

GEORGE JEPSEN  
ATTORNEY GENERAL



55 Elm Street  
P.O. Box 120  
Hartford, CT 06141-0120

Office of the Attorney General  
**State of Connecticut**  
October 7, 2015

**VIA REGULAR & ELECTRONIC MAIL**

Leonard L. Gordon, Esq.  
Erik C. Jones, Esq.  
Venable LLP  
Rockefeller Center, 1270 Avenue of the Americas  
The Twenty-Fourth Floor  
New York, NY 10020

**Re: Experian Breach**

Dear Attorneys Gordon and Jones:

I write concerning the recently-reported data breach that occurred at Experian. Based on the information provided by Experian to date, and T-Mobile's notification to my office, it appears that an unauthorized party accessed an Experian server containing the personal information of over 15 million consumers who had applied for T-Mobile postpaid services and device financing between September 1, 2013 and September 16, 2015. Experian has further disclosed that, as a result of the breach, records including consumers' names, addresses, Social Security numbers, dates of birth, government identification numbers, as well as additional information used in T-Mobile's credit assessments, were ultimately downloaded by the attacker(s).<sup>1</sup>

This incident is alarming, especially given the extent and sensitivity of the information involved, and the questions it raises about the effectiveness of Experian's measures to protect the confidentiality of the private information with which it is entrusted. Particularly troubling are reports that link the intrusion to the sale of personal data through one or more internet sites.<sup>2</sup>

Critical facts remain unclear, including how the breach occurred, when impacted consumers will receive direct notice of the breach, and what remedial steps Experian has taken in response to this incident. Accordingly, while some information may presently be unknown or under investigation, I am requesting that you provide answers to the following questions:

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<sup>1</sup> <http://www.experian.com/data-breach/t-mobilefacts.html?intcmp=tmdb> and <http://www.prnewswire.com/news-releases/experian-notifies-consumers-in-the-us-who-may-have-been-affected-by-unauthorized-acquisition-of-a-clients-data-300152926.html>.

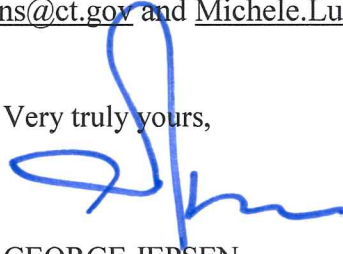
<sup>2</sup> See, for e.g., [http://www.batblue.com/t-mobile-user-data-stolen-via-experian-sold-on-darknet/?utm\\_source=MailingList&utm\\_medium=email&utm\\_campaign=S%2FNOC+WatchDesk-100515](http://www.batblue.com/t-mobile-user-data-stolen-via-experian-sold-on-darknet/?utm_source=MailingList&utm_medium=email&utm_campaign=S%2FNOC+WatchDesk-100515).

1. Please provide copies of all agreements and correspondence between Experian and T-Mobile relating to the collection, use, maintenance and storage of the information involved in this breach, including with respect to data protection and breach notification responsibilities.
2. Please describe in detail the facts and circumstances of the breach, including a timeline of events leading to the discovery of the breach, any vulnerability that was exploited in connection with the breach, and Experian's efforts to investigate and mitigate thereafter.
3. Please identify the manner in which the information subject to the breach was stored on the network involved and what technical, administrative, and physical safeguards were in place to prevent unauthorized access to such information.
4. Please indicate whether encryption was employed to prevent unauthorized access to such information, and if so, explain the type of encryption used and whether and how such encryption may have been compromised.
5. Please describe the efforts taken to determine whether and how personal information was exfiltrated from Experian's networks or servers.
6. Please provide a breakdown of all categories of personal information compromised for the 142,789 reportedly affected Connecticut residents.
7. Please clarify what "additional information" used in T-Mobile's credit assessments was compromised as part of the breach.
8. Please provide the date by which Experian expects notification letters to be sent to the affected Connecticut residents.
9. Please provide an outline of any plan, policies, and/ or procedures that Experian currently has in place, or is developing, to prevent the recurrence of such a breach and a timeline for implementing any such plans, policies or procedures.
10. Please describe in detail the basis for Experian's assurance that its "consumer credit database was not accessed, and no other clients' data was accessed."
11. Please provide a copy of any internal or third party investigative report or audit performed by or for Experian relative to this breach.
12. Please describe the steps Experian has taken to protect the Connecticut residents affected by this breach, including whether Experian will waive costs associated with placing and lifting security freezes on their accounts. If so, please indicate how Experian will notify affected consumers of the opportunity to have such fees waived, whether fees associated with unfreezing files will be waived, and whether there will be waivers or reimbursement of costs by Experian for freezes of files with the other credit bureaus.

We understand from news reports that you are currently working with law enforcement to investigate this matter. To the extent that a law enforcement agency believes your response to any question above may impede an on-going criminal investigation, we ask that you please alert us immediately, including by identifying such agency making the request in your response. We are sensitive to the need to avoid any potential interference with a criminal investigation.

