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September 12, 2024

VIA EMAIL

Office of the Attorney General
Attn: Security Breach Notification
200 St. Paul Place
Baltimore, MD 21202
idtheft@oag.state.md.us

Re: *Security Incident Notification*

Dear Sir or Madame,

I write on behalf of Carvana Co. (Carvana) with respect to a data security event involving certain personal information of Maryland residents. By providing this notice, Carvana does not waive any rights or defenses regarding the applicability of Maryland law or personal jurisdiction.

On July 5, 2024, Carvana discovered suspicious activity involving usernames and passwords, which an unauthorized party appears to have obtained from another source (likely another company that used the same credentials as the Carvana accounts). Carvana reset passwords for all potentially affected users that same day and confirmed the credentials were not taken from Carvana. While investigating this incident, Carvana also discovered on July 23, 2024, that these credentials could have been used to access a credit status system containing personal information. Carvana immediately disabled unauthorized access to this system and engaged a respected forensic security provider, who concluded that the third party may have accessed personal information relating to 1,799 individuals on or about July 5, 2024. Carvana also reported this incident to law enforcement and is cooperating with their investigation.

For 55 Maryland residents, the data involved included names, dates of birth and some or all of the following contact information: address, phone number, and email address. For 27 Maryland residents, the data also included Social Security Number.

In addition, Carvana is offering identity protection services through IDX, a ZeroFox company, to all affected individuals. IDX identity protection services include: 24 months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed ID theft recovery services, if needed.

Carvana also has implemented measures to further strengthen its security, such as enhanced security alerting designed to improve Carvana's ability to detect credential stuffing and other attacks, and additional cryptographic security measures in its mobile applications. Carvana has also updated its incident response plan with lessons learned from this incident.

**McDermott
Will & Emery**

500 North Capitol Street, NW Washington, DC 20001-1531 Tel +1 202 756 8000
US practice conducted through McDermott Will & Emery LLP.

Office of the Maryland Attorney General
September 12, 2024

Carvana will send notification letters to the affected individuals on September 12, 2024, via regular US mail. Copies of the template notification letters are enclosed.

If you have any questions, please contact me by phone at (202) 756-8185 or by email at egolding@mwe.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "E. Golding", is positioned above the printed name.

Elliot Golding

Enclosures



CARVANA

P.O. Box 989728

West Sacramento, CA 95798-9728

<<First Name>> <<Last Name>>

<<Address1>> <<Address2>>

<<City>>, <<State>> <<Zip>>

Enrollment Code: <<XXXXXXXX>>

To Enroll, Scan the QR Code Below:



Or Visit:

<https://app.idx.us/account-creation/protect>

September 12, 2024

Notice of Data Breach

Dear <<First Name>> <<Last Name>>,

We are writing to inform you about a data security incident in which an unauthorized party may have accessed your personal information using credentials obtained from a non-Carvana source (likely another company where the same username and password as your Carvana account was used). We wish to notify you of this possibility so that you are aware and can protect your personal information.

What Happened

On July 5, 2024, Carvana Co. ("Carvana") discovered suspicious activity involving your username and password, which an unauthorized party appears to have obtained from another source (likely another company that used the same credentials as your Carvana account). Carvana reset passwords for all potentially affected users that same day, and confirmed the credentials were not taken from Carvana. While investigating this incident, Carvana also discovered on July 23, 2024, that these credentials could have been used to access a credit status system containing personal information. Carvana immediately disabled unauthorized access to this system and engaged a respected forensic security provider, who concluded that the third party may have accessed personal information about you on or about July 5, 2024. Carvana also reported this incident to law enforcement and is cooperating with their investigation.

What Information Was Involved

The data involved included your date of birth and some or all of the following contact information: address, phone number, and email address. **Your Social Security Number was not accessible.**

What We Are Doing

We take safeguarding your information seriously. We promptly terminated the unauthorized access, worked with cybersecurity experts to confirm the scope of the incident, and took steps to further strengthen our security safeguards.

In addition, we are offering identity protection services through IDX, a ZeroFox company. IDX identity protection services include: 24 months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy and fully managed ID theft recovery services, if needed. With this protection, IDX will help you resolve issues if your identity is compromised.

What You Can Do

We encourage you to contact IDX with any questions and to enroll in the free identity protection services by calling 1-800-939-4170 or going to <https://app.idx.us/account-creation/protect> and using the Enrollment Code provided above. IDX representatives are available Monday through Friday from 9 am - 9 pm Eastern Time. You will need to reference the enrollment code at the top of this letter when calling or enrolling online, so please do not discard this letter. Please note the deadline to enroll is December 12, 2024.

