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April 23, 2021

***Via Email***

Attorney General Gordon J. MacDonald  
Office of the New Hampshire Attorney General  
Attn: Data Breach Notification  
33 Capitol Street  
Concord, NH 03301  
DOJ-CPB@doj.nh.gov

**Re: Notice of Data Breach**

Attorney General MacDonald:

Our office represents the following entities: Foodland Supermarket, Limited, Coffee Pacific LLC, and Food Pantry, Ltd. (collectively, the “**Notifying Entities**”). We are writing to provide you with notice of an incident that may affect the personal information of four (4) New Hampshire residents. By providing this notice, Notifying Entities do not waive any rights or defenses regarding the applicability of New Hampshire law or personal jurisdiction. The investigation into the incident is ongoing and this notice will be supplemented with any material facts learned subsequent to its submission.

**Background**

On April 3, 2021, Notifying Entities became victim to a ransomware attack. After discovering the attack, Notifying Entities promptly engaged global cybersecurity experts and launched an investigation into the nature and scope of the attack. While Notifying Entities were able to stop the ransomware attack, the forensic findings to date lead Notifying Entities to believe that the perpetrators accessed certain systems within its environment to perpetuate the attack, including systems that housed current and former employee, dependent, and beneficiary information. The investigation is ongoing and, at this time, the Notifying Entities are unable to confirm the specific information, if any, impacted by the attack. The information that may be accessible as a result of the attack includes name in addition to one or more of the following: Social Security number, date of birth, financial account information, and wage information and withholding details. Unfortunately, the forensic investigation could not confirm whether this personal information was actually impacted as a result of the attack.

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota  
Nevada New Jersey New York North Carolina **Pennsylvania** South Carolina Texas Washington

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### **Notice to Residents**

Out of an abundance of caution, Notifying Entities mailed written notice of this incident to current and former employees, dependents, and beneficiaries on April 23, 2021, in substantially the same form as the letter attached as *Exhibit A*.

### **Steps Taken**

Notifying Entities are offering current and former employees, dependents, and beneficiaries two (2) years of complimentary credit monitoring and identity restoration services with Experian, as well as additional information on how to protect against identity theft and fraud. In order to better protect against a similar incident from occurring in the future, Notifying Entities are reviewing its policies and procedures, implementing additional safeguards, and working with cybersecurity experts. In addition to providing this notice to your office, Notifying Entities provided notice of this incident to the Federal Bureau of Investigation, other state regulators, and the consumer reporting agencies, as required.

### **Contact**

Should you have any questions regarding this notification of other aspects of this incident, please contact me at (215) 299-2010 or [mmccreary@foxrothschild.com](mailto:mmccreary@foxrothschild.com).

Very truly yours,



Mark G. McCreary  
For Fox Rothschild LLP

MGMc/kr  
Enclosure

*Exhibit A*



Return Mail Processing  
PO Box 589  
Claysburg, PA 16625-0589

April 23, 2021

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SAMPLE A. SAMPLE - L01 FOODLAND  
APT ABC  
123 ANY ST  
ANYTOWN, ST 12345-6789



**Re: Notice of Data Breach**

Dear Sample A. Sample:

Foodland Super Market, Limited (“**Foodland**”) is regretfully writing to notify you of a recent incident that may impact your personal information. You are receiving this letter as a current or former employee of Foodland or as a dependent or beneficiary of a current or former employee.

**What Happened?** On the morning of April 3, 2021, Foodland was the victim of a ransomware attack. Once we became aware of this incident, we promptly engaged global cybersecurity experts and launched an investigation into the nature and scope of the attack. While we were able to stop the ransomware attack, we believe the perpetrators accessed certain systems in our environment, including those systems that included current and former employee, dependent, and beneficiary information. At present, we have no reason to believe that the register systems at our stores, including customer payment information and processing, were affected.

