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For immediate release: January 26, 2012

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University of Hawai'i Settles Data Breach Class Action

The University of Hawai'i has settled a class action data breach lawsuit involving five data breaches between 2009 through 2011. The settlement will provide class members with two (2) years of credit monitoring and fraud restoration services. The settlement in *Gross v. University of Hawaii* will impact approximately 98,000 UH students, faculty, alumni, UH employees and others who were part of the five data breaches. The breaches occurred at University of Hawai'i at Manoa, University of Hawai'i at West Oahu, Kapiolani Community College, and Honolulu Community College.

"We have researched more than forty (40) data breaches at colleges and universities across the country. In almost every instance, two years of credit monitoring and fraud restoration were offered to data breach victims," said Bruce Sherman, one of the attorneys representing the class. "Offering two years of credit monitoring and fraud restoration services to breach victims should be the standard response by any breaching entity in Hawai'i, including government agencies," Sherman noted.

"The settlement is historic for several reasons," said Thomas Grande, who also represents the class. "First, this is the largest class case filed or settled in Hawai'i. It also is the first data breach settlement in Hawai'i," Grande noted.

"Credit monitoring provides for continuous checking by a credit agency of a class member's credit file. If there is suspicious activity, the class member is notified immediately and is given assistance to resolve the problem," Sherman said.

"Credit monitoring services may cost as much as \$5 to \$15 per month if purchased individually. We are extremely pleased that the University has

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negotiated a settlement package that provides these services to every class member who wants them,” Grande said.

The settlement, which is still subject to court approval, will be administered by Kroll Background America, Inc., a firm specializing in providing credit monitoring and fraud restoration services. Class members will be sent a letter by March 1, 2012 that will allow them to sign up for the credit monitoring services online. University faculty, students, and alumni will also be sent e-mails to inform them of the credit monitoring services.

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