



DELICATO FAMILY VINEYARDS

FAMILY FARMED SINCE 1924 - NAPA VALLEY, MONTEREY, LODI

DELICATO LEGAL DEPARTMENT

August 15, 2018

VIA UPS

Attorney General Gordon MacDonald
Office of the New Hampshire Attorney General
Attn: Data Breach Notification
33 Capitol Street
Concord, NH 03301

RECEIVED

AUG 17 2018

CONSUMER PROTECTION

Re: Data Breach

Dear Attorney General MacDonald:

Pursuant to New Hampshire law, Delicato Vineyards ("Delicato") is writing to notify you of a potential data breach involving two New Hampshire residents.

NATURE OF THE DATA BREACH

In late June 2018, Delicato's Information Solutions team discovered that personal information (first name, last name + social security number) of Delicato's employees and former employees might have been accessed by an individual outside of Delicato in late April 2018 through Delicato's VINES system (run through SAP SuccessFactors), an internal information system where Delicato maintains employee profiles. Delicato promptly responded to the situation and changed the VINES credentials so that outside parties can no longer access the information. While Delicato has no reason to believe that any of the information contained within the VINES system was actually accessed by any unauthorized person, in an abundance of caution, Delicato is notifying potentially affected individuals.

NUMBER OF NEW HAMPSHIRE RESIDENTS AFFECTED

Two potentially affected individuals reside in New Hampshire whose personal information was the subject of the incident. Delicato is providing notice to these two potentially affected individuals on August 15, 2018 via letter sent via U.S. mail to their last known mailing address. Enclosed herewith as **Exhibit A** is a copy of the notice sent to potentially affected New Hampshire residents.

STEPS DELICATO HAS TAKEN OR PLANS TO TAKE RELATING TO THE INCIDENT

Following the incident, Delicato conducted, and is continuing to conduct, a thorough review of the potentially affected records.



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In addition to changing the VINES credentials, Delicato is taking the following remedial steps in response to the breach:

- Offering potentially affected individuals 24 months of identity theft repair, fraud alerts and credit monitoring.
- Reimbursing potential affected individuals for implementing a security freeze (if they choose to do so).
- Increased alerts for events including account lockouts, impossible (concurrent) logins and access from unfamiliar networks.
- Implementing increased security measures designed to protect the personal information of current and former employees and third parties for whom Delicato might have personal information, and to prevent the occurrence of a similar incident in the future.
- Implementing a two-factor authentication process for certain users and access situations where there may be the ability to obtain user data.

Delicato has no evidence that any of the potentially affected individuals' personal information has been used for fraudulent purposes. However, in an abundance of caution, as noted above, Delicato has offered free identify theft repair, fraud alerts, and credit monitoring for two years to all potentially affected individuals.

If you have any questions or need further information, please contact me at 707-265-1726.

Sincerely,

Simone M. Katz-O'Neill
Office of the General Counsel

Encl.

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Exhibit A



DELICATO FAMILY VINEYARDS

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August __, 2018

[FIRST NAME LAST NAME]
[STREET ADDRESS]
[CITY, STATE AND POSTAL CODE]

Notice of Data Breach

Dear [FIRST NAME]:

As a current or former employee of Delicato Family Vineyards, we value you and your relationship with Delicato, and respect the privacy of your information. We want to let you know about a recent incident that might have involved your personal information.

What Happened

In June 2018, we discovered that your personal information might have been accessed by an individual outside of Delicato through the VINES system, an internal information system where Delicato maintains your employee profile (the "Incident"). Delicato promptly responded to the situation and changed the VINES credentials so that outside parties can no longer access the information.

What Information Might Have Been Involved

Delicato has no reason to believe that any of the information contained within VINES was actually accessed by any unauthorized person. However, in an abundance of caution, we want to let you know that the data contained within the VINES system includes personal information such as social security numbers.

What We Are Doing

Delicato values your privacy and deeply regrets that this incident occurred. We have conducted, and are continuing to conduct, a thorough review of the potentially affected records and will notify you if there are any significant developments.

