

***Attorney Client Communication
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Notice of Data Privacy Event

On July 15, 2022, Berkshire learned of suspicious activity impacting certain servers in Berkshire's environment. Upon learning of the suspicious activity, Berkshire promptly took steps to secure its systems and launched an investigation, with the assistance of third-party cyber security specialists, to determine the nature and scope of the event. Berkshire's investigation determined that certain files within its systems were accessed by an unauthorized actor.

After learning that certain files within its systems were accessed by an unauthorized actor, Berkshire began an in-depth and comprehensive review of the files to determine what information was contained within, and to whom the information relates. This extensive review is ongoing. At this time, there is no evidence or reports that information has been misused.

Berkshire will notify potentially affected individuals upon completion of the review of the files. Berkshire notified the U.S. Department of Health and Human Services and will continue to notify federal and state regulators as required. For individuals seeking additional information regarding this event, please contact Bailey Mack, at RiskMgmt@Berkshirefarm.org or 518-781-1800, Monday through Friday (excluding U.S. holidays), during the hours of 8:00 a.m. to 4:00 p.m., Eastern Standard Time.

Berkshire takes this event and the security of the information in their care seriously. Although Berkshire had policies and procedures in place surrounding data security, Berkshire is reviewing their existing policies and procedures. Berkshire also notified federal law enforcement. Berkshire deeply regrets that this has occurred and sincerely apologizes for any inconvenience or concern it may have caused.

Berkshire encourages potentially impacted individuals to remain vigilant against incidents of identity theft and fraud, to review account statements, and to monitor their credit reports and explanation of benefits forms for suspicious activity. Berkshire is providing potentially impacted individuals with contact information for the three major credit reporting agencies, as well as providing advice on how to obtain free credit reports and how to place fraud alerts and security freezes on their credit files. The relevant contact information is below:

Equifax

P.O. Box 105069
Atlanta, GA 30348
1-888-766-0008
www.equifax.com

Experian

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

TransUnion

P.O. Box 2000
Chester, PA 19016
1-800-680-7289
www.transunion.com

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Potentially impacted individuals may also find information regarding identity theft, fraud alerts, security freezes and the steps they may take to protect their information by contacting the credit bureaus, the Federal Trade Commission or their state Attorney General. The Federal Trade Commission can be reached at: 600 Pennsylvania Avenue NW, Washington,

DC 20580; www.identitytheft.gov; 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261.

Instances of known or suspected identity theft should also be reported to law enforcement or the individual's state Attorney General.