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December 31, 2019

**VIA OVERNIGHT MAIL**

Attorney General Joseph Foster  
Office of the Attorney General  
33 Capital Street  
Concord, NH 03302

*Re: Incident Notification*

Dear Sir or Madam:

We are writing on behalf of our client, Evolucion Innovations Inc. (“evo”), to provide notice of a security incident.<sup>1</sup>

On December 3, 2019, evo learned that an unauthorized code had been installed on evo.com. Immediately upon learning of the issue, evo launched an investigation and removed the unauthorized code. A leading cybersecurity firm was also engaged to assist. The investigation determined that the unauthorized code was designed to capture information entered during the checkout process, and that it may have been present at various times between: Nov. 8 – 21, 2019; Nov. 27 – Dec. 3, 2019; and for a brief period on Dec. 5, 2019. During the customer checkout process, this unauthorized code could have potentially captured information including: names, addresses, phone numbers, email addresses, payment card number, expiration date, and card verification code. Orders placed with existing payment cards stored on customers’ evo accounts or through PayPal were **not** involved. In addition, payment cards used in person at evo physical stores were not involved.

Today, evo is sending notification letters via First Class Mail to 510 New Hampshire residents whose payment card information was potentially involved. Notice is being provided in accordance with NH Rev. Stat. §359-C:20. Enclosed is a sample copy of the letter. evo has advised its customers to review their payment card statements for any unauthorized charges and to report

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<sup>1</sup> This notice is not, and does not constitute, a waiver of evo’s objection that New Hampshire lacks personal jurisdiction over it regarding any claims related to this data security incident.

Atlanta Chicago Cincinnati Cleveland Columbus Costa Mesa Denver  
Houston Los Angeles New York Orlando Philadelphia Seattle Washington, DC

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any such charges to the card issuer. evo is also providing a call center for the individuals to call with questions regarding the incident.

To help prevent a similar incident from occurring in the future, evo has removed the unauthorized code and implemented additional security enhancements to its website. evo also continues to review and enhance its technology systems.

Please do not hesitate to contact me if you have any questions regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "William R. Daugherty". The signature is fluid and cursive, with a large, stylized initial "W" and "D".

William R. Daugherty  
Partner

Enclosure



Return Mail Processing Center  
P.O. Box 6336  
Portland, OR 97228-6336

<<Mail ID>>  
<<Name 1>>  
<<Name 2>>  
<<Address 1>>  
<<Address 2>>  
<<Address 3>>  
<<Address 4>> <<Date>>  
<<Address 5>>  
<<City>><<State>><<Zip>>  
<<Country>>

Dear <<Name 1>>:

We are writing to inform you that we recently identified and addressed a security incident at evo.com that may have involved your information. This letter explains the incident, the measures evo has taken in response, and some steps you can take in response.

On December 3, 2019, we learned that an unauthorized code had been installed on evo.com. Immediately upon learning of the issue, we launched an investigation and removed the unauthorized code. A leading cybersecurity firm was also engaged to assist.

Our investigation determined that the unauthorized code was designed to capture information entered during the checkout process, and that it may have been present at various times between: Nov. 8 – 21, 2019; Nov. 27 – Dec. 3, 2019; and for a brief period on Dec. 5, 2019. During the customer checkout process, this unauthorized code could have potentially captured information including: names, addresses, phone numbers, email addresses, payment card number, expiration date, and card verification code. Orders placed with existing payment cards stored on customers' evo accounts or through PayPal were **not** involved.

We are notifying you because you placed, or attempted to place, an order on our website using the payment card(s) ending in <<Last 4 of Card Number>> during the relevant time period.

It is always advisable to closely review your payment card statements for any unauthorized charges. You should immediately report any such charges to the card issuer as payment card rules generally provide that cardholders are not responsible for unauthorized charges reported in a timely manner. The phone number to call is usually on the back of your payment card. Information on additional steps you can take can be found on the following pages.

