

# HUSCH BLACKWELL

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March 18, 2019

**Via Certified Mail, Return Receipt Requested – 9314 7699 0430 0057 0563 61**

Office of the Attorney General  
Consumer Protection Section  
Gateway Professional Center  
1050 E Interstate Ave., Suite 200  
Bismarck, ND 58503-5574

To whom it may concern:

Please be advised that Eye Buy Direct, Inc., an online retailer of prescription and non-prescription glasses and sunglasses, experienced a security incident that may have affected the security of the personal information of certain North Dakota residents. On February 24, 2019, for a period of ten hours, an unauthorized third party gained access to payment information for transactions conducted during that short period of time between Eye Buy Direct and its customers. A user account was compromised, and access was gained through the acquisition of internal username and password details. The infiltrator then installed a malicious script that recorded the keystrokes of customers as they were entering payment card information.

The unauthorized access was detected the same day through an investigation into functionality issues with the company's Google Alert notifications. As soon as the infiltration was recognized, Eye Buy Direct blocked the third party's access and removed the malicious code from its website. To help prevent this type of attack in the future, Eye Buy Direct has added HTTP authentication on its internal system and applied device limitations on internal accounts.

3 North Dakota residents were potentially affected by the security incident. The information captured may have included first name, last name, mailing address, email address, payment card number, payment card verification code, and payment card expiration date.

An initial notice of the potential compromise of the above information was sent via email to potentially affected North Dakota residents on February 25, 2019. A subsequent, more detailed notification was mailed to potentially affected North Dakota residents on March 18, 2019; said notice offered free identity theft monitoring and repair services through AllClear ID. A template copy of the notification is attached.

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Should you have any questions or need to follow up on this incident for any reason, please contact the following individual at the telephone number or email address listed below:

Manuel Angiolini  
+44 203 880 7171  
[angiolim@essilor.fr](mailto:angiolim@essilor.fr)

Alternatively, should you wish to mail any notices, Eye Buy Direct's mailing address is 2801 S. I-35, Suite 170, Austin, TX 78741.

We sincerely regret any inconvenience or concern caused to North Dakota residents by this incident.

Sincerely,

  
Eric S. Levy

[First\_Name] [Last\_Name]  
[Address\_Line\_1]  
[Address\_Line\_2]  
[City] [State] [Zip]

[Date]

Dear [First\_Name] [Last\_Name]:

Eye Buy Direct, Inc. recently discovered an incident that may affect the security of your personal information. We want to provide you with information about the incident, steps we are taking in response, and steps you may take to help guard against identity theft and fraud, should you feel it is appropriate to do so.

**What Happened?** On February 24 for a period of ten hours, an unauthorized third party gained access to payment information for transactions conducted during that short period of time.

**What Information Was Involved?** The information captured may have included first name, last name, billing address, payment card number, payment card verification code, payment card expiration date.

**What We Are Doing?** We take the protection of your personal information seriously and are actively taking steps to prevent a similar occurrence. As soon as the infiltration was recognized, we blocked the third party's access and removed the capture mechanism from our website. The vulnerability that made this hack possible has been mitigated and protection is now in place to help prevent this in the future.

**[REQUIRED PRODUCT LANGUAGE START]**

As an added precaution, we have arranged to have AllClear ID protect your identity for «Time» 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 «Time» months.

AllClear Identity Repair: This service is automatically available to you with no enrollment required. If a problem arises, simply call «ACID\_TFN» and a dedicated investigator will help recover financial losses, restore your credit and make sure your identity is returned to its proper condition.

AllClear Identity Theft Monitoring: This service offers additional layers of protection including identity theft monitoring that delivers secure, actionable alerts to you by phone and \$1 million identity theft insurance coverage. **[Include if minors are affected:** For a child under 18 years old, AllClear ID ChildScan identifies acts of fraud against children by searching thousands of public databases for use of your child's information.] To enroll in this service, you will need to provide your personal information to AllClear ID. You may sign up online at [enroll.allclearid.com](http://enroll.allclearid.com) or by phone by calling «ACID\_TFN» using the following redemption code: {Redemption\_Code}.

