

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hkllaw.com

Kaylee A. Cox
202-469-5185
kaylee.cox@hkllaw.com

October 13, 2016

Attorney General Joseph Foster
NH Department of Justice
Office of the Attorney General
33 Capitol Street
Concord, NH 03301

Dear Attorney General Foster:

Pursuant to New Hampshire Statute, section 359-C:20, we are writing to notify you of a potential unauthorized acquisition of personal information involving one (1) New Hampshire resident.

On or around September 29, 2016, Big Y Foods, Inc. (“Big Y”) discovered, and immediately removed, “skimmers” on five (5) single-payment terminals, located in five (5) of its seventy-five (75) stores. The five (5) impacted stores are located in Avon, Connecticut; Wilbraham, Massachusetts; Rocky Hill, Connecticut; Northampton, Massachusetts; and Springfield, Massachusetts (at their Cooley Street location).

The Company believes that these five (5) skimmers were placed at Big Y food service/pizza registers at various dates and times between September 27, 2016 and October 1, 2016. Specifically, the Company believes these skimmers were placed on impacted food service/pizza registers at the following stores during the below identified time periods:

Store 66 at 300 Cooley Street, Springfield, MA 02118	Between <i>approximately</i> Wednesday, September 28, 2016 at 1:00 p.m. and Thursday, September 29, 2016 at 8:20 p.m.
Store 53 at 255 West Main Street, Avon, CT 06001	Between <i>approximately</i> Wednesday, September 28 at 4:30 p.m. and Friday, September 30, 2016 at 10:05 a.m.
Store 86 at 2035 Boston Rd, Wilbraham, MA 01095	Between <i>approximately</i> Wednesday, September 28, 2016 at 1:35 p.m. and Friday, September 30, 2016 at 11:45 p.m.
Store 44 at 1040 Elm St, Rocky Hill, CT 06067	Between <i>approximately</i> Tuesday, September 27, 2016 at 8:15 p.m. and Friday, September 30, 2016 at 5:45 p.m.
Store 07 at 136 North King Street, Northampton, MA 01060	Between <i>approximately</i> Saturday, October 1, 2016 at 4:50 p.m. and Saturday, October 1, 2016 at 9:40 p.m.

Attorney General Joseph Foster

October 13, 2016

Page 2 of 2

The information that may have been compromised during this incident includes customers' names and credit card information (credit card number, expiration date, and CVV code) as well as the 4-digit PIN if the customer entered a PIN during their transaction (e.g., for a debit card transaction or to receive cash back when using a credit card).

Big Y is notifying customers whose card was used at one of the five (5) impacted payment terminals during the above-identified time window. At this time, Big Y has no evidence that any customer data was compromised or misused as a result of this incident. However, despite the absence of evidence that any card information was acquired by an unauthorized party, Big Y is notifying all *potentially* affected individuals as a precautionary measure and to allow the customers to take steps to protect their information and accounts.

Big Y has determined that there is one (1) New Hampshire resident whose card was used at an impacted food service/pizza payment terminal during the identified time period. Big Y is offering identity protection services for a period of two (2) years, at no cost, to all affected individuals. Attached please find a copy of the notification letter that will be mailed to the affected resident on or around October 13, 2016. Further, Big Y issued a press release and is providing information on its website so that any customer who feels that they may have been impacted by this incident can contact Big Y for additional information and assistance.

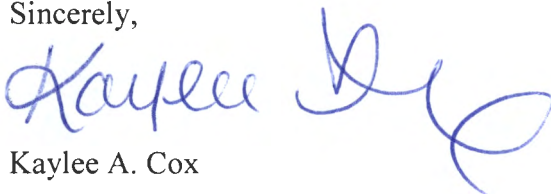
Immediately upon learning of this incident, Big Y proactively notified federal law enforcement and launched its own comprehensive investigation into the matter, with the assistance of a leading third-party forensics expert and outside legal counsel. The Company's investigation, including a forensic investigation, into this matter is ongoing. Big Y also continues to work with law enforcement in their investigation of this matter. Big Y continues to monitor every Big Y store and payment terminal for the presence of skimmers.

Below is the contact information for Michael S. Gold, Vice President - Legal Affairs & Government Relations, at Big Y:

Michael S. Gold
Vice President - Legal Affairs & Government Relations
Big Y Foods, Inc.
(413) 504-4230
gold@bigy.com

Should you have any questions about this matter, please do not hesitate to contact me directly, by phone or email. Thank you for your attention to this matter.

Sincerely,



Kaylee A. Cox

STATE OF NH
DEPT OF JUSTICE

2016 OCT 14 AM 10:15