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DEC 07 2023

CONSUMER PROTECTION

mwe.com

David Saunders
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December 1, 2023

By Ordinary Mail

New Hampshire Office of the Attorney General
Department of Justice
33 Capitol Street
Concord, NH 03301

Re: Security Incident Notification

Dear Sir or Madame,

I write on behalf of The Hershey Company ("Hershey") with respect to a data security event involving certain personal information of New Hampshire residents. By providing this notice, Hershey does not waive any rights or defenses regarding the applicability of New Hampshire law or personal jurisdiction.

On September 3, 2023, Hershey learned that an unauthorized user had obtained access to certain accounts within Hershey's corporate email environment. That same day, Hershey began investigating the incident with the assistance of a forensic provider. Hershey was able to terminate the unauthorized access on September 4, 2023. Between September 3 and the end of October 2023, Hershey worked to identify and review the potentially impacted information to identify potentially impacted individuals.

On October 25, 2023, Hershey was able to first identify the potentially impacted persons, which included approximately 1 New Hampshire resident. The affected information varied from individual to individual but may have included their

During its investigation, Hershey worked diligently to terminate the unauthorized user's access to Hershey's systems. The forensic provider with whom Hershey worked has confirmed that the unauthorized actor no longer has access to Hershey's email environment. Hershey has taken steps to enhance its data security measures to prevent the occurrence of a similar event in the future, including forced password changes and additional detection safeguards to our corporate email environment.

Hershey will send notification letters to the affected New Hampshire residents on December 1, 2023, via regular U.S. mail. A copy of the template notification letter is enclosed. In addition, Hershey is offering

**McDermott
Will & Emery**

444 West Lake Street Chicago IL 60606-0029 Tel +1 312 372 2000 Fax +1 312 984 7700
US practice conducted through McDermott Will & Emery LLP.

December 1, 2023

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complimentary credit monitoring and identity protection services through Experian to affected individuals for

If you have any questions, please contact me at dsaunders@mwe.com.

Sincerely,

David Saunders

**McDermott
Will & Emery**



Return Mail Processing
PO Box 999
Suwanee, GA 30024

912214 *****SNGLP

SAMPLE A. SAMPLE - Adult_NoSSN

APT ABC

123 ANY ST

ANYTOWN, US 12345-6789



December 1, 2023

Dear Sample A. Sample:

NOTICE OF DATA BREACH

At The Hershey Company ("Hershey"), we are committed to protecting the confidentiality and security of your personal information. We are sending you this letter to let you know that Hershey recently experienced a security incident that may have resulted in unauthorized access to your personal information. We are not aware of any acquisition or misuse of your personal information.

WHAT HAPPENED?

Between September 3 and 4, 2023, an unauthorized user gained access to a limited number of Hershey email accounts. We immediately began investigating this incident with the assistance of a forensic provider. Based on our investigation, which recently concluded, the unauthorized user may have had access to certain personal information of yours. Although we have no evidence that any information was acquired or misused by the unauthorized user, we wanted to notify you of this incident out of an abundance of caution.

WHAT INFORMATION WAS INVOLVED?

The information accessed by the unauthorized user varied from person-to-person, but may have included the following types of information:

WHAT WE ARE DOING

Upon learning of the incident, Hershey worked to block the unauthorized user's access and confirm that the affected Hershey accounts were no longer in use by the unauthorized user. We worked with multiple third parties, including a forensic provider, in investigating the incident. We also have taken steps to enhance our data security measures to prevent the occurrence of a similar event in the future, including forced password changes and additional detection safeguards to our corporate email environment.

Although we have no reason to believe that your information has been misused because of this incident, we would like to offer you a complimentary membership of Experian IdentityWorks. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident, or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at . Be prepared to provide engagement number as proof of eligibility for the Identity Restoration services by Experian.

Please review the sheet enclosed with this letter for information about activating Experian IdentityWorks.

WHAT YOU CAN DO

In addition to enrolling in Experian IdentityWorks, we encourage you to remain vigilant by reviewing your account statements and monitoring your free credit reports for suspicious activity and to detect errors. You can also review the enclosed steps to help protect your personal information.

FOR MORE INFORMATION

If you have additional questions, please contact us toll-free by calling Monday through Friday from 9:00 am to 9:00 pm Eastern (excluding U.S. holidays). Please be prepared to provide engagement number . We regret any inconvenience this incident may cause you.

Sincerely,

The Hershey Company

**ADDITIONAL DETAILS REGARDING YOUR
MEMBERSHIP:**

EXPERIAN IDENTITYWORKS

A credit card is not required for enrollment in Experian IdentityWorks. You can contact Experian immediately regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.*
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance**:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at 888-451-6560. If, after discussing your situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that this Identity Restoration support is available to you for _____ from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration. You will also find self-help tips and information about identity protection at this site.