**What Information Was Involved?** Our investigation is ongoing. At this time, we are unable to confirm the specific information impacted by this incident. However, based on the actions of the perpetrators, we believe they may have had access to systems storing information of current and former employees, beneficiaries, and dependents. As a precautionary measure, we are providing you with this notice as your personal information may have been accessible. This personal information includes your name, [EXTRA1].

**What Are We Doing?** We take this incident and the security of your information very seriously. We are offering you two (2) years of complimentary credit monitoring and identity restoration services with Experian. We have also notified the Federal Bureau of Investigation, certain state regulators, and the consumer reporting agencies of this incident. In addition to taking the steps detailed above and providing this notice to you, we are reviewing our policies and procedures, implementing additional safeguards, and working with cybersecurity experts to better protect against future incidents of this nature.

**What You Can Do.** You should review the enclosed **Steps You Can Take To Protect Your Information**, which contains instructions on how to enroll in the complimentary credit monitoring and identity restoration services. It also includes additional information on steps you may wish to take to better protect yourself against the possibility of identity theft and fraud. Please note that while we will cover the cost of the identity protection services, you must complete the enrollment process to activate the complimentary credit monitoring and identity restoration services.

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**For More Information.** We understand you may have questions beyond what is explained in this letter. To ensure your questions are answered in a timely manner, please contact our dedicated call center at (888) 451-6558. The call center is available Monday through Friday, between 9:00am and 11:00pm EST (3:00am and 5:00 pm HST during Daylight Savings Time), and Saturday and Sunday, between 11:00am and 8:00pm EST (5:00am and 2:00pm HST during Daylight Savings Time).

We understand this information may be concerning to you and we hope you will use the complimentary credit monitoring and identity restoration services and hotline.

Sincerely,



Kimberly H. Yoshimura  
Foodland Super Market, Limited  
Vice President of Talent

## STEPS YOU CAN TAKE TO PROTECT YOUR INFORMATION

**Enroll In Credit Monitoring:** We are offering a complimentary two (2) year membership of Experian's® IdentityWorks<sup>SM</sup>. This product provides you with superior identity detection and resolution of identity theft. To activate your membership and start monitoring your personal information please follow the steps below:

1. Ensure that you **enroll by:** July 31, 2021 (Your code will not work after this date)
2. **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/credit>
3. Provide your **activation code:** ABCDEFGHI

If you have questions about the product, need assistance with identity restoration, or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at (888) 451-6558 by July 31, 2021. Be prepared to provide engagement number B011879 as proof of eligibility for the identity restoration services by Experian.

## ADDITIONAL DETAILS REGARDING YOUR IDENTITYWORKS MEMBERSHIP

A credit card is **not** required for enrollment in Experian IdentityWorks. You can contact Experian **immediately** regarding any fraud issues, and you will 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. Offline members will be eligible to call for additional reports quarterly after enrolling.
- **Credit Monitoring:** Actively monitors Experian file for indicators of fraud.
- **Identity Restoration:** Identity Restoration agents are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE<sup>TM</sup>:** You receive the same high-level Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance:** Provides coverage for certain costs and unauthorized electronic fund transfers. The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. You will need to refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.

If you believe there was fraudulent use of your information and would like to discuss how you may be able to resolve those issues, please reach out to an Experian agent at (888) 451-6558. 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. Please note that this Identity Restoration support is available to you for two (2) years from the date of this letter.

**Monitor Your Accounts:** We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your account statements and monitoring your free credit reports for suspicious activity or errors.

**Check Credit Reports:** Under United States law, you are entitled to one free credit report annually from each of the three major credit reporting bureaus. To order your free credit report, visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call toll-free 1-877-322-8228. You may also contact the three major credit bureaus directly to request a free copy of your credit report at:

Equifax  
P.O. Box 740256  
Atlanta, GA 30374  
1-800-525-6285  
[www.equifax.com](http://www.equifax.com)

Experian  
P.O. Box 2002  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

Transunion  
P.O. Box 2000  
Chester, PA 10916  
1-800-680-7289  
[www.transunion.com](http://www.transunion.com)



