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**TIMOTHY BLANK**

SENT VIA ELECTRONIC MAIL

September 11, 2023

New Hampshire Office of the Attorney General  
Office of Consumer Protection  
Email: DOJ-CPB@doj.nh.gov

**CONFIDENTIAL TREATMENT/FOIA EXEMPTION REQUESTED**

Dear Sir/Madam:

We write on behalf of our client B&G Foods, Inc. (“B&G”) to notify you that B&G recently identified an intrusion on certain of its systems by an unauthorized third party that occurred between January 23, 2023 and February 7, 2023. B&G took immediate action to review this incident and secure its systems. B&G determined, on February 12, 2023, that certain employee data files containing personal information were accessible to the unauthorized third party. B&G required additional time to decrypt its systems and identify the affected individuals and information; while this review was ongoing, B&G took proactive steps to inform all current employees, on March 5, 2023, that their personal information had likely been affected and to offer [redacted] of free credit monitoring. Following a review of the decrypted files, B&G has determined that some of the files contained personal information for 3 residents of New Hampshire.

After becoming aware of the incident, B&G undertook a review, working with third party experts to determine the nature and scope of the unauthorized access, and notified law enforcement. After the review, B&G implemented additional security measures to help further protect against this type of incident going forward, including hiring new IT staff, implementing MFA, and upgrading software and physical systems.

B&G is taking action to provide assistance to potentially affected individuals. B&G will notify affected individuals by mail on or about September 11, 2023, and will provide [redacted] of identity theft monitoring services from Experian IdentityWorks. B&G has also provided information about steps that individuals can take to protect themselves, such as regularly monitoring financial statements and credit reports. A template copy of the notification letter B&G has sent to affected New Hampshire residents is attached to this notice as Appendix A.

Thank you for your attention to this matter.

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Sincerely,

*/s/Timothy C. Blank*  
Timothy C. Blank  
Timothy.Blank@Dechert.com

cc: Bailey E. Dervishi, Esq.  
Bailey.Dervishi@Dechert.com

**APPENDIX A**



Return Mail Processing  
PO Box 999  
Suwanee, GA 30024

6 1 918 \*\*\*\*\*SNGLP

SAMPLE A. SAMPLE - L02

APT ABC



123 ANY ST

ANYTOWN, US 12345-6789



September 11, 2023

**Notice of Data Breach**

Dear Sample A. Sample:

We write to notify you of a recent data breach that may involve some of your personal information and to make you aware of services from Experian that B&G Foods is making available to you to help protect your personal information. Please review this letter carefully.

**What Happened?**

On Sunday, February 5, 2023, B&G Foods became aware that we experienced an intrusion on certain of our systems by an unauthorized third party that was conducting indiscriminate cyber-attacks on businesses world-wide. We took immediate action to review this incident and secure our systems with minimal disruption to our business operations. During the course of our review, we subsequently learned that certain files containing employee records were accessed by the unauthorized third party. We worked together with outside cybersecurity experts to perform an assessment of these employee records and determined on February 12, 2023 that some of the records contained certain personal information. Our review to date indicates that the unauthorized access to files containing personal information may have begun on January 23, 2023 and was terminated on February 7, 2023.

**What Information Was Involved?**

From our review of the affected files, we have determined that the personal information affected included some or all of the following items pertaining to you:

. We are sending this notice to you as a precaution and to encourage you to take steps to monitor your personal information.

**What We Are Doing**

B&G Foods greatly values your privacy and deeply regrets that this incident occurred. After becoming aware of the incident, B&G Foods undertook a review, working together with third-party experts to determine the nature and scope of the attack and ensure it was contained. We have also been in contact with several law enforcement agencies.

After we shut down the unauthorized access, we implemented additional security measures designed to prevent a recurrence of such an attack and to protect the privacy of B&G Foods' valued employees and former employees.

As an added precaution we are offering complimentary access to Experian IdentityWorks<sup>SM</sup> for , at no cost to you.

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To activate your membership and start monitoring your personal information, please follow the steps below:

- Ensure that you **enroll by** \_\_\_\_\_ (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll:
- Provide your **activation code:** \_\_\_\_\_

Additional details of the Experian IdentityWorks<sup>SM</sup> service are provided in the attached “Additional Resources.”

### **What You Can Do**

As always, we recommend that you remain vigilant for incidents of fraud and identity theft, including by regularly viewing your account statements and monitoring your free credit reports. For more information on how you can help protect yourself, please review the enclosed “Additional Resources.”

### **For More Information**

If you have further questions or concerns, or would like an alternative to enrolling online, please call \_\_\_\_\_ 9 toll-free Monday through Friday from 9 am – 11 pm ET, or Saturday and Sunday from 11 am – 8 pm ET (excluding major U.S. holidays). Please be prepared to provide engagement number \_\_\_\_\_.

Please rest assured that we take information security very seriously at B&G Foods. We regret any concern or inconvenience this incident may cause you. We sincerely appreciate your understanding and cooperation as we work towards an expeditious resolution to this incident.

Sincerely,

Scott E. Lerner  
Executive Vice President, General Counsel,  
Secretary and Chief Compliance Officer

## ADDITIONAL RESOURCES

### Additional Details Regarding Your

### 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:

- **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, Equifax and Transunion files for indicators of fraud.
- **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 information as a result of this incident and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent. 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 from the date of the incident (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 Identity Restoration 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](http://www.ExperianIDWorks.com/restoration).