GENERAL INFORMATION ABOUT IDENTITY THEFT PROTECTION

You should remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

Credit Reports. Under federal law, you are entitled to one free copy of your credit report every 12 months from each of the three nationwide credit reporting agencies. You may obtain a free copy of your credit report by going to www.AnnualCreditReport.com or by calling (877) 322-8228. You also may complete the Annual Credit Report Request Form available from the FTC at www.consumer.ftc.gov/articles/pdf-0093-annual-report-request-form.pdf, and mail it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. **You may contact the nationwide credit reporting agencies at:**

Equifax
P.O. Box 105788
Atlanta, GA 30348
www.equifax.com
(800) 525-6285

Experian
P.O. Box 9554
Allen, TX 75013
www.experian.com
(888) 397-3742

TransUnion
P.O. Box 2000
Chester, PA 19016
www.transunion.com
(800) 680-7289

* Offline members will be eligible to call for additional reports quarterly after enrolling.

** The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

Fraud Alert. You may place a fraud alert in your file by calling one of the three nationwide credit reporting agencies above. A fraud alert tells creditors to follow certain procedures, including contacting you before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit.

Place a Security Freeze on your Credit Report. You also have the right to place a security freeze on your credit report by contacting any of the credit bureaus listed at above. A security freeze is intended to prevent credit, loans and services from being approved in your name without your consent. To place a security freeze on your credit report, you may be able to use an online process, an automated telephone line or a written request. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. You can place a freeze and lift a security freeze on your credit report free of charge.

You may contact the Federal Trade Commission (FTC) and State Attorneys General Offices. If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should contact the FTC and/or your state's attorney general office about for information on how to prevent or avoid identity theft. You can contact the FTC at: **Federal Trade Commission**, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20508, www.ftc.gov, 1-877-IDTHEFT (438-4338).

For District of Columbia Residents: District of Columbia Office of the Attorney General, 400 6th St. NW, Washington, DC 20001, <https://oag.dc.gov>, (202) 727-3400

For Iowa Residents: State law advises you to report any suspected identity theft to law enforcement or to the Iowa Attorney General, Consumer Protection Division, 1305 E. Walnut St., Des Moines, IA 50319, 1-888-777-4590

For Maryland Residents: Maryland Office of the Attorney General, Consumer Protection Division, 200 St. Paul Place, Baltimore, MD 21202, www.oag.state.md.us, 1-888-743-0023

For Massachusetts Residents: You have the right to obtain a police report if you are the victim of identity theft.

For New Mexico Residents: You have certain rights pursuant to the federal Fair Credit Reporting Act (FCRA). For more information about the FCRA, please visit www.ftc.gov

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: North Carolina Office of the Attorney General, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001, www.ncdoj.com, 1-877-566-7226

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, you have the right to obtain any police report filed in regard to this incident. There are 2 Rhode Island residents impacted by this incident.



Return Mail Processing
PO Box 999
Suwanee, GA 30024

7 2 2110 *****AUTO**5-DIGIT 17033

SAMPLE A. SAMPLE - Minor_noSSN

APT ABC



123 ANY ST

ANYTOWN, US 12345-6789



December 1, 2023

Dear Parent or Guardian of Sample A. Sample:

NOTICE OF DATA BREACH

At The Hershey Company (“Hershey”), we are committed to protecting the confidentiality and security of your minor’s personal information. We are sending you this letter to let you know that Hershey recently experienced a security incident that may have resulted in unauthorized access to your minor’s personal information. We are not aware of any acquisition or misuse of your minor’s personal information.

WHAT HAPPENED?

Between September 3 and 4, 2023, an unauthorized user gained access to a limited number of Hershey email accounts. We immediately began investigating this incident with the assistance of a forensic provider. Based on our investigation, which recently concluded, the unauthorized user may have had access to certain personal information of your minor. Although we have no evidence that any information was acquired or misused by the unauthorized user, we wanted to notify you of this incident out of an abundance of caution.

WHAT INFORMATION WAS INVOLVED?

The information accessed by the unauthorized user varied from person-to-person, but may have included the following types of information: first and last name; health and medical information; health insurance information; digital signature; date of birth; address and contact information; driver’s license number; credit card number with passcode or security code; and credentials for online accounts and financial accounts including routing numbers.

WHAT WE ARE DOING

Upon learning of the incident, Hershey worked to block the unauthorized user’s access and confirm that the affected Hershey accounts were no longer in use by the unauthorized user. We worked with multiple third parties, including a forensic provider, in investigating the incident. We also have taken steps to enhance our data security measures to prevent the occurrence of a similar event in the future, including forced password changes and additional detection safeguards to our corporate email environment.

