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August 20, 2020

VIA E-MAIL (NDAG@ND.GOV)

North Dakota Office of the Attorney General
600 E. Boulevard Avenue, Dept. 125
Bismarck, ND 58505

RE: Data Security Incident Notice

Dear Office of the Attorney General:

My law firm represents Dave, Inc. ("Dave"). Pursuant to N.D. Cent. Code § 51-30-02, I am writing to notify you of a data security incident at Dave involving approximately 533 residents of North Dakota.

NATURE OF THE DATA SECURITY INCIDENT

As a result of a breach at a former third-party service provider, an unauthorized party illegally accessed and stole certain customer data at Dave between June 23 and July 1, 2020. As soon as Dave became aware of this incident on July 1, 2020, Dave's security team quickly took steps to secure the company's systems, including its customers' accounts. Dave immediately began an investigation, retained a leading cybersecurity firm, and notified law enforcement, including the Federal Bureau of Investigation ("FBI").

After the compromise at Dave's service provider, the unauthorized party was able to gain temporary access to Dave's systems and obtained certain Dave customer data. It appears this data is now posted online as available for sale on, or download from, illicit online marketplaces, which the FBI is aware of and is investigating. The types of data that may have been exposed as a result of this incident included the following. However, not every customer had every data element exposed:

- First and last name
- Email
- Phone
- Date of birth
- Physical address
- Gender
- Profile image
- Customer application preferences (e.g., notification frequency, default tip percentage, etc.)
- Hashed password
- Encrypted Social Security number

Importantly, the breach did not affect bank account numbers, credit card numbers, or records of financial transactions. Dave has no evidence of fraudulent customer account usage or that any customer has experienced any financial loss as a result of this incident. Dave also has no evidence to indicate the unauthorized party accessed the encryption keys used to encrypt Social Security numbers. Social Security numbers were encrypted using AES-256 encryption and customer passwords were stored in illegible form using bcrypt, an industry-recognized hashing algorithm. Dave subsequently confirmed the likelihood that a party was able to "crack" or determine the plain text characters of at least some of the stolen hashed passwords.

REMEDIAL STEPS

Dave is no longer working with the third-party service provider whose security breach enabled the unauthorized party to ultimately obtain Dave's customer data. Moreover, upon Dave's discovery of the incident, Dave's security team quickly took steps to secure the company's systems, including its customers' accounts. Dave retained a leading cybersecurity company to investigate and to provide remediation recommendations. Dave has forced a reset of all customer login credentials and is requiring all customers to change their passwords. When logging in, customers will receive instructions on how to change their password, which they should do immediately. Dave is also advising customers to change passwords on any other sites where they used the password they had previously used with Dave. Dave's security team has also put in place additional technical measures to enhance account security, in consultation with independent cybersecurity experts, which will provide additional layers of security and protection.

NOTIFICATION TO AFFECTED NORTH DAKOTA RESIDENTS

Notices to the approximately 533 Washington residents whose personal information was compromised will be sent beginning tomorrow based on available contact information, by email as authorized, or via U.S. mail. In addition, the company is posting information about the incident on its website and major social media platforms, as well as to major statewide print and broadcast media. Dave has made arrangements for potentially affected customers to receive complimentary identity theft protection services through December 31, 2021. Additional information and instructions for enrolling in the identity theft protection services is included in the notification made to the affected parties.

CONTACT INFORMATION

Should you have any additional questions, please contact me at rsilvers@paulhastings.com or (202) 551-1216.

Sincerely,

/s/ Robert Silvers

Robert Silvers
of PAUL HASTINGS LLP