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 \_\_\_\_\_ 9 by \_\_\_\_\_. Be prepared to provide engagement number \_\_\_\_\_ as proof of eligibility for the Identity Restoration services by Experian.

### Monitor Your Accounts

We recommend that you regularly review statements from your accounts and periodically obtain your credit report from one or more of the national credit reporting companies. You may obtain a free copy of your credit report online at [www.annualcreditreport.com](http://www.annualcreditreport.com), by calling toll-free 1-877-322-8228, or by mailing an Annual Credit Report Request Form (available at [www.annualcreditreport.com](http://www.annualcreditreport.com)) to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281. You may also purchase a copy of your credit report by contacting one or more of the three national credit reporting agencies listed below.

- **Equifax®** -- P.O. Box 740241, Atlanta, GA 30374-0241 – 1-800-685-1111 – [www.equifax.com](http://www.equifax.com)
- **Experian** -- P.O. Box 9701, Allen, TX 75013-9701 – 1-888-397-3742 – [www.experian.com](http://www.experian.com)
- **TransUnion** – P.O. Box 1000, Chester, PA 19016-1000 – 1-800-888-4213 – [www.transunion.com](http://www.transunion.com)

When you receive your credit reports, review them carefully. Look for accounts or creditor inquiries that you did not initiate or do not recognize. Look for information, such as home address and Social Security number that is not accurate. If you see anything you do not understand, call the credit reporting agency at the telephone number on the report.

### Credit Freeze

You have the right to put a security freeze, also known as a credit freeze, on your credit file, so that no new credit can be opened in your name without the use of a Personal Identification Number (PIN) that is issued to you when you initiate a freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to access your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. Pursuant to federal law, you cannot be charged to place or lift a credit freeze on your credit report. Should you wish to place a credit freeze, please contact all three major consumer reporting agencies listed below.

\* 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.

- **Equifax®** – P.O. Box 105788, Atlanta, GA 30348-5788 – 1-800-685-1111 – [www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)
- **Experian** – P.O. Box 9554, Allen, TX 75013-9554 – 1-888-397-3742 – [www.experian.com/freeze/center.html](http://www.experian.com/freeze/center.html)
- **TransUnion** – P.O. Box 2000, Chester, PA 19016-2000 – 1-800-909-8872 – [www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

You must separately place a credit freeze on your credit file at each credit reporting agency. The following information should be included when requesting a credit freeze:

- 1) Full name, with middle initial and any suffixes;
- 2) Social Security number;
- 3) Date of birth (month, day, and year);
- 4) Current address and previous addresses for the past five (5) years;
- 5) Proof of current address, such as a current utility bill or telephone bill;
- 6) Other personal information as required by the applicable credit reporting agency.

If you request a credit freeze online or by phone, then the credit reporting agencies have one (1) business day after receiving your request to place a credit freeze on your credit file report. If you request a lift of the credit freeze online or by phone, then the credit reporting agency must lift the freeze within one (1) hour. If you request a credit freeze or lift of a credit freeze by mail, then the credit agency must place or lift the credit freeze no later than three (3) business days after getting your request.

### **Fraud Alerts**

You also have the right to place an initial or extended fraud alert on your file at no cost. An initial fraud alert lasts 1-year and 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 7 years. Should you wish to place a fraud alert, please contact any one of the agencies listed below. The agency you contact will then contact the other two credit agencies.

- **Equifax®** – P.O. Box 105788, Atlanta, GA 30348-5788 – 1-888-766-0008 – [www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)
- **Experian** – P.O. Box 9554, Allen, TX 75013-9554 – 1-888-397-3742 – [www.experian.com/fraud/center.html](http://www.experian.com/fraud/center.html)
- **TransUnion** – P.O. Box 2000, Chester, PA 19016-2000 – 1-800-909-8872 – [www.transunion.com/fraud-victim-resource/place-fraud-alert](http://www.transunion.com/fraud-victim-resource/place-fraud-alert)

### **Additional Information**

You can further educate yourself regarding identity theft and the steps you can take to protect yourself, by contacting your state Attorney General or the Federal Trade Commission. Instances of known or suspected identity theft should be reported to law enforcement, your Attorney General, and the FTC.

- **The Federal Trade Commission** – 600 Pennsylvania Avenue, NW, Washington, DC 20580 – 1-877-438-4338 – TTY 1-866-653-4261 – [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)

**Maryland Residents:** You can obtain information from the Maryland Attorney General about steps you can take to avoid identity theft: 200 St. Paul Place, 25th Floor, Baltimore, MD 21202 – 1-888-743-0023 – [marylandattorneygeneral.com](http://marylandattorneygeneral.com).

**Massachusetts Residents:** Under Massachusetts law, you have the right to obtain any police report filed in regard to this incident. If you are the victim of identity theft, you also have the right to file a police report and obtain a copy of it. Under Massachusetts law, you may also place, lift, or remove a security freeze on your credit reports, free of charge. You must place your request for a freeze with each of the three major consumer reporting agencies as detailed above.

**New York Residents:** You can obtain additional information regarding security breach response and identity theft prevention and protection from the New York Department of State Division of Consumer Protection (1-800-697-1220; <https://dos.nysits.acsifactory.com/consumer-protection>) and the New York State Attorney General (1-800-771-7755; <http://www.ag.ny.gov/home.html>)

**North Carolina Residents:** You can obtain additional information about preventing identity theft from the North Carolina Attorney General: 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 - [www.ncdoj.gov](http://www.ncdoj.gov)