

# EXHIBIT A

6

Commonwealth of Massachusetts

SUFFOLK, SS.

TRIAL COURT OF THE COMMONWEALTH  
SUPERIOR COURT DEPARTMENT  
CIVIL DOCKET NO. SUCV2019-CV\_03718-BLS1

ROBERT HARTIGAN,  
on behalf of himself and  
all others similarly, PLAINTIFF(S),  
situated

v.  
MACYS, INC

\_\_\_\_\_, DEFENDANT(S)

SUMMONS

THIS SUMMONS IS DIRECTED TO MACYS, INC (Defendant's name)

You are being sued. The Plaintiff(s) named above has started a lawsuit against you. A copy of the Plaintiff's Complaint filed against you is attached to this summons and the original complaint has been filed in the Suffolk Superior Court. **YOU MUST ACT PROMPTLY TO PROTECT YOUR RIGHTS.**

2020 MAR -5 PM 1:54  
SUFFOLK SUPERIOR COURT  
CIVIL CLERK'S OFFICE  
CLERK'S OFFICE

1. **You must respond to this lawsuit in writing within 20 days.** If you do not respond, the court may decide the case against you and award the Plaintiff everything asked for in the complaint. You will also lose the opportunity to tell your side of the story. You must respond to this lawsuit in writing even if you expect to resolve this matter with the Plaintiff. **If you need more time to respond, you may request an extension of time in writing from the Court.**

2. **How to Respond.** To respond to this lawsuit, you must file a written response with the court and mail a copy to the Plaintiff's Attorney (or the Plaintiff, if unrepresented). You can do this by:

a. Filing your **signed original** response with the Clerk's Office for Civil Business, Suffolk Court, Superior

3 Pemberton Square (address), by mail or in person, **AND**

Boston b. Delivering or mailing a copy of your response to the Plaintiff's Attorney/Plaintiff at the following  
MA address: 2 Salem Green, Suite 2, Salem MA 01970  
02108

3. **What to include in your response.** An "Answer" is one type of response to a Complaint. Your Answer must state whether you agree or disagree with the fact(s) alleged in each paragraph of the Complaint. Some defenses, called affirmative defenses, must be stated in your Answer or you may lose your right to use them in court. If you have any claims against the Plaintiff (referred to as **counterclaims**) that are based on the same facts or transaction described in the Complaint, then you must include those claims in your Answer. Otherwise, you may lose your right to sue the Plaintiff about anything related to this lawsuit. If you want to have your case heard by a jury, you must **specifically** request a jury trial in your Answer or in a written demand for a jury trial that you must send to the other side and file with the court no more than 10 days after sending your Answer. You can also respond to a Complaint by filing a "Motion to Dismiss," if you believe that the complaint is legally invalid or legally insufficient. A Motion to Dismiss must be based on one of the legal deficiencies or reasons listed under Mass. R. Civ. P. 12. If you are filing a Motion to Dismiss, you must also comply with the filing procedures for "Civil Motions" described in the rules of the Court in which the complaint was filed, available at www.mass.gov/courts/case-legal-res/rules of court.

4. Legal Assistance. You may wish to get legal help from a lawyer. If you cannot get legal help, some basic information for people who represent themselves is available at [www.mass.gov/courts/selfhelp](http://www.mass.gov/courts/selfhelp).
5. Required information on all filings: The "civil docket number" appearing at the top of this notice is the case number assigned to this case and must appear on the front of your Answer or Motion to Dismiss. You should refer to yourself as the "Defendant."

Witness Hon. Judith Fabricant, Chief Justice on February 14, 20 20.

*Michael Joseph Donovan*  
 Michael Joseph Donovan  
 Clerk-Magistrate


Note: The number assigned to the Complaint by the Clerk-Magistrate at the beginning of the lawsuit should be indicated on the summons before it is served on the Defendant.

**PROOF OF SERVICE OF PROCESS**

I hereby certify that on February 19, 20 20 I served a copy of this summons, together with a copy of the complaint in this action, on the defendant named in this summons, in the following manner (See Mass. R. Civ. P. 4 (d)(1-5)):  
Certified Mail, Return Receipt Requested.

