



MULLEN
COUGHLIN^{LLC}
ATTORNEYS AT LAW

426 W. Lancaster Avenue, Suite 200
Devon, PA 19333

April 30, 2024

VIA E-MAIL

Office of the New Hampshire Attorney General
Consumer Protection & Antitrust Bureau
33 Capitol Street
Concord, NH 03301
E-mail: DOJ-CPB@doj.nh.gov

Re: Notice of Data Event

To Whom It May Concern:

We represent Associated Wholesale Grocers (“AWG”), located at 5000 Kansas Avenue, Kansas City, Kansas 66106, and are writing to notify your office of an incident that may affect the security of certain personal information relating to six (6) New Hampshire residents. This notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, AWG does not waive any rights or defenses regarding the applicability of New Hampshire law, the applicability of the New Hampshire data event notification statute, or personal jurisdiction.

Nature of the Data Event

On or about October 6, 2023, AWG became aware that certain systems in its environment were inaccessible. AWG immediately took steps to investigate and contain this activity. As part of its response to this event, AWG retained Mullen Coughlin as privacy counsel. Mullen Coughlin engaged a third-party digital forensic investigation firm on AWG’s behalf to assist with containment and remediation of the incident and to conduct a legally privileged investigation to confirm the nature and scope of the unauthorized activity. Through this investigation, AWG learned that an unknown actor gained access to certain of its systems between October 6, 2023, and October 7, 2023, and accessed or took certain information from those systems. AWG then completed a review of the contents of those files to determine what information was contained therein and to whom it related. Following this review, AWG conducted additional review of its records to confirm the identities and contact information for potentially affected individuals in order to provide notification. This review was recently completed.

The information that could have been subject to unauthorized access includes

Notice to New Hampshire Residents

On or about April 29, 2024, AWG provided written notice of this incident to six (6) New Hampshire residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

Other Steps Taken and To Be Taken

Upon discovering the event, AWG moved quickly to investigate and respond to the incident, assess the security of AWG systems, and identify potentially affected individuals. Further, AWG notified federal law enforcement regarding the event. AWG is providing access to credit monitoring and identity restoration services for _____, through Equifax, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, AWG is providing impacted individuals with guidance on how to better protect against identity theft and fraud, including advising individuals to report any suspected incidents of identity theft or fraud to their credit card company and/or bank. AWG is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state attorney general, and law enforcement to report attempted or actual identity theft and fraud.

AWG is providing written notice of this incident to relevant state regulators, as necessary, and to the three major credit reporting agencies, Equifax, Experian, and TransUnion.

Contact Information

Should you have any questions regarding this notification or other aspects of the data security event, please contact us at _____.

Very truly yours,

Edward J. Finn of
MULLEN COUGHLIN LLC

EJF/jlt
Enclosure

EXHIBIT A



Secure Processing Center
25 Route 111, P.O. Box 1048
Smithtown, NY 11787

<<Date>>

<<Name1>>
<<Name2>>
<<Address 1>>
<<Address 2>>
<<City>>, <<State>> <<Zip>>

Re: Notice of Data Breach

Dear <<Name1>>:

Associated Wholesale Grocers, Inc. (“AWG”) is writing to inform you of a recent event that may impact the privacy of some of your information. Although at this time there is no indication that your information has been used to commit identity theft or fraud in relation to this event, we are providing you with information about the event, our response, and steps you may take to help protect your information, should you feel it necessary to do so.

What Happened? On or around October 6, 2023, we became aware that certain systems within our network were inaccessible. We immediately launched an investigation, with the assistance of cyber incident response specialists, to determine the full nature and scope of the activity and to restore functionality to the impacted systems. The investigation determined there was unauthorized access to AWG’s network between October 6, 2023, and October 7, 2023, and that certain files and folders were viewed or taken without authorization during that time. Upon becoming aware of this information, AWG began a diligent and comprehensive review process to determine what sensitive information was contained within the impacted files, and to identify the individuals whose information may have been impacted. AWG then worked to identify appropriate contact information for the impacted individuals. Although our review is ongoing, we determined that your information may have been impacted, confirmed your address information, and are therefore notifying you of this incident.

What Information Was Involved? The investigation determined the following types of information related to you were present in the impacted systems: your

What We Are Doing. The confidentiality, privacy, and security of information within our care are among AWG’s highest priorities. Upon learning of the incident, we promptly commenced an investigation and response that included confirming the security of our systems, reviewing the contents of relevant data for sensitive information, and investigating to determine the information that may be impacted. We also reported this event to federal law enforcement and government regulators. As part of our ongoing commitment to the privacy of information in our care, we are reviewing our policies, procedures and processes to reduce the likelihood of a similar future event.

As an added precaution, we are also offering you of credit monitoring and identity restoration services at no cost to you through Equifax. Details of the services offered and instructions on how to enroll are enclosed with this letter.

What You Can Do. We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your credit reports for suspicious activity and to detect errors. Please review the enclosed *Steps You Can Take to Help Protect Personal Information* for useful information on what you can do to better protect

against possible misuse of information. You may also enroll in the complimentary credit monitoring services we have provided for you.

For More Information. If you have additional questions, you may call our assistance line at 1-888-841-3590 (toll free), Monday through Friday, 9:00 a.m. to 9:00 p.m. Eastern, excluding U.S. holidays. You may also write to AWG at 5000 Kansas Avenue, Kansas City, KS 66106.

Sincerely,

Associated Wholesale Grocers, Inc.

