

EXHIBIT 9

STATEMENT PURSUANT TO 16 C.F.R. § 2.71

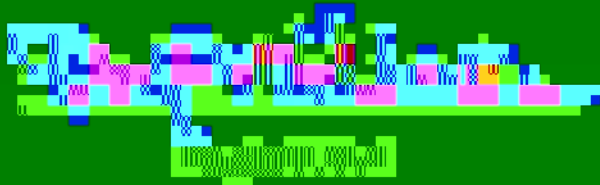


EXHIBIT 10



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Administrative Services is responsible for the following services: (1) providing administrative and clerical support to the Board, including the preparation of meeting materials, (2) providing support to the Board's committees, (3) providing support to the Board's staff, (4) providing support to the Board's contractors, and (5) providing support to the Board's other agencies.

Administrative Services is also responsible for the following services: (1) providing support to the Board's committees, (2) providing support to the Board's staff, (3) providing support to the Board's contractors, and (4) providing support to the Board's other agencies.

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EXHIBIT 11



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

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Attorney
Division of Privacy and Identity Protection
Bureau of Consumer Protection

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Email: kkohen@ftc.gov

January 12, 2012

BY E-MAIL

Lydia Parnes
Wilson Sonsini Goodrich & Rosati
1700 K Street, NW
Washington, DC 20006

Douglas H. Meal
Ropes & Gray, LLP
One International Place
Boston, MA 02110

Dear Doug and Lydia:

We write in response to your January 8, 2012 letter regarding the Federal Trade Commission's ("FTC") Civil Investigative Demand ("CID") to Wyndham Worldwide Corporation ("Wyndham"). As I stated in our January 6, 2012 telephone conference, the FTC has a legitimate need for each item of information requested in the CID. That said, the FTC is willing to make reasonable modifications to the CID in ways that will satisfy the needs of our investigation and address, when possible, the concerns of your client as expressed in your letter.

First, Wyndham appears to object to anything more than a "rifle-shot" request for information because, as you argue, "by definition" the FTC's investigation must be complete. This misconstrues the procedural posture of this matter. At Wyndham's request, the FTC suspended its investigation in order to explore settlement, and the proposed consent agreement arose out of those negotiations. You incorrectly suggest that these events signaled the completion of the investigation. Indeed, the FTC has repeatedly informed Wyndham that if a settlement was not reached, we would resume investigation. Your suggestion that the FTC is acting in bad faith is troubling, and contrary to the spirit of compromise with which the FTC acceded to your request to suspend the investigation while the parties entered settlement negotiations.

As we stated in our letter of January 6, we are unable to modify the CID absent specific proposals for modification beyond mere general objections to duplication and overbreadth and an arbitrary cap on the number of interrogatories. Where we were able to construe a specific

request for modification of the CID from your January 8 letter, we address it below, and we remain open to a more specific dialog regarding your outstanding concerns.

Affiliates: You challenge the application of the CID to entities other than Wyndham Hotels and Resorts LLC (“WHR”), and have requested that the CID be modified to eliminate any specifications seeking information related to the information security practices of any WHR affiliate. Among other things, this CID requests information related to Wyndham Hotel Group (“WHG”), Wyndham Worldwide Corporation (“WWC”), and Wyndham Hotel Management (“WHM”) – information that by counsel’s own admission, Wyndham did not provide in response to the FTC’s access letter. In your access letter responses, you explained that WHR’s information security program was handled first (during the time of the first two breaches) by WHG, and thereafter (at the time of the third breach) by WWC. Moreover, Wyndham’s access letter responses also made clear that several) by Wnt

¹ Moreover, we also believe it is appropriate to address the CID to WWC, given that the other Wyndham entities whose practices are at issue are its wholly-owned subsidiaries, and it currently controls their data security practices.

response to the access letter. As you know, pursuant to Instruction K, if Wyndham has previously produced any documents responsive to this CID, or previously answered any interrogatories, it can comply with the CID by referencing its previous submissions. If Wyndham would like to raise with us any specific specification that it believes is duplicative, we would be happy to discuss it further.

Personal Information Definition: You have objected to the definition of personal information as including information other than the information compromised as a result of the breaches (namely payment card information), and have specifically requested that employee information be excluded from the definition. We will recommend to our Associate Director that the CID be modified to include in the definition of personal information only customer information.

