



DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
Office of Consumer Protection

DCCA News Release

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DCCA FILES SUIT AGAINST STEPHEN MARN FOR VIOLATING HAWAII'S IDENTITY THEFT LAWS

HONOLULU – The Department of Commerce and Consumer Affairs (DCCA) today sued Hawaii Kai resident Stephen Marn for allegedly violating Hawaii's consumer protection laws.

The suit against Stephen Marn is a result of an investigation conducted by the state Office of Consumer Protection (OCP). Marn was the president of Fidelity Escrow Services Corporation. The company was voluntarily dissolved in July 2004.

The DCCA alleges that Marn violated several state laws, including a new state law, which took effect on January 1, 2007. Act 136, also known as the "dumpster-diving law," requires businesses and government agencies to take reasonable measures to protect against unauthorized access to an individual's personal information when disposing of the records they keep.

The complaint alleges that Marn caused 39 boxes of confidential financial documents to be dumped in a public recycling bin in Niu Valley, and failed to employ reasonable and appropriate security measures to protect the personal information contained in the documents. The boxes contained personal information such as social security numbers, loan applications, bank statements, tax records, and credit reports.

The files contained personal information of about 1,000 people who used Fidelity Escrow Services Corp. to buy property between 1996 and 2000.

Violation of Act 136 subjects culprits to fines of up to \$2,500 per violation.

“Although we have no evidence that anyone’s identity has been compromised, out of an abundance of caution we are advising anyone who used Fidelity Escrow Services Corporation from 1996 – 2000 to monitor their credit report, for the next year” warned OCP Executive Director Stephen Levins. “This security breach was extremely serious. Mr. Marn should have destroyed the personal information instead of dumping the boxes in a Middle School recycling bin.”

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