Regardless of whether you enroll in these free services, as always, we recommend remaining vigilant and reviewing your account statements for unusual activity. You can also review the enclosed Recommended Steps to help protect your personal information.

For More Information

Please call 1-800-939-4170 or go to <https://app.idx.us/account-creation/protect> for assistance or for any additional questions you may have.

Sincerely,

Carvana Privacy Team

(Enclosure)



Recommended Steps to Help Protect Your Information

- 1. Website and Enrollment.** Go to <https://app.idx.us/account-creation/protect> and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter.
- 2. Activate the credit monitoring** provided as part of your IDX identity protection membership. The monitoring included in the membership must be activated to be effective. Note: You must have established credit and access to a computer and the internet to use this service. If you need assistance, IDX will be able to assist you.
- 3. Telephone.** Contact IDX at 1-800-939-4170 to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.
- 4. Review your credit reports.** We recommend that you remain vigilant by reviewing account statements and monitoring credit reports. Under federal law, you also are entitled every 12 months to one free copy of your credit report from each of the three major credit reporting companies. To obtain a free annual credit report, go to www.annualcreditreport.com or call 1-877-322-8228. You may wish to stagger your requests so that you receive a free report by one of the three credit bureaus every four months.

If you discover any suspicious items and have enrolled in IDX identity protection, notify them immediately by calling or by logging into the IDX website and filing a request for help.

If you file a request for help or report suspicious activity, you will be contacted by a member of our ID Care team who will help you determine the cause of the suspicious items. In the unlikely event that you fall victim to identity theft as a consequence of this incident, you will be assigned an ID Care Specialist who will work on your behalf to identify, stop and reverse the damage quickly.

You should also know that you have the right to file a police report if you ever experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide some kind of proof that you have been a victim. A police report is often required to dispute fraudulent items. You can report suspected incidents of identity theft to local law enforcement or to the Attorney General.

5. Place Fraud Alerts with the three credit bureaus. If you choose to place a fraud alert, we recommend you do this after activating your credit monitoring. You can place a fraud alert at one of the three major credit bureaus by phone and also via Experian's or Equifax's website. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. The contact information for all three bureaus is as follows:

Credit Bureaus

Equifax Fraud Reporting
1-866-349-5191
P.O. Box 105069
Atlanta, GA 30348-5069
www.equifax.com

Experian Fraud Reporting
1-888-397-3742
P.O. Box 9554
Allen, TX 75013
www.experian.com

TransUnion Fraud Reporting
1-800-680-7289
P.O. Box 2000
Chester, PA 19022-2000
www.transunion.com

It is necessary to contact only ONE of these bureaus and use only ONE of these methods. As soon as one of the three bureaus confirms your fraud alert, the others are notified to place alerts on their records as well. You will receive confirmation letters in the mail and will then be able to order all three credit reports, free of charge, for your review. An initial fraud alert will last for one year.

Please Note: No one is allowed to place a fraud alert on your credit report except you.

6. Security Freeze. By placing a security freeze, someone who fraudulently acquires your personal identifying information will not be able to use that information to open new accounts or borrow money in your name. You will need to contact the three national credit reporting bureaus listed above to place the freeze. Keep in mind that when you place the freeze, you will not be able to borrow money, obtain instant credit, or get a new credit card until you temporarily lift or permanently remove the freeze. There is no cost to freeze or unfreeze your credit files.

7. You can obtain additional information about the steps you can take to avoid identity theft from the following agencies. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them.

California Residents: Visit the California Office of Privacy Protection (www.oag.ca.gov/privacy) for additional information on protection against identity theft. Office of the Attorney General of California, 1300 I Street, Sacramento, CA 95814, Telephone: 1-800-952-5225.

Kentucky Residents: Office of the Attorney General of Kentucky, 700 Capitol Avenue, Suite 118 Frankfort, Kentucky 40601, www.ag.ky.gov, Telephone: 1-502-696-5300.

Maryland Residents: Office of the Attorney General of Maryland, Consumer Protection Division 200 St. Paul Place Baltimore, MD 21202, www.oag.state.md.us/Consumer, Telephone: 1-888-743-0023.

New Mexico Residents: You have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to your file is limited; you must give your consent for credit reports to be provided to employers; you may limit “prescreened” offers of credit and insurance you get based on information in your credit report; and you may seek damages from a violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. You can review your rights pursuant to the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

New York Residents: the Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; <https://ag.ny.gov/>.

North Carolina Residents: Office of the Attorney General of North Carolina, 9001 Mail Service Center Raleigh, NC 27699-9001, www.ncdoj.gov, Telephone: 1-919-716-6400.