Privilege Log: You have objected to the CID's requirement that Wyndham provide a privilege log for any material responsive to the CID that is withheld on the basis of a claim of privilege. We believe a privilege log is necessary, but will consider any modifications to the specific requirements of Instruction D to ~~the~~ **CID** that achieves our objective while addressing Wyndham's concerns.

30-Day Response Deadline: You have objected to the CID's return date giving Wyndham 30 days in which to comply. As you know, at your request, on December 15, 2011, we modified the deadlines in the CID for the meet and confer (from December 22, 2011 to January 6, 2012) and for production (from January 9, 2012 to January 30, 2012). Accordingly, Wyndham was actually given a response deadline of 51 days. Nevertheless, Wyndham waited until January 6 to raise any objections to the CID, and until January 8 to object to meeting the CID's already-extended deadline. That ~~said~~, we will consider any reasonable request Wyndham makes to extend the production deadline, so long as the request meets the FTC's legitimate need to receive the information requested in a timely manner.

Other Requests: You have raised other general concerns regarding the CID, including objecting to 1) all document requests seeking "documents sufficient to describe"; 2) the definitions of "document"; "identify"; and "relating to" in so far as the definitions differ from "standard English meanings"; 3) the CID's instruction on Wyndham's search obligation; 4) the applicable time period for the CID; and 5) any CID instruction requiring Wyndham to produce information using a protocol different than that used in its response to the access letter. We believe these objections as a whole are unfounded. As to each of these issues, however, we remain open to discussing with you any legitimate concerns you may have. For example, if Wyndham would like to discuss limiting the applicable time period for any particular CID specification, we are open to considering such a request.

With regards to Wyndham's other concerns, as we stated in our call and again in our letter of January 6, it is impossible for us to respond further to your concerns if you are unwilling or unable to identify why you believe specific interrogatories and requests are inappropriate. For example, you state that you will not respond to Interrogatories 2-10, 12-15, 18-20, and 23-25 because both (a) you already have responded by providing "extensive" information, and (b) responding would require "months of painstaking ~~work~~." (Letter at 5-6.) It is difficult for us

to understand how a question can be, at the same time, impossible to answer and already answered. In order to consider any CID modifications, we need specific proposals beyond

