

## **Babbo Reports On Investigation of Payment Card Security Incident**

Babbo understands the importance of protecting payment card information. We are writing to provide information about a payment card security incident that Babbo has now addressed. The information comes from an investigation by a leading cyber security firm and the payment card networks.

The investigation identified the operation of malware designed to access payment card data from cards used on Babbo point-of-sale (POS) devices. The malware searched for track data (which includes the card number, expiration date, internal verification code, and sometimes cardholder name) read from the magnetic stripe of a payment card as it was being routed through the POS device. There is no indication that other customer information was affected. The timeframe of the malware's operation at Babbo was March 1, 2017 to March 20, 2018 and March 29, 2018.

It is always advisable to remain vigilant to the possibility of fraud by reviewing your payment card account statements for any unauthorized activity. You should immediately report any unauthorized charges to your card issuer because payment card network rules generally provide that cardholders are not responsible for unauthorized charges reported in a timely manner. The phone number to call is usually on the back of your payment card. Please see the section that follows this notice for additional steps you may take.

We removed the malware from Babbo's systems and we are taking steps to enhance our measures for securing payment card data. In addition, we are working closely with the payment card networks regarding this matter so that the banks that issue payment cards can be made aware.

If customers have questions regarding this incident, please call 888-604-3388, Monday through Friday between the hours of 9:00 a.m. and 9:00 p.m. EDT.

### **MORE INFORMATION ON WAYS TO PROTECT YOURSELF**

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. 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:

#### **Equifax**

PO Box 740241  
Atlanta, GA 30374  
[www.equifax.com](http://www.equifax.com)  
1-800-525-6285

#### **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)  
1-800-680-7289

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)

**Fraud Alerts:** To protect yourself from possible identity theft, consider placing a fraud alert on your credit file. A fraud alert can make it more difficult for someone to get credit in your name because it tells creditors to follow certain procedures to protect you. It also may delay your ability to obtain credit. You may place a fraud alert in your file by calling one of the three nationwide consumer reporting agencies:

Equifax, PO Box 740256, Atlanta, GA 30374, [www.equifax.com](http://www.equifax.com), 1-800-685-1111  
Experian, PO Box 9554, 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), 1-800-680-7289

As soon as that agency processes your fraud alert, it will notify the other two, which then also must place fraud alerts in your file. You may choose between two types of fraud alert. An initial alert (Initial Security Alert) stays in your file for at least 90 days. An extended alert (Extended Fraud Victim Alert) stays in your file for seven years. To place either of these alerts, a consumer reporting agency will require you to provide appropriate proof of your identity, which may include your Social Security number. If you ask for an extended alert, you will have to provide an identity theft report. An identity theft report includes a copy of a report you have filed with a federal, state, or local law enforcement agency, and additional information a consumer reporting agency may require you to submit. For more detailed information about the identity theft report, visit [www.ftc.gov/idtheft/](http://www.ftc.gov/idtheft/).

**Security Freeze:** You may wish to place a “security freeze” (also known as a “credit freeze”) on your credit file. A security freeze is designed to prevent potential creditors from accessing your credit file at the consumer reporting agencies without your consent. There may be fees for placing, lifting, and/or removing a security freeze, which generally range from \$5-\$20 per action. Unlike a fraud alert, you must place a security freeze on your credit file at each consumer reporting agency individually. In order to request a security freeze, the consumer reporting agencies may require proper identification prior to honoring your request and ask that you provide:

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 (5) 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

As the instructions for establishing a security freeze differ from state to state, please contact the three consumer reporting agencies to find out more information.

**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 – Equifax, Experian, and TransUnion – 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 are also entitled to one free report a year if you're unemployed and plan to look for a job within 60 days; if you are 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. You must give your consent for reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you receive based on information in your credit report.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.

**If you are a resident of Maryland,** you may contact the Maryland Attorney General's Office at 200 St. Paul Place, Baltimore, MD 21202, [www.oag.state.md.us](http://www.oag.state.md.us), 1-888-743-0023.

**If you are a resident of North Carolina,** you may contact the North Carolina Attorney General's Office at 9001 Mail Service Center, Raleigh, NC 27699, [www.ncdoj.gov](http://www.ncdoj.gov), 1-919-716-6400.

**If you are a resident of Massachusetts,** note that you 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 (such as your name, Social Security number, date of birth, and address) and proper identification (such as a 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.

**If you are a resident of Rhode Island**, you may obtain information about preventing and avoiding identity theft from the Rhode Island Office of the Attorney General at 150 South Main Street Providence, RI 02903, [www.riag.ri.gov](http://www.riag.ri.gov), (401)-274-4400. You 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 \$10 to place a security freeze on your account, and may require that you provide certain personal information (such as your name, Social Security number, date of birth, and address) and proper identification (such as a 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.

**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 above. You also have a right to place a security freeze on your credit report, as described above.