

POOLE & SHAFFERY

ATTORNEYS AT LAW

Writer's email: MLittle@pooleshaffery.com

October 26, 2018

RECEIVED

OCT 31 2018

CONSUMER PROTECTION

**VIA U.S. CERTIFIED MAIL-RETURN RECEIPT REQUESTED,
AND E-MAIL TO: DOJ-CPB@DOJ.NH.GOV**

Office of Attorney General
State of New Hampshire
Attn: Consumer Protection & Antitrust
33 Capitol Street
Concord, NH 03301

RE: PRELIMINARY NOTICE OF POTENTIAL SECURITY BREACH

To Whom It May Concern:

Please be advised that this office represents Theyy, LLC, a California limited liability company ("Theyy"). We ask that you please direct all correspondence and inquiries regarding the issues addressed below to our office.

Theyy operates an e-commerce business through its website www.elementvape.com (the "Website"). It has come to our attention that the Website was subject to a data security incident which is described in greater detail below (the "Breach Event"). Theyy takes the privacy and security of its customer's information very seriously and is taking steps to prevent a similar incident from occurring in the future. The following provides a basic summary about the Breach Event based on the information we have obtained as of the date of this letter. Please note that this information is subject to change, as our investigation into the Breach Event is ongoing.

Brief Description of the Breach Event

On September 20, 2018, Theyy discovered that a third-party intruder inserted malicious codes into the Website's shopping cart e-commerce software platform creating a window of intrusion between December 6, 2017 and June 27, 2018 wherein the personal information of Theyy's customers who made transactions on the Website may have been at risk of unauthorized access. Upon this discovery, Theyy ran a search of all consumer transactions that took place on the Website during the window of intrusion. It was during this process that Theyy determined that the personal information of certain New Hampshire residents may be subject to potential unauthorized access. However, we have not been provided with specific evidence that the personal information of New Hampshire residents was in fact acquired illegally or that any such information was used for any fraudulent purpose as a result of the Breach Event.

Anticipated Date of the Notice to Individuals

We anticipate distributing customer notices on or about October 30, 2018. We will provide your office with a sample copy of such customer notice shortly.

Office of the Attorney General

State of New Hampshire

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Approximate Number of Individuals in New Hampshire Who Will be Notified

As of the date of this letter, approximately 981 New Hampshire residents will be notified. This number may be subject to change as They and our office continue our investigation into the scope of the Breach Event.

They has taken affirmative steps to prevent a similar situation from arising in the future and to protect the privacy and security of its customer's personal information. These steps have included implementing security patches to the shopping cart, removing the malicious code from They's e-commerce platform, and mitigating vulnerabilities with the Website by, among other things, increasing security monitoring along with existing SSL encryption technology for all transactions on the Website.

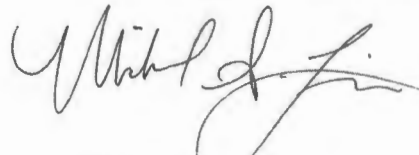
To protect these New Hampshire residents who may have been affected by the Breach Event, They will notify the approximately 981 New Hampshire residents in writing and offer identity theft protection / mitigation services at no cost to them.

Should you have any questions, we ask that you please direct all correspondences related to the Breach Event to counsel for They:

Poole & Shaffery, LLP
Attn: Michael S. Little, Esq.
25350 Magic Mountain Parkway, Suite 250
Santa Clarita, CA 91355
Phone: (661) 290-2991
Fax: (661) 290-3338

Sincerely,

POOLE & SHAFFERY, LLP



Michael S. Little

MSL:ams

cc: They, LLC (via email only)
Claudia J. McDowell (via email only)
Andrew M. Sevanian (via email only)