

# KING & SPALDING

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RECEIVED  
MAY 30 2017  
CONSUMER PROTECTION

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May 24, 2017

**VIA U.S. MAIL**

Attorney General Joseph Foster  
Office of the Attorney General  
State of New Hampshire  
33 Capitol Street  
Concord, New Hampshire 03301

**Re: Data Security Incident**

Dear Attorney General Foster:

I write on behalf of Char-Broil, LLC ("Char-Broil") regarding a data security incident involving personal information of approximately 113 New Hampshire residents. Char-Broil takes the protection and proper use of customer and payment card information very seriously and is addressing this issue.

On April 21, 2017, Char-Broil discovered that an unauthorized third party uploaded malicious computer code to the system that hosts Charbroil.com. Upon discovering this attack, Char-Broil took immediate action to protect customer information. Char-Broil removed the code, notified the FBI Cybersquad of the criminal activity, and engaged leading forensic experts to assist the company in investigating the security incident. Based on the investigation, Char-Broil believes that the code was present when customers made purchases via the online store during approximately March 22, 2017 and April 21, 2017, and that the code may have been used to obtain customer payment card transaction information for a limited number of transactions during that time. The information potentially impacted includes information provided when making a payment card purchase on Charbroil.com during the time frame above, including name, billing address, phone number, payment card number, expiration date, and CVV2 code.

Upon learning of the incident, Char-Broil immediately took steps to remove the code, understand what occurred, how it may have impacted online customer purchases, and enhance security measures. In addition to reporting the incident to law enforcement, Char-Broil also is working closely with the payment card network concerning the cards that may have been impacted, and is continuing to take steps to strengthen the security of its e-commerce website.

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In addition, Char-Broil partnered with Equifax to provide a credit monitoring and identity theft protection product at no cost for one year to the potentially affected customers. Char-Broil has also created a dedicated phone line to answer questions and provide information to those customers potentially affected.

Beginning on May 9, 2017, Char-Broil sent notifications to the New Hampshire residents to explain the incident and identify steps that they may take to protect against potential misuse of their information. An unaddressed copy of this notification is enclosed for your reference. This notification includes information on the above mentioned identity theft protection product Char-Broil is offering to those affected by this incident.

Please do not hesitate to contact me if you have any questions regarding this notification.

Sincerely,

A handwritten signature in black ink, appearing to read "Phyllis B. Sumner", with a horizontal line extending to the right.

Phyllis B. Sumner

Enclosures



Return Mail Processing Center  
PO Box 6336  
Portland, OR 97228-6336

<<Mail ID>>  
<<Name>>  
<<Address1>>  
<<Address2>>  
<<City>>, <<ST>> <<ZIP>>

<<Date>>

## NOTICE OF DATA BREACH

Dear <<Name>>:

Char-Broil has a long-standing history of providing high-quality products and support to backyard grillers across the country. As part of our ongoing customer commitment, we take the protection and proper use of customer and payment card information very seriously. We are writing to inform you of a data security incident that may have exposed some of your personal information, including payment card information, in connection with recent purchases from the Char-Broil online store. This letter explains the incident and the steps Char-Broil has undertaken to address it. In addition, we provide guidance below on what you can do to protect yourself.

### **I. What Happened**

On April 21, 2017, we discovered that an unauthorized third party uploaded malicious computer code to the system that hosts Charbroil.com. Upon discovering this attack, we took immediate action to protect customer information. We removed the code, notified law enforcement of the criminal activity, and engaged leading forensic experts to assist our company in investigating the security incident. Based on the investigation, we believe that the code was present when customers made purchases via the online store during approximately March 22, 2017 and April 21, 2017, and that the code may have been used to obtain customer payment card transaction information for a limited number of transactions during that time. You are receiving this notice because our records indicate that you made a payment card purchase during that time.

### **II. What Information Was Involved**

The information potentially impacted includes information provided when making a payment card purchase on Charbroil.com during the time frame above, including your name, billing address, phone number, payment card number, expiration date, and CVV2 code.

### **III. What We Are Doing**

Upon learning of the incident, Char-Broil immediately took steps to remove the code, understand what occurred, how it may have impacted our online customer purchases, and enhance our security measures. In addition to reporting the incident to law enforcement, Char-Broil also is working closely with the payment card network concerning the cards that may have been impacted.

It is also very important to us that we help you take steps to protect against the potential misuse of your information.

We have partnered with Equifax to provide a credit monitoring and identity theft protection product at no cost to you for one year. This product is explained further in the materials provided by Equifax and enclosed with this letter. We hope you will take advantage of this product. To do so, please follow the instructions in the enclosed materials. You must complete the enrollment process by August 31, 2017. Even if you decide not to take advantage of the one-year Equifax monitoring product, you may still receive Equifax Identity Restoration if you have identity theft concerns by calling Equifax at 877-368-4940, 9:00 a.m. to 8:00 p.m. Eastern, Monday through Friday, before June 1, 2018.

Information is also available for customers through a dedicated phone line at 888-742-9674.