Please note: Additional steps may be required by you in order to activate your phone alerts and monitoring options.

**[REQUIRED PRODUCT LANGUAGE END]**

**What You Can Do.** Please review the enclosed *Information about Identity Theft Protection* for additional information on how to protect against identity theft and fraud. You may also take advantage of the complimentary identity protection services being offered.

**For More Information.** If you have further questions or concerns about this incident, please call «ACID\_TFN», Monday through Saturday, 8:00 a.m. to 8:00 p.m. Central Time (excluding U.S. holidays). We sincerely regret any inconvenience or concern caused by this incident.

Sincerely,

[YOUR SIGNATURE GRAPHIC – Inserted by AIIClear ID]

[Organization Contact, Title]

[Organization Name]

## Information about Identity Theft Protection

### Monitor Your Accounts

We recommend that you regularly review statements from your accounts and periodically obtain your credit report from one or more of the national credit reporting companies. You may obtain a free copy of your credit report online at [www.annualcreditreport.com](http://www.annualcreditreport.com), by calling toll-free 1-877-322-8228, or by mailing an Annual Credit Report Request Form (available at [www.annualcreditreport.com](http://www.annualcreditreport.com)) to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, GA, 30348-5281. You may also purchase a copy of your credit report by contacting one or more of the three national credit reporting agencies listed below.

**Equifax**  
P.O. Box 740241  
Atlanta, GA 30374-0241  
1-800-685-1111  
[www.equifax.com](http://www.equifax.com)

**Experian**  
P.O. Box 9701  
Allen, TX 75013-9701  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

**TransUnion**  
P.O. Box 1000  
Chester, PA 19016-1000  
1-800-888-4213  
[www.transunion.com](http://www.transunion.com)

When you receive your credit reports, review them carefully. Look for accounts or creditor inquiries that you did not initiate or do not recognize. Look for information, such as home address and Social Security number, that is not accurate. If you see anything you do not understand, call the credit reporting agency at the telephone number on the report.

### Credit Freeze

You have the right to put a security freeze, also known as a credit freeze, on your credit file, so that no new credit can be opened in your name without the use of a PIN number that is issued to you when you initiate a freeze. A credit freeze is designed to prevent potential credit grantors from accessing your credit report without your consent. If you place a credit freeze, potential creditors and other third parties will not be able to access your credit report unless you temporarily lift the freeze. Therefore, using a credit freeze may delay your ability to obtain credit. Pursuant to federal law, you cannot be charged to place or lift a credit freeze on your credit report. Should you wish to place a credit freeze, please contact all three major consumer reporting agencies listed below.

**Equifax**  
P.O. Box 105788  
Atlanta, GA 30348-5788  
1-800-685-1111  
[www.equifax.com/personal/credit-report-services](http://www.equifax.com/personal/credit-report-services)

**Experian**  
P.O. Box 9554  
Allen, TX 75013-9554  
1-888-397-3742  
[www.experian.com/freeze/center.html](http://www.experian.com/freeze/center.html)

**TransUnion**  
P.O. Box 2000  
Chester, PA 19016-2000  
1-888-909-8872  
[www.transunion.com/credit-freeze](http://www.transunion.com/credit-freeze)

You must separately place a credit freeze on your credit file at each credit reporting agency. The following information should be included when requesting a credit freeze:

- 1) Full name, with middle initial and any suffixes;
- 2) Social Security number;
- 3) Date of birth (month, day, and year);
- 4) Current address and previous addresses for the past five (5) years;
- 5) Proof of current address, such as a current utility bill or telephone bill;
- 6) Other personal information as required by the applicable credit reporting agency;

If you request a credit freeze online or by phone, then the credit reporting agencies have one (1) business day after receiving your request to place a credit freeze on your credit file report. If you request a lift of the credit freeze online or by phone, then the credit reporting agency must lift the freeze within one (1) hour. If you request a credit freeze or lift of a credit freeze by mail, then the credit agency must place or lift the credit freeze no later than three (3) business days after getting your request.