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**Place A Security Freeze:** You may place a security freeze on your credit reports, free of charge. A security freeze prohibits a credit reporting agency from releasing any information from a consumer's credit report without written authorization. However, please be aware that placing a security freeze on your credit report may delay, interfere with, or prevent the timely approval of any requests you make for new loans, credit mortgages, employment, housing, or other services. You will need to place a security freeze separately with each of the three major credit bureaus if you wish to place a freeze on all of your credit files. In order to request a security freeze, you will need to supply your full name, address, date of birth, Social Security number, current address, all addresses for up to five previous years, email address, a copy of your state identification card or driver's license, and a copy of a utility bill, bank or insurance statement, or other statement proving residence. To find out more on how to place a security freeze, contact the credit reporting agencies at:

Equifax	Experian	Transunion
P.O. Box 105788	P.O. Box 9554	P.O. Box 160
Atlanta, GA 30348	Allen, TX 75013	Woodlyn, PA 19094
1-800-349-9960	1-888-397-3742	1-888-909-8872
<a href="http://www.equifax.com/personal/credit-report-services/credit-freeze/">www.equifax.com/personal/credit-report-services/credit-freeze/</a>	<a href="http://www.experian.com/freeze">www.experian.com/freeze</a>	<a href="http://www.transunion.com/credit-freeze">www.transunion.com/credit-freeze</a>

**Place A Fraud Alert:** At no charge, you can also have the three major credit bureaus place a "fraud alert" on your file that alerts creditors to take additional steps to verify your identity prior to granting credit in your name. Note, however, that because it tells creditors to follow certain procedures to protect you, it may also delay your ability to obtain credit while the agency verifies your identity. As soon as one credit bureau confirms your fraud alert, the others are notified to place fraud alerts on your file. Should you wish to place a fraud alert, or should you have any questions regarding your credit report, please contact the credit reporting agencies.

**Review Additional Resources:** If you believe you are the victim of identity theft or have reason to believe that your personal information has been misused, you should contact the Federal Trade Commission and/or your state Attorney General. You can obtain information from these sources about additional steps you can take to protect yourself against identity theft and fraud, as well as information on security freezes and fraud alerts. You can contact the Federal Trade Commission at: 600 Pennsylvania Avenue NW, Washington, DC 20580; [www.identitytheft.gov](http://www.identitytheft.gov); and 1-877-ID-THEFT (1-877-438-4338). Instances of known or suspected identity theft should be promptly reported to law enforcement and you have the right to file a police report if you ever experience identity theft or fraud. This notification was not delayed by law enforcement. **For District of Columbia residents:** The Attorney General can be contacted at 400 6<sup>th</sup> Street NW, Washington, D.C. 20001; 202-727-3400; [oag.dc.gov](http://oag.dc.gov). **For Maryland residents:** The Attorney General can be contacted at: 200 St. Paul Place, 16<sup>th</sup> Floor, Baltimore, Maryland 21202; 888-743-0023; and [www.oag.state.md.us](http://www.oag.state.md.us). Foodland is located at 3536 Harding Avenue, Honolulu, HI 96816. **For New Mexico residents:** You have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you; the right to know what is in your credit file; the right to ask for your credit score; and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information. You have additional rights under the Fair Credit Reporting Act not summarized here and we encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting [www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf](http://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf). **For New York residents:** The Attorney General can be contacted at: Office of the Attorney General, The Capital, Albany, New York 12224; 1-800-771-7755; and [ag.ny.gov](http://ag.ny.gov). **For North Carolina residents:** The Attorney General can be contacted at: 9001 Mail Service Center, Raleigh, North Carolina 27699; 877-566-7226; and [www.ncdoj.gov](http://www.ncdoj.gov). **For Rhode Island residents:** The Attorney General can be contacted at: 150 South Main Street, Providence, RI 02903; 401-274-4400; and [www.riag.ri.gov](http://www.riag.ri.gov). One (1) Rhode Island resident may be impacted by this incident.