Please provide the requested information no later than October 30, 2015, to Assistant Attorneys General Matthew Fitzsimmons and Michele Lucan at 110 Sherman Street, Hartford, Connecticut 06105. Should you have any questions, you may contact AAG's Fitzsimmons and Lucan at (860) 808-5400, or via email at [Matthew.Fitzsimmons@ct.gov](mailto:Matthew.Fitzsimmons@ct.gov) and [Michele.Lucan@ct.gov](mailto:Michele.Lucan@ct.gov).

Very truly yours,



GEORGE JEPSEN

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Office of the Attorney General  
**State of Connecticut**  
October 7, 2015

**VIA REGULAR AND ELECTRONIC MAIL**

Amelia M. Gerlicher, Esq.  
Perkins Coie  
1201 Third Avenue  
Suite 4900  
Seattle, WA 98101-3099

**Re: T-Mobile USA, Inc.**

Dear Attorney Gerlicher:

I write concerning the recently-reported data breach involving the personal information of over 15 million consumers nationwide who had applied for T-Mobile USA, Inc.'s ("T-Mobile") postpaid services and device financing between September 1, 2013 and September 16, 2015. Based on the notification that T-Mobile provided to my office, it appears that the unauthorized access occurred to an Experian network server containing information processed and stored by Experian on T-Mobile's behalf. As a result of the breach, information that consumers provided to T-Mobile, including their names, addresses, Social Security numbers, dates of birth, government identification numbers, as well as additional information used in T-Mobile's own credit assessments, was ultimately downloaded by the attacker(s).

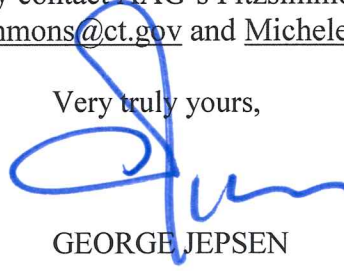
This incident is alarming, especially given the extent and sensitivity of the information involved, and the questions it raises concerning the effectiveness of the measures taken to protect the confidentiality of the private information entrusted to T-Mobile. Further, critical facts remain unclear, including how the breach occurred, when impacted consumers will receive direct notice of the breach, and what remedial steps T-Mobile has taken in response to this incident. Accordingly, I am requesting that you respond to the following questions:

1. Please provide copies of all agreements and correspondence between Experian and T-Mobile USA relating to the collection, use, maintenance and storage of the information involved in this breach, including with respect to data protection and breach notification responsibilities.
2. To the extent not covered by your response to the above inquiry, please describe T-Mobile's understanding of how the information subject to the breach was stored on the Experian network involved and how such information would be safeguarded. Please provide any and all documentation relevant to your response.

3. Please provide copies of all versions of the applications used by T-Mobile to collect the information subject to the breach, during the relevant timeframe of September 1, 2013 and September 16, 2015.
4. Please provide a copy of T-Mobile Privacy Policies, both current and any previous versions in effect during the relevant timeframe.
5. Please provide copies of any and all materials containing representations made to prospective or current customers about the collection, use, storage, and protection of the personal information provided to T-Mobile during the relevant timeframe.
6. Please describe in detail the facts and circumstances of the breach, including how T-Mobile learned of the breach and any efforts made by T-Mobile to investigate and mitigate thereafter.
7. Please provide a breakdown of all categories of personal information compromised for the 142,789 reportedly affected Connecticut residents.
8. Please identify the specific information that comprises the "additional information used in T-Mobile's own credit assessment" that was also subject to the breach.
9. Please indicate whether T-Mobile will also be sending notification letters to the affected Connecticut residents, and if so, provide the date by which T-Mobile expects notification letters to be sent.
10. Please provide an outline of any plan, policies, and/ or procedures that T-Mobile currently has in place, or is developing, to prevent the recurrence of such a breach and a timeline for implementing any such plans, policies or procedures.
11. Please describe any and all steps taken by T-Mobile to protect the Connecticut residents affected by this breach.
12. Please provide copies of any and all complaints received from Connecticut residents relating to the breach.
13. Please indicate whether T-Mobile has received any information indicating that the data compromised in this breach has been misused, including whether it has noticed any pattern of fraud with respect to the compromised accounts.

Please provide the requested information no later than October 30, 2015, to Assistant Attorneys General Matthew Fitzsimmons and Michele Lucan at 110 Sherman Street, Hartford, Connecticut 06105. Should you have any questions, you may contact AAG's Fitzsimmons and Lucan at (860) 808-5400, or via email at [Matthew.Fitzsimmons@ct.gov](mailto:Matthew.Fitzsimmons@ct.gov) and [Michele.Lucan@ct.gov](mailto:Michele.Lucan@ct.gov).

Very truly yours,

A handwritten signature in blue ink, appearing to read "G. Jepsen", is written over the typed name. The signature is fluid and cursive, with a large initial "G" and a long horizontal stroke.

GEORGE JEPSEN