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CLIFFORD LAW OFFICES
NEWS

Chicago Law Firm Files Class Action Lawsuits Around the Country on Behalf of Equifax Customers

CHICAGO, IL (September 2017) – Clifford Law Offices filed a series of class action lawsuits around the country on behalf of Equifax consumers who were subject to what is being called one of the largest breaches of confidential information in history.

Among the five separate lawsuits filed, one was filed in the Northern District of Illinois on behalf of Dan Lang and Russell Pantek as the name plaintiffs against the Georgia-based credit-reporting company. Lang and Pantek live in Chicago.

The three-count complaint alleges that Equifax knew that the plaintiffs' names, full Social Security numbers, birth dates, addresses and possibly driver's license numbers and credit card information were compromised by a third party hacker as early as July 29. Equifax informed its customers that potentially as many as 143 million Americans may have been subject to this hack just last week. Illinois law, along with other states, requires prompt notification when a breach has occurred.

"Even regulators are suggesting that Equifax customers freeze their credit reports, which for many it may be too late," said Robert A. Clifford, founder and senior partner at Clifford Law Offices. "People can only protect themselves when they are informed and where there is a failure to monitor consumers' most sensitive information, and then a lack of full disclosure for a prolonged period of time, companies have to know that that's not right and consumers won't stand by with no recourse. Equifax, of all companies, should understand the importance of the privacy of this information."

In addition to filing under the federal Fair Credit Reporting Act, 15 U.S.C. 1681, the plaintiffs also are asking for punitive damages as well as for the costs of litigation and reasonable attorney's fees pursuant to that law.

On May 6, 2016, Illinois joined a growing number of states that have strengthened their data breach notification requirements and expanded the definition of protected personal information. Effective January 1, 2017, HB 1260 amends the Illinois Personal Information Protection Act (PIPA) to broaden the definition of protected personal information. Under the new law, if notice is required and the breach of security involved an individual's user name or email address, the notice should direct the individual "to promptly change his or her user name or password and security question or answer, as applicable, or to take other steps appropriate to protect all online accounts for which the resident uses the same user name or email address and password or security question and answer."

The complaint alleges that this protocol was not followed by Equifax.

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