

STATE OF NH  
DEPT OF JUSTICE  
2017 MAR 31 AM 11:14

March 27, 2017

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**Attorney General Joseph A. Foster**  
Office of the Attorney General  
33 Capitol Street  
Concord, NH 03302

Re: Data Security Incident

Dear Attorney General Foster:

We represent Easy Breathe, Inc. ("Easy Breathe"), located in Los Angeles, California, with respect to a recent potential data security incident described in more detail below. Easy Breathe takes the security and privacy of the information in its control very seriously, and is taking steps to prevent a similar incident from occurring in the future.

**1. Nature of the security incident.**

On February 10, 2017, Easy Breathe learned that an unknown individual may have accessed customer credit and debit card information used to make purchases at its online store. Easy Breathe immediately took action to secure its system and commenced an investigation to determine what information may have been accessed. Easy Breathe determined that the unknown individual may have accessed customer payment card information, including name, address, telephone number, and credit/debit card information. No customer health information (for example, Social Security number insurance member ID number, etc.) was present or at risk.

**2. Number of New Hampshire residents affected.**

A total number of three hundred and thirty (330) residents of New Hampshire were affected by this security incident. Notification letters to these individuals were mailed on March 27, 2017, via first class mail. A sample copy of the notification letter is included with this letter.

1133 Westchester Avenue • White Plains, NY 10604 • p 914.323.7000 • f 914.323.7001

Albany • Atlanta • Austin • Baltimore • Beaumont • Boston • Chicago • Dallas • Denver • Edwardsville • Garden City • Hartford • Houston • Kentucky • Las Vegas  
London • Los Angeles • Miami • Michigan • Milwaukee • New Jersey • New Orleans • New York • Orlando • Philadelphia • San Diego • San Francisco • Stamford  
Virginia • Washington, DC • West Palm Beach • White Plains

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**3. Steps taken relating to the incident.**

Easy Breathe has taken steps to prevent a similar event from occurring in the future, and to protect the privacy and security of customer information. These steps included engaging IT experts who have assisted Easy Breathe in securing its website, addressing possible vulnerabilities, and implementing continuous security monitoring of its website. Easy Breathe is also offering potentially impacted individuals identity repair services for one year, at no cost to the individual through AllClear ID. Notice has also been provided to the credit reporting agencies.

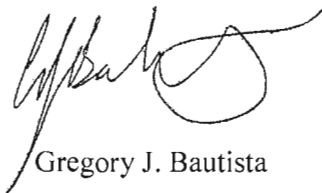
**4. Contact information.**

Easy Breathe remains dedicated to protecting the sensitive information in its control. If you have any questions or need additional information, please do not hesitate to contact me at (914) 872-7839 or [Gregory.Bautista@wilsonelser.com](mailto:Gregory.Bautista@wilsonelser.com).

Please let us know if you have any questions.

Very truly yours,

**Wilson Elser Moskowitz Edelman & Dicker LLP**



Gregory J. Bautista

easybreathe.com

It's supposed to be this easy

Processing Center • P.O. BOX 141578 • Austin, TX 78714



08848  
JOHN Q. SAMPLE  
1234 MAIN STREET  
ANYTOWN US 12345-6789

March 27, 2017

Dear John Sample:

We are writing to inform you of an incident at Easy Breathe, Inc. ("Easy Breathe") that may have resulted in the disclosure of your name and payment card information. We take the security of your personal information very seriously, and sincerely apologize for any inconvenience this incident may cause. This letter contains information about steps you can take to protect yourself.

On February 10, 2017, we learned that an unknown individual may have accessed your credit or debit card information used to make purchases at our online store. We immediately took action to secure our system and commenced an investigation to determine what information may have been accessed. We determined that the unknown individual may have accessed customer payment card information, including name, address, telephone number, and credit/debit card information. None of your health information (for example, social security number, insurance member ID number, etc.) was present or at risk.

We recommend that you check your current and past credit or debit card statements for unusual or suspicious activity, and if any is found, report it to your bank or credit card company. Additional tips for protecting your information can be found following this letter.

As an added precaution, we have arranged to have AllClear ID protect your identity for 12 months at no cost to you. The following identity protection services start on the date of this notice and you can use them at any time during the next 12 months.

AllClear Identity Repair: This service is automatically available to you with no enrollment required. If a problem arises, simply call 1-855-801-1258, provide your Reference Code Redemption Code, and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

We want to assure you that we have taken steps to prevent a similar event from occurring in the future, and to protect the privacy and security of your information. We have engaged IT experts who have assisted us in securing our website, addressed possible vulnerabilities, and implemented continuous security monitoring of our website.

Please know that the protection and security of your personal information is our utmost priority, and we sincerely regret any inconvenience or concern this matter may cause you. If you choose to visit Easy Breathe again, we'd like to offer you



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25% off your next order with the coupon code EASY25. If you have any questions or concerns, please call 1-855-801-1258, Monday through Saturday, 6:00 a.m. to 6:00 p.m. (Pacific).

