



DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
Office of Consumer Protection

## DCCA News Release

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**FOR IMMEDIATE RELEASE: July 19, 2007**

### **HAWAII ESCROW COMPANY FINED \$10,000 FOR VIOLATING THE STATE'S NEW ID THEFT LAWS**

HONOLULU – The Department of Commerce and Consumer Affairs (DCCA) has obtained a judgment today against the Fidelity Escrow Services Corporation of Hawai'i, for the company's violation of Hawai'i's consumer protection laws.

The judgment resolves all issues relating to the state's lawsuit against Fidelity and its principal Stephen Marn. In March 2007, the department's Office of Consumer Protection (OCP) sued Fidelity Escrow and Marn for violating Hawai'i's laws regulating the disposal of records and documents containing personal financial information.

The OCP contended Fidelity and Marn improperly disposed of thousands of customer records containing personal information when he disposed of them in a dumpster at Niu Valley Intermediate School. The improperly disposed records contained personal information such as social security numbers, loan applications, bank statements, tax records, and credit reports. The state learned of the records after a Good Samaritan, Jim Kelley, came forward to report that he had retrieved 39 of the company's boxes from the dumpster.

Fidelity was fined \$10,000 for the illegal disposal of the records. The company has provided proof that it has properly destroyed all other records that had not been taken to the dumpster. OCP retains control over all of the recovered records obtained from the dumpster and has made arrangements for all of them to be properly destroyed. The department has no indication that any of the information contained in the records was compromised.

“This case should serve as a reminder to everyone that personal information contained in documents needs to be disposed of in a responsible manner,” said Stephen Levins, executive director of the Office of Consumer Protection. “We are lucky a Good Samaritan found the records before criminals did, otherwise this veritable gold mine of information undoubtedly would have been exploited by identity thieves.”

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