



February 1, 2013

Office of the Attorney General
Consumer Protection and Antitrust Bureau
33 Capital Street
Concord, NH 03301

To whom it may concern:

Pursuant to N.H. Rev. Stat. Ann. § 359-C:20(I)(b), I am writing to notify you of potential unauthorized access to personal information involving 2 New Hampshire residents.

On January 28, 2013, Zalicus Inc. prepared and mailed approximately 48 2012 1099-MISC tax forms (the "Forms") to its third party vendors, consultants and other individuals. Due to human error, some of the Forms were inadvertently mailed to incorrect recipients (the "Unintended Recipients"). Along with the first and last name of an individual recipient, the Forms contained the social security number of the individual recipient in the box labeled "Recipient's Identification Number".

We believe there were up to 2 potentially affected New Hampshire residents whose personal information may have been compromised (the "Potentially Affected Recipients"). Pursuant to N.H. Rev. Stat. Ann. § 359-C:20(I)(b) notice was provided by mail (the "Notice") to each of the Potentially Affected Recipients. A copy of the form of the Notice is attached for your reference.

The circumstances surrounding this potential unauthorized access was brought to my attention on January 31, 2013. A team was immediately assembled to determine the Potentially Affected Recipients and to determine a course of action. In addition to this letter, the Notice was prepared for and mailed to each of the Potentially Affected Recipients notifying them of a potential unauthorized access to their personal information. Additionally, the potential Unintended Recipients were notified and instructed to destroy any Forms they may have received in error. The Company does not plan to report this matter to law enforcement and has no evidence the information has been used for fraudulent purposes. Future mailings of the Forms will be reviewed by an assigned second reviewer in an effort to avoid any additional incidents. Any other paper forms to be mailed, that contain personal information, will be handled in a similar manner.

Should you have any questions about this matter, I can be reached at (617) 301-7035.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Jason F. Cole', is written over a horizontal line.

Jason F. Cole
EVP, Corporate Development and
General Counsel



February 1, 2013

Consumer Name
Address
City, MA

Dear _____:

We are writing to notify you that unauthorized access to some of your personal information may have occurred on or about January 28, 2013. On January 28, 2013, Zalicus Inc. prepared and mailed 2012 1099-MISC tax forms (the "Forms") to its third party vendors, consultants and other individuals. Due to human error, some of the Forms were inadvertently mailed to the incorrect recipients. These Forms contained your name and social security number, and we are providing this notice to you as required by law and to provide you with the opportunity to take steps to protect yourself from potential misuse of this information.

We sincerely apologize for this error, and we are taking steps to remedy the situation, including resending the Forms to the correct recipients, alerting affected individuals and appropriate government entities and asking parties who may have received the Forms in error to destroy them immediately. If you have received a form intended for another party, please destroy it immediately by a means that obliterates the social security number and name of the party.

Under New Hampshire law, we are required to provide you with the information on data security attached as Exhibit A. Please review this information. Again, we sincerely apologize for this error and any inconvenience this may have caused. Please feel free to contact me with any questions you may have at (617) 301-7035.

Very truly yours,

Jason F. Cole
EVP, Corporate Development and
General Counsel

Exhibit A

You have the right to obtain any police report filed in regard to this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it. New Hampshire law also allows consumers to place a security freeze on their 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.

If you have been a victim of identity theft, and you provide the credit reporting agency with a valid police report, it cannot charge you to place, lift or remove a security freeze. In all other cases, a credit reporting agency may charge you up to \$5.00 each to place, temporarily lift, or permanently remove a security freeze.

To place a security freeze on your credit report, you must send a written request to **each** of the three major consumer reporting agencies: Equifax (www.equifax.com); Experian (www.experian.com); and TransUnion (www.transunion.com) by regular, certified or overnight mail at the addresses below:

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

Experian Security Freeze
P.O. Box 9554
Allen, TX 75013

Trans Union Security Freeze
Fraud Victim Assistance Department
P.O. Box 6790
Fullerton, CA 92834

In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security Number;
3. Date of birth;
4. If you have moved in the past five (5) years, provide the addresses where you have lived over the prior five years;
5. Proof of current address such as a current utility bill or telephone bill;
6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.)
7. If you are a victim of identity theft, include a copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft;
8. If you are not a victim of identity theft, include payment by check, money order, or credit card (Visa, MasterCard, American Express or Discover only). Do not send cash through the mail.

The credit reporting agencies have three (3) business days after receiving your request to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five (5) business days and provide you with a unique personal identification number (PIN) or password, or both that can be used by you to authorize the removal or lifting of the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, you must call or send a written request to the credit reporting agencies by mail and include proper identification (name, address, and social security number) and the PIN number or password provided to you when you placed the security freeze as well as the identities of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have three (3) business days after receiving your request to lift the security freeze for those identified entities or for the specified period of time.

To remove the security freeze, you must send a written request to each of the three credit bureaus by mail and include proper identification (name, address, and social security number) and the PIN number or password provided to you when you placed the security freeze. The credit bureaus have three (3) business days after receiving your request to remove the security freeze.