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August 22, 2018

**By Electronic Mail**

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

***Re: Notification of Data Breach***

Dear Attorney General Ferguson:

I am writing on behalf of our client, Cheddar's Scratch Kitchen (a concept acquired by Darden Restaurants in 2017) ("Cheddar's"), to inform you of a data breach. It appears that between November 3, 2017 and January 2, 2018, an unauthorized person or persons gained access to the Cheddar's network and accessed and potentially obtained payment card numbers used to make purchases in certain Cheddar's restaurants, none of which were located in Washington. Cheddar's was notified of this data breach by law enforcement officials on August 16, 2018, immediately engaged a third-party cybersecurity firm to investigate the incident, and took steps to confirm the security of its current systems and network. The incident occurred on a network that was permanently disabled and replaced by April 2018.

While the investigation continues, Cheddar's current understanding is that the incident potentially affected approximately 567,000 payment card numbers. There are no signs that the unauthorized person or persons continue to have access to the Cheddar's network and systems.

Due to the fact that Cheddar's does not have information linking the payment card numbers to consumer names or residency, Cheddar's does not know the number of Washington residents that may have been affected by this incident and is unable to provide notices directly to affected guests. Therefore, Cheddar's has chosen to provide notice to consumers on August 22, 2018, via a posting on its website and by issuing a press release to inform media outlets. A copy of the Cheddar's website notice is attached.

Cheddar's is reviewing and updating its security practices in order to help prevent this type of incident from occurring again. Cheddar's has arranged to have ID Experts provide identity protection services at no cost to those individuals who may have been affected by the incident. Information about how affected guests can acquire these services and a description of the services is included in the consumer notice.

Please feel free to contact me if you have any questions or require additional information.

Sincerely,

James Denvil
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Enclosures: Notice Posted on Cheddar's Website

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# TO OUR VALUED GUESTS

We take the privacy and security of our guests' personal information very seriously. This notice is to inform you that some Cheddar's Scratch Kitchen restaurants have been the victims of cyberattacks, which may have resulted in unauthorized access to or acquisition of your payment card information. Below you will find more information about the incident and the steps we are taking, as well as the steps you can take, to help protect you and minimize the risk of your payment card information being misused.

## What Happened

On August 16, 2018, Cheddar's Scratch Kitchen (a concept acquired by Darden Restaurants in 2017) learned that between November 3, 2017 and January 2, 2018, an unauthorized person or persons gained access to the Cheddar's Scratch Kitchen network and were able to access and potentially obtain payment card information used to make purchases in certain Cheddar's Scratch Kitchen restaurants in the following states: Alabama, Arizona, Arkansas, Delaware, Florida, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Texas, Virginia, and Wisconsin.

Once Cheddar's Scratch Kitchen learned of this incident, we engaged a third-party cybersecurity firm to investigate. Our current systems and networks were not impacted by this incident. The unauthorized access appears to have occurred on a network that was permanently disabled and replaced by April 10, 2018. It's important to note that there are no indications of unauthorized access to the current Cheddar's Scratch Kitchen network and systems.

## What Information Was Involved

While the investigation continues, our current understanding is that the affected personal information involved payment card information, including payment card numbers.

## What We Are Doing

We take the privacy and security of your personal information very seriously. As noted, this incident occurred on a network that was permanently disabled and replaced by April 10, 2018. As an added precaution, we have arranged to have ID Experts® provide identity protection services at no cost to those individuals who may have been affected by the incident. To enroll for the services, please call (888) 258-7280 by November 22, 2018. ID Experts is offering the following services: MyIDCare services include 12 months of credit and CyberScan monitoring,

a $1,000,000 insurance reimbursement policy, and fully managed identity theft recovery services. With this protection, MyIDCare will help you resolve issues if your identity is compromised.

# What You Can Do

Enroll in the identity protection services we are providing. Even if you choose not to enroll, we recommend that you remain vigilant and take steps to protect yourself from identity theft by reviewing your account statements and by checking your credit report from one or more of the national credit reporting agencies periodically. You are entitled to obtain a free annual credit report from each of the nationwide credit reporting companies—Equifax, Experian, and TransUnion. To do so, please go to www.annualcreditreport.com (http://www.annualcreditreport.com) or call 1-877-322-8228. If you notice any suspicious activity, you should promptly report such activity to the proper law enforcement agencies.