Dated: March 2, 20 20

Signature: *[Signature]*

<p><b>SENDER: COMPLETE THIS SECTION</b></p> <ul style="list-style-type: none"> <li>■ Complete items 1, 2, and 3.</li> <li>■ Print your name and address on the reverse so that we can return the card to you.</li> <li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul> <p>1. Article Addressed to:</p> <p style="margin-left: 40px;"><i>Macy's Inc</i>  <i>7 West 7<sup>th</sup> Street</i>  <i>Cincinnati, OH 45202</i></p>	<p><b>COMPLETE THIS SECTION ON DELIVERY</b></p> <p>A. Signature  <input checked="" type="checkbox"/> <i>[Signature]</i>      <input type="checkbox"/> Agent  <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name)  <i>D. Johnson</i></p> <p>C. Date of Delivery</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes                  If YES, enter delivery address below: <input type="checkbox"/> No</p>
 9590 9402 4944 9063 0200 32	<p>3. Service Type</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Adult Signature</li> <li><input type="checkbox"/> Adult Signature Restricted Delivery</li> <li><input checked="" type="checkbox"/> Certified Mail®</li> <li><input type="checkbox"/> Certified Mail Restricted Delivery</li> <li><input type="checkbox"/> Collect on Delivery</li> <li><input type="checkbox"/> Collect on Delivery Restricted Delivery</li> <li><input type="checkbox"/> Priority Mail Express®</li> <li><input type="checkbox"/> Registered Mail™</li> <li><input type="checkbox"/> Registered Mail Restricted Delivery</li> <li><input checked="" type="checkbox"/> Return Receipt for Merchandise</li> <li><input type="checkbox"/> Signature Confirmation™</li> </ul>

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT  
DEPARTMENT OF THE TRIAL COURT  
CA. NO. 19-3718A

ROBERT HARTIGAN, on behalf of  
himself and all others similarly  
situated,

Plaintiff,

v.

MACY'S, INC.,

Defendant.

SUFFOLK SUPERIOR COURT  
CIVIL CLERK'S OFFICE  
2019 NOV 26 A 10: 58  
PUBLIC ACCESS TERMINAL  
CLERK / REGISTRAR

**PLAINTIFF'S CLASS ACTION COMPLAINT  
AND DEMAND FOR JURY TRIAL**

Plaintiff, Robert Hartigan ("Plaintiff" or "Hartigan") seeks to represent himself and all other similarly situated individuals ("Class" or "Class Members") in claims against Macy's, Inc. ("Macy's" or "Defendant").

In October 2019, Macy's, a well-known department store chain, had its data security breached, impacting and disclosing thousands of customers' financial information ("The Breach").

More precisely, between October 7, 2019 and October 15, 2019, hackers stole personal customer information from Macy's website. Macy's website was hacked by an unauthorized third-party which permitted the third-party to capture customer's checkout and wallet-page information.

The information unlawfully accessed and disclosed included customers' first and last names; addresses; phone numbers; email addresses; and credit card numbers (with security codes and expiration dates).

As Macy's described in a public statement issued shortly after The Breach, "we are aware of a highly sophisticated and targeted data security incident related to www.macys.com."

In a letter dated November 14, 2019, Macy's explained that Mr. Hartigan's and the Class's personal information was the subject of a recent data breach and that Macy's would provide a year of credit monitoring ("Breach Notification Letter").

The Breach Notification Letter informed customers that identify theft and financial crimes were possible as a result of Macy's loss of sensitive financial information it had collected from Mr. Hartigan and others.

Macey's went on to task Mr. Hartigan, and other customers, with being vigilant and taking myriad steps to avoid identity theft.

However, Macy's neither offered financial compensation nor an opportunity to obtain, free of charge, certain professional monitoring for the purposes of preventing the victims from identity theft beyond one year's time.

Plaintiff alleges that Macy's unlawfully, negligently, and unfairly failed to ensure the security of, and protect, Plaintiff and Class Member's information.

As such, Plaintiff contends that Macy's actions constituted violations of the Massachusetts common-law, statutory law and regulations.

By way of this action, Plaintiff asserts that: (1) Macy's breached its duty and obligation to keep customer's information confidential; (2) Macy's negligently violated the privacy rights of Plaintiff and the putative class by failing to protect sensitive information in conformity with its duties; and (3) Macy's did not adequately fulfill its duty to prevent and mitigate actual or potential damages caused by The Breach.

Plaintiff contends that the foregoing acts and omissions constitute violations of Massachusetts law; and further, that Plaintiff and all Class Members have suffered cognizable

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