

# KIRKLAND & ELLIS LLP

AND AFFILIATED PARTNERSHIPS

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April 9, 2008

## Via Federal Express

Maine Attorney General  
6 State House Station  
Augusta, ME 04333

Maine Attorney General:

I write to inform you that our client, Interbank FX, LLC, has recently experienced a data security breach. Pursuant to the requirements of Me. Rev. Stat. Ann. § 1348, please find enclosed a copy of the notice which we sent on April 8, 2008 to all 22 potentially affected residents of your state. Please do not hesitate to contact us with any questions or concerns.

Sincerely,

*Seth Traxler*  
Seth Traxler, Esq. */KATC*

ST/cl  
Enclosure

CONSUMER PROTECTION DIVISION  
RECEIVED  
APR 10 2008

OFFICE OF ATTORNEY GENERAL



April 7, 2008

«Full\_Name»  
«Address»  
«City», «State» «Zip»

Dear «Full\_Name»,

We are writing to inform you of a matter that may affect you. The security of some personal information you provided as you considered our service was inadvertently compromised. Interbank FX has thoroughly investigated the matter, has taken immediate steps to protect your information, and is taking the additional precautions outlined in this letter to assist you in monitoring and guarding the security of your personal information.

The incident involved an electronic file dated April 2, 2007, which contained personal information provided by certain individuals who had applied for an Interbank FX account prior to that date. Around that time, an employee uploaded the file to a computer server accessible via the internet. The employee's action – placing the file outside of the Company's development lab, firewalls and secure computing environment – was contrary to Interbank FX policies and procedures and compromised the security of the information in the file. The file contained the information you provided to us when you opened or considered opening an account with us. This may include your social security number, driver's license, and passport information, and may also include your Interbank FX account information.

Upon learning on March 28, 2008 that this information was available outside our secured computing environment, the Company took immediate steps to secure the information. Within hours of that discovery, all files containing sensitive personal information were removed from the server and brought within the Company's firewalls and electronic security controls. We also terminated the employee's access to all personal information in Interbank FX's files.

You are receiving this letter because your application information was provided prior to April 2, 2007. The incident does not affect anyone who applied for an Interbank FX account after April 2, 2007.

Interbank FX is committed to protecting your personal information. Thus, we are offering you the opportunity to enroll, at no cost to you, in Equifax Credit Watch™ Gold with 3-in-1 Monitoring for a one-year period. This is one of the most comprehensive programs to protect your name and credit. It includes credit file monitoring, unlimited credit reports, around-the-clock customer service and \$20,000 in insurance coverage for identify theft. We also will reimburse you for the direct cost of any freeze you choose to put on your credit file as a result of this issue. Your promotional code to get this service free for a year is «code». As an additional precaution, we also encourage you to change any password you created for your Interbank FX account prior to April 2, 2007. Please read the additional information included with this letter for additional steps you should take to prevent the unauthorized use of your personal information.

We have established a toll-free hotline (800-550-1571) to answer your questions and assist you in signing up for the Equifax Credit Watch™ program. We ask you to notify us immediately if you notice (or have noticed) any unusual activity in any of your accounts.

We regret this incident and apologize for any inconvenience. Interbank FX takes your security very seriously. Be assured that we are committed to protecting your confidential information.

Sincerely,

Todd B. Crosland  
Chief Executive Officer & President

April 7, 2008

### Other Important Information

Please call the Equifax/Interbank FX hotline at **800-550-1571** Monday through Friday between **9:00 AM** and **9:00 PM** Eastern Time – if you have additional questions, if you'd like to know more about the Equifax Credit Watch™ Gold with 3-in-1 Monitoring being offered to you, or if you notice suspicious activity in your accounts.

### Enrolling in Equifax Credit Watch™ Gold with 3-in-1 Monitoring at No Cost for 1 Year

Equifax has a simple Internet-based verification and enrollment process. You may fill out the online form at: [www.myservices.equifax.com/tri](http://www.myservices.equifax.com/tri).

