

ATTORNEY AND SMALL BUSINESS OWNERS: EQUIFAX NEEDS TO STOP “UNEQUAL & UNFAIR” TREATMENT OF U.S. SMALL BUSINESSES IN WAKE OF DATA BREACH

“We Hate That We Must Pay”: Small Business Owners Join Attorney Jason Doss Urging that Small Businesses Get Free Access to Credit Reports, Just Like Consumers Do; Joint Call for Action Latest Development in Class-Action Lawsuit Filed on Behalf of 28 Million U.S. Small Businesses.

ATLANTA, GA//September 26, 2017///Consumers are eligible today to get one free credit report from Equifax, which they can use to assess the extent of the impact of the recent data breach on their creditworthiness. But there is no such opportunity available for U.S. small businesses, which must shell out \$99 to Equifax to get a copy of their credit report. Today, attorney Jason Doss was joined by small business owners calling on Equifax and Congress to provide for equal treatment of consumers and small business owners harmed by the Equifax breach. More information is available online at www.smallbusinessequifaxclass.com.

It’s the latest development in the wake of the September 20th filing in the U.S. District Court for the North District of Georgia/Atlanta division of the class action complaint titled *O’Dell Properties, LLC, O’Dell & O’Neal, P.C., Jelli Donuts, LLC, et. al. v. Equifax, Inc.* The complaint filed by The Doss Firm alleges that Equifax unduly put small business operators at risk in terms of the cost of Equifax business reports and the availability of credit and exposure to business identity theft, which often is directly linked to the personal creditworthiness of small business owners. As the complaint notes: **“Unlike consumers who are entitled under federal law to obtain one free credit report annually, businesses must pay for their credit reports (\$99 from Equifax) ... Many of the 143 million individuals whose personal identifiable information (PII) was hacked are also owners of small businesses that heavily rely on personal and business credit to operate and provide for families across this country.”**

Jason Doss, attorney, The Doss Firm, LLC in the Atlanta area, said: **“We are hearing from small business owners all across the U.S. who are outraged that they are being forced to pay Equifax \$99 to find out if the company’s data breach harmed their creditworthiness. This unequal and unfair situation, which is in stark contrast to free credit reports available to concerned consumers, must be remedied by either Equifax or by Congressional action. The appearance left here is that Equifax has a perverse incentive to permit a breach so that it can rake in hefty report fees from 28 million U.S. small businesses. That is one of the main reasons we filed a class-action complaint on their behalf.”**

Tom Blake, owner, Team Technical Services, Inc., an industrial equipment supplier firm in Tampa, Florida, said: **“The Equifax website indicates my personal information was not impacted by the breach, but I still think I still need to check my business credit report to make sure my company’s credit report checks out. Given the way that the company has handled this data breach, I don’t fully trust that Equifax is being truthful about the extent of the**

breach and I very much resent that I have to pay money as a small business to reward Equifax for its own data breach.”

Doss said: “The concerns of Mr. Blake are justified given that the current laws require companies like Equifax to only notify consumers if their PII has been hacked, but not businesses. Equifax has confidential financial information about businesses that may have been hacked, but not disclosed.”

Dawn Lea Chalmers, owner of Kademi, a boutique retail clothing store in Philadelphia, MS, said: “Like all small retail clothing stores, our business depends on credit to operate and that business credit depends on the creditworthiness of us as the owners. So, the Equifax breach of my personal identifiable information puts our entire business at risk should some criminal access our business credit and steal our business’s identity It could ruin our business’s access to credit. The impact of such a criminal act would not just put my creditworthiness at risk, it risks the viability of our company and the job security of our employees. Without credit, we have no merchandise. No merchandise, no customers. No customers, no business. Equifax charges \$99 for a copy of our company’s business credit report. That is ridiculous. Equifax should not be permitted to profit from the mess that they created.”

Michael Chase, co-owner, ChaseLight, a video production company in GA, said: “We decided to file a case against Equifax because Equifax is the gatekeeper of whether we and our business get credit. We don't know how a company like Equifax obtained our personal and business financial information in the first place and we don't know the extent of what information that they have about us. Equifax doesn't disclose the extent of the information that they use to determine our personal and business credit scores. We certainly don't like the idea of criminals knowing more about the information that Equifax has about us than we do. And we hate the fact that we as business owners must pay Equifax to obtain our business credit reports. Consumers don't have to pay and businesses shouldn't either.”

ABOUT THE CLASS-ACTION COMPLAINT

The class-action complaint filed September 20th notes: “... [A]bout 60 percent of small businesses use loans to finance their operations, and use the loan capital for a variety of purposes, ranging from maintaining cash flow and working capital to purchasing equipment and financing real estate purchases. The ability of small businesses to obtain loans and other forms of credit is dependent on the creditworthiness of the business owner.”

For example, the United States Small Business Administration requires all businesses applying for an SBA loan to submit a personal financial statement for the business owner as part of the loan application process.

The plaintiffs named in the complaint include real estate firms, a law firm, and a consulting firm. The class-action lawsuit seeks to recover damages (included time spent monitoring financial accounts for signs of ID theft or other criminal activities) and legal costs.

ABOUT THE DOSS FIRM

The attorneys at The Doss Firm LLC have a combined 45 years of experience in representing individuals and businesses in a variety of matters, including financial fraud litigation, securities arbitration, business and commercial litigation, employment disputes, class action litigation and securities and commodities industry regulatory defense matters. The Doss Firm attorneys have recovered millions of dollars for hundreds of thousands of people. They successfully represented and recovered millions of dollars on behalf of over 750,000 Georgia consumers of natural gas who were overcharged by their natural gas sellers. Jason Doss is a past president of the Public Investors Arbitration Bar Association (PIABA) and has been an adjunct professor of law with the Georgia State University College of Law.

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EDITOR'S NOTE: A streaming audio recording of the news event will be available on the Web as of 5 p.m. EDT on September 26, 2017 at www.smallbusinesssequifaxclass.com.