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Consumer Protection Bureau
 Office of the Attorney General
 33 Capitol Street
 Concord, NH 03301
DOJ-CPB@doj.nh.gov
Via U.S. Mail and email

January 28, 2021

RE: Case Farms – Notice of Data Breach

To Whom It May Concern:

Please be advised that the undersigned represents Case Farms Processing, Inc., Case Foods, Inc., and Case Farms, LLC (together, “Case Farms”). On December 6, 2020, Case Farms was the victim of a cyberattack in which hackers breached portions of its network, encrypted the data, and prevented access to that data (the “Incident”). Case Farms learned of the Incident that same day, and immediately took steps to contain the Incident, secure its network, and protect any PI involved. Some of those steps included:

- Identifying the malware variant used and preventing its spread throughout the company’s network.
- Securing the portions of the company’s network not accessed or encrypted by the hackers and migrating that data to a new network.
- Alerting law enforcement.
- Engaging cybersecurity professionals to help the company contain and resolve the breach.
- Engaging cybersecurity attorneys to advise the company of its legal and ethical obligations

Case Farms secured its network and resolved the Incident quickly. To Case Farms’ knowledge, the Incident was contained, and no PI was disclosed beyond the control of the hackers, sold, or otherwise distributed or made public.

Case Farms recently concluded its forensic evaluation and determined that the data involved may have included PI used by the company in the ordinary course of business, such as:

- First and last names
- Social security numbers
- Driver’s license or other state or federal identification numbers

Case Farms is confident that no bank account or financial information was involved in the Incident.

Case Farms has determined that 1 New Hampshire resident may have been affected by the Incident and will be notified in writing pursuant to New Hampshire state law and information security best practices. The notice

contains all relevant information concerning the Incident, information on how to enroll in free identity theft protection, as well as supplemental information concerning how affected persons may best protect themselves against identity theft and fraud. A sample of the notice is attached as Exhibit A. Case Farms, through its contractor, IDX, sent the notice on January 28, 2021.

If you have any questions regarding the Incident, this notice, or the notice attached hereto, please contact me by phone or email.

Best Regards,
ICKES \ HOLT



Joel A. Holt, Esq./CIPP-US
holt@ickesholt.com

CASE FARMS
C/O IDX
P.O. Box 1907
Suwanee, GA 30024

To Enroll, Please Call:
1-833-726-0928
Or Visit:
<https://response.idx.us/casefarms>
Enrollment Code: <<XXXXXXXXXX>>

<<First Name>> <<Last Name>>
<<Address>> <<Address 2>>
<<City>>, <<State>> <<Zip Code>>

January 28, 2021

NOTICE OF DATA BREACH

Dear <<First Name>> <<Last Name>>:

Case Farms Processing, Inc., Case Foods, Inc., and Case Farms, LLC (together, “Case Farms”) is writing to notify you that it recently experienced a data security incident that may involve your personal information (“PI”).

What Happened? On December 6, 2020, Case Farms was the victim of a cyberattack in which hackers breached portions of its network, encrypted the data, and prevented access to that data (the “Incident”). While Case Farms is confident that the breach was contained and that your PI was not disclosed, as a precaution, the company is notifying you of the Incident and providing you with information you need to help protect your PI.

What Information Was Involved? After conducting a forensic evaluation of the data involved in the Incident, Case Farms determined that the data may have included PI maintained by the company in the ordinary course of business, such as: (1) first and last names; (2) social security numbers; (3) driver’s license or other state or federal identification numbers. However, Case Farms is confident that no bank account information was involved in the Incident.

TO CASE FARMS’ KNOWLEDGE, NO PI WAS DISCLOSED BEYOND THE CONTROL OF THE HACKERS, SOLD, OR OTHERWISE DISTRIBUTED OR MADE PUBLIC.

The Incident may have involved the PI of minor dependents. If you have/had minor dependents and believe that Case Farms maintained their PI for benefits purposes, you should provide them with a copy of this notice if they are no longer minors or otherwise in your care.

What We Are Doing: The Incident occurred on the evening of Sunday, December 6, 2020, at which time Case Farms learned of the Incident. Case Farms immediately took steps to contain the Incident, secure its network, and protect any PI involved. Some of those steps included:

- Identifying the malware variant used and preventing its spread throughout the company’s network.
- Securing the portions of the company’s network not accessed or encrypted by the hackers and migrating that data to a new network.
- Alerting law enforcement. This notice was not delayed as a result of a law enforcement investigation.
- Engaging cybersecurity professionals to help the company contain and resolve the breach.
- Engaging cybersecurity attorneys to advise the company of its legal and ethical obligations.

