

# BakerHostetler

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November 30, 2018

### VIA E-MAIL (SECURITYBREACH@ATG.WA.GOV)

Attorney General Bob Ferguson  
Office of the Washington Attorney General  
Consumer Protection Division  
800 5th Ave, Suite 2000  
Seattle, WA 98104-3188

*Re: Incident Notification*

Dear Attorney General Ferguson:

We are writing on behalf of our client, 1873349 Ontario, Inc. (“Ontario”), to notify you of a security incident involving Washington residents.

After becoming aware of suspicious activity on its website, [www.1800Flowers.ca](http://www.1800Flowers.ca), Ontario immediately began an investigation with the assistance of a leading computer security firm and disabled the website. On October 30, 2018, the investigation identified unauthorized access to payment card data from cards used to make purchases on the website from August 15, 2014 to September 15, 2018. The information included customer first and last names, payment card numbers, expiration dates, and card security codes of 540 Washington residents.

On November 30, 2018, Ontario will begin mailing notification letters to the Washington residents in accordance with Wash. Rev. Code § 19.255.010, via United States First-Class mail, in substantially the same form as the enclosed letter.<sup>1</sup> Ontario is providing a telephone number for potentially affected individuals to call with any questions they may have.

Ontario takes the security of its customers’ personal information very seriously. To help prevent a similar incident from occurring in the future, Ontario has redesigned its website and implemented additional security measures.

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<sup>1</sup> This report is not, and does not constitute, a waiver of Ontario’s objection that Washington lacks personal jurisdiction over the company related to this matter.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Craig A. Hoffman", with a long horizontal line extending to the right.

Craig A. Hoffman  
Partner

Enclosure

1873349 Ontario, Inc.  
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>>

Dear <<Name 1>>:

1873349 Ontario, Inc. understands the importance of protecting payment card information. We are writing to inform you of a recent security incident that may have involved your payment card information used to place an order on our website, [www.1800Flowers.ca](http://www.1800Flowers.ca) (the “Canadian Website”). The incident did not involve orders placed on the 1800Flowers.com website. This letter explains the incident, measures we have taken to remediate the incident, and steps you can take in response.

Our security team was made aware of suspicious activity on the Canadian Website. We immediately began an investigation with the assistance of a leading computer security firm and disabled the website. On October 30, 2018, the investigation identified unauthorized access to payment card data from cards used to make purchases on the Canadian Website from August 15, 2014 to September 15, 2018. The information included your first and last name, payment card number, expiration date, and card security code. We are notifying you because you may have placed an order on the Canadian Website during this time frame using a payment card ending in <<variable data – 4 digit CC #>>.

We encourage you to closely review your payment card statements for any unauthorized charges. You should immediately report any such charges to the bank, credit union or credit card company that issued your card because payment card network rules generally provide that cardholders are not responsible for unauthorized charges that are timely reported. The phone number to call is usually located on the back of your payment card. Also, please review the following page for more information on steps you can take.

We take the security of our customers’ personal information very seriously. To help prevent a similar incident from occurring in the future, we have redesigned the Canadian Website and implemented additional security measures. We are also working with the payment card networks so that banks and other entities that issue payment cards can be made aware.

If you have any questions, please call 888-842-3152, Monday through Friday, from 9:00 a.m. to 9:00 p.m. Eastern Time.

Sincerely,



William E. Shea  
Vice President  
1873349 Ontario, Inc.

## ADDITIONAL STEPS YOU CAN TAKE

We remind you to remain vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. If you detect any unauthorized activity on financial accounts, you should immediately contact your financial institution. We also recommend that you make your financial institution aware of this incident and take their advice on steps to protect your bank account. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your annual free credit report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

*Experian*, PO Box 2002, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742  
*TransUnion*, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com), 1-800-916-8800  
*Equifax*, PO Box 740241, Atlanta, GA 30374, [www.equifax.com](http://www.equifax.com), 1-800-685-1111

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

*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)

**If you are a resident of Connecticut, Maryland, North Carolina**, you may contact and obtain information from your state attorney general at:

*Connecticut Attorney General's Office*, 55 Elm Street, Hartford, CT 06106, 860-808-5318, [www.ct.gov/ag](http://www.ct.gov/ag)

*Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, [www.oag.state.md.us](http://www.oag.state.md.us), 888-743-0023 (toll free when calling within Maryland), (410) 576-6300 (for calls originating outside Maryland)

*North Carolina Attorney General's Office*, 9001 Mail Service Center, Raleigh, NC 27699, [www.ncdoj.gov](http://www.ncdoj.gov), 919-716-6400

**If you are a resident of West Virginia**, you have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described below. You also have a right to place a security freeze on your credit report, as described below.