Sincerely,

A handwritten signature in black ink, appearing to read "Nicholas Weiss". The signature is written in a cursive, flowing style.

**Nicholas Weiss**  
*Chief Executive Officer*

### ***Additional Important Information***

#### **For residents of Hawaii, Michigan, Missouri, Virginia, Vermont, and North Carolina:**

It is recommended by state law that you remain vigilant for incidents of fraud and identity theft by reviewing credit card account statements and monitoring your credit report for unauthorized activity.

#### **For residents of Illinois, Iowa, Maryland, Missouri, North Carolina, Oregon, and West Virginia:**

It is required by state laws to inform you that you may obtain a copy of your credit report, free of charge, whether or not you suspect any unauthorized activity on your account. You may obtain a free copy of your credit report from each of the nationwide three credit reporting agencies. To order your free credit report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com), or call toll-free at 1-877-322-8228. You can also order your annual free credit report by mailing a completed Annual Credit Report Request Form (available at <https://www.consumer.ftc.gov/articles/0155-free-credit-reports>) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281.

#### **For residents of Iowa:**

State law advises you to report any suspected identity theft to law enforcement or to the Attorney General.

#### **For residents of Oregon:**

State laws advise you to report any suspected identity theft to law enforcement, including the Attorney General, and the Federal Trade Commission.

#### **For residents of Maryland, Rhode Island, Illinois, and North Carolina:**

You can obtain information from the Maryland and North Carolina Offices of the Attorneys General and the Federal Trade Commission about fraud alerts, security freezes, and steps you can take toward preventing identity theft.

**Maryland Office of the Attorney General**  
Consumer Protection Division  
200 St. Paul Place  
Baltimore, MD 21202  
1-888-743-0023  
[www.oag.state.md.us](http://www.oag.state.md.us)

**Rhode Island Office of the Attorney General**  
Consumer Protection  
150 South Main Street  
Providence, RI 02903  
1-401-274-4400  
[www.riag.ri.gov](http://www.riag.ri.gov)

**North Carolina Office of the Attorney General**  
Consumer Protection Division  
9001 Mail Service Center  
Raleigh, NC 27699-9001  
1-877-566-7226  
[www.ncdoj.com](http://www.ncdoj.com)

**Federal Trade Commission**  
Consumer Response Center  
600 Pennsylvania Ave, NW  
Washington, DC 20580  
1-877-IDTHEFT (438-4338)  
[www.ftc.gov/bcp/edu/microsites/idtheft](http://www.ftc.gov/bcp/edu/microsites/idtheft)

#### **For residents of Massachusetts:**

It is required by state law that you are informed of your right to obtain a police report if you are a victim of identity theft.

#### **For residents of all states:**

**Fraud Alerts:** You can place fraud alerts with the three credit bureaus at one of the three major credit bureaus by phone and also via Experian's or Equifax's website. A fraud alert tells creditors to follow certain procedures, including contacting you, before they open any new accounts or change your existing accounts. For that reason, placing a fraud alert can protect you, but also may delay you when you seek to obtain credit. The contact information for all three credit bureaus is below:

**Monitoring:** You should always remain vigilant and monitor your accounts for suspicious or unusual activity.

**Security Freeze:** You also have the right to place a security freeze on your credit report. A security freeze is intended to prevent credit, loans and services from being approved in your name without your consent. To place a security freeze on your credit report, you need to make a request to each consumer reporting agency. You may make that request by certified mail, overnight mail, or regular stamped mail, or by following the instructions found at the websites listed below. The following information must be included when requesting a security freeze (note that if you are requesting a credit report for your spouse, this information must be provided for him/her as well): (1) full name, with middle initial and any suffixes; (2) Social Security number; (3) date of birth; (4) current address and any previous addresses for the past five years; and (5) any applicable incident report or complaint with a law enforcement agency or the Registry of Motor Vehicles. The request must also include a copy of a government-issued identification card and a copy of a recent utility bill or bank or insurance statement. It is essential that each copy be legible, display your name and current mailing address, and the date of issue. The consumer reporting agency may charge a small fee to place, lift, or remove a freeze, but is free if you are a victim of identity theft or the spouse of a victim of identity theft, and you have submitted a valid police report relating to the identity theft incident to the consumer reporting agency. You may obtain a security freeze by contacting any one or more of the following national consumer reporting agencies:

**Equifax Security Freeze**  
P.O. Box 105788  
Atlanta, GA 30348  
[www.equifax.com/help/credit-freeze/en\\_cp](http://www.equifax.com/help/credit-freeze/en_cp)  
800-525-6285

**Experian Security Freeze**  
P.O. Box 9554  
Allen, TX 75013  
<http://www.experian.com/freeze>  
888-397-3742

**TransUnion (FVAD)**  
P.O. Box 2000  
Chester, PA 19022  
[www.transunion.com](http://www.transunion.com)  
888-680-7289

More information can also be obtained by contacting the Federal Trade Commission listed above.



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