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M E M O R A N D U M

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To Our Clients and Friends

Re: Massachusetts Data Protection Regulation Implementation

This memorandum provides a summary of the final phase of implementation of Massachusetts' data protection regulation, which establishes standards for safeguarding personal information of Massachusetts residents. By March 1, 2012, all persons that own or license personal information about a Massachusetts resident must include language in any contract with a third-party service provider requiring that the service provider implement and maintain appropriate security measures to protect personal information consistent with Massachusetts law and any applicable federal law.

The regulation defines a "service provider" as any person that receives, stores, maintains, processes, or otherwise is permitted access to personal information through its provision of services directly to a person subject to the Massachusetts regulation.

A copy of the Massachusetts data protection regulation can be found at our website at <http://www.schwartzandballen.com/news.html>

If you have any questions, please call Gilbert Schwartz, Robert Ballen, Tom Fox, Heidi Wicker or Lauren Bianchini at (202) 776-0700.