**Credit Freezes:** You have the right to put a "security freeze," also known as a credit freeze, on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization. The security freeze is designed to prevent credit, loans, and services from being approved in your name without your consent. However, you should be aware that using a security freeze to take control over who gets access to the personal and financial information in your credit report may delay, interfere with, or prohibit the timely approval of any subsequent request or application you make regarding a new loan, credit, mortgage, or any other account involving the extension of credit.

Pursuant to federal law, you have the right to freeze and unfreeze your credit report free of charge with the three credit reporting agencies. Unlike a fraud alert, you must separately place a credit freeze on your credit file at each credit reporting company.

For more information, visit the FTC's identity theft website at [www.identitytheft.gov](http://www.identitytheft.gov). To place a security freeze on your credit report, you can submit a request on the websites of the three major reporting agencies or send a written request to each by regular, certified, or overnight mail at the addresses below:

**Experian Security Freeze**, PO Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com)  
**TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com)  
**Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)

In order to request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.)
2. Social Security number
3. Date of birth
4. If you have moved in the past five years, provide the addresses where you have lived over the prior five years

5. Proof of current address such as a current utility bill or telephone bill
6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.)
7. If you are a victim of identity theft, include a copy of the police report, investigative report, or complaint to a law enforcement agency concerning identity theft

The credit reporting agencies have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five business days and provide you with a unique personal identification number ("PIN") or password or both that can be used by you to authorize the removal or lifting of the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, or to lift a security freeze for a specified period of time, you must submit a request through a toll-free telephone number, a secure electronic system maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to the credit reporting agencies and include proper identification (name, address, and Social Security number) and the PIN number or password provided to you when you placed the security freeze as well as the identity of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to lift the security freeze for those identified entities or for the specified period of time.

To remove the security freeze, you must submit a request through a toll-free telephone number, a secure electronic system maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to each of the three credit bureaus and include proper identification (name, address, and Social Security number) and the PIN number or password provided to you when you placed the security freeze. The credit bureaus have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to remove the security freeze.

**Fraud Alerts:** As an alternative to a security freeze, you have the right to place an initial or extended fraud alert on your credit file at no cost. An initial fraud alert is a 1-year alert that is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years.

For more information, visit the FTC's identity theft website at [www.identitytheft.gov](http://www.identitytheft.gov). You can place a fraud alert on your credit report by contacting any of the three national credit reporting agencies.

**Fair Credit Reporting Act:** You also have rights under the federal Fair Credit Reporting Act, which promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. The FTC has published a list of the primary rights created by the FCRA (<https://www.consumer.ftc.gov/articles/pdf-0096-fair-credit-reporting-act.pdf>), and that article refers individuals seeking more information to visit [www.ftc.gov/credit](http://www.ftc.gov/credit). The FTC's list of FCRA rights includes:

- You have the right to receive a copy of your credit report. The copy of your report must contain all the information in your file at the time of your request.
- Each of the nationwide credit reporting companies – Experian, TransUnion and Equifax – is required to provide you with a free copy of your credit report, at your request, once every 12 months.
- You are also entitled to a free report if a company takes adverse action against you, like denying your application for credit, insurance, or employment, and you ask for your report within 60 days of receiving notice of the action. The notice will give you the name, address, and phone number of the credit reporting company. You're also entitled to one free report a year if you're unemployed and plan to look for a job within 60 days; if you're on welfare; or if your report is inaccurate because of fraud, including identity theft.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.
- Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.
- Consumer reporting agencies may not report outdated negative information.
- Access to your file is limited. And you must give your consent for reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.