

**MOTION**

On September 7, 2017, the consumer credit reporting agency, Equifax, disclosed a data breach that exposed the personal information of 143 million people. It was later revealed that Equifax had been aware of the breach six weeks prior to disclosing the breach to the public.

Under California Civil Code § 1798.82 (b), an entity holding consumers' personal information must immediately notify the owner of information, of any potential system breach upon discovery – a duty Equifax appears to have neglected.

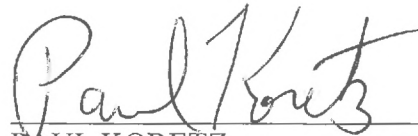
The personal information comprised included full names, birthdays, social security numbers, and other personal data. Consumers had no say in their personal information being held by Equifax nor do they have the ability to influence how Equifax handles, discloses or safeguards their personal information.

It is imperative that the City determine whether it has suffered injury in fact and has lost money or property as a result of the breach.

I THEREFORE MOVE that City departments report to the Council of any consequences to their operations or damages to the City due to the Equifax data breach.

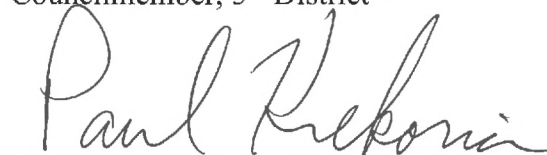
I FURTHER MOVE that the City Attorney be requested to take any legal action deemed appropriate including, but not limited to, joining existing litigation or filing separately on behalf of the City on the matter of the Equifax data breach.

PRESENTED BY:



PAUL KORETZ  
Councilmember, 5<sup>th</sup> District

SECONDED BY:



OCT 06 2017

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