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June 25, 2021

File No. 28759.1491

**VIA ELECTRONIC MAIL**

Attorney General Gordon J. MacDonald  
Office of the Attorney General  
New Hampshire Department of Justice  
33 Capitol Street  
Concord, NH 03301  
Email: attorneygeneral@doj.nh.gov

Re: Notification of Data Security Incident

Dear Attorney General MacDonald:

We represent Ken's Foods, Inc., a food manufacturing company located in Marlborough, Massachusetts, in connection with a data security incident described in greater detail below. Ken's Foods takes the protection of all sensitive information within its possession very seriously and is taking steps to prevent similar incidents from occurring in the future.

**1. Nature of the security incident.**

On March 17, 2021, Ken's Foods became aware of unusual activity within its network environment and discovered that it had been the victim of data encryption by an unknown actor. Upon discovering this activity, it took immediate steps to secure its environment and launched an investigation with the assistance of leading independent digital forensics and cybersecurity experts. The investigation determined that certain Ken's Foods data may have been accessed or downloaded in March 2021.

As a result, Ken's Foods promptly undertook a review of the affected data in order to identify any individuals whose personal information was within the potentially affected data, and thereafter took steps gather address information needed to notify those individuals. That process concluded on June 1, 2021. On June 21, 2021, after querying the available contact information against the National Change of Address database, twenty-eight (28) New Hampshire residents were identified within the notification population.

The potentially affected information pertaining to the New Hampshire residents includes names and Social Security numbers.

**2. Number of New Hampshire residents affected.**

Ken's Foods issued notification letters to the twenty-eight (28) New Hampshire residents regarding this data security incident via first-class U.S. mail on June 23, 2021. A sample copy of the notification letter is included with this correspondence.

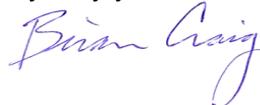
**3. Steps taken relating to the incident.**

Ken's Foods has taken steps in response to this incident to minimize the likelihood of similar incidents occurring in the future. Those steps include, but are not limited to, deployment of an advanced threat detection tool with twenty-four hour active monitoring by a cybersecurity operations team, resetting all user passwords within the environment, enabling two factor authentication across all access points, secure air-gapped storage for all sensitive files and data and an aggressive cyber-security training initiative. In addition, out of an abundance of caution, Ken's Foods is offering the potentially affected individuals three-bureau credit monitoring, identity protection services, and identity theft insurance at no cost through Experian's® IdentityWorks<sup>SM</sup>.

**4. Contact information.**

Ken's Foods remains dedicated to protecting the personal information in its possession. If you have any questions or need additional information, please do not hesitate to contact us via email at [Aubrey.Weaver@lewisbrisbois.com](mailto:Aubrey.Weaver@lewisbrisbois.com) or [Brian.Craig@lewisbrisbois.com](mailto:Brian.Craig@lewisbrisbois.com).

Very truly yours,



Brian Craig of  
LEWIS BRISBOIS BISGAARD & SMITH LLP

BC:ALW

Attachment: Consumer Notification Letter Template



Return Mail Processing Center  
P.O. Box 6336  
Portland, OR 97228-6336

<<Mail ID>>  
<<Name 1>>  
<<Name 2>>  
<<Address 1>>  
<<Address 2>>  
<<Address 3>>  
<<Address 4>>  
<<Address 5>>  
<<City>><<State>><<Zip>>  
<<Country>> <<Date>>

Subject: Notice of Data Security Incident

Dear <<Name 1>>:

I am writing to inform you of a data security incident that may have involved your personal information. At Ken’s Foods, Inc. (“Ken’s Foods”), we take the privacy and security of personal information very seriously. That is why I am notifying you of the incident, offering you credit monitoring and identity monitoring services, and informing you about steps you can take to help protect your personal information.

**What Happened?** On March 17, 2021, Ken’s Foods became aware of unusual activity within its network environment and discovered that it had been the victim of data encryption by an unknown actor. Upon discovering this activity, we took immediate steps to secure our environment and launched an investigation with the assistance of leading independent digital forensics and cybersecurity experts. The investigation determined that certain Ken’s Foods data may have been accessed or downloaded in March 2021. We immediately began a thorough review of the potentially affected data, which revealed that some of your personal information may have been contained therein. On June 1, 2021, we completed our review and gathering up-to-date contact information needed to notify all potentially affected individuals.

Ken’s Foods is committed to maintaining the security of all information within our possession. That is why we are contacting you, to offer you credit monitoring and identity protection services at no cost.

**What Information Was Involved?** The potentially affected information may include your <<Breached Elements>>.

**What Are We Doing?** As soon as Ken’s Foods discovered the incident, we took the measures described above. We have also improved our systems to reduce the likelihood of a similar incident occurring in the future. These improvements include deployment of an advanced threat detection tool with twenty-four hour active monitoring by a cybersecurity operations team, resetting all user passwords within the environment, enabling two factor authentication across all access points, implementing secure air-gapped storage for all sensitive files and data, and developing an aggressive cyber-security training initiative.

In addition, we are providing you with information about steps that you can take to help protect your personal information and, as an added precaution, we are offering you a complimentary <<variable data 2>> 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:

- Ensure that you **enroll by:** <<Enrollment Deadline>> (Your code will not work after this date.)
- **Visit** the Experian IdentityWorks website to enroll: <https://www.experianidworks.com/3bcredit>
- Provide your **activation code:** <<Activation Code>>

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 877.288.8057 by September 11, 2021. Be prepared to provide engagement number <<Engagement Number>> as proof of eligibility for the identity restoration services by Experian.

