



Representing Management Exclusively in Workplace Law and Related Litigation

Jackson Lewis P.C.
220 Headquarters Plaza
East Tower, 7th Floor
Morristown, NJ 07960-6834
Tel 973 538-6890
Fax 973 540-9015
www.jacksonlewis.com
Richard J. Cino - Managing Principal

- ALBANY, NY
ALBUQUERQUE, NM
ATLANTA, GA
AUSTIN, TX
BALTIMORE, MD
BIRMINGHAM, AL
BOSTON, MA
CHICAGO, IL
CINCINNATI, OH
CLEVELAND, OH
DALLAS, TX
DAYTON, OH
DENVER, CO
DETROIT, MI
GRAND RAPIDS, MI
GREENVILLE, SC
HARTFORD, CT
HONOLULU, HI*
HOUSTON, TX
INDIANAPOLIS, IN
JACKSONVILLE, FL.
KANSAS CITY REGION
LAS VEGAS, NV
LONG ISLAND, NY
LOS ANGELES, CA
MADISON, WI
MEMPHIS, TN
MIAMI, FL.
MILWAUKEE, WI
MINNEAPOLIS, MN
MONMOUTH COUNTY, NJ
MORRISTOWN, NJ
NEW ORLEANS, LA
NEW YORK, NY
NORFOLK, VA
OMAHA, NE
ORANGE COUNTY, CA
ORLANDO, FL.
PHILADELPHIA, PA
PHOENIX, AZ
PITTSBURGH, PA
PORTLAND, OR
PORTSMOUTH, NH
PROVIDENCE, RI
RALEIGH, NC
RAPID CITY, SD
RICHMOND, VA
SACRAMENTO, CA
SALT LAKE CITY, UT
SAN DIEGO, CA
SAN FRANCISCO, CA
SAN JUAN, PR
SEATTLE, WA
ST. LOUIS, MO
TAMPA, FL.
WASHINGTON, DC REGION
WHITE PLAINS, NY

JOSEPH J. LAZZAROTTI
EMAIL: LAZZAROTTIJ@JACKSONLEWIS.COM
JASON C. GAVEJIAN
EMAIL: GAVEJIANJ@JACKSONLEWIS.COM

*through an affiliation with Jackson Lewis P.C., a Law Corporation

October 5, 2017

RECEIVED

OCT 06 2017

CONSUMER PROTECTION

VIA OVERNIGHT MAIL

Office of the Attorney General
Attn: Security Breach Notification
33 Capitol Street
Concord, NH 03301

Re: Data Incident Notification¹

Dear Sir/Madam:

As you know, on July 4, 2017, our client, Avanti Markets Inc. ("Avanti Markets"), was alerted to a sophisticated malware attack which affected kiosks it supports and that are maintained by its third party operators. The attack occurred as the result of an electronic intrusion at one of Avanti Markets' third party vendors. We are writing to supplement our prior correspondence of July 24, 2017 and August 30, 2017 and to update you on the status of the investigation.

Consistent with our prior correspondence, it appears the malware was intended to gather certain payment card information including credit/debit card number, expiration date, and CVV code. Although improper access or acquisition of these data elements alone may not constitute a breach under the notification laws in all states, Avanti Markets nevertheless provided notifications and supplemental information to applicable state agencies regarding this incident. As previously advised, this incident did not include card holder names or addresses, thus we do not anticipate being able to determine the exact number of affected individuals. However, at this stage, it appears the incident may have affected 66,749 individuals. As Avanti Markets does not maintain address information for potentially affected individuals, it is unable to provide the number of state residents who may have been affected. However, we are able to determine 454 individuals utilized a kiosk in your state during the applicable at-risk window. These numbers may be slightly higher than the numbers provided in our correspondence of August 30 due to a tabulation error as a result of failing to include transactions for those kiosks where address information was not populated. It is Avanti Markets hope that its efforts, including its website notice, state-wide media notice, and communications with its operators, will ensure all those potentially affected by the incident have been made aware.

¹ Please note that by providing this letter Avanti Markets is not agreeing to the jurisdiction of this state, or waiving its right to challenge jurisdiction in any subsequent actions.



As mentioned above and in our prior correspondence, Avanti Markets has taken numerous remediation efforts, including steps to secure its systems and the kiosks that are owned and operated by its operators and their customers and implementing a detailed communication strategy. Avanti Markets treats all personal information in a confidential manner, is proactive in the careful handling of such information, and continues to assess and modify its privacy and data security policies and procedures to prevent similar situations from occurring. Should Avanti Markets become aware of any significant developments concerning this situation, we will inform you.

If you require any additional information on this matter, please call us.

Sincerely,

JACKSON LEWIS P.C.

A handwritten signature in blue ink that reads "J. Lazzarotti". The signature is written in a cursive style with a small flourish at the end.

Joseph J. Lazzarotti
Jason C. Gavejian