

**SCHUERING ZIMMERMAN  
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August 5, 2013

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James R. Cummins  
Christian Koster  
Andrew S. Larsen  
Matthew B. Robinson  
David J. Van Dam  
Preston R. Young

FIELD(prefix) FIELD(first) FIELD>Last)  
FIELD(address)  
FIELD(city)

Re: Notification of Privacy Breach

\*Also admitted in Nevada

Dear FIELD(Prefix) FIELD(last):

Steven T. Scully (1948-1994)

The security, confidentiality, integrity and privacy of patient personal information are highly valued by Kathleen Whisman, M.D. We are writing you because of a disclosure of your personally identifiable information.

On or about April 11, 2013, Dr. Whisman received a telephone call from the San Ramon Police Department indicating that they were in the process of breaking up an identity theft ring and found information on the suspect's computer concerning some of her patients. Dr. Whisman can only speculate that the information on the suspect's computer was removed from a recently stolen computer. In 1999, Dr. Whisman was changing billing companies and she believes that the patient information had been stored on the stolen computer to assist with this transition. In April 2013, the investigation was on-going and Dr. Whisman was asked to delay notification to allow the investigation to be completed by the police.

Dr. Whisman has now been advised to proceed with her breach notifications. Based on a copy of the information provided by the police, the database contained the following information on her 1998-1999 patients:

Full Name,  
Address,  
Telephone number,  
Date of Birth,  
Social Security Number, and  
Insurance plan information.

In light of the ongoing investigation into the identity theft ring, we ask that you immediately check with your banks and obtain credit reports. Since we have no idea how long this ring has been operating and how long they were in possession of the

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patient information, it may be that you have already suffered from identity theft. If you have had any problems caused by identity theft, please immediately contact the Contra Costa County District Attorney's Office at:

Renier Hernandez, Sr. Inspector  
Contra Costa County District Attorney's Office  
Northern California Computer Crimes Task Force  
(707) 253-4226  
Email: [Rhernandez@nc3tf.org](mailto:Rhernandez@nc3tf.org)

We believe you should consider a credit monitoring service, to daily check your credit rating and scan the internet for use of your name or social security number, changes of addresses, etc. For this purpose, we are offering to provide you with a monitoring service from Experian, either the Experian ProtectMyID™ Elite program for adults, or, for minor patients, the Experian Family Secure™ program, free of charge for one year. To receive the appropriate code to logon and begin the program, please contact the undersigned as soon as possible.

Dr. Whisman sincerely apologizes for this breach of protected personal information. The circumstances that resulted in this breach were unforeseen and Dr. Whisman assures you that office procedures and protections currently in place making it extremely unlikely there will be any future, similar circumstances.

If you have any questions and/or wish to discuss the credit monitoring service offered, please contact our office directly. Our toll free telephone number is (888) 233-2305.

Very truly yours,

**SCHUERING ZIMMERMAN  
& DOYLE, LLP**



Christian Koster

CK:slb  
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