Steps You Can Take to Help Protect Personal Information

Enroll in Credit Monitoring Services



Enter your Activation Code: <<Activation Code>>
Enrollment Deadline: <<Enrollment Deadline>>

Equifax Credit Watch™ Gold

*Note: You must be over age 18 with a credit file to take advantage of the product

Key Features

- Credit monitoring with email notifications of key changes to your Equifax credit report
- Daily access to your Equifax credit report
- WebScan notifications¹ when your personal information, such as Social Security Number, credit/debit card or bank account numbers are found on fraudulent Internet trading sites
- Automatic fraud alerts², which encourages potential lenders to take extra steps to verify your identity before extending credit, plus blocked inquiry alerts and Equifax credit report lock³
- Identity Restoration to help restore your identity should you become a victim of identity theft, and a dedicated Identity Restoration Specialist to work on your behalf
- Up to \$1,000,000 of identity theft insurance coverage for certain out of pocket expenses resulting from identity theft⁴

Enrollment Instructions

Go

Enter your unique Activation Code of <<Activation Code>> then click “Submit” and follow these 4 steps:

1. **Register:**
Complete the form with your contact information and click “Continue”.
*If you already have a myEquifax account, click the ‘Sign in here’ link under the “Let’s get started” header.
Once you have successfully signed in, you will skip to the Checkout Page in Step 4*
2. **Create Account:**
Enter your email address, create a password, and accept the terms of use.
3. **Verify Identity:**
To enroll in your product, we will ask you to complete our identity verification process.
4. **Checkout:**
Upon successful verification of your identity, you will see the Checkout Page.
Click ‘Sign Me Up’ to finish enrolling.
You’re done!
The confirmation page shows your completed enrollment.
Click “View My Product” to access the product features.

¹WebScan searches for your Social Security Number, up to 5 passport numbers, up to 6 bank account numbers, up to 6 credit/debit card numbers, up to 6 email addresses, and up to 10 medical ID numbers. WebScan searches thousands of Internet sites where consumers’ personal information is suspected of being bought and sold, and regularly adds new sites to the list of those it searches. However, the Internet addresses of these suspected Internet trading sites are not published and frequently change, so there is no guarantee that we are able to locate and search every possible Internet site where consumers’ personal information is at risk of being traded. ²The Automatic Fraud Alert feature is made available to consumers by Equifax Information Services LLC and fulfilled on its behalf by Equifax Consumer Services LLC. ³Locking your Equifax credit report will prevent access to it by certain third parties. Locking your Equifax credit report will not prevent access to your credit report at any other credit reporting agency. Entities that may still have access to your Equifax credit report include: companies like Equifax Global Consumer Solutions, which provide you with access to your credit report or credit score, or monitor your credit report as part of a subscription or similar service; companies that provide you with a copy of your credit report or credit score, upon your request; federal, state and local government agencies and courts in certain circumstances; companies using the information in connection with the underwriting of insurance, or for employment, tenant or background screening purposes; companies that have a current account or relationship with you, and collection agencies acting on behalf of those whom you owe; companies that authenticate a consumer’s identity for purposes other than granting credit, or for investigating or preventing actual or potential fraud; and companies that wish to make pre-approved offers of credit or insurance to you. To opt out of such pre-approved offers, visit www.optoutprescreen.com ⁴The Identity Theft Insurance benefit is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company, under group or blanket policies issued to Equifax, Inc., or its respective affiliates for the benefit of its Members. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

Monitor Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order your free credit report, visit www.annualcreditreport.com or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit file at no cost. An initial fraud alert is a one-year alert that is placed on a consumer’s credit file. Upon seeing a fraud alert display on a consumer’s credit file, a business is required to take steps to verify the consumer’s identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting seven years. Should you wish to place a fraud alert, please contact any one of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a “credit freeze” on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer’s express authorization. The credit freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a credit freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit. Pursuant to federal law, you cannot be charged to place or lift a credit freeze on your credit report. To request a security freeze, you will need to provide the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to five years;
5. Proof of current address, such as a current utility bill or telephone bill;
6. A legible photocopy of a government-issued identification card (state driver’s license or ID card, military identification, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if you are a victim of identity theft.

Should you wish to place a fraud alert or credit freeze, please contact the three major credit reporting bureaus listed below:

Equifax	Experian	TransUnion
https://www.equifax.com/personal/credit-report-services/	https://www.experian.com/help/	https://www.transunion.com/credit-help
1-888-298-0045	1-888-397-3742	1-800-916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

Additional Information

Consumers may further educate themselves regarding identity theft, fraud alerts, credit freezes, and the steps they can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or their state attorney general. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a complaint with them. Consumers can obtain further information on how to file such a complaint by way of the contact information listed above. Consumers have the right to file a police report if they ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, consumers will likely need to provide some proof that they have been

a victim. Instances of known or suspected identity theft should also be reported to law enforcement and state attorney general. This notice has not been delayed by law enforcement.

For District of Columbia residents, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, D.C. 20001; 202-727-3400; and oag.dc.gov.

For Maryland residents, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-576-6300 or 1-888-743-0023; and <https://www.marylandattorneygeneral.gov/>.

For New Mexico residents, consumers have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in their credit file has been used against them, the right to know what is in their credit file, the right to ask for their credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus must correct or delete inaccurate, incomplete, or unverifiable information; consumer reporting agencies may not report outdated negative information; access to consumers' files is limited; consumers must give consent for credit reports to be provided to employers; consumers may limit "prescreened" offers of credit and insurance based on information in their credit report; and consumers may seek damages from violators. Consumers may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active-duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage consumers to review their rights pursuant to the Fair Credit Reporting Act by visiting www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf, or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

For New York residents, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov>.

For North Carolina residents, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and www.ncdoj.gov.

For Rhode Island residents, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; www.riag.ri.gov; and 1-401-274-4400. Under Rhode Island law, individuals have the right to obtain any police report filed in regard to this event. Fees may be required to be paid to the consumer reporting agencies. There are approximately <<RI#>> Rhode Island residents that may be impacted by this event.