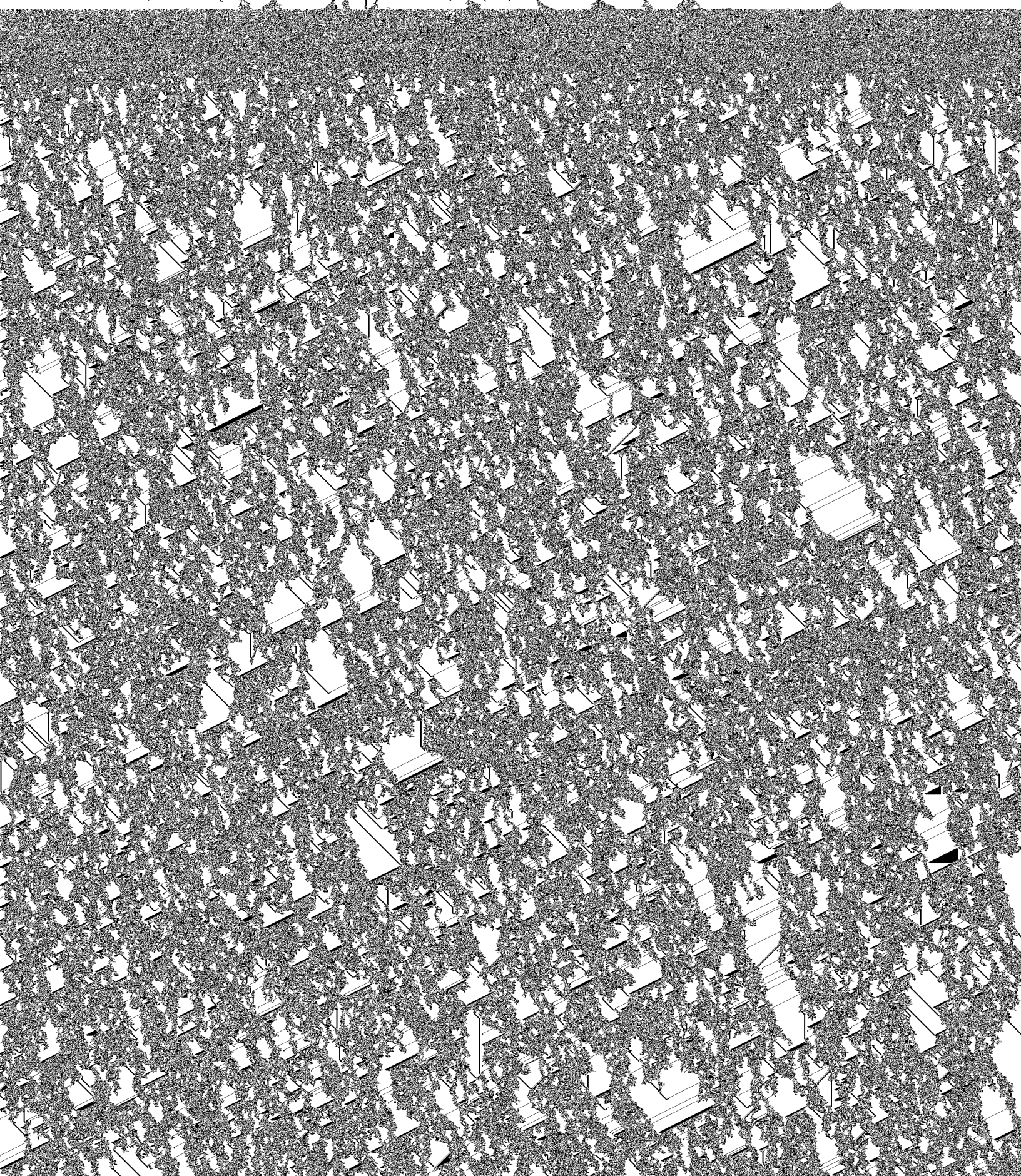


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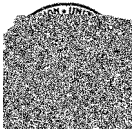
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Best Regards,

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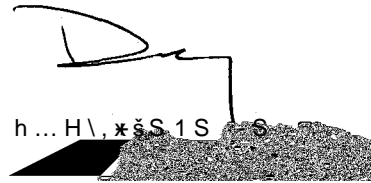


EXHIBIT 16

WYNDHAM WORLDWIDE CORPORATION'S OBJECTIONS
TO THE FEDERAL TRADE COMMISSION'S
FIRST CIVIL INVESTIGATIVE DEMAND

Pursuant to 15 U.S.C. § 57b-1(b)(13), Wyndham Worldwide Corporation ("WWC") and Wyndham Hotels & Resorts LLC ("WHR") (collectively, "Wyndham"), by and through their undersigned counsel, provide their objections to the first Civil Investigative Demand ("CID") of the Federal Trade Commission ("FTC") dated December 8, 2011 and served on December 12, 2011.

General Objections

1. Wyndham objects to the CID as overly broad, unduly burdensome, and oppressive.
2. Wyndham objects on the grounds that the Resolution attached to the CID Directing the Use of Compulsory Process in a Public Investigation of Acts and Practices Related to Consumer Privacy and/or Data Security (File No. P954807) is not specifically related to the FTC's investigation of WHR and is not sufficient to authorize this CID.
3. Wyndham objects to the CID to the extent it seeks information or documents beyond the scope of, or seeks to impose obligations on Wyndham beyond those authorized by, the Resolution attached to the CID.
4. Wyndham objects to the CID to the extent it seeks information or documents that are not relevant to the question of whether WHR violated Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45, and are not reasonably related to the FTC's investigation of WHR.

5. Wyndham objects to the CID to the extent that the requests contained therein are

13. Wyndham provides these responses and objections without waiver of or prejudice to its right to raise objections at any later time (a) any further demand or discovery relating to the matters raised in the CID, or (b) the relevance, materiality, or admissibility of the requests (or any part thereof), the statements made in response (or any part thereof), or any documents produced pursuant to this response.

14. The following specific objections fully incorporated, are subject to, and are made without waiver of the foregoing general objections.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

1. Wyndham objects to Definition E of “Company” as overly broad, unduly burdensome, and irrelevant to the extent it includes WWC, WHG, and WHM.
2. Wyndham objects to Definition of “Document” to the extent

5. Wyndham objects to Definition Y of “Wyndham entity” as overly broad, unduly burdensome, and irrelevant to the extent it includes WWC, WHG, and WHM.

6. Wyndham objects to Instruction C regarding “Applicable Time Period” to the extent that it calls for the production of documents dated after May 1, 2010 as overly broad and unduly burdensome, as the FTC has not alleged WHR committed any violations of the Federal Trade Commission Act after May 2010.