Ken’s Foods, Inc.  
1 D’Angelo Drive  
Marlborough, MA 01752

**What Can You Do?** You can follow the recommendations included with this letter to help protect your information. Specifically, we recommend that you review your credit report for unusual activity. If you see anything that you do not understand or that looks suspicious, you should contact the consumer reporting agencies for assistance using the contact information included with this letter. In addition, you can enroll in the free credit monitoring services that we are offering to you through Experian IdentityWorks.

We also recommend that you review the guidance included with this letter about how to protect your personal information.

**For More Information:** Further information about how to protect your personal information is included with this letter. If you have questions or need assistance, please contact our team at 855-535-1852, Monday through Friday, 9:00 a.m.–9:00 p.m. ET. Our representatives are fully versed on this incident and can answer any questions you may have regarding the protection of your personal information.

We take your trust in us and this matter very seriously and we deeply regret any worry or inconvenience that this may cause you.

Sincerely,

A handwritten signature in black ink that reads "Marie Johnson". The signature is written in a cursive, flowing style.

Marie Johnson  
VP of Finance/Treasurer  
Ken's Foods

## STEPS YOU CAN TAKE TO FURTHER PROTECT YOUR INFORMATION

**Review Your Account Statements and Notify Law Enforcement of Suspicious Activity:** As a precautionary measure, we recommend that you remain vigilant by reviewing your account statements and credit reports closely. If you detect any suspicious 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, and/or the Federal Trade Commission (FTC).

**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 1-877-322-8228, 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. You also can contact one of the following three national credit reporting agencies:

**Equifax**

P.O. Box 105851  
Atlanta, GA 30348  
1-800-525-6285  
[www.equifax.com](http://www.equifax.com)

**Experian**

P.O. Box 9532  
Allen, TX 75013  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

**TransUnion**

P.O. Box 1000  
Chester, PA 19016  
1-800-916-8800  
[www.transunion.com](http://www.transunion.com)

**Fraud Alert:** You may want to consider placing a fraud alert on your credit report. An initial fraud alert is free and will stay on your credit file for at least one year. 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 identified above. Additional information is available at <http://www.annualcreditreport.com>.

**Security Freeze:** You have the right to put a security freeze on your credit file for up to one year at no cost. This will prevent new credit from being opened in your name without the use of a PIN number that is issued to you when you initiate the freeze. A security freeze is designed to prevent potential creditors from accessing your credit report without your consent. As a result, using a security freeze may interfere with or delay your ability to obtain credit. You must separately place a security freeze on your credit file with each credit reporting agency. In order to place a security freeze, you may be required to provide the consumer reporting agency with information that identifies you including your full name, Social Security number, date of birth, current and previous addresses, a copy of your state-issued identification card, and a recent utility bill, bank statement or insurance statement.

**Additional Free Resources:** You can obtain information from the consumer reporting agencies, the FTC, or from your respective state Attorney General about fraud alerts, security freezes, and steps you can take toward preventing identity theft. You may report suspected identity theft to local law enforcement, including to the FTC or to the Attorney General in your state.

**Federal Trade Commission**

600 Pennsylvania Ave, NW  
Washington, DC 20580  
[consumer.ftc.gov](http://consumer.ftc.gov), and  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)  
1-877-438-4338

**Maryland Attorney General**

200 St. Paul Place  
Baltimore, MD 21202  
[oag.state.md.us](http://oag.state.md.us)  
1-888-743-0023

**New York Attorney General**

Bureau of Internet and Technology  
Resources  
28 Liberty Street  
New York, NY 10005  
1-212-416-8433

**North Carolina Attorney General**

9001 Mail Service Center  
Raleigh, NC 27699  
[ncdoj.gov](http://ncdoj.gov)  
1-877-566-7226

**Rhode Island Attorney General**

150 South Main Street  
Providence, RI 02903  
<http://www.riag.ri.gov>  
1-401-274-4400

**Washington D.C. Attorney General**

441 4th Street, NW  
Washington, DC 20001  
[oag.dc.gov](http://oag.dc.gov)  
1-202-727-3400

**You also have certain rights under the Fair Credit Reporting Act (FCRA):** These rights include to know what is in your file; to dispute incomplete or inaccurate information; to have consumer reporting agencies correct or delete inaccurate, incomplete, or unverifiable information; as well as other rights. For more information about the FCRA, and your rights pursuant to the FCRA, please visit <https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf>.

## ADDITIONAL DETAILS REGARDING YOUR <<VARIABLE DATA 2>> EXPERIAN IDENTITYWORKS MEMBERSHIP:

A credit card is **not** required for enrollment in Experian IdentityWorks.

You can contact Experian **immediately** regarding any fraud issues, and 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.\*
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of 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.

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 using the contact information provided in your letter. 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 (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that this Identity Restoration support is available to you for <<variable data 2>> from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at [www.ExperianIDWorks.com/restoration](http://www.ExperianIDWorks.com/restoration). You will also find self-help tips and information about identity protection at this site.

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\* Offline members will be eligible to call for additional reports quarterly after enrolling

\*\* The Identity Theft Insurance is underwritten and administered by American Bankers Insurance Company of Florida, an Assurant company. Please refer to the actual policies for terms, conditions, and exclusions of coverage. Coverage may not be available in all jurisdictions.