Although we have no reason to believe that your minor's information has been misused because of this incident, we would like to offer you a complimentary 24-month membership of Experian IdentityWorks. This product provides you with superior identity detection and resolution of identity theft. To activate your minor's membership and start monitoring your minor's personal information please follow the steps below:

- Ensure that you **enroll by: March 31, 2024** (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/minorplus>
- Provide your minor's **activation code: ABCDEFGHI**
- Provide your minor's information when prompted

If you have questions about the product, need assistance with Identity Restoration that arose as a result of this incident, or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at 888-451-6560 by March 31, 2024. Be prepared to provide engagement number B110302 as proof of eligibility for the Identity Restoration services by Experian.

Please review the sheet enclosed with this letter for information about activating Experian IdentityWorks.

WHAT YOU CAN DO

In addition to enrolling in Experian IdentityWorks, we encourage you to remain vigilant by reviewing your minor's account statements and monitoring your minor's free credit reports for suspicious activity and to detect errors. You can also review the enclosed steps to help protect your minor's personal information.

FOR MORE INFORMATION

If you have additional questions, please contact us toll-free by calling **888-451-6560** Monday through Friday from 9:00 am to 9:00 pm Eastern (excluding U.S. holidays). Please be prepared to provide engagement number B110302. We regret any inconvenience this incident may cause you.

Sincerely,

The Hershey Company

ADDITIONAL DETAILS REGARDING YOUR MINOR'S 24-MONTH EXPERIAN IDENTITYWORKS MEMBERSHIP:

A credit card is not required for enrollment in Experian IdentityWorks. You can contact Experian immediately regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Social Security Number Trace:** Monitoring to determine whether enrolled minors in your household have an Experian credit report. Alerts of all names, aliases and addresses that become associated with your minor's Social Security Number (SSN) on the Experian credit report.
- **Internet Surveillance:** Technology searches the web, chat rooms & bulletin boards 24/7 to identify trading or selling of your personal information on the Dark Web.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **\$1 Million Identity Theft Insurance**:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you believe there was fraudulent use of your minor's information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at 888-451-6560. If, after discussing your minor's situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your minor's credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your minor's identity to its proper condition).

Please note that this Identity Restoration support is available to you for 24 months from the date of this letter and does not require any action on your minor's part at this time. The Terms and Conditions for this offer are located at www.ExperianIDWorks.com/restoration. You will also find self-help tips and information about identity protection at this site.

GENERAL INFORMATION ABOUT IDENTITY THEFT PROTECTION

You should remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

Credit Reports. Under federal law, you are entitled to one free copy of your credit report every 12 months from each of the three nationwide credit reporting agencies. You may obtain a free copy of your credit report by going to www.AnnualCreditReport.com or by calling (877) 322-8228. You also may complete the Annual Credit Report Request Form available from the FTC at www.consumer.ftc.gov/articles/pdf-0093-annual-report-request-form.pdf, and mail it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. **You may contact the nationwide credit reporting agencies at:**

Equifax
P.O. Box 105788
Atlanta, GA 30348
www.equifax.com
(800) 525-6285

Experian
P.O. Box 9554
Allen, TX 75013
www.experian.com
(888) 397-3742

TransUnion
P.O. Box 2000
Chester, PA 19016
www.transunion.com
(800) 680-7289

**** The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.**

Fraud Alert. You may place a fraud alert in your file by calling one of the three nationwide credit reporting agencies above. A fraud alert tells creditors to follow certain procedures, including contacting you before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit.

Place a Security Freeze on your Credit Report. You also have the right to place a security freeze on your credit report by contacting any of the credit bureaus listed at above. A security freeze is intended to prevent credit, loans and services from being approved in your name without your consent. To place a security freeze on your credit report, you may be able to use an online process, an automated telephone line or a written request. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. You can place a freeze and lift a security freeze on your credit report free of charge.

You may contact the Federal Trade Commission (FTC) and State Attorneys General Offices. If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should contact the FTC and/or your state's attorney general office about for information on how to prevent or avoid identity theft. You can contact the FTC at: **Federal Trade Commission**, Consumer Response Center, 600 Pennsylvania Avenue, NW, Washington, DC 20508, www.ftc.gov, 1-877-IDTHEFT (438-4338).

For District of Columbia Residents: District of Columbia Office of the Attorney General, 400 6th St. NW, Washington, DC 20001, <https://oag.dc.gov>, (202) 727-3400

For Iowa Residents: State law advises you to report any suspected identity theft to law enforcement or to the Iowa Attorney General, Consumer Protection Division, 1305 E. Walnut St., Des Moines, IA 50319, 1-888-777-4590

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For Massachusetts Residents: You have the right to obtain a police report if you are the victim of identity theft.

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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: North Carolina Office of the Attorney General, Consumer Protection Division, 9001 Mail Service Center, Raleigh, NC 27699-9001, www.ncdoj.com, 1-877-566-7226

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