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CONFORMED COPY
OF ORIGINAL FILED
Superior Court of California
County of Los Angeles

OCT 02 2012

John A. Clarke, Executive Officer/Clerk
By J. [Signature] Deputy
TRACY BARRILEY

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

BC492959

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

BLUE CROSS OF CALIFORNIA, a
California corporation doing business as
ANTHEM BLUE CROSS,

Defendant.

Case No.

**FINAL JUDGMENT AND PERMANENT
INJUNCTION**

Plaintiff, the People of the State of California, appearing through its attorney, Kamala D. Harris, Attorney General of the State of California, by Deputy Attorney General Michael E. Elisofon, and defendant Blue Cross of California doing business as Anthem Blue Cross ("Anthem"), appearing through its attorney Brian F. Rowe, having stipulated and consented to the entry of this Final Judgment and Permanent Injunction ("Judgment") without the taking of proof and without trial or adjudication of any fact or law herein, without this Judgment constituting evidence of or an admission by Anthem regarding any issue of law or fact alleged in the

1 Complaint on file, and without Anthem admitting any liability regarding allegations of violations
2 that occurred prior to entry of this Judgment, and the Court having considered the matter and
3 good cause appearing:

4 IT IS HEREBY ORDERED THAT:

5 A. This Court has jurisdiction of the subject matter hereof and the parties hereto.

6 B. Venue is proper in this Court.

7 C. The injunctive provisions of this Judgment shall apply to defendant Anthem, as
8 well as its subsidiaries; its successors and the assigns of all or substantially all of the assets of its
9 businesses; and its directors, officers, employees, agents, independent contractors, partners,
10 associates and representatives of each of them.

11 D. Under California Business and Professions Code section 17203, Anthem shall be
12 and hereby is permanently enjoined and restrained from directly or indirectly doing any of the
13 following acts or practices:

14 (1) Failing to comply with California Civil Code section 1798.85, subdivision (a)(1) by
15 publicly posting or publicly displaying in any manner any individual's Social Security number.

16 (2) Failing to comply with California Civil Code section 1798.85, subdivision (a)(5) by
17 printing any individual's Social Security number on any materials that are mailed to the
18 individual, unless state or federal law requires the Social Security number to be on the document
19 to be mailed.

20 (3) Failing to implement, no later than ninety (90) days from entry of this Judgment:

21 (a) A written policy that specifically and adequately prevents unauthorized
22 disclosure of Anthem's members' Social Security numbers.

23 (b) A technical safeguard that alerts users of Anthem's data management system
24 for prospect and member mailings whenever a request is made for a member's Social Security
25 number.

26 (c) The renaming of data fields in Anthem's data management system for prospect
27 and member mailings to convey clearly when such data fields may include a member's Social
28 Security number.

1 (d) The restricting of access privileges within Anthem's data management system
2 for prospect and member mailings to prohibit non-management associates from accessing
3 Anthem's members' Social Security numbers.

4 (e) The requiring of approval from a member of Anthem's Senior Compliance
5 Privacy team for prospect and current member data pulls related to Anthem's Senior business
6 marketing mailings that involve confidential personal information other than name and address,
7 including but not limited to members' Social Security numbers.

8 (f) The development of a comprehensive training program regarding the
9 safeguarding of confidential personal information of Anthem's members.

10 E. Under Business and Professions Code section 17206, Anthem shall pay to the
11 Plaintiff the sum of forty thousand dollars (\$40,000.00), to be placed by Plaintiff in the Unfair
12 Competition Law Fund. Anthem shall also pay one hundred and ten thousand dollars
13 (\$110,000.00) as attorney's fees and costs for the investigation and prosecution of this matter, to
14 be placed by Plaintiff in a new Special Deposit Fund pursuant to Government Code section 16370
15 to allow the Office of the California Attorney General to more effectively investigate, prosecute,
16 and educate the public regarding privacy issues. Payment shall be made by check payable to the
17 "California Attorney General's Office" and shall be delivered to the California Attorney
18 General's Office, 300 South Spring Street, Los Angeles, California 90013, attention Deputy
19 Attorney General Michael E. Elisofon no later than fifteen (15) days after the date this Judgment
20 is entered.

21 F. Jurisdiction is retained by the Court for the purpose of enabling any party to the
22 Judgment to apply to the Court at any time for such further orders and directions as may be
23 necessary or appropriate for the construction or the carrying out of this Judgment, for the
24 modification of any of the injunctive provisions hereof, for enforcement of compliance herewith,
25 and for the punishment of violations hereof, if any.

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G. The clerk is ordered to enter this Judgment forthwith.

OCT 02 2012

DATED: _____

MICHAEL L. STERN

JUDGE OF THE SUPERIOR COURT