



Harter Secrest & Emery LLP

ATTORNEYS AND COUNSELORS

WWW.HSELAW.COM

April 22, 2022

CONFIDENTIAL

VIA EMAIL

Maryland Office of the Attorney General

Attn: Security Breach Notification

200 St. Paul Place

Baltimore, MD 21202

Idtheft@oag.state.md.us

Re: Wegmans Food Markets, Inc.

To Whom It May Concern:

Harter Secrest & Emery LLP represents Wegmans Food Markets, Inc. (“Wegmans”), a grocery chain with stores throughout the mid-Atlantic and Northeast, headquartered at 1500 Brooks Avenue, Rochester, New York 14624.

On March 15, 2022, Wegmans discovered that a total of two (2) unauthorized skimming devices had been installed at check-out terminals at two (2) of its Maryland stores. Immediately upon discovery, the skimming devices were removed and Wegmans began an investigation of the incident, working closely with law enforcement.

Wegmans is providing notice under Md. Code Ann., Com. Law § 14-3504 to five (5) individuals who may have swiped their credit/debit cards through the unauthorized skimmers. In those cases, the devices may have captured card information (name, card number and expiration date) and any pin code that may have been used. Based upon investigation into the type of skimming devices at issue, Wegmans does not believe that the devices were able to capture Card Verification Value (CVV) information. These individuals are being notified of the incident by way of written letter, which will be sent by mail on April 22, 2022. A sample of the notice being sent to these individuals is attached herewith.

The incident did not involve a third-party gaining access to Wegmans’ network environment or data within it. Rather, as described above, the incident involved an unauthorized party installing skimming devices in an attempt to divert and capture customer payment information.

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Once the incident was discovered, Wegmans immediately took steps to address it. Wegmans engaged the services of legal counsel and worked with law enforcement to investigate the incident. Additionally, Wegmans undertook additional physical inspections of its terminals to confirm the limited scope of this incident.

Should you have questions, please contact me using the below information. Thank you.

Very truly yours,

Harter Secrest & Emery LLP



F. Paul Greene, CIPP/US, CIPP/E, CIPM, FIP
DIRECT DIAL: 855.231.1435
EMAIL: FPGREENE@HSELAW.COM

FPG:meh
Attachments



Dear [First Name]:

Wegmans is writing to inform you of a data security incident that may have involved information relating to your credit or debit card. Although we are not aware of any misuse of any information involved, we nonetheless are providing this notice because we value your business and maintaining your trust is important to us. To that end, below please find a description of the incident as well as details pertaining to an offer of complimentary credit monitoring and related services, provided by Experian.

WHAT HAPPENED

On March 15, 2022, Wegmans discovered that two (2) unauthorized skimming devices had been installed at check-out terminals at two (2) of its Maryland stores. Immediately upon discovery, the skimming devices were removed and Wegmans began an investigation of the incident, working closely with law enforcement. Through its investigation, Wegmans determined that the unauthorized devices were discovered soon after they were installed and that a very small number of customers who visited the stores in question may have interacted with them. We are notifying you because our continued investigation into the incident has subsequently revealed that you may have interacted with one of the unauthorized devices when swiping your credit or debit card at one of the impacted terminals. If this is the case, the device may have captured your card information (name, card number and expiration date) and any pin code that you may have used. Based upon investigation into the type of skimming devices at issue, we do not believe that the devices were able to capture Card Verification Value (CVV) information.

The incident did not involve a third-party gaining access to Wegmans' network environment or data within it. Rather, as described above, the incident involved an unauthorized party installing skimming devices in an attempt to divert and capture customer payment information. Although our investigation did not reveal what information, if any, pertaining to you may have actually been compromised, we are providing this notice to you as a conservative measure.

WHAT WE ARE DOING

Once the issue was discovered, we immediately took steps to address it. Working with law enforcement, we reacted swiftly to this incident and have no reason to believe that our systems are at risk. We confirmed the limited scope of the incident by inspecting our store terminals and have made the two (2) unauthorized devices available to law enforcement for review and analysis. We understand that law enforcement's investigation into the matter, as well as the individual(s) responsible for it, is ongoing.

WHAT YOU CAN DO

It is always a good idea to take the following actions:

- Remain vigilant and review your bank accounts, credit card bills and free credit reports for unauthorized activity. Promptly report any suspected identity theft to your local law enforcement agency, the U.S. Federal Trade Commission, your State Attorney General, your financial institution, and to the Fraud Alert phone

line of a consumer reporting agency. You can obtain information about fraud alerts and security freezes by contacting the three national reporting agencies below:

- o **Equifax**, P.O. Box 740256, Atlanta, GA 30374, www.equifax.com, 1-800-525-6285;
 - o **Experian**, P.O. Box 4500, Allen, TX 75013, www.experian.com, 1-888-397-3742; and
 - o **TransUnion**, 2 Baldwin Place, P.O. Box 1000, Chester, PA 19016, www.transunion.com, 1-800-680-7289.
- Periodically obtain credit reports from each nationwide credit reporting agency and have information relating to fraudulent transactions deleted. Information relating to our offer of free credit monitoring follows below.
 - If you have any concern, place a fraud alert on your credit file by contacting any of the three credit reporting agencies listed above. A fraud alert temporarily, for a period of 90 days, requires potential creditors to take additional steps to verify your identity before issuing credit in your name.
 - If you have any concern, place a security freeze on your consumer report. A security freeze is designed to prevent credit, loans and services from being approved in your name without your consent. However, a security freeze may delay your ability to obtain credit. Please contact one of the three credit reporting agencies listed above for further information.
 - Request and carefully review your free annual consumer credit report by visiting www.annualcreditreport.com or by calling 1-877-322-8228.

You can also contact the Federal Trade Commission or Maryland Attorney General to obtain information about preventing identity theft. The contact information for the Federal Trade Commission is as follows: Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, D.C. 20580, www.ftc.gov, 1-877-382-4357. The contact information for the Maryland Attorney General is as follows: 200 St. Paul Place Baltimore, MD 21202, <http://www.marylandattorneygeneral.gov/>, 1-888-743-0023 (Baltimore Office).

OTHER IMPORTANT INFORMATION

As a result of this incident, we would like to offer you a complimentary one-year membership of Experian's® IdentityWorksSM. This product provides you with superior services pertaining to 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: 7/31/2022 (Your code will not work after this date.)
- Visit the Experian IdentityWorks website to enroll: []
- Provide your activation code: []
- Provide the engagement number: []

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 [] by 7/31/2022. Be prepared to provide engagement number [] as proof of eligibility for the identity restoration services by Experian.

1500 Brooks Avenue • P.O. Box 30844 • Rochester, New York 14603-0844
(585) 328-2550 • (800) WEGMANS (934-6267) Fax: (585) 429-3625
www.wegmans.com

ADDITIONAL DETAILS REGARDING YOUR 12-MONTH 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.¹
- **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:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance²:** 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 at []. 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 one year 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. You will also find self-help tips and information about identity protection at this site.

FOR MORE INFORMATION

If you have questions, please contact 1-800-WEGMANS. We would be happy to speak with you further.

Thank you.

Sincerely,



Deana Percassi
Director, Consumer Affairs

¹ Offline members will be eligible to call for additional reports quarterly after enrolling.

² 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.