

Cohen Milstein Sellers & Toll PLLC Files Data Privacy Breach Class Action Lawsuit Against Equifax, Inc.
Wednesday, September 13, 2017 06:28:00 PM (GMT)

On Friday, September 8, 2017, Cohen Milstein Sellers & Toll PLLC filed a putative data privacy breach class action, *Washburn, et al v. Equifax, Inc.*, before the United States District Court for the Northern District of Georgia, Atlanta Division, against Equifax, Inc. (Equifax) (NYSE: EFX) a leading credit-reporting company that safeguards some of the most sensitive financial and personal information of over 143 million individuals across the United States.

The lawsuit is in response to Equifax's announcement on September 7, 2017 that a massive cybersecurity data breach had occurred in its data systems from mid-May through July 2017. This hack allowed criminals to access personally identifiable information ("PII") such as names, Social Security numbers, birth dates, addresses, and driver's license numbers, for millions of individuals. In addition, Equifax reported that the hackers gained access to approximately 209,000 customers' credit card numbers, and had gained access to financial dispute documents containing PII for approximately 182,000 U.S. customers.

This lawsuit is also in response to the fact that Equifax admitted that it discovered the unauthorized access on July 29, 2017, yet did not inform the public of this breach until more than a month later. It has also been reported that Equifax executives sold personal portfolios of Equifax stock prior to the announcement.

"Equifax's deliberate in-action, turning a blind eye to this massive system failure and then potential insider trading on it, is beyond egregious negligence," said Andrew N. Friedman, Plaintiffs' Counsel and Partner at Cohen Milstein and Co-Chair of the firm's Consumer Protection Practice. Mr. Friedman continued, "We look forward to getting swift justice for the people that Equifax so wantonly harmed."

The complaint alleges that Equifax's wrongful conduct includes failing to take adequate and reasonable measures to ensure its data systems were protected, failing to take available steps to prevent and stop the breach from ever happening, failing to disclose the material facts that it did not have adequate computer systems and security practices to safeguard consumers' financial and personal data, and failing to provide timely and adequate notice of the data breach.

The complaint further alleges that Equifax's actions and failure to act when required has caused Plaintiffs and millions of others to suffer harm and/or face the significant risk of future harm, including but not limited to: a) unauthorized charges on their debit and credit card accounts; b) theft of their personal and financial information; c) costs associated with the detection and prevention of identity theft and unauthorized use of their financial accounts; d) loss of use of and access to their account funds; e) the imminent and certainly impending injury flowing from potential fraud and identity theft posed by their credit card and personal information being placed in the hands of criminals; and f) continued risk to their financial and personal information.

Plaintiffs seek to recover monetary damages, injunctive relief, and other remedies for violations of state statutes and the common law.

Cohen Milstein's Andrew N. Friedman brings unparalleled experience to this Equifax class action. Mr. Friedman is also Co-Lead Plaintiffs' Counsel in *In Re Anthem, Inc. Data Breach Litigation*, a class action lawsuit against Anthem, Inc., one of the nation's largest for-profit managed health care companies, over a 2015 cyberattack and its failure to take adequate and reasonable measures to ensure its data systems were protected. As a result, the personal information of 78.8 million insured customers was stolen. On June 23, 2017, a proposed settlement was reached. The \$115 million settlement, if approved by the Court, will be the largest data breach settlement in history.

If you have any questions about this notice or the action, or with regard to your rights, please contact either of the following:

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About Cohen Milstein

Founded in 1969, Cohen Milstein Sellers & Toll PLLC is a national leader in plaintiff class action lawsuits and litigation, including consumer fraud and data breach litigation. As one of the premier firms in the country handling major complex cases, Cohen Milstein, with 90 attorneys, has offices in Washington, DC; Chicago, IL; New York, NY; Philadelphia, PA; Palm Beach Gardens, FL; Denver, CO; and Raleigh, NC. For more information, visit <http://www.cohenmilstein.com> or call 202 408 4600.

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