Oregon Residents: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, www.doj.state.or.us/, Telephone: 1-877-877-9392

Rhode Island Residents: Office of the Attorney General, 150 South Main Street, Providence, Rhode Island 02903, www.riag.ri.gov, Telephone: 1-401-274-4400

All US Residents: Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW Washington, DC 20580, <https://consumer.ftc.gov>, 1-877-IDTHEFT (438-4338), TTY: 1-866-653-4261.



CARVANA

P.O. Box 989728

West Sacramento, CA 95798-9728

<<First Name>> <<Last Name>>

<<Address1>> <<Address2>>

<<City>>, <<State>> <<Zip>>

Enrollment Code: <<XXXXXXXX>>

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September 12, 2024

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What Happened

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What Information Was Involved

The data involved included your Social Security Number, date of birth, and some or all of the following contact information: address, phone number, and email address.

What We Are Doing

We take safeguarding your information seriously. We promptly terminated the unauthorized access, worked with cybersecurity experts to confirm the scope of the incident, and took steps to further strengthen our security safeguards.

In addition, we are offering identity protection services through IDX, a ZeroFox company. IDX identity protection services include: 24 months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy and fully

managed ID theft recovery services, if needed. With this protection, IDX will help you resolve issues if your identity is compromised.

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Regardless of whether you enroll in these free services, as always, we recommend remaining vigilant and reviewing your account statements for unusual activity. You can also review the enclosed Recommended Steps to help protect your personal information.

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Carvana Privacy Team

(Enclosure)



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- 3. Telephone.** Contact IDX at 1-800-939-4170 to gain additional information about this event and speak with knowledgeable representatives about the appropriate steps to take to protect your credit identity.
- 4. Review your credit reports.** We recommend that you remain vigilant by reviewing account statements and monitoring credit reports. Under federal law, you also are entitled every 12 months to one free copy of your credit report from each of the three major credit reporting companies. To obtain a free annual credit report, go to www.annualcreditreport.com or call 1-877-322-8228. You may wish to stagger your requests so that you receive a free report by one of the three credit bureaus every four months.

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If you file a request for help or report suspicious activity, you will be contacted by a member of our ID Care team who will help you determine the cause of the suspicious items. In the unlikely event that you fall victim to identity theft as a consequence of this incident, you will be assigned an ID Care Specialist who will work on your behalf to identify, stop and reverse the damage quickly.

You should also know that you have the right to file a police report if you ever experience identity fraud. Please note that in order to file a crime report or incident report with law enforcement for identity theft, you will likely need to provide some kind of proof that you have been a victim. A police report is often required to dispute fraudulent items. You can report suspected incidents of identity theft to local law enforcement or to the Attorney General.

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Credit Bureaus

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P.O. Box 105069
Atlanta, GA 30348-5069
www.equifax.com

Experian Fraud Reporting
1-888-397-3742
P.O. Box 9554
Allen, TX 75013
www.experian.com

TransUnion Fraud Reporting
1-800-680-7289
P.O. Box 2000
Chester, PA 19022-2000
www.transunion.com

It is necessary to contact only ONE of these bureaus and use only ONE of these methods. As soon as one of the three bureaus confirms your fraud alert, the others are notified to place alerts on their records as well. You will receive confirmation letters in the mail and will then be able to order all three credit reports, free of charge, for your review. An initial fraud alert will last for one year.

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Maryland Residents: Office of the Attorney General of Maryland, Consumer Protection Division 200 St. Paul Place Baltimore, MD 21202, www.oag.state.md.us/Consumer, Telephone: 1-888-743-0023.

New Mexico Residents: You have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to your file is limited; you must give your consent for credit reports to be provided to employers; you may limit “prescreened” offers of credit and insurance you get based on information in your credit report; and you may seek damages from a violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. You can review your rights pursuant to the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

New York Residents: the Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; <https://ag.ny.gov/>.

North Carolina Residents: Office of the Attorney General of North Carolina, 9001 Mail Service Center Raleigh, NC 27699-9001, www.ncdoj.gov, Telephone: 1-919-716-6400.

Oregon Residents: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301-4096, www.doj.state.or.us/, Telephone: 1-877-877-9392

Rhode Island Residents: Office of the Attorney General, 150 South Main Street, Providence, Rhode Island 02903, www.riag.ri.gov, Telephone: 1-401-274-4400

All US Residents: Identity Theft Clearinghouse, Federal Trade Commission, 600 Pennsylvania Avenue, NW Washington, DC 20580, <https://consumer.ftc.gov>, 1-877-IDTHEFT (438-4338), TTY: 1-866-653-4261.