7. Wyndham objects to Instruction D regarding “Claims of Privilege” as unduly burdensome to the extent that it requires Wyndham to assert its claim of privilege prior to a reneef,012

- c. each Wyndham-managed hotel, its mailing address, the date on which it first entered into a management agreement with WHM, and, if applicable, the date on which its management agreement was terminated.

Wyndham objects to this interrogatory as unduly broad, overly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR and to the extent the request seeks information that does not relate to any allegation that WHR violated the Federal Trade Commission Act. Wyndham further objects to Part (a) of this interrogatory as duplicative, as WHR has already provided this information with respect to WHR to the FTC during this investigation.

2. Provide a high-level diagram (or diagrams) that sets out the components of each computer network used by WHR and WHM to store and process personal information, including any network hosted by WHR or WHM on behalf of any Wyndham-branded hotel, and any network that would allow access to the network(s) of any Wyndham-branded hotel that stores and processes personal information. To the extent your network(s) changed throughout the applicable time period, you should provide separate diagrams for the time periods immediately preceding each data breach identified in response to Interrogatory Specification 16. In addition, provide a narrative that describes the components in detail and explains their functions and how they operate. Such diagram(s) and description shall include the location (within the network) of: computers; servers; firewalls; routers; internet, private line, and other connections; connections to other internal and external networks; virtual private networks; remote access equipment (such as wireless access points); websites; and security mechanisms and devices (such as intrusion detection systems).

Wyndham objects to this interrogatory as unduly broad, unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information about WHM. Wyndham further objects to this interrogatory as duplicative to the extent it has already provided this information with respect to WHR to the FTC during this investigation. Wyndham further objects to this interrogatory as too indefinite to constitute a valid request. Wyndham

further objects to the definition of personal information to the extent it includes data regarding employees and not consumers.

3. Describe in detail how the Wyndham-branded hotels' networks are connected to any Company network(s), including all connections between the Company's central reservation system(s), its guest loyalty database(s), and the Wyndham-branded hotels. Your response should explain whether and how the Wyndham-branded hotels may access the central reservation system(s) or guest loyalty database(s), describe the personal information contained in each, and describe any access controls in place to limit access to the central reservation system or guest loyalty database.

Wyndham objects to this interrogatory as unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this interrogatory as duplicative to the extent that WHR has already provided this information to the FTC during this investigation. Wyndham further objects to this interrogatory as too indefinite to constitute a valid request.

4. Describe the process(es) used by WHR and WHM, on behalf of themselves or any Wyndham-branded hotel, to obtain authorization for payment card transactions ("card authorization"). This description should include:
 - a. the complete transmission or flowpath for authorization requests and responses and the underlying information for each network involved in card authorization, starting with the merchant to whom a card is presented to pay for a purchase and including each intermediary on the path (including, but not limited to: bank associations; acquiring, issuing, and other banks; WHR or WHM; third-party processors; merchant servicers; independent sales organizations; and other entities), and ending with receiving the response to the authorization request;
 - b. each portion, if any, of the transmission or flow paths described in response to Interrogatory Specification 4a, above, where authorization requests, authorization responses, or the underlying personal information were transmitted in clear text, as well as the time period during which the requests, responses, and information were transmitted in clear text;

- c. identification of the system(s), computer(s), or server(s) used to aggregate authorization requests in whole or in part and transmit them to bank associations and banks (“card authorization server”), and, for each server, the application(s) used for card authorization and the services enabled on the server, and a description of how the server has been protected from unauthorized access (such as protected by its own firewall); and
- d. where authorization requests and responses and underlying personal information are stored or maintained (such as by being stored on a card authorization server or written to transaction logs located elsewhere on a network), as well as how stored or maintained requests, responses, and information have been protected from unauthorized access and the length of time they are retained.

Wyndham objects to this interrogatory as unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WHM. Wyndham further objects to this interrogatory as duplicative to the extent that WHR has already provided this information to the FTC during this investigation. Wyndham further objects to this interrogatory as indefinite to constitute a valid request.

