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June 20, 2006

Christine Varad
P.O. Box 583
Milton, MA 02186

RE: Incorrect Information on Accurint Report

Dear Ms. Varad:

Thank you for your letter of June 3, 2006 in which you errantly suggest Accurint violates certain laws or your rights under certain laws. You further errantly suggest Accurint is a consumer reporting agency, and that you were somehow unfairly deceived when you learned that Accurint is not a consumer reporting agency. Kindly permit this letter to attempt to address and correct certain assumptions of yours as discussed herein.

A consumer reporting agency is loosely defined as an entity that regularly engages in the practice of assembling and evaluating information on consumers for the purpose of furnishing consumer reports to third parties. Accurint does not engage in the practice of providing consumer reports, and as such Accurint does not meet the definition of a consumer reporting agency. Accordingly, and as prior correspondence has made clear to you, Accurint is not a consumer reporting agency.

Additionally, the information Accurint provided to our customer, Gall and Company, does not meet the definition of a consumer report. A consumer report is a communication by a consumer reporting agency which bears on a consumer's credit worthiness, credit standing, credit capacity, character, reputation, personal characteristics, or mode of living used to establish eligibility for, among other things, credit and employment. Accurint provided Gall and Company with identity verification information, such as name, address, and telephone number. Name, address, and telephone information does not bear on a consumer's credit worthiness, credit standing, credit capacity, character, reputation, personal characteristics, or mode of living, as such terms have been defined and interpreted by applicable statute, case law, and regulatory opinion. Accordingly, as Accurint did not report information which could bear upon your personal characteristics, the information provided to Gall and Company is not considered a consumer report.

Notwithstanding the foregoing, as customers' use of Accurint for Fair Credit Reporting Act permissible purposes is expressly prohibited by contract since Accurint is not a consumer reporting agency, upon receipt of your allegations Accurint audited Gall and Company to ensure their use of Accurint was in accord with their contractual obligations. Accurint's audit determined Gall and Company used Accurint data for identity

Christine Varad v. Reed Elsevier Incorporated

Doc. 1 Att. 1

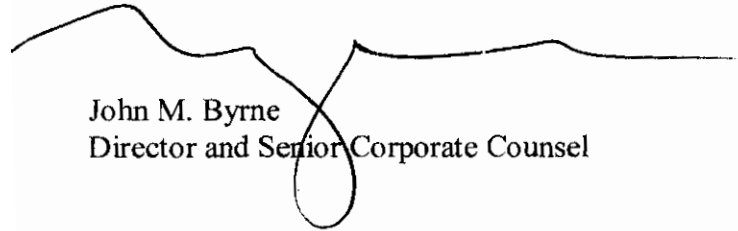
verification purposes and for no other purposes. As such, Gall and Company's use of Accurint was within the scope of their contractual obligations.

You additionally dispute the accuracy of certain addresses contained in Accurint. As Accurint is not a consumer reporting agency, Accurint does not investigate or correct information contained in Accurint, and Accurint is not under any legal obligation to do so. Nor is Accurint under any legal obligation to disclose the source of Accurint's data. That said, however, a letter of May 22, 2006 directed you to contact the three credit reporting agencies to obtain and dispute potentially errant data.

Finally, in one of your communications you raise the issue of potential identity theft. If you are a victim of identity theft, you must submit a copy of a police report documenting the identity theft and complete the enclosed Identity Theft Affidavit.

I trust this communication addresses your relevant concerns and I now consider this matter closed.

Very truly yours,

A handwritten signature in black ink, appearing to read "John M. Byrne", is written over a horizontal line. The signature is stylized with a large loop at the end.

John M. Byrne
Director and Senior Corporate Counsel

Accurint

Name: _____ Phone Number: _____

ID Theft Affidavit

Victim Information

- (1) My full legal name is _____
(First) (Middle) (Last) (Jr., Sr., III)
- (2) (If different from above) When the events described in this affidavit took place, I was known as

(First) (Middle) (Last) (Jr., Sr., III)
- (3) My date of birth is _____
(day/month/year)
- (4) My Social Security number is _____
- (5) My driver's license or identification card state and number are _____
- (6) My current address is _____
City _____ State _____ Zip Code _____
- (7) I have lived at this address since _____
(month/year)
- (8) (If different from above) When the events described in this affidavit took place, my address was
Address _____
City _____ State _____ Zip Code _____
- (9) I lived at the address in Item 8 from _____ until _____
(month/year) (month/year)
- (10) My daytime telephone number is _____
My evening telephone number is _____