

# **EXHIBIT 1**

The investigation into this matter is ongoing, and this notice will be supplemented with any new significant facts learned subsequent to its submission. By providing this notice, Harrington Raceway, Inc. (“Harrington”) does not waive any rights or defenses regarding the applicability of Maine law, the applicability of the Maine data event notification statute, or personal jurisdiction.

### **Nature of the Data Event**

On or around December 27, 2022, Harrington became aware of suspicious activity affecting certain systems within its network. Harrington immediately launched an investigation, with the assistance of third-party specialists, to confirm the full nature and scope of the activity and restore functionality to the affected systems. On February 1, 2023, it was determined that certain information on Harrington systems was potentially accessed or taken without authorization between December 12, 2022 and December 27, 2022. Following this determination, Harrington undertook a comprehensive review of the potentially accessible or taken information. On or around March 10, 2023, this review concluded, and it was determined that the accessible or taken information included personal information. The information that could have been subject to unauthorized access or exfiltration includes name, Social Security number, and driver's license number, passport number, government identification number, or military identification number.

### **Notice to Maine Residents**

On or about April 10, 2023, Harrington provided written notice of this incident to four (4) Maine residents. Written notice is being provided in substantially the same form as the letter attached here as *Exhibit A*.

### **Other Steps Taken and To Be Taken**

Upon discovering the incident, Harrington moved quickly to investigate and respond to the incident, assess the security of Harrington systems, and identify potentially affected individuals. Further, Harrington notified federal law enforcement regarding the incident. Harrington is also working to implement additional safeguards and training to its employees. Harrington is providing access to credit monitoring services for twelve (12) months, through IDX, to individuals whose personal information was potentially affected by this incident, at no cost to these individuals.

Additionally, Harrington is providing impacted individuals with guidance on how to better protect against identity theft and fraud. Harrington is providing individuals with information on how to place a fraud alert and security freeze on one's credit file, the contact details for the national consumer reporting agencies, information on how to obtain a free credit report, a reminder to remain vigilant for incidents of fraud and identity theft by reviewing account statements and monitoring free credit reports, and encouragement to contact the Federal Trade Commission, their state Attorney General, and law enforcement to report attempted or actual identity theft and fraud.

Harrington is providing written notice of this incident to relevant state regulators, as necessary, and to the three major credit reporting agencies, Equifax, Experian, and TransUnion.

# **EXHIBIT A**



P.O. Box 989728  
West Sacramento, CA 95798-9728

To Enroll, Please Call:  
1-888-821-9363  
Or Visit:  
<https://app.idx.us/account-creation/protect>  
Enrollment Code: <<ENROLLMENT>>

<<FIRST NAME>> <<LAST NAME>>  
<<ADDRESS1>>  
<<ADDRESS2>>  
<<CITY>>, <<STATE>> <<ZIP>>  
<<Country>>

April 10, 2023

**NOTICE OF <<RE:LINE>>**

Dear <<FIRST NAME>> <<LAST NAME>>:

Harrington Raceway, Inc. (“Harrington”) writes to inform you of a recent incident that may affect the security of some of your personal information. This notice provides information about the incident, our response, and resources available to you to help protect your information from possible misuse, should you feel it necessary to do so.

**What Happened?** On or around December 27, 2022, Harrington became aware of suspicious activity affecting certain systems within our network. Harrington immediately launched an investigation, with the assistance of third-party specialists, to confirm the full nature and scope of the activity and restore functionality to the affected systems. On February 1, 2023, it was determined that certain information on our systems may have been accessed or taken without authorization between December 12, 2022 and December 27, 2022. Following this determination, we undertook a comprehensive review of the potentially accessible or taken information. On or around March 10, 2023, this review concluded, and it was determined that the accessible or taken information included personal information.

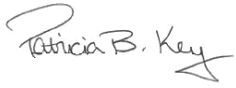
**What Information Was Involved?** The information related to you that may have been accessed or taken includes your name, Social Security number, and driver's license number, passport number, government identification number, or military identification number.

**What We Are Doing.** We take the security of information entrusted to us seriously and apologize for any inconvenience this incident may cause. As part of our ongoing commitment to the security of information within our care, we are reviewing our existing policies and procedures regarding cybersecurity and evaluating additional safeguards to protect against this type of incident in the future.

**What You Can Do.** We encourage you to remain vigilant against incidents of identity theft and fraud by reviewing your accounts and monitoring your free credit reports for suspicious activity and to detect errors over the next twelve (12) to twenty-four (24) months. Although we are not aware of any actual or attempted misuse of your personal information, as an added precaution, we are offering you access to <<Length of CM>> months of complimentary credit monitoring services provided through IDX. Although we are making these services available to you, we are unable to enroll you directly. For enrollment instructions as well as additional resources available to you to help protect your information from possible misuse, please review the information contained in the attached *Steps You Can Take to Help Protect Personal Information*.

**For More Information.** We understand that you may have questions about this incident that are not addressed in this letter. If you have additional questions, please call us at 1-888-821-9363, Monday through Friday from 9 am - 9 pm Eastern Time.

Sincerely,

A handwritten signature in cursive script that reads "Patricia B. Key". The signature is written in black ink and is positioned above the printed name.

Patricia Key  
Chief Executive Officer

## Steps You Can Take to Help Protect Personal Information

### Enroll in Credit Monitoring

**Website and Enrollment.** Go to <https://app.idx.us/account-creation/protect> and follow the instructions for enrollment using your Enrollment Code provided at the top of the letter. Please note the deadline to enroll is July 10, 2023.

