for the online or offline credit monitoring service between now and **January 31, 2012**. Due to privacy laws, we cannot register you directly.

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new inquiries, new accounts, new public records, late payments, change of address and more. The service also includes up to $25,000 in identity theft protection with no deductible. (Certain limitations and exclusions may apply.)

Whether or not you enroll in credit monitoring, we recommend that you remain vigilant to the possibility of fraud and identity theft by reviewing your credit card, bank, and other financial statements for unauthorized activity and monitoring free credit reports. Under federal law, you are also entitled to one free credit report, free of charge once every 12 months, from each of the three major nationwide credit reporting companies. To order your free report visit www.annualcreditreport.com or call toll free at 1-877-322-8228.

You also have the right to ask that the nationwide credit reporting companies place a "Fraud Alert" on your credit file to let potential credit grantors know to verify your identification before extending credit in your name in case someone is using your information without your consent. This is a free service and must be renewed every 90 days. A Fraud Alert can make it more difficult for someone to get credit in your name; however, please be aware that it also may delay your ability to obtain credit. You can call one of the three nationwide credit reporting companies to place your Fraud Alert: TransUnion, Equifax, or Experian. As soon as the credit reporting company confirms your Fraud Alert, they will also forward your alert request to the other two nationwide credit reporting companies so you do not need to contact each of them separately. The contact information for the three nationwide credit reporting companies is:

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www.equifax.com	www.transunion.com	www.experian.com
1-800-525-6285	1-800-680-7289	1-888-397-3742

If you believe you are the victim of identity theft or have reason to believe your information is being misused, you should immediately contact the police in your jurisdiction and file a police report of identity theft. Obtain a copy of the police report as you may need to provide copies of the report to creditors to clear up your records. You should also contact the Federal Trade Commission and the attorney general's office in your home state.

We recommend that you regularly review the explanation of benefits statements that you receive from your insurer. If you see any service that you believe you did not receive, please contact your insurer.

We deeply regret any inconvenience this incident may cause you. If you have any questions about this incident, please call 1-855-685-5408 Monday through Friday, 9:00 a.m. to 7:00 p.m. Eastern time. (Closed on all U.S. observed holidays)

Sincerely,

David J. Bailey, M.D.
President and Chief Executive Officer
Nemours Foundation