We also recommend that you consider placing a fraud alert on your credit files. Adding a fraud alert to your credit report file makes it more difficult for someone to get credit in your name by requiring creditors to follow certain procedures. However, this may also delay your ability to obtain credit. No one is allowed to place a fraud alert on your credit report except you, so if you elect to do so, contact one of the three nationwide credit reporting agencies. The first agency that processes your fraud alert will notify the others to do so as well.

You may also add a security freeze to your credit report file to prohibit a credit reporting agency from releasing information from your credit report without your prior written authorization. In some cases, agencies may charge a fee to place or remove such a freeze.

**Equifax**
Consumer Fraud Division
P.O. Box 740256
Atlanta, GA 30374
www.equifax.com
1-800-525-6285

**Experian**
Fraud Division
P.O. Box 9554
Allen, TX 75013
www.experian.com
1-888-397-3742

**TransUnion**
Fraud Victim Assistance Department
P.O. Box 2000
Chester, PA 19016
www.transunion.com
1-800-680-7289

When you receive your credit reports, review them carefully. Look for accounts or creditor inquiries that you did not initiate or do not recognize. Look for 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 and promptly report any suspicious activity or suspected identity theft to the proper law enforcement authorities, including local law enforcement, your state's attorney general, or the Federal Trade Commission ("FTC").

You have rights under the federal Fair Credit Reporting Act. These include, among others, the right to know what is in your credit file; the right to dispute incomplete or inaccurate information; and the right to ask for a credit score.

You may contact the FTC or your state's regulatory authority to obtain additional information about avoiding identity theft.

Federal Trade Commission, Consumer Response Center
600 Pennsylvania Avenue, NW
Washington, DC 20580
1-877-IDTHEFT (438-4338) / www.ftc.gov/idtheft

Iowa residents can contact the Iowa Office of the Attorney General at: Consumer Protection Division, Office of the Attorney General of Iowa, 1305 E. Walnut Street, Des Moines, IA 50319; (515) 281-5926; www.iowaattorneygeneral.gov (http://www.iowaattorneygeneral.gov).

Massachusetts residents have the right to obtain a police report and request a security freeze as described above. The consumer reporting agencies may charge you a fee of up to $5 to place a security freeze on your account, and may require that you provide certain personal information (e.g., Social Security number, date of birth, and address) and proper identification (e.g., copy of a government-issued ID card and a bill or statement) prior to honoring your request. There is no charge, however, to place, lift, or remove a security freeze if you have been a victim of identity theft and you provide the consumer reporting agencies with a valid police report.

Maryland residents can contact the Maryland Office of the Attorney General at: Maryland Office of the Attorney General, 200 St. Paul Place, Baltimore, MD 21202; (888) 743-0023; http://oag.state.md.us (http://oag.state.md.us)

North Carolina residents can contact the North Carolina Attorney General at: North Carolina Office of the Attorney General 9001 Mail Service Center, Raleigh, NC 27699; (919) 716-6400; https://www.ncdoj.gov (https://www.ncdoj.gov)

Oregon residents can contact the Oregon Attorney General at: Oregon Department of Justice, 1162 Court Street NE, Salem, OR 97301; (877) 877-9392; https://justice.oregon.gov.

Rhode Island residents can contact the Rhode Island Office of the Attorney General at: Office of the Attorney General, Consumer Protection Unit, 150 South Main Street, Providence, RI 02903; (401) 274-4400; http://www.riag.ri.gov (http://www.riag.ri.gov). Rhode Island residents have the right to obtain a police report and request a security freeze as described above. The consumer reporting agencies may charge you a fee of up to $5 to place a security freeze on your account, and may require that you provide certain personal information (e.g., Social Security number, date of birth, and address) and proper identification (e.g., copy of a government-issued ID card and a bill or statement) prior to honoring your request. There is no charge, however, to place, lift, or remove a security freeze if you have been a victim of identity theft and you provide the consumer reporting agencies with a valid police report.

All other residents can find information on how to contact your state attorney general at www.naag.org/naag/attorneys-general/whos-my-ag.php (http://www.naag.org/naag/attorneys-general/whos-my-ag.php).

# For More Information

If you have questions or concerns that are not addressed in this notice, you may call the dedicated call center we've established regarding this incident at (888) 258-7280. The call center is available Monday through Friday, 8:00 a.m. to 8:00 p.m. Eastern Time (excluding U.S. holidays). You can also visit our website to learn more information at https://ide.myidcare.com/cheddars (https://ide.myidcare.com/cheddars).

Cheddar's Scratch Kitchen
PO Box 695011
Orlando, FL 32869-5011

(HTTPS://WWW [illegible] N/)

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