Immediately upon discovering the Incident, Case Farms took decisive action and was on the path to resolving the Incident. Through extraordinary diligence and effort, Case Farms quickly secured its network and resolved the Incident.

Case Farms values you and your PI. The company has already implemented additional security measures designed to prevent security incidents in the future, and to help protect the PI of its valued employees, growers, and vendors. Case Farms has upgraded its network infrastructure and strengthened its security software. Case Farms plans to review, modify, and implement as needed, enhanced cybersecurity policies and protocols. The company will continue to work with law enforcement.

Additionally, Case Farms is offering identity theft protection services through IDX. IDX identity protection services include: 12 months of credit and CyberScan monitoring, a \$1,000,000 insurance reimbursement policy, and fully managed ID theft recovery services. With this protection, IDX will help you resolve issues if your identity is compromised.

What You Can Do: As a precaution, Case Farms advises you to take action to help protect your PI.

- Review the attached *Protect Your Personal Information*, for steps you can take to protect your PI. State Attorneys General, the Federal Trade Commission, and all 3 credit reporting agencies have websites with helpful information, including how to obtain fraud alerts and security freezes.
- Change your login credentials for your personal accounts. You can easily change passwords and PINS. You may also be able to change your login ID / login email, which the company recommends if possible.
- If you believe your PI has been subject to fraud or identity theft, please contact Case Farms or its representatives immediately via the call line or the website indicated in this notice.
- Go to <https://response.idx.us/casefarms> follow the instructions for enrollment using the Enrollment Code provided at the top of this notice. Please note the deadline to enroll is April 30, 2021.
- Activate the credit monitoring provided as part of your IDX identity protection services. Credit monitoring must be activated to be effective. Note: You must have established credit and access to a computer and the Internet to use this service. If you need assistance, IDX will be able to assist you.

For More Information: Case Farms has established a dedicated toll-free call line (1-833-726-0928) to answer questions and provide more information concerning the Incident. The call line is available Monday – Friday, 9AM – 9PM EST. You can also find more information at: <https://response.idx.us/casefarms>.

Case Farms regrets that the Incident occurred, and sincerely apologizes for any inconvenience caused.

Sincerely,

Case Farms
385 Pilch Road
Troutman, NC 28166
P.O. Box 729

**EXHIBIT
A**

PROTECT YOUR PERSONAL INFORMATION

The following are steps that you can take to protect your personal information. Depending on your situation, specifically whether you have been a victim of identity theft or believe you may be a victim of identity theft, the Company advises that you do some or all of the following:

Review Your Financial Accounts and Report Suspicious or Fraudulent Activity

The Company recommends that you remain vigilant by regularly reviewing your financial accounts (*i.e.* bank and credit card). If you detect any suspicious or fraudulent activity on an account, you should promptly notify 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, the Social Security Administration, and/or the Federal Trade Commission (“FTC”).

To file a complaint with the FTC, go to www.ftc.gov/idtheft or call 1-877-ID-THEFT (877-438-4338). Complaints filed with the FTC will be added to the FTC’s Identity Theft Data Clearinghouse, which is a database made available to law enforcement agencies.

Monitor Free Credit Reports

The Company recommends that you obtain a free credit report and regularly monitor your credit score via a free credit monitoring service, such as Credit Karma.

You may obtain a free copy of your credit report from each of the three major credit reporting agencies once every 12 months by: (1) filling out the online request form available at: <http://www.annualcreditreport.com>; or (2) completing an *Annual Credit Report Request Form* and mailing it to Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA 30348-5281. You can print a copy of the request form at <https://www.annualcreditreport.com/gettingReports.action> under the heading “How do I request my free annual credit report?”

You can purchase a copy of your credit report at any time by contacting one of the three national credit reporting agencies using the following information:

Equifax

(800) 685-1111
www.equifax.com
P.O. Box 740241
Atlanta, GA 30374

Experian

(888) 397-3742
www.experian.com
535 Anton Blvd., Suite 100
Costa Mesa, CA 92626

TransUnion

(800) 916-8800
www.transunion.com
P.O. Box 6790
Fullerton, CA 92834

You can also sign up for a free credit score monitoring service, such as Credit Karma (www.creditkarma.com). These services permit you to check your credit score, monitor and review changes to your credit score, and obtain free basic credit reports as reported by the three major credit reporting agencies. Be advised that these services often have advertisements and special offers for financial products, such as credit cards and loans (auto, home, personal). **You are not required to accept any of these offers** and should adequately research prior to agreeing to any of the financial products offered.