We do not believe that information within the VINES system was accessed. However, we have decided to work with AllClear ID, a leading and trusted identity protection provider, to offer 24 months of identity theft repair, fraud alerts, and credit monitoring, at no cost to you.

455 Devlin Road STE 102, Napa, California 94558



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Delicato takes cyber security seriously and has implemented additional measures to monitor suspicious activity to prevent future incidents from occurring. These include:

- Increased alerts for events including account lockouts, impossible (concurrent) logins and access from unfamiliar networks.
- Implementing increased security measures designed to protect the personal information of current and former employees and third parties for whom we might have personal information, and to prevent the occurrence of a similar incident in the future.
- Implementing a two-factor authentication process for certain users and access situations where there may be the ability to obtain user data.

What You Can Do

To learn what you can do to protect your information, please review the below information for further steps you can take, including enrolling in the AllClear Credit Monitoring service explained below.

In addition, if you are a resident of Maryland, Massachusetts or North Carolina, please review the Appendix at the end of this letter for further information specific to the state in which you live.

AllClear Identity Repair, Fraud Alerts and Credit Monitoring

As an added precaution, we have arranged to have AllClear ID protect your identity for 24 months at no cost to you. **The following identity protection services start on the date of this notice and you can use them at any time during the next 24 months.**

AllClear Identity Repair: This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-877-676-0379 and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

AllClear Fraud Alerts with Credit Monitoring: This service offers the ability to set, renew, and remove 90-day fraud alerts on your credit file to help protect you from credit fraud. In addition, it provides credit monitoring services, a once annual credit score and credit report, and a \$1 million identity theft insurance policy. To enroll in this service, you will need to provide your personal information to AllClear ID. **You may sign up online at enroll.allclearid.com using the following redemption code: vineyard2018.**



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Please note: following enrollment, additional steps are required by you to activate your phone alerts and fraud alerts, and to pull your credit score and credit file. Additional steps may be required in order to activate your monitoring options.

Social Security Number

Because your social security number might have been involved, we recommend placing a fraud alert on your credit files. Please see instructions below on how to place a fraud alert on your credit files.

For more information on identity theft, we suggest that you visit the web site of the **California Office of Privacy Protection** at <https://www.oag.ca.gov/privacy>.

Copy of Credit Report

You may obtain a free copy of your credit report from each of the three major credit reporting agencies once every 12 months by visiting <http://www.annualcreditreport.com>, calling toll-free 877-322-8228, or by 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 <http://www.consumer.ftc.gov/articles/pdf-0093-annual-report-request-form.pdf>.

Do not contact the three credit reporting companies individually; they are providing free annual credit reports only through <https://www.annualcreditreport.com>.

Fraud Alert

An initial fraud alert is free and will stay on your credit file for at least 90 days. The alert informs creditors of possible fraudulent activity within your report and requests that the creditor contact you prior to establishing any accounts in your name. To place a fraud alert on your credit report, contact any of the three credit reporting agencies listed below. This will let you automatically place an alert with all of the agencies. You will receive letters from all three, confirming the fraud alert and letting you know how to get a free copy of your credit report from each. Additional information is available at <http://www.annualcreditreport.com>.

Equifax Fraud Alert	Experian	TransUnion
(888) 766-0008	(888) 397-3742	(800) 680-7289
https://www.equifax.com/personal/	https://www.experian.com/	https://fraud.transunion.com
Consumer Fraud Division P.O. Box 740256 Atlanta, GA 30374	(may submit alert online)	TransUnion LLC P.O. Box 2000 Chester, PA 19016

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When you receive your credit reports, look them over carefully. Look for accounts you did not open. Look for inquiries from creditors that you did not initiate. And, look for any personal 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.

Even if you do not find any signs of fraud on your reports, we recommend that you check your credit reports periodically. You can keep the fraud alert in place by calling again after 90 days. For more information on identity theft, we suggest that you visit the web site of the **California Office of Privacy Protection** at <https://www.oag.ca.gov/privacy>.