- 5. Describe in detail Wyndham Worldwide’s role in the Information Security Programs of WHG, WHR, WHM, the Wyndham-franchised hotels, and the Wyndham-managed hotels, including a description of how its role has changed throughout the applicable time period. Your response should include, but not be limited to, a description of the following:
 - a. Wyndham Worldwide’s role in developing and implementing each entity’s Information Security Program;
 - b. the training Wyndham Worldwide provides to each entity related to the protection of personal information, including PCI DSS compliance;
 - c. all policies, practices, and procedures relating to Wyndham Worldwide’s audits, assessments, and oversight of each entity’s Information Security Program, including any role it has had in ensuring each entity’s compliance with PCI DSS;
 - d. Wyndham Worldwide’s role in developing and implementing any program to ensure the compliance of the Wyndham-franchised hotels

and the Wyndham-managed hotels with any Company operating standards or system standards;

- e. Wyndham Worldwide's role in providing payment card authorization for each entity; and
- f. the Wyndham Worldwide employee(s) responsible for overseeing each entity's Information Security Program.

Wyndham objects to this interrogatory as unduly burdensome, overly burdensome

Wyndham objects to this interrogatory as duplicative to the extent that WHR has already provided this information to the FTC during this investigation. Wyndham further objects to this interrogatory as too indefinite to constitute a valid request.

8. Identify and describe in detail WHM's role in the Information Security Program of the Wyndham-franchised hotels and the Wyndham-managed hotels, including a description of how its role has changed throughout the applicable time period. Your response

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- e. the extent to which any Wyndham entity put any property management system or payment processing application, including Protobase, into debugging mode or was aware that such systems were running in debugging mode; and
- f. any other services performed in each Wyndham entity's management

12. Separately for each Wyndham entity and for the Wyndham-branded hotels, provide the following information (including any changes that occurred throughout the applicable time period):
 - a. all practices to control, monitor, and record authorized and unauthorized access to personal information on its network(s);
 - b. the frequency and extent to which network users receive information security training or security awareness materials;
 - c. whether and, if so, when risk assessment(s) were performed to identify

that is not maintained regularly in any set of business records and for which responding would require the chronicling of email for a three-year period of time for a large number of employees at great time and expense. Wyndham further objects to this interrogatory on the grounds that the terms “practices”, “risk assessments”, “tests”, “monitoring”, “evaluation”, “procedures”, and “defenses” are vague and ambiguous. Wyndham further objects to this interrogatory to the extent it seeks information regarding the Wyndham-branded hotels that is not in the possession, custody, or control of Wyndham.

13. For each risk assessment identified in response to Interrogatory Specification 12c, as well as any assessment(s) performed by Fishnet Security, Inc. beginning in 2005 of WHR’ computer network(s) or Information Security Program, identify:
 - a. the date of the assessment and the name and title of the person(s) responsible for conducting and overseeing the assessment;
 - b. the steps taken in conducting the assessment;
 - c. the specific risks identified in the assessment; and
 - d. how and by whom each risk was addressed.

Wyndham objects to this interrogatory as unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this interrogatory on the grounds that “risk assessment” is vague and ambiguous. Wyndham further objects to this interrogatory as duplicative to the extent that WHR has already provided this information to the FTC during the course of this investigation. Wyndham further objects to this interrogatory as indefinite to constitute a valid request.

14. For each WHR and WHM Service Provider:

- f. ensuring that all internal system administrators now have two-factor authentication for remote access from outside the WHR network;
- g. creating a holistic view of the WHR' environment; and
- h. any upgrades made to WHR' virus monitoring.

Wyndham objects to this interrogatory as duplicative to the extent that WHR has already provided this information to the FTC during the course of this investigation. Wyndham further objects to this interrogatory as too indefinite to constitute a valid request.

16. Identify each data breach that is known to have occurred since January 1, 2008, and, for each data breach identified, describe in detail how, when, and through whom the Company first learned about the breach.

Wyndham objects to this interrogatory as unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this interrogatory as duplicative to the extent that WHR has already provided this information with respect to WHR to the FTC during the course of this investigation. Wyndham further objects to this interrogatory as indefinite to constitute a valid request.

17. Identify all consultants, agents, or other entities that assisted any Wyndham entity in connection with any actions it took relating to the data breaches

already provided the FTC with both narrative information and documents regarding entities that assisted it in relation to the data breaches previously identified by WHR during the course of this investigation. Wyndham further objects to this interrogatory as too indefinite to constitute a valid request.

18. Describe in detail any network user account lockouts related to any data breach identified in response to Interrogatory Specification 16, and the Company's investigations of any such lockouts, including but not limited to, when the investigation was initiated, the personnel notified, and the steps taken to determine whether an intruder had gained access to the network(s).

