

Statement from Dave & Buster's Regarding Data Theft

2008-05-13

Dave & Buster's has learned that the United States Department of Justice has charged and will prosecute the individuals responsible for the theft of credit and debit card numbers from 11 of our locations.

These thefts occurred on an intermittent basis from May through August of 2007. Although the stolen data was never retained or stored by Dave & Buster's, the data was illegally accessed from the Dave & Buster's computer systems during the card verification and transmission process. No personal information such as names, addresses, phone numbers, bank account numbers, pin numbers, or social security numbers was stolen. The data that was captured consists of "track 2" data that includes the credit or debit card number and expiration date, but no other identifying data.

Dave & Buster's was alerted to the potential data intrusion in late August 2007, and immediately contacted the United States Secret Service. Dave & Buster's worked closely with both the Secret Service and Department of Justice and assisted them in their investigation. In addition, Dave & Buster's immediately retained outside security experts who identified the source of the data compromise. As a result the Company has implemented additional security measures to prevent any such incident from occurring in the future. The stores that were compromised were: Westminster, CO, Islandia and West Nyack, NY, Utica, MI, Downtown Chicago, IL, Columbus, OH, Jacksonville, FL, Frisco, Dallas (2) and Austin, TX.

As Dave & Buster's does not store credit or debit card numbers or customer names, information to help in the identification of affected cardholders was provided to the credit card companies by Dave & Buster's and Chase Paymentech Solutions, LLC, our credit card merchant acquirer, in September 2007. Immediately thereafter, the credit card companies alerted the issuing financial institutions to the data compromise, providing them with a list of potentially impacted credit cards. Each financial institution made its own decision about appropriate actions, including the issuance of new cards or putting card numbers on alert for fraud. Credit card contracts protect cardholders from financial loss when fraud has occurred. Any cardholder concerned about potential fraud should contact his or her credit card company or bank.

"As soon as we became aware of the breach in August 2007, we took steps to secure our systems and remain confident that they are safe today," said Steve King, Chief Executive Officer of Dave & Buster's. "We thank the Secret Service and the Department of Justice for their diligence in arresting and prosecuting those responsible for this crime and look forward to working closely with them during the pendency of this criminal matter."

Source: Dave & Buster's

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