Notify Law Enforcement of Suspicious Activity

As a precautionary measure, we recommend that you remain attentive by reviewing your account statements and credit reports closely. If you do find suspicious activity on your credit reports, call your local police or sheriff's office and file a police report of identity theft. You may request a copy of the police report. You may need to give copies of the police report to creditors to clear up your records.

You may also wish to file a complaint with the Federal Trade Commission. To do so, go to <https://www.consumer.ftc.gov/features/feature-0014-identity-theft> 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. For further information on the FTC, its website is <https://www.ftc.gov/> and its address is 600 Pennsylvania Avenue, NW, Washington, DC 20580.

Security Freeze

You have the right to put a "security freeze" on your credit file. A security freeze means that your file cannot be shared with potential creditors. A security freeze can help prevent identity theft. Most businesses will not open credit accounts without first checking a consumer's credit history. If your credit files are frozen, even someone who has your name and social security number would probably not be able to get credit in your name.

A security freeze is free to identity theft victims who have a police report of identity theft. If you are not an identity theft victim and you are under 65 years of age, it will cost you \$10 to place a freeze with each of the three credit bureaus, for a total of \$30 to freeze your files. If you are not an identity theft victim and you are 65 years of age or older, it will cost you \$5 to place a freeze with each of the three credit bureaus, for a total of \$15 to freeze your files. Delicato will reimburse you for a one-time security freeze with each of the three credit bureaus. If you choose to institute a security freeze, please contact Ana Simoes in the Delicato Accounts Payable Department at Ana.Simoes@delicato.com for reimbursement of charges related to the one-time security freeze with each of the three credit bureaus.

To place a freeze, you must contact each of the three credit bureaus. You may place the freeze online, at each of the below freeze web pages for the credit bureaus:

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<https://www.freeze.equifax.com>

<https://www.experian.com/freeze/center.html>

<http://www.transunion.com/personal-credit/credit-disputes/credit-freezes.page>

Note: If these links do not work, search “security freeze” on the credit bureau web pages. You can also request the freeze by mail. See the CA Attorney General’s website at <https://oag.ca.gov/idtheft/facts/freeze-your-credit> for sample letters to each of the credit bureaus.

For More Information

Additional Free Resources on Identity Theft

You may wish to review the tips provided by the Federal Trade Commission on how to avoid identity theft. For information please visit <http://www.ftc.gov/idtheft> or call **1-877-ID-THEFT (877-438-4338)**.

A copy of Taking Charge: What to Do if Your Identity is Stolen, a comprehensive guide from the FTC to help you guard against and deal with identify theft, can be found on the FTC’s website at: <http://www.ftc.gov/bcp/edu/pubs/consumer/idtheft/idt04.shtm>.

California residents may wish to visit the website of the **California Office of Privacy Protection** at <https://www.oag.ca.gov/privacy>.

For further information and assistance, please contact Delicato’s Human Resources Department at 1-707-265-1701 between 9:00 a.m.- 4:00 p.m. PST daily.

Sincerely,

/s/ Jolene A. Yee

Jolene A. Yee

Vice President & General Counsel



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Appendix

For Residents of Maryland:

Residents of Maryland may obtain information about preventing identity theft by contacting the Maryland Attorney General's Office at:

Contact Number: 410-576-6300

Address: 200 St. Paul Place, Baltimore, MD 21202

Website: <http://www.marylandattorneygeneral.gov/>

For Residents of Massachusetts:

You also have the right to obtain a police report.

For Residents of North Carolina:

Residents of North Carolina may obtain information about preventing identity theft by contacting the North Carolina Attorney General's Office at:

Contact Number: (919) 716-6400

Address: 114 W Edenton St, Raleigh, NC 27603

Website: <http://www.ncdoj.gov/Help-for-Victims/ID-Theft-Victims.aspx>

2018 AUG 17 P 12:13

DEPT. OF JUSTICE
STATE OF NH

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