

## Patricia C. Dunn Summary of Submission

- I was asked by Hewlett-Packard Company (“HP”) directors, upon being appointed Chairman in February 2005, to take purposeful action aimed at identifying the sources of leaks that were seriously undermining the functioning of the Board.
- I was referred by Bob Wayman, Acting CEO at the time and HP CFO, to a senior official in HP’s Global Security unit, Kevin Huska, to discuss the matter. Mr. Huska told me that the results sought by the Board were routinely pursued through security investigations by the Company. Mr. Huska referred me to Ron Delia, who had been on retainer for many years at HP, and suggested that I provide Mr. Delia background on the Board’s concerns.
- In the first phase of the investigation (“Kona 1”), from about March to August 2005, I communicated occasionally with Mr. Delia to provide him context and background that I understood was routinely required in such investigations. I was assured that HP’s normal investigative methods were both legal and compliant with the company’s Standards of Business Conduct. I made sure that the company’s General Counsel was aware of the investigation by June 2005.
- In the second phase of the investigation (“Kona 2”), HP’s Senior Counsel / Director of Standards of Business Conduct and Ethics supervised the investigation. The same investigative resources, including Mr. Delia and Tony Gentilucci, carried out the work on behalf of the company.
- I was aware that phone records were involved in both investigations and was assured they could be obtained legally.
- Both investigations used various investigative methods that were chosen by the investigators, including what I now understand included obtaining telephone records by a method known as “pretexting.”
- “Kona 1” was inconclusive and wound down in the summer of 2005.
- “Kona 2” identified a director who later acknowledged he was responsible for unauthorized disclosures of confidential company information.
- Congress should provide a “bright line” in the law to give companies such as Hewlett-Packard clear guidance for conducting routine investigations as well as to protect individual privacy.
- At the same time, Congress should create sanctioned and legal procedures under which companies may pursue investigations into violations of confidentiality and other breaches that might involve securities violations or possible loss of shareholder value without suffering the risks that HP incurred in the investigations that are the subject of these hearings.