Wyndham objects to this interrogatory as unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this interrogatory as duplicative to the extent that WHR has already provided this information with respect to any data breaches on networks connected to the WHR network, to the FTC during the course of this investigation. Wyndham further objects to this interrogatory as too indefinite to constitute a valid request.

19. For each data breach identified in response to Interrogatory Specification 16, identify the name and location of each computer system on which personal information was or may have been accessed as a result of each such breach, and for each such system describe:
 - a. the type(s) and amount(s) of potentially compromised personal information;
 - b. any report of subsequent unauthorized use of compromised personal information alleged in any way to be linked to each instance of unauthorized access, including, but not limited to, the number of instances where payment cards were alleged to have been used without the card holder's authorization, the dates of such use, and the amounts charged or debited;
 - c. each known or suspected intruder;

- d. the manner by which each intruder obtained access to the compromised personal information, including security practices that

Wyndham objects to this interrogatory as unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this interrogatory as duplicative to the extent that WHR has already provided this information to the FTC during the course of this investigation, to the extent this information is known or knowable to WHR. Wyndham further objects to this interrogatory as too indefinite to constitute a valid request.

21. For each policy or statement submitted in response to Document Specification 15, identify the date(s) when it was adopted or made, and describe all means by which it was distributed.

Wyndham objects to this interrogatory as unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this interrogatory as duplicative to the extent that WHR has already provided this information to the FTC during the course of this investigation. Wyndham further objects to this interrogatory as too indefinite to constitute a valid request.

22. Identify all officers and members of the Board of Directors of each Wyndham entity during the applicable time period. In doing so, identify all officers or Board members of any Wyndham entity who are also serving or have ever served as officers or Board members of another Wyndham entity. For each such person, state for which Wyndham entities he or she served as an officer or Board member and the time period during which he or she served in such role.

Wyndham objects to this interrogatory as unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information that is irrelevant to the question of whether WHR violated the FTC Act. Wyndham further objects to

this interrogatory as duplicative to the extent that WHR has already provided this information to the FTC during the course of this investigation.

23. Describe the extent to which accounting, managerial, marketing, distributing, human resources, information security, legal and other functions or facilities are shared or interrelated between each Wyndham entity. Your response should include, but not be limited to, a description of whether any Wyndham entity pays on behalf of any other Wyndham entity (1) its payroll, or (2) the premiums for any director or officer insurance coverage, and whether any Wyndham entity transfers or otherwise allocates for accounting purposes any consideration to another Wyndham entity in exchange for providing any information security-related service.

Wyndham objects to this interrogatory as unduly broad, overly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this interrogatory as unduly broad and overly burdensome to the extent it seeks information that is irrelevant.

regarding WWC, WHG, and WHM other than their role in the information security operations of WHR, and to the extent the interrogatory seeks information that does not relate to any allegation that WHR violated the Federal Trade Commission Act, including, without limitation, information regarding records that may otherwise be irrelevant and records that were destroyed in the normal course of business prior to the commencement of litigation. Wyndham further objects to this interrogatory as overly broad and unduly burdensome to the extent that Wyndham, WHG, WHR, and WHM did not create records in the ordinary course of business to document instances where its documents were destroyed and to the extent that the data necessary to create such records presently does not exist. Wyndham further objects to this interrogatory to the extent that records containing certain of the requested information were not created in the ordinary course of business, and data to create such records does not exist.

25. Identify the person(s) responsible for preparing the response to this CID, and describe in detail the steps taken to respond to this CID, including instructions pertaining to document (written and electronic) and information preservation. Where oral instructions were given, identify the person who gave the instructions and describe the content of the instructions and the person(s) to whom the instructions were given. For each specification, identify the individual(s) who assisted in preparing the response, with a listing of the persons (identified by name and corporate title or job description) whose files were searched by each person.

Wyndham objects to this interrogatory to the extent it seeks information protected by attorney-client or work product privilege.

26. To the extent that any information provided in the Access Letter Response may require updating or is otherwise incomplete or inaccurate, supplement your response.

Wyndham objects to this interrogatory as duplicative to the extent that WHR has already provided the FTC with an update regarding the information provided in the Access Letter Response.

II.

monitors the network(s); and who is responsible for information security on the network(s).

Wyndham objects to this request as unduly, overly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this request as duplicative to the extent that WHR has already provided this information to the FTC in the course of this investigation. Wyndham further objects to this request as too indefinite to constitute a valid request. Wyndham further objects to this request to the extent that WHR does not maintain records in the ordinary course of business that set forth the information sought by this request.

