



Nixon Peabody LLP
Exchange Place, 53 State Street
Boston, MA 02109-2835

Jason C. Kravitz
Partner

November 13, 2023

RECEIVED

NOV 14 2023

CONSUMER PROTECTION

Consumer Protection & Antitrust Bureau
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Re: Notice of Data Breach

To Whom It May Concern:

I am writing on behalf of our client, Refresco Beverages US Inc. (the "Company"), located at 8118 Woodland Center Blvd Tampa, FL, 33614, to inform you of our discovery that an unauthorized party gained access to certain personal information of approximately nine (9) current and former Company employees and their dependents who are New Hampshire residents. The personal information may have included

Nature of the incident and Steps Taken

On May 14, 2023, the Company learned that it had experienced a cyber incident involving unauthorized third-party access to portions of its network systems. The Company immediately brought in a highly regarded forensic investigation firm and experienced legal counsel to conduct a comprehensive investigation. The Company also notified the Federal Bureau of Investigation ("FBI") and provided information to assist the FBI with its investigation.

Although, based on its investigation, the Company has no reason to believe that any of the impacted information was misused in any manner, the Company has taken precautionary measures to notify the impacted individuals, offer mitigation services, and further secure its network. These services include two years of free credit monitoring with all three credit bureaus (Experian, Equifax, and TransUnion) through TransUnion.

As explained in further detail in the attached notice letter, we are also making available, through services provided by Cyberscout, proactive fraud assistance, identity theft and fraud resolution services to help and assist with any questions or in the event the impacted individuals become victims of fraud. We are providing representatives available for the next 90 days to ensure communications are made with ease and afford ample opportunity for convenient service.

Notification to New Hampshire Residents

I enclose a copy of the notice that the Company has sent to the individuals who were affected by this incident, which includes instructions on how to utilize the free services provided. This notice was mailed to each impacted individual on or around November 9, 2023 with an additional option for call center support.

Please be assured that the Company takes its obligation to safeguard its employees' privacy seriously and will use rigorous efforts to prevent another improper disclosure of personal information.

Contact Information

Should you have any questions regarding this matter please feel free to contact me.

Sincerely yours,

Jason Kravitz

Enclosure

Refresco Beverages US Inc.
c/o Cyberscout
PO Box 1286
Dearborn, MI 48120-9998



November 9, 2023

Dear [REDACTED]:

We are writing to you with important information about a cybersecurity incident that potentially impacted your personal information, resulting from a criminal cyberattack on the network that supports Refresco's North American business. We first became aware of the breach on May 14, 2023.

What Happened? Late in the day on May 14, 2023, Refresco learned that it had experienced a cyber incident involving unauthorized third-party access to portions of our North American network systems. We immediately brought in a top cybersecurity investigation firm and experienced legal counsel to conduct a comprehensive investigation. While Refresco was largely able to restore full functionality of its North American network and operations within a week, the investigation into what information was potentially compromised took much longer and involved a manual review of a large volume of data by an experienced and industry leading outside vendor.

What Information Was Involved? At this time, based on the outside vendor's review, we believe that some personally identifiable information belonging to certain current or former Refresco employees and certain spouses and/or dependents of Refresco employees may have been impacted in the incident.

The impacted personal information may include the categories listed on Attachment A. **Although we have no evidence that any of your specific personal information was misused in any manner, this notification is being sent as part of the appropriate precautionary measures we are taking to protect your financial security and help alleviate concerns you may have.**

Can I Ask Someone Questions? Representatives are available for 90 days from the date of this letter, to assist you with questions regarding this incident, between the hours of 8:00 am to 8:00 pm Eastern time, Monday through Friday, excluding holidays. Please call the help line at 0 and supply the fraud specialist with your unique code listed below.

What We Are
Doing

Refresco is taking steps to notify you of this breach to ensure transparency and awareness of our findings. In order to help protect your information, we have taken the following steps:

- In response to the incident, Refresco will cover the cost for two years for you to receive credit monitoring with **all three** credit bureaus through Cyberscout, a TransUnion company. Instructions for subscribing are below. If you activate your free subscription, this service includes access to **Triple Bureau Credit Monitoring** services at no charge. Instructions for subscribing are below. These services provide you with alerts for twenty-four months from the date of enrollment when changes occur to any of one of your Experian, Equifax or TransUnion credit files. This notification is sent to you the same day that the change or update takes place with the bureau. In addition, we are providing you with proactive fraud assistance, identity theft and fraud resolution services to help with any questions that you might have or in event that you become a victim of fraud. These services will be provided by Cyberscout through Identity Force, a TransUnion company specializing in fraud assistance and remediation services. In addition, in the event of fraud, the service also provides Identity Theft Insurance for \$1,000,000 in false charges.
- Implemented additional hardware and software security protections and protocols to ensure that your personal information is protected from unauthorized access;
- Notified law enforcement of this incident; and
- Notified the appropriate state regulatory authorities.

