

EXHIBIT 6



UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

Maneesha Mithal
Associate Director
Division of Privacy and Identity Protection

November 23, 2010

BY EMAIL

Michael Oakes, Esq.
Hunton & Williams LLP
1900 K Street, N.W.
Washington, D.C. 20006-1109

Dear Mr. Oakes:

This letter follows up on your meeting and subsequent teleconference with Alain Sheer, Loretta Garrison, and Laura Riposo VanDruff regarding Hannaford Brothers Co.'s and Sweetbay Supermarket's ("Sweetbay") responses to the Commission's November 2, 2010 Civil Investigative Demands ("CIDs")¹ in our ongoing investigation related to the unauthorized connection to and installation of hacker tools on Hannaford, Sweetbay, and Shop 'n Save computer networks.²

You have asked to narrow the scope of the CIDs, stating that compliance with the specifications as propounded would be burdensome. This Division is committed to reaching good faith agreements with Hannaford and Sweetbay that will allow your clients to respond efficiently and timely to the Commission's CIDs. To this end, although we reserve all rights of the Commission with respect to the CIDs as originally propounded, we agree to limit

¹ The Commission issued two CIDs to Hannaford: the First CID to Hannaford generally seeks information regarding arguments Hannaford asserted in its August 2010 White Paper and in its August 17, 2010 meeting with Bureau of Consumer Protection Director David Vladeck ("White Paper CID"); the Second CID to Hannaford repeats the requests of the Commission's access letters ("Access Letter CID"). The Commission also issued a CID to Sweetbay ("Sweetbay CID"). As you have discussed with staff and as Mr. Sheer requested again on November 22, 2010, we anticipate receiving documentation of the legal relationship between Kash n' Karry Food Stores, Inc. ("Kash 'n Karry") and Sweetbay.

² Sweetbay is currently a third party to the Commission's investigation.

Hannaford's and Sweetbay's initial responses as described below. This agreement is contingent on full and complete production in accordance with the terms outlined below.

Instructions and Specifications to Access Letter CID

For the purposes of Hannaford's initial responses to the Access Letter CID, the CID's Instructions and Specifications are modified as follows:

(1) Instructions

- **Access Letter CID Applicable Time Period Instruction (D):** "Unless otherwise directed in the specifications, the applicable time period for the CID shall be from **January 1, 2007 until December 23, 2009.**"
- **Access Letter CID Scope of Search Instruction (J):** "This CID covers all responsive documents in the possession, custody, or control of Hannaford Brothers Co., and its parents, subsidiaries, divisions, affiliates, branches, joint ventures, and agents."

(2) Document Specifications

- **Access Letter CID Document Specification 11:** "Provide a copy of each substantially different privacy notice (initial and annual) provided to customers for whom Hannaford cashed payroll checks."
- **Access Letter CID Document Specification 15:** Although you have not raised concerns regarding Specification 15, by this letter, we are withdrawing it for the purpose of Hannaford's initial responses.

Definitions, Instructions, and Specifications to White Paper CID

For the purposes of Hannaford's initial responses to the White Paper CID, the CID's Definitions, Instructions, and Specifications are modified as follows:

(1) Definitions and Instructions

- **White Paper CID, Hannaford Definition (J):** "'Hannaford' or the 'Company' shall mean Hannaford Brothers Co., and its parents, subsidiaries, divisions, affiliates, branches, joint ventures, and agents."
- **White Paper CID, Security Practice Definition (Q):** "'Security Practice' shall mean procedures, practices, policies, and defenses, including network operation protocols, used to protect electronic data."

- **White Paper CID Applicable Time Period Instruction (C):** “Unless otherwise directed in the specifications, the applicable time period for the CID shall be from **January 1, 2007 until December 23, 2009.**”
- **White Paper CID Scope of Search Instruction (I):** “This CID covers documents and information in your possession or under your actual or constructive custody or control.”

(2) Interrogatory Specifications

- **White Paper CID Interrogatory Specifications 1 through 4:** The time period for each specification is modified to begin on January 1, 2007 and end on January 1, 2009.
- **White Paper CID Interrogatory Specification 8:** “Identify and describe in detail whether, and, if so, how and over what time period, customers of Hannaford, Sweetbay, and Shop ‘n Save changed their purchasing practices after the breach was announced, including: (a) the form of payment used (such as switching from payment cards to cash and checks); (b) the average dollar amount of purchases by payment form; and (c) the churn rate or attrition rate in the customer base, reflecting the proportion of customers who stopped doing business with Hannaford, Sweetbay, and Shop ‘n Save.

“The response should include: a separate spreadsheet for Hannaford, Sweetbay, and Shop ‘n Save that sets out, week-by-week between March 17, 2007 and March 17, 2009, changes in the form of payment and average dollar amount of purchases (by individual form of payment) and the churn rate (by demographic characteristics and location); the raw data on which each spreadsheet is based; and a detailed description of the methods used to prepare each spreadsheet.”

(3) Document Specifications

- **White Paper CID Document Specification 3:** “Separately for Hannaford, Sweetbay, and Shop ‘n Save, provide:
 - “(a) all communications with CyberTrust regarding system administrator passwords used on servers identified in the response to Interrogatory Specification 5, including other security measures used in lieu of changing the default password;
 - “(b) all communications with vendors and service providers about any loss of functionality resulting from changing the default password, including requests to modify the server or applications to prevent the functionality loss; and

“(c) all communications within Hannaford or between Hannaford and any other person or entity (such as acquiring banks or the Payment Card Industry Data Security Council) regarding the use of system administrator passwords on servers identified in the response to Interrogatory Specification 3, including the consequences of using the default system administrator password.”

- **White Paper CID Document Specification 7:** The time period for the specification is modified to begin on January 1, 2007 and end on April 1, 2008.
- **White Paper CID Document Specification 8:** The time period for each specification is modified to begin on January 1, 2007 and end on April 1, 2008.
- **White Paper CID Document Specification 9:** We are withdrawing White Paper CID Document Specification 9, which is subsumed in White Paper CID Document Specification 10.

Instructions and Specifications to Sweetbay CID

For the purposes of initial responses to the Sweetbay CID, the CID’s Instructions and Specifications are modified as follows:

(1) Instructions

- **Sweetbay CID Scope of Search Instruction (I):** “This CID covers documents and information in your possession or under your actual or constructive custody or control.”

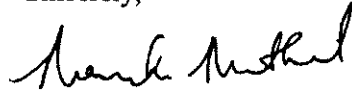
(2) Document Specifications

- **Sweetbay CID Document Specification 13:** We are withdrawing Sweetbay CID Document Specification 13, which is subsumed in Sweetbay CID Document Specification 14.

We understand that you may have additional questions regarding the technical specifications set forth in the CIDs, and we would be pleased to address those issues as soon as you are prepared to raise them.

If you have any questions regarding these or related matters, please do not hesitate to contact Alain Sheer at 202.326.3321.

Sincerely,

A handwritten signature in black ink, appearing to read "Maneesha Mithal". The signature is fluid and cursive, with the first name being more prominent.

Maneesha Mithal
Associate Director
Division of Privacy and Identity Protection

cc: John W. Woods, Jr.
Alain Sheer