



CONSUMER PROTECTION DIVISION
RECEIVED

SEP 10 2008

David B. Eberhardt
Executive Vice President
General Counsel

September 3, 2008 OFFICE OF ATTORNEY GENERAL

Mr. Steven Rowe
Attorney General
6 State House Station
Augusta, ME 04333

Dear Attorney General Rowe:

We are writing to inform you of additional information we recently received regarding a data security breach involving individuals' personal information pursuant to the requirements of 10 MRSA §1348, sub-§5.

We previously wrote to you on June 13, 2008 to inform you of the theft of a U.S. Foodservice, Inc. ("USF") laptop computer, which contained sensitive personnel information. Local authorities were immediately notified and we conducted an internal investigation. In the course of our investigation, we determined that the laptop computer contained the names, social security numbers, home addresses and/or dates of birth of some present and former USF employees, and in a few instances, their dependents and applicants for jobs at USF. We sent a notification letter to individuals impacted by this incident on or about June 13, 2008. We were recently informed after additional computer forensic work was performed that the laptop computer contained sensitive personnel information about a larger group of individuals than previously had been identified.

Although we have no indication that any of the information is being misused, as a result of this incident and pursuant to requirements under Maine law, we are notifying you of the following concerning the timing, distribution, and content of the notice we are sending to this second group of affected individuals:

- We are preparing a notification letter for this second group of individuals whose information may have been involved in the incident (a copy of our notification letter is attached).
- We will send the notification letter to individuals whose information may have been involved in the incident – we estimate that approximately 33 individuals in Maine will receive this notification. We expect that the notification letters will be mailed commencing September 3, 2008.
- We are notifying all three consumer reporting agencies that compile and maintain files on consumers on a nationwide basis (as defined in 15 U.S.C. § 1681a(p) of the breach. Our notification to these agencies will provide information relating to the timing, distribution, and content of the notice that will be sent to individuals, including a copy of the notification letter.

9755 Patuxent Woods Drive
Columbia, MD 21046
410.312.7197 Fax 410.309.6465
E-mail: David.Eberhardt@usfood.com

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September 3, 2008
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We are available to answer any questions you may have regarding this incident and our notification to the affected individuals.

Very truly yours,

A handwritten signature in black ink, appearing to read 'D. B. Eberhardt', with a long horizontal line extending to the right.

David B. Eberhardt

Enclosure



<<DATE>>

NAME
Street Address
City, State, Zip

Dear [NAME]:

We were informed of the theft of a U.S. Foodservice laptop earlier this year which contained sensitive personnel information. We are notifying you since the laptop contained certain old data files with some of your personal information, including possibly your name, social security number, home address, and/or date of birth. Please note that several years ago, the Company stopped using social security numbers to identify employees for internal reporting or other purposes. Local authorities were immediately notified, and we conducted an internal investigation.

We hired an outside computer forensics expert to help us identify the individuals whose data were contained in the laptop, and we sent a letter to the group identified in June 2008 notifying them of the incident.

We recently discovered that the external computer forensics expert had not searched the laptop for social security numbers that were contained in a non-standard format, such as including additional symbols, numbers or letters beyond the base nine digits. At our request, the vendor conducted extensive further forensic analysis, which resulted in the identification of additional individuals whose data were contained in the laptop. We are sending this notification letter to you because you are in this group of individuals.

Pursuant to USF policies, the laptop was protected by a unique user ID and password, but the individual files containing personal information were not encrypted or password protected. At this point, we have no reason to believe that the information on the laptop has been accessed or misused; however, we felt that it was very important to notify you about this incident.

U.S. Foodservice takes the security of your personal information seriously and apologizes for any inconvenience or worry this incident may cause you. As a precautionary measure, we are making several services available at the Company's expense, free of charge to you, to assist you in protecting your identity. Although at this point we have no indication that your information has been compromised, we highly encourage you to take the steps listed below for an additional level of protection.

1. Call the Toll Free Help Line at 1-866-584-9681 to get answer to your questions.
 - Staffed by a team of professionals
 - Monday through Friday from 6:00 a.m. to 6:00 p.m. (Pacific Daylight Time)
 - Saturday and Sunday from 8:00 a.m. to 5:00 p.m. (Pacific Daylight Time)
2. Have a Fraud Alert placed on your credit.
 - Fraud alert lets creditors know additional steps should be taken to verify your identity prior to granting credit in your name

- Contact one of the major U.S. credit bureaus listed below and have a "fraud alert" placed on your credit file:


Equifax
P.O. Box 740241
Atlanta, GA 30374
1-800-685-1111

Experian
P.O. Box 9554
Allen, TX 75013
1-888-397-3742

TransUnion
P.O. Box 2000
Chester, PA 19022
1-800-916-8800

3. Sign up for 12 months of free Credit Monitoring.
The product membership, Triple AdvantageSM Premium, includes one 3-Bureau credit report, daily monitoring of your credit reports from the three national credit reporting bureaus, notification alerts if key changes are detected on any of your three reports and \$25,000 in identity theft insurance, with no deductible, provided by Virginia Surety Company, Inc.* This product is being provided to you by U.S. Foodservice at no cost to you. Contact the Help Line at the number above for additional details.

*Due to New York state law restrictions, identity theft insurance coverage cannot be offered to residents of New York.

Your credit monitoring activation code is 

- To sign up online, please visit <http://partner.consumerinfo.com/usfoodservice>, enter the activation code provided above and follow the instructions. If you sign up online, all credit reports and alerts will be delivered via email.
- To sign up by telephone, dial 1-866-584-9681. If you sign up by telephone, all credit reports and alerts will be delivered by the US Post Office.

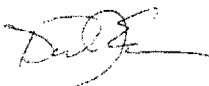
To take advantage of the credit monitoring membership at no cost, you **must enroll within Ninety (90) days** from the date of this letter. Federal law does not allow us to activate this membership for you.

4. Request a copy of your free credit report.
U.S. law entitles you to one free credit report annually from each of the three major credit bureaus listed above. To order your free credit report, visit www.annualcreditreport.com or call toll-free (877) 322-8228.

For more information on identity theft visit the U.S. Trade Commission website at www.consumer.gov/idtheft.

I sincerely apologize for any inconvenience or concern this incident may have caused you. Please know that while we have information security policies in place, we are reviewing those practices and procedures to see what changes need to be made.

Sincerely,



Dave Esler
Chief Human Resources Officer