#### **IV. What You Can Do**

In addition to enrolling in the credit monitoring and identity protection product being provided by Equifax, please see the information in the "Identity Theft Prevention Tips" attachment, which provides additional steps you can take, including how to obtain a free copy of your credit report and place a fraud alert and/or credit freeze on your credit report. In addition, please monitor your credit card statements and report any unauthorized charges to your credit card company.

#### **V. For More Information**

We appreciate your loyalty to Char-Broil and are committed to ensuring that your personal information remains protected. As part of our ongoing customer commitment in this area, we are continuing to take steps to strengthen the security of our e-commerce website. If you have any questions, please call 888-742-9674, 9:00 a.m. to 9:00 p.m. EST, Monday through Friday.

Sincerely,

Christine Robins  
President and Chief Executive Officer  
Char-Broil, LLC

Attachments: Identity Theft Prevention Tips  
Equifax Offer and Information

### **Identity Theft Prevention Tips**

We recommend that you remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring your credit reports. You may obtain a free copy of your credit report from each company listed below once every 12 months by requesting your report online at [www.annualcreditreport.com](http://www.annualcreditreport.com), calling toll-free 1-877-322-8228, or 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 any of the credit reporting agencies below:

Equifax  
PO Box 740241  
Atlanta, GA 30374  
[www.equifax.com](http://www.equifax.com)  
888-766-0008

Experian  
PO Box 9554  
Allen, TX 75013  
[www.experian.com](http://www.experian.com)  
888-397-3742

TransUnion  
PO Box 2000  
Chester, PA 19016  
[www.transunion.com](http://www.transunion.com)  
800-680-7289

If you believe you are the victim of identity theft, you should contact the proper law enforcement authorities, including local law enforcement, and you should consider contacting your state attorney general and/or the Federal Trade Commission ("FTC"). You may also contact the FTC to obtain additional information about avoiding identity theft.

**Federal Trade Commission**, Consumer Response Center  
600 Pennsylvania Avenue NW, Washington, DC 20580; 1-877-IDTHEFT (438-4338)  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)

**State Attorneys General:** Information on how to contact your state attorney general may be found at [www.naag.org/naag/attorneys-general/whos-my-ag.php](http://www.naag.org/naag/attorneys-general/whos-my-ag.php).

You may obtain information from the FTC and the credit reporting agencies listed above about placing a fraud alert and/or credit freeze on your credit report.

## About the Equifax Credit Watch™ Gold credit monitoring and identity theft protection product

Equifax Credit Watch will provide you with an alert to changes to your credit file. Note: You must be over age 18 with a credit file in order to take advantage of the product.

Equifax Credit Watch provides you with the following key features and benefits:

- Equifax credit file monitoring and alerts of key changes to your **Equifax** credit report
- Wireless alerts and customizable alerts available (available online only) Data charges may apply.
- Access to your Equifax credit report
- Up to \$25,000 in identity theft insurance<sup>1</sup>
- Live agent Customer Service 7 days a week from 8 a.m. to 3 a.m.
- Automated renewal functionality of a 90 day fraud alert placement<sup>2</sup> (available online only)
- Identity Restoration If you become a victim of identity theft, an Equifax identity restoration specialist will work on your behalf to help you restore your identity.
- Call <<dynamic phone # by product/partner>>, <<dynamic contact hours by product/partner>> for assistance.

## **How to Enroll: You can sign up online or over the phone**

To sign up online for **online delivery** go to [www.myservices.equifax.com/gold](http://www.myservices.equifax.com/gold)

1. Welcome Page: Enter the Activation Code provided at the top of this page in the "Activation Code" box and click the "Submit" button.
2. Register: Complete the form with your contact information (name, gender, home address, date of birth, Social Security Number and telephone number) and click the "Continue" button.
3. Create Account: Complete the form with your email address, create a User Name and Password, check the box to accept the Terms of Use and click the "Continue" button.
4. Verify ID: The system will then ask you up to four security questions to verify your identity. Please answer the questions and click the "Submit Order" button.
5. Order Confirmation: This page shows you your completed enrollment. Please click the "View My Product" button to access the product features.

To sign up for **US Mail delivery**, dial 1-866-937-8432 for access to the Equifax Credit Watch automated enrollment process. Note that all credit reports and alerts will be sent to you via US Mail only.

1. Activation Code: You will be asked to enter your enrollment code as provided at the top of this letter.
2. Customer Information: You will be asked to enter your home telephone number, home address, name, date of birth and Social Security Number.
3. Permissible Purpose: You will be asked to provide Equifax with your permission to access your credit file and to monitor your file. Without your agreement, Equifax cannot process your enrollment.
4. Order Confirmation: Equifax will provide a confirmation number with an explanation that you will receive your Fulfillment Kit via the US Mail (when Equifax is able to verify your identity) or a Customer Care letter with further instructions (if your identity can not be verified using the information provided). Please allow up to 10 business days to receive this information.

<sup>1</sup> Identity Theft Insurance underwritten by insurance company subsidiaries or affiliates of American International Group, Inc. The description herein is a summary and intended for informational purposes only and does not include all terms, conditions and exclusions of the policies described. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions. This product is not intended for minors (under 18 years of age).

<sup>2</sup> The Automatic Fraud Alert feature made available to consumers by Equifax Information Services LLC and fulfilled on its behalf by Equifax Consumer Services LLC.

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