### Monitor Your Accounts

Under U.S. law, a consumer is entitled to one free credit report annually from each of the three major credit reporting bureaus, Equifax, Experian, and TransUnion. To order your free credit report, visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call, toll-free, 1-877-322-8228. You may also directly contact the three major credit reporting bureaus listed below to request a free copy of your credit report.

Consumers have the right to place an initial or extended “fraud alert” on a credit file at no cost. An initial fraud alert is a one-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 seven years. Should you wish to place a fraud alert, please contact any one of the three major credit reporting bureaus listed below.

As an alternative to a fraud alert, consumers have the right to place a “credit freeze” on a credit report, which will prohibit a credit bureau from releasing information in the credit report without the consumer’s express authorization. The credit 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 credit 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 cannot be charged to place or lift a credit freeze on your credit report. To request a security freeze, you will need to provide the following information:

1. Full name (including middle initial as well as Jr., Sr., II, III, etc.);
2. Social Security number;
3. Date of birth;
4. Addresses for the prior two to 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, etc.); and
7. A copy of either the police report, investigative report, or complaint to a law enforcement agency concerning identity theft if you are a victim of identity theft.

Should you wish to place a credit freeze, please contact the three major credit reporting bureaus listed below:

<b>Equifax</b>	<b>Experian</b>	<b>TransUnion</b>
<a href="https://www.equifax.com/personal/credit-report-services/">https://www.equifax.com/personal/credit-report-services/</a>	<a href="https://www.experian.com/help/">https://www.experian.com/help/</a>	<a href="https://www.transunion.com/credit-help">https://www.transunion.com/credit-help</a>
1-888-298-0045	1-888-397-3742	1-800-916-8800
Equifax Fraud Alert, P.O. Box 105069 Atlanta, GA 30348-5069	Experian Fraud Alert, P.O. Box 9554, Allen, TX 75013	TransUnion Fraud Alert, P.O. Box 2000, Chester, PA 19016
Equifax Credit Freeze, P.O. Box 105788 Atlanta, GA 30348-5788	Experian Credit Freeze, P.O. Box 9554, Allen, TX 75013	TransUnion Credit Freeze, P.O. Box 160, Woodlyn, PA 19094

### Additional Information

You may further educate yourself regarding identity theft, fraud alerts, credit freezes, and the steps you can take to protect your personal information by contacting the consumer reporting bureaus, the Federal Trade Commission, or your state Attorney General. The Federal Trade Commission may be reached at: 600 Pennsylvania Avenue NW, Washington, D.C. 20580; [www.identitytheft.gov](http://www.identitytheft.gov); 1-877-ID-THEFT (1-877-438-4338); and TTY: 1-866-653-4261. The Federal Trade Commission also encourages those who discover that their information has been misused to file a

complaint with them. You can obtain further information on how to file such a complaint by way of the contact information listed above. You have the right to file a police report if you ever experience identity theft or fraud. Please note that in order to file a report with law enforcement for identity theft, you will likely need to provide some proof that you have been a victim. Instances of known or suspected identity theft should also be reported to law enforcement and your state Attorney General. This notice has not been delayed by law enforcement.

*For District of Columbia residents*, the District of Columbia Attorney General may be contacted at: 400 6th Street, NW, Washington, D.C. 20001; 202-727-3400; and [oag.dc.gov](http://oag.dc.gov).

*For Maryland residents*, the Maryland Attorney General may be contacted at: 200 St. Paul Place, 16th Floor, Baltimore, MD 21202; 1-410-528-8662 or 1-888-743-0023; and [www.oag.state.md.us](http://www.oag.state.md.us). Harrington is located at 18500 S. Dupont Highway, Harrington, DE 19952.

*For New Mexico residents*, you have rights pursuant to the Fair Credit Reporting Act, such as the right to be told if information in your credit file has been used against you, the right to know what is in your credit file, the right to ask for your credit score, and the right to dispute incomplete or inaccurate information. Further, pursuant to the Fair Credit Reporting Act, the consumer reporting bureaus 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 credit reports to be provided to employers; you may limit “prescreened” offers of credit and insurance you get based on information in your credit report; and you may seek damages from violator. You may have additional rights under the Fair Credit Reporting Act not summarized here. Identity theft victims and active-duty military personnel have specific additional rights pursuant to the Fair Credit Reporting Act. We encourage you to review your rights pursuant to the Fair Credit Reporting Act by visiting [www.consumerfinance.gov/f/201504\\_cfpb\\_summary\\_your-rights-under-fcra.pdf](http://www.consumerfinance.gov/f/201504_cfpb_summary_your-rights-under-fcra.pdf), or by writing Consumer Response Center, Room 130-A, Federal Trade Commission, 600 Pennsylvania Ave. N.W., Washington, D.C. 20580.

*For New York residents*, the New York Attorney General may be contacted at: Office of the Attorney General, The Capitol, Albany, NY 12224-0341; 1-800-771-7755; or <https://ag.ny.gov/>.

*For North Carolina residents*, the North Carolina Attorney General may be contacted at: 9001 Mail Service Center, Raleigh, NC 27699-9001; 1-877-566-7226 or 1-919-716-6000; and [www.ncdoj.gov](http://www.ncdoj.gov).

*For Rhode Island residents*, the Rhode Island Attorney General may be reached at: 150 South Main Street, Providence, RI 02903; [www.riag.ri.gov](http://www.riag.ri.gov); and 1-401-274-4400. Under Rhode Island law, you have the right to obtain any police report filed in regard to this incident. There are 0 Rhode Island residents impacted by this incident.