We take our customers' privacy very seriously at evo, and sincerely apologize for any inconvenience. Please know that in addition to removing the unauthorized code, we've implemented additional security enhancements to our website to help prevent this type of incident from happening again. We also continue to review and enhance our technology systems. We're committed to earning your trust with every interaction, and we hope we'll get a chance to serve you again soon.

If you have any questions, please call 833-991-1536 Monday through Friday between 6 am and 6 pm PST.

Sincerely,

Thomas W. Gaisser  
Chief Operating and Financial Officer

## **ADDITIONAL STEPS YOU CAN TAKE**

It is always advisable to be vigilant for incidents of fraud or identity theft by reviewing your account statements and free credit reports for any unauthorized activity. You may obtain a copy of your credit report, free of charge, once every 12 months from each of the three nationwide credit reporting companies. To order your free annual credit report, please visit [www.annualcreditreport.com](http://www.annualcreditreport.com) or call toll free at 1-877-322-8228. Contact information for the three nationwide credit reporting companies is as follows:

*Equifax*, PO Box 740241, Atlanta, GA 30374, [www.equifax.com](http://www.equifax.com), 1-800-685-1111

*Experian*, PO Box 2002, Allen, TX 75013, [www.experian.com](http://www.experian.com), 1-888-397-3742

*TransUnion*, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com), 1-800-916-8800

If you believe you are the victim of identity theft or have reason to believe your personal information has been misused, you should immediately contact the Federal Trade Commission and/or the Attorney General's office in your state. You can obtain information from these sources about steps an individual can take to avoid identity theft as well as information about fraud alerts and security freezes. You should also contact your local law enforcement authorities and file a police report. Obtain a copy of the police report in case you are asked to provide copies to creditors to correct your records. Contact information for the Federal Trade Commission is as follows:

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

**If you are a resident of Connecticut, Maryland, New York, North Carolina, or Rhode Island**, you may contact and obtain information from your state attorney general at:

- *Connecticut Attorney General's Office*, 55 Elm Street, Hartford, CT 06106, 1-860-808-5318, [www.ct.gov/ag](http://www.ct.gov/ag)
- *Maryland Attorney General's Office*, 200 St. Paul Place, Baltimore, MD 21202, 1-888-743-0023 / 1-410-576-6300, [www.oag.state.md.us](http://www.oag.state.md.us)
- *New York Department of State Division of Consumer Protection*, One Commerce Plaza, 99 Washington Ave., Albany, NY 12231-0001, 518-474-8583 / 1-800-697-1220, <http://www.dos.ny.gov/consumerprotection>
- *New York State Office of the Attorney General*, The Capitol, Albany, NY 12224-0341, 1-800-771-7755, <https://ag.ny.gov/>
- *North Carolina Attorney General's Office*, 9001 Mail Service Centre, Raleigh, NC 27699, 1-919-716-6400 / 1-877-566-7226, [www.ncdoj.gov](http://www.ncdoj.gov)
- *Rhode Island Attorney General's Office*, 150 South Main Street, Providence, RI 02903, 1-401-274-4400, [www.riag.ri.gov](http://www.riag.ri.gov)

**If you are a resident of Rhode Island**, note that pursuant to Rhode Island law, you have the right to file and obtain a copy of a police report. You also have the right to request a security freeze. This incident involves 201 Rhode Island residents.

**If you are a resident of West Virginia**, you have the right to ask that nationwide consumer reporting agencies place "fraud alerts" in your file to let potential creditors and others know that you may be a victim of identity theft, as described below. You also have a right to place a security freeze on your credit report, as described below.

**Fraud Alerts:** There are two types of fraud alerts you can place on your credit report to put your creditors on notice that you may be a victim of fraud—an initial alert and an extended alert. You may ask that an initial fraud alert be placed on your credit report if you suspect you have been, or are about to be, a victim of identity theft. An initial fraud alert stays on your credit report for one year. You may have an extended alert placed on your credit report if you have already been a victim of identity theft with the appropriate documentary proof. An extended fraud alert stays on your credit report for seven years. You can place a fraud alert on your credit report by contacting any of the three national credit reporting agencies.