1. Consumer Information: complete the form with your contact information (name, address and e-mail address) and click "Continue" button. The information is provided in a secured environment.
2. Identity Verification: complete the form with your Social Security Number, date of birth, telephone #s, create a User Name and Password, agree to the Terms of Use and click "Continue" button. The system will ask you up to two security questions to verify your identity.
3. Payment Information: During the "check out" process, in the "Enter Promotion Code" box, provide the promotional code that is on the first page of our letter to you (no spaces, include dash.). After entering your code, press the "Apply Code" button and then the "Submit Order" button at the bottom of the page. (This code eliminates the need to provide a credit card number for payment.)
4. Order Confirmation: – Click "View My Product" to access your 3-in-1 Credit Report and other product features.

To sign up for US Mail delivery of the product, 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. Promotion Code: You will be asked to enter your promotion code as shown above (no spaces, **no dash**).
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 cannot be verified using the information provided).

### Additional Steps to Help Protect Your Credit

#### Ordering Your Free Annual Credit Report

Under federal law, you are entitled to one free copy of your credit report every 12 months from each of the three major credit reporting companies – Equifax, Experian, and TransUnion. You may obtain these free reports by visiting [www.AnnualCreditReport.com](http://www.AnnualCreditReport.com) or by calling 1-877-FACT-ACT (1-877-322-8228). You may also request a written form at [www.AnnualCreditReport.com](http://www.AnnualCreditReport.com).

A careful review of your credit reports will help to ensure the accuracy of your report information. When you receive your credit reports, look them over carefully for items such as accounts you did not open, inquiries you did not make, and inaccuracies in your personal information. If you see any inaccuracies or anything suspicious, call the credit agency at the telephone number on the report – and we recommend you consider placing a fraud alert on your credit file.

#### Placing a Fraud Alert on Your Credit File

A fraud alert informs potential creditors to contact you before opening new accounts. You may place a fraud alert on your credit file by contacting any of the three major credit reporting companies. They are:

Equifax ([www.equifax.com](http://www.equifax.com))  
1-877-478-7625

Experian ([www.experian.com](http://www.experian.com))  
1-888-397-3742

TransUnion ([www.transunion.com](http://www.transunion.com))  
1-800-680-7289

April 7, 2008

## Frequently Asked Questions

1. **How can I verify that this letter actually came from IBFX?**
  - We are available by telephone 24 hours a day from Sunday at 5:00PM to Friday 5:00PM Eastern Time, our customer service personnel will assist you in this verification.  
Toll Free US: 866.468.3739  
International: +1.801.930.6800  
Fax: 212.884.0609
2. **I have never been an IBFX customer. How do you have my information?**
  - Some prospective customers of Interbank FX provided us with their information for the purpose of setting up an account but may not have followed through to completion.
  - The incident involves an electronic file containing personal information provided by individuals who applied for an Interbank FX account prior to and including April 2, 2007. We do not have reason to believe that information provided to Interbank FX after that date has been compromised.
3. **What information was potentially affected?**
  - The information was whatever information you provided to us when you considered using our service. This may include your social security number, drivers license, passport information, and Interbank FX account information.
4. **Why are you contacting me about this issue?**
  - We are contacting you as a precaution to make you aware of this incident.
  - After conducting an investigation, we want to inform you of the additional precautions Interbank FX has taken to guard your security.
5. **What do I do if I think I may be the victim of identity theft?**
  - The best way to prevent improper use of your personal information is simply to remain vigilant; keep an eye on your accounts and use the Credit Watch™ Gold Service to monitor your credit. If you see any inaccuracies or anything suspicious on your credit report, call the credit agency at the telephone number on the report.
  - Please call us at **800-550-1571** Monday through Friday between **9:00 AM** and **9:00 PM** Eastern Time if you notice suspicious activity in your accounts.
6. **How can I know this won't happen again?**
  - Interbank FX considers your privacy one of our utmost concerns. We restrict access to nonpublic personal information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal standards to guard your personal information. Interbank FX has taken affirmative steps to review these safeguards in light of this incident, and we plan further steps to strengthen our security.