4. Documents sufficient to describe each Wyndham entity's role in managing the Wyndham-branded hotels' computer networks, including but not limited to: who supplies each Wyndham-branded hotel with its network(s); who owns the network(s); who maintains the network(s); who sets standards for the network(s); who monitors the network(s); who is responsible for information security on the network(s); and how the Company's role is different between Wyndham-franchised hotels and Wyndham-managed hotels.

Wyndham objects to this request as unduly, overly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this request as duplicative to the extent that WHR has already provided this information to the FTC in the course of this investigation. Wyndham further objects to this request as too indefinite to constitute a valid request. Wyndham further objects to this request to the extent that WHR does not maintain records in the ordinary course of business that set forth the information sought by this request.

- d. the technical configurations of devices and programs it uses to implement its Information Security Program, including but not limited to configurations of firewalls or other means used to control, monitor, or record access to personal information;
- e. completed or planned testing, monitoring, or evaluation of its Information Security Program; and
- f. information security training provided to network users (such as employees, Wyndham-branded hotels, and Service Providers) regarding the Information Security Program.

Wyndham objects to this request as unduly or overly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this request as duplicative to the extent that WHR has

extent that production of “all documents” would require the review of electronic files for a large number of custodians at great time and expense. Wyndham further objects to this request as duplicative to the extent that WHR has already provided this information to the FTC during the course of this investigation. Wyndham further objects to this request as too indefinite to constitute a valid request. Wyndham further objects to this request to the extent that WHR does not maintain records in the ordinary course of business that set forth the information sought by this request. Wyndham further objects to this request on the grounds that the terms “assess”, “evaluate”, “question”, “challenge”, “contest the effectiveness”, “verifies”, “confines”, “challenges”, “questions”, or “otherwise concerns” are vague and ambiguous. Subject to and without waiving the foregoing, WHR is willing to discuss a limited custodian approach to responding to this request with the FTC.

8. For each Service Provider identified in response to Interrogatory Specification 14, all provisions of contracts with the Company relating to the handling of personal information, and all other policies, procedures, or practices that relate to each Service Provider’s handling of personal information, including any policies or practices related to granting the Service Provider administrative access to any Company network.

Wyndham objects to this request as unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this request to the extent it seeks production of documents not in the possession, custody, or control of Wyndham. Wyndham further objects to this request on the grounds that the terms “policies”, “procedures”, or “practices” are vague and ambiguous.

9. For each data breach identified in response to Interrogatory Specification 16, all documents prepared by or for the Company that identify, describe, investigate, evaluate, or assess such breach, including but not limited to preliminary, interim, draft, and final reports that describe, assess, evaluate,

or test security vulnerabilities that were or could have been exploited in each breach; reports of penetration and gap analysis; logs that record the intruder's steps in accessing or using compromised personal information; warnings issued by anti-virus, intrusion detection, or other security measures; records of the configuration of applications, programs, and network components used in card authorization (such as whether an application was configured to store or record transactions); records setting out reviews by network administrators or others to verify that newly created user accounts were authorized; security scans (such as for packet capture tools, password harvesting tools, tools, and other unauthorized programs); incident reports; (formal and informal) security audits or forensic analyses of each breach prepared internally and by third-parties; and other records relating or referring to each breach, including minutes or notes of meetings attended by the Company's personnel and documents that identify the intruder(s).

Wyndham objects to this request as unduly burdensome, and not reasonably calculated to lead to the discovery of admissible

- a. the installation or configuration of any property management system or payment processing application;
- b. any data breach;
- c. remote access to any network identified in response to Interrogatory Specification 2 or to the network(s) of any Wyndham-branded hotel;
- d. the use of debugging in any application; and
- e. the use of passwords, including descriptions of who is responsible for setting passwords and password requirements.

Wyndham objects to this request as unduly broad, overly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this request as unduly broad and overly burdensome to the extent that production of "all documents" would require the review of electronic files for a large number of custodians at great time and expense. Wyndham further objects to this request as duplicative to the extent that WHR has already provided this information to the FTC during the course of this investigation. Wyndham further objects to this request as too indefinite to constitute a valid request. Wyndham further objects to this request to the extent it seeks production of documents not in the possession, custody or control of Wyndham. Subject to and without waiving the foregoing, WHR is willing to discuss a limited custodian approach to responding to this request with the FTC.