Place a Fraud Alert with the Credit Reporting Agencies

The Company recommends that you place a fraud alert with the three national credit reporting agencies identified above. You can do this by placing a fraud alert with one of the agencies, and that agency will notify the other two agencies to do the same. You can begin at: <https://www.equifax.com/personal/credit-report-services/credit-fraud-alerts/>, by calling (888)-836-6351, or by downloading, completing, and mailing the *Alert Request Form*, available at the listed Equifax website.

Request a Security Freeze with the Credit Reporting Agencies

You are legally permitted to place a “security freeze” on your credit report, or on behalf of a minor child or incapacitated adult. A security freeze generally prevents third parties from accessing your credit report to open new

credit accounts. You can place, temporarily lift, and permanently remove security freezes for free. You will need to contact each credit reporting agency directly and separately:

- Equifax: <https://www.equifax.com/personal/credit-report-services/credit-freeze/>
- Experian: www.experian.com/freeze/center.html
- TransUnion: www.transunion.com/credit-freeze

The above websites should have all the information you need to place a security freeze, including forms if you wish to, or are required to, place the security freeze by mail. If you need assistance, support and customer service representatives are available on the websites, or if necessary, you can call the telephone number for the agencies listed in the *Monitor Free Credit Reports* section.

Learn About Identity Theft

You can learn about identity theft and file complaints at the following:

- **Federal Trade Commission**, 600 Pennsylvania Avenue, NW, Washington, DC 20580 (www.ftc.gov/idtheft), 1-877-ID-THEFT
- **Maryland Attorney General**, 200 St. Paul Place, 25th Floor, Baltimore, MD 21202 (www.marylandattorneygeneral.gov) 1-888-743-0023, E-mail: idtheft@oag.state.md.us
- **New York Attorney General**, Office of the Attorney General, The Capitol, Albany, NY 12224-0341 (<https://ag.ny.gov/>) 1-800-771-7755
- **North Carolina Attorney General**, Office of the Attorney General of North Carolina, 9001 Mail Service Center Raleigh, NC 27699-9001 (www.ncdoj.gov), 1-919-716-6400.
- **California Dept. of Justice**, Privacy Unit (www.oag.ca.gov/privacy) (800) 952-5225
- **Colorado Attorney General**, Office of the Attorney General, Ralph L. Carr Judicial Building, 1300 Broadway, 10th Floor, Denver, CO 80203 (<https://coag.gov>), 720-508-6000
- **New Hampshire Attorney General**, Consumer Protection Bureau, 33 Capitol Street, Concord, NH 03301 (www.doj.nh.gov), 1-888-468-4454
- **Illinois Attorney General**, Chicago Main Office, 100 West Randolph Street, Chicago, IL 60601 (<https://illinoisattorneygeneral.gov/consumers/hotline.html>), 1-800-964-3013
- **Kansas Attorney General**, 120 SW 10th Ave., 2nd Floor, Topeka, KS 66612 (<https://ag.ks.gov>), 1-800-432-2310
- **Attorney General of Texas**, Office of the Attorney General, PO Box 12548, Austin, TX 78711-2548 (<https://www.texasattorneygeneral.gov>), 1-800-621-0508
- **Tennessee Attorney General**, Office of the Attorney General, P.O. Box 20207, Nashville, TN 37202-0207 (<https://www.tn.gov/attorneygeneral.html>), (615) 741-4737, (800) 342-8385 (inside Tennessee)
- **South Carolina Attorney General**, The Honorable Alan Wilson, P.O. Box 11549, Columbia, S.C. 29211 (www.scag.gov), 1-803-734-3970
- **Montana Dept. of Justice**, Office of Consumer Protection, P. O. Box 200151, Helena, MT 59620-0151 (<https://dojmt.gov/consumer>), 800-481-6896
- **Minnesota Attorney General**, 445 Minnesota Street, Suite 1400, St. Paul, MN 55101 (www.ag.state.mn.us), (800) 657-3787 (Outside Twin Cities), (800) 627-3529 (Minnesota Relay)
- **North Dakota Attorney General**, 600 E. Boulevard Ave Dept. 125, Bismarck ND 58505 (<https://attorneygeneral.nd.gov>), 1-800-472-2600 (within ND only), (701) 328-2210
- **Nebraska Attorney General**, 2115 State Capitol, Lincoln, NE 68509 (<https://ago.nebraska.gov>), (402) 471-2683
- **Nevada Attorney General**, Office of the Attorney General, 100 North Carson Street, Carson City, NV 89701 (<https://ag.nv.gov>), 775-400-0340
- **Florida Attorney General**, PL-01 The Capitol, Tallahassee, FL 32399-1050 (www.myfloridalegal.com), 1-866-966-7226