What You Can
Do

To help protect your identity, we recommend you take immediate steps to protect yourself from potential harm:

- Refresco is giving you the opportunity to sign-up for 2 years of free credit monitoring with all three credit bureaus (Experian, Equifax and TransUnion). As described above, this service also includes proactive fraud assistance to help with any questions that you might have or in event that you become a victim of fraud. These services will be provided by Cyberscout through Identity Force, a TransUnion company.
- Monitor account statements, Explanation of Benefit forms, and credit bureau reports closely; and
- Contact your state Consumer Protection Agency: www.usa.gov/state-consumer.

If you think that your personal information is being improperly used, you can also contact local law enforcement to file a police report. Finally, you can contact the Federal Trade Commission ("FTC") at 1-877-ID THEFT (877-438-4338) or review the information on identity theft promulgated by the FTC at www.ftc.gov/bcp/edu/microsites/idtheft/.

Maryland residents may also wish to review information provided by the Maryland Attorney General on how to avoid identity theft at <https://www.marylandattorneygeneral.gov/Pages/IdentityTheft/default.aspx>, or by sending an email to idtheft@oag.state.md.us, or calling 410-576-6491.

Rhode Island residents may request additional information by contacting the Rhode Island, Office of the Attorney General, 150 South Main Street, Providence, Rhode Island 02903, (401)274-4400.

North Carolina residents may obtain information about steps you can take to prevent identity theft from the North Carolina Attorney General at <https://ncdoj.gov/protecting-consumers/protecting-your-identity/protect-yourself-from-id-theft/> or at:

North Carolina Attorney General's Office
Consumer Protection Division
9001 Mail Service Center
Raleigh, NC 27699-9001
877-566-7226 (Toll-free within North Carolina)
919-716-6000

How Do I Enroll
in the Free
Credit
Monitoring?

To enroll in Credit Monitoring services at no charge, please log on to <https://secure.identityforce.com/benefit/refresco> and follow the instructions provided. When prompted please provide the following unique code to receive services: [REDACTED] In order for you to receive the monitoring services described above, you must enroll within 90 days from the date of this letter. The enrollment requires an internet connection and e-mail account and may not be available to minors under the age of 18 years of age. **Please note that when signing up for monitoring services, you may be asked to verify personal information for your own protection to confirm your identity**

What Can I Do
on My Own?

Representatives have been retained to help you with any questions or problems you may encounter, including assisting you with obtaining a credit report and placing fraud alerts. If you choose not to use these services, we strongly urge you to do the following:

If you choose to place a fraud alert on your own, you will need to contact one of the three major credit agencies directly at:

Experian (1-888-397-3742)
P.O. Box 4500
Allen, TX 75013
www.experian.com

Equifax (1-800-525-6285)
P.O. Box 740241
Atlanta, GA 30374
www.equifax.com

TransUnion (1-800-680-7289)
P.O. Box 2000
Chester, PA 19016
www.transunion.com

Also, should you wish to obtain a credit report and monitor it on your own:

- **IMMEDIATELY** obtain free copies of your credit report and monitor them upon receipt for any suspicious activity. You can obtain your free copies by going to the following website:



- www.annualcreditreport.com or by calling them toll-free at 1-877-322-8228. (Hearing impaired consumers can access their TDD service at 1-877-730-4204.)
- **Upon receipt of your credit report**, we recommend that you review it carefully for any suspicious activity.
- Be sure to promptly report any suspicious activity to the financial institution or company with which the account is maintained. You also should promptly report any fraudulent activity or any suspected incidence of identity theft to proper law enforcement authorities, your state attorney general, and/or the Federal Trade Commission (FTC).

At Refresco, we take our responsibilities to protect your personal information very seriously. We are deeply disturbed by this situation and apologize for any inconvenience.

Sincerely,

North American Refresco Operating Board

Brad Goist
Chief Operating Officer

Shane Perkey
Chief Financial Officer

Jon Biller
Chief Commercial Officer

Ridha Boussetta
Vice President, Procurement

Lisa Eilers
Vice President, Human Resources

Phil Phillips
Vice President, Operation

ATTACHMENT A

The impacted personal information may include:

Note that not all of the above categories of information were included for each of the impacted individuals.



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