11. All communications between the Company and the Wyndham-branded hotels related to:
 - a. any data breach, and including any documents referencing fines or assessments from any Card Association;
 - b. the use of debugging in any property management system or payment processing application;
 - c. PCI DSS compliance; and

d.

objects to this request to the extent it seeks production of documents not in the possession, custody, or control of Wyndham. Subject to and without waiving the foregoing, WHR is willing to discuss a limited custodian approach to responding to this request with the FTC.

13. All communications between the Company or a Wyndham-branded hotel and any consultant, agent, or other entity identified in response to Interrogatory Specification 17 relating to information security or to any data breach.

Wyndham objects to this request as unduly broad, overly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham further objects to this request as unduly broad and overly burdensome to the extent that production of "all documents" would require the review of electronic files for a large number of custodians at great time and expense. Wyndham further objects to this request as duplicative to the extent that WHR has already provided this information to the FTC during the course of this investigation. Wyndham further objects to this request as too indefinite to constitute a valid request. Wyndham further objects to this request to the extent it seeks production of documents not in the possession, custody, or control of Wyndham. Subject to and without waiving the foregoing, WHR is willing to discuss a limited custodian approach to responding to this request with the FTC.

14. Documents sufficient to describe the Company's quality assurance program for inspecting the Wyndham-branded hotels' compliance with their franchise or management contracts, including but not limited to, documents that describe:
 - a. how often each Wyndham-branded hotel is inspected;
 - b. which Wyndham entity is responsible for conducting the inspections;

- c. how the quality assurance program differs between Wyndham-franchised hotels and Wyndham-managed hotels;
- d. criteria for determining whether and how often to inspect each Wyndham-branded hotel; and
- e. any inspections done of Wyndham-branded hotels related to either information technology or information security.

Wyndham objects to this request as duplicative to the extent that WHR has already provided this information to the FTC during the course of this investigation. Wyndham further objects to this request as overly burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the extent the request seeks information that does not relate to any allegation that WHR violated the Federal Trade Commission Act. Wyndham further objects to this request as too indefinite to constitute a valid request.

- 15. All policies, claims, and statements made to consumers by or for the Company regarding the collection, disclosure, use, storage, destruction, and protection of personal information, including any policies, claims, or statements relating to the security of such information.

Wyndham objects to this request as unduly burdensome, overly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the extent it seeks information regarding WWC, WHG, and WHM other than their role in the information security operations of WHR. Wyndham objects to this request as duplicative to the extent that WHR has already provided this information with respect to WHR to the FTC during the course of this investigation. Wyndham further objects to this request as too indefinite to constitute a valid request.

- 16. All documents that relate to actual or potential harm to consumers or claims of harm made by consumers that are based on any data breach identified in response to Interrogatory Specification 16. Responsive documents should include, but not be limited to:

- a. documents that assess, identify, evaluate, estimate, or predict the

Wyndham objects to this request as unduly ~~burden~~, overly burdensome, and not reasonably calculated to lead to the discovery of admissible ~~evidence~~ to the extent it seeks information regarding WWC, WHG, and WHM other ~~than~~ their role in the information security operations of WHR. Wyndham further objects to this request ~~as~~ indefinite to constitute a valid request. Subject to and without waiving the foregoing, WHR is willing to discuss a limited custodian approach to responding to this request ~~with~~ the FTC.

18. All minutes of Board of Directors meetings, executive committee meetings, or audit committee meetings of each ~~Wyndham~~ Wyndham entity during the applicable time period.

Wyndham objects to this request as overly ~~burden~~ burdensome and not reasonably calculated to lead to the discovery of admissible evidence to the ~~extent~~ the request seeks ~~information~~ information that does not relate to any allegation that WHR violated ~~the~~ Federal Trade Commission Act. Subject to and without waiving the foregoing, WHR is willing to ~~discuss~~ discuss narrowing this request with the FTC.

19. Documents sufficient to show the ~~Company's~~ Company's policies and procedures relating to the retention and destruction of documents.

Wyndham objects to this request as unduly ~~burden~~, overly burdensome, and not reasonably calculated to lead to the discovery of admissible ~~evidence~~ to the extent it seeks information regarding WWC, WHG, and WHM other ~~than~~ their role in the information security operations of

Wyndham Worldwide Corporation
and Wyndham Hotels & Resorts, LLC

By Their Attorneys

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