**Credit Freezes:** You have the right to put a credit freeze, also known as a security freeze, on your credit file, free of charge, so that no new credit can be opened in your name without the use of a personal identification number ("PIN") that is issued to you when you initiate a freeze. A security freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a security freeze, potential creditors and other third parties will not be able to get access to your credit report unless you temporarily lift the freeze. Therefore, using a security freeze may delay your ability to obtain credit.

There is no fee to place or lift a security freeze. Unlike a fraud alert, you must separately place a security freeze on your credit file at each credit reporting company. For information and instructions to place a security freeze, contact each of the credit reporting agencies at the addresses below:

- **Experian Security Freeze**, PO Box 9554, Allen, TX 75013, [www.experian.com](http://www.experian.com)
- **TransUnion Security Freeze**, PO Box 2000, Chester, PA 19016, [www.transunion.com](http://www.transunion.com)
- **Equifax Security Freeze**, PO Box 105788, Atlanta, GA 30348, [www.equifax.com](http://www.equifax.com)

To request a security freeze, you will need to provide the following information:

1. Your full name (including middle initial as well as Jr., Sr., II, III, etc.)
2. Social Security number
3. Date of birth
4. If you have moved in the past five years, provide the addresses where you have lived over the prior five years
5. Proof of current address such as a current utility bill or telephone bill
6. A legible photocopy of a government issued identification card (state driver's license or ID card, military identification, etc.)
7. If you are a victim of identity theft, include a copy of the police report, investigative report, or complaint to a law enforcement agency concerning identity theft

The credit reporting agencies have one business day after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to place a security freeze on your credit report. The credit bureaus must also send written confirmation to you within five business days and provide you with a unique PIN or password or both that can be used by you to authorize the removal or lifting of the security freeze.

To lift the security freeze in order to allow a specific entity or individual access to your credit report, or to lift a security freeze for a specified period of time, you must submit a request through a toll-free telephone number, a secure electronic means maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to the credit reporting agencies and include proper identification (name, address, and Social Security number) and the PIN or password provided to you when you placed the security freeze as well as the identity of those entities or individuals you would like to receive your credit report or the specific period of time you want the credit report available. The credit reporting agencies have one hour after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to lift the security freeze for those identified entities or for the specified period of time.

To remove the security freeze, you must submit a request through a toll-free telephone number, a secure electronic means maintained by a credit reporting agency, or by sending a written request via regular, certified, or overnight mail to each of the three credit bureaus and include proper identification (name, address, and Social Security number) and the PIN or password provided to you when you placed the security freeze. The credit bureaus have one hour after receiving your request by toll-free telephone or secure electronic means, or three business days after receiving your request by mail, to remove the security freeze.

**A Summary of Your Rights Under the Fair Credit Reporting Act:** The federal Fair Credit Reporting Act (FCRA) promotes the accuracy, fairness, and privacy of information in the files of consumer reporting agencies. There are many types of consumer reporting agencies, including credit bureaus and specialty agencies (such as agencies that sell information about check writing histories, medical records, and rental history records). Here is a summary of your major rights under FCRA. For more information, including information about additional rights, go to [www.consumerfinance.gov/learnmore](http://www.consumerfinance.gov/learnmore) or write to Consumer Financial Protection Bureau, 1700 G Street N.W., Washington, DC 20552.

- You must be told if information in your file has been used against you.
- You have the right to know what is in your file.
- You have the right to ask for a credit score.
- You have the right to dispute incomplete or inaccurate information.
- Consumer reporting agencies must correct or delete inaccurate, incomplete, or unverifiable information.
- Consumer reporting agencies may not report outdated negative information.
- Access to your file is limited.
- You must give your consent for reports to be provided to employers.
- You may limit "prescreened" offers of credit and insurance you get based on information in your credit report.
- You have a right to place a "security freeze" on your credit report, which will prohibit a consumer reporting agency from releasing information in your credit report without your express authorization.
- You may seek damages from violators.
- Identity theft victims and active duty military personnel have additional rights.

**Mailing Address:** evo's mailing address is 122 NW 36<sup>th</sup> Street, Seattle, WA 98107