### Fraud Alerts

You also have the right to place an initial or extended fraud alert on your file at no cost. An initial fraud alert lasts 1-year and is placed on a consumer's credit file. Upon seeing a fraud alert display on a consumer's credit file, a business is required to take steps to verify the consumer's identity before extending new credit. If you are a victim of identity theft, you are entitled to an extended fraud alert, which is a fraud alert lasting 7 years. Should you wish to place a fraud alert, please contact any one of the agencies listed below. The agency you contact will then contact the other two credit agencies.

**Equifax**  
P.O. Box 105788  
Atlanta, GA 30348-5788  
1-888-766-0008  
[www.equifax.com/personal/](http://www.equifax.com/personal/)

**Experian**  
P.O. Box 9554  
Allen, TX 75013-9554  
1-888-397-3742  
[www.experian.com/](http://www.experian.com/)

**TransUnion**  
P.O. Box 2000  
Chester, PA 19016-2000  
1-800-680-7289  
[www.transunion.com/fraud-](http://www.transunion.com/fraud-)

**Monitor Your Personal Health Information**

If applicable to your situation, we recommend that you regularly review the explanation of benefits statement that you receive from your insurer. If you see any service that you believe you did not receive, please contact your insurer at the number on the statement. If you do not receive regular explanation of benefits statements, contact your provider and request them to send such statements following the provision of services in your name or number.

You may want to order copies of your credit reports and check for any medical bills that you do not recognize. If you find anything suspicious, call the credit reporting agency at the phone number on the report. Keep a copy of this notice for your records in case of future problems with your medical records. You may also want to request a copy of your medical records from your provider, to serve as a baseline. If you are a California resident, we suggest that you visit the website of the California Office of Privacy Protection at [www.privacy.ca.gov](http://www.privacy.ca.gov) to find more information about your medical privacy.

**Additional Information**

You can further educate yourself regarding identity theft and the steps you can take to protect yourself, by contacting your state Attorney General or the Federal Trade Commission. Instances of known or suspected identity theft should be reported to law enforcement, your Attorney General, and the FTC.

**The Federal Trade Commission**  
600 Pennsylvania Avenue, NW  
Washington, DC 20580  
1-877-ID-THEFT (1-877-438-4338)  
TTY: 1-866-653-4261  
[www.ftc.gov/idtheft](http://www.ftc.gov/idtheft)

## AllClear Identity Repair Terms of Use

If you become a victim of fraud using your personal information without authorization, AllClear ID will help recover your financial losses and restore your identity. Benefits include:

- «Time» months of coverage with no enrollment required.
- No cost to you — ever. AllClear Identity Repair is paid for by the participating Company.

### **Services Provided**

If you suspect identity theft, simply call AllClear ID to file a claim. AllClear ID will provide appropriate and necessary remediation services ("Services") to help restore the compromised accounts and your identity to the state prior to the incident of fraud. Services are determined at the sole discretion of AllClear ID and are subject to the terms and conditions found on the AllClear ID website. AllClear Identity Repair is not an insurance policy, and AllClear ID will not make payments or reimbursements to you for any financial loss, liabilities or expenses you incur.

### **Coverage Period**

Service is automatically available to you with no enrollment required for «Time» months from the date of the breach incident notification you received from Company (the "Coverage Period"). Fraud Events (each, an "Event") that were discovered prior to your Coverage Period are not covered by AllClear Identity Repair services.

### **Eligibility Requirements**

To be eligible for Services under AllClear Identity Repair coverage, you must fully comply, without limitations, with your obligations under the terms herein, you must be a citizen or legal resident eighteen (18) years of age or older, and have a valid U.S. Social Security number. Minors under eighteen (18) years of age may be eligible, but must be sponsored by a parent or guardian. The Services cover only you and your personal financial and medical accounts that are directly associated with your valid U.S. Social Security number, including but not limited to credit card, bank, or other financial accounts and/or medical accounts.

### **How to File a Claim**

If you become a victim of fraud covered by the AllClear Identity Repair services, you must:

- Notify AllClear ID by calling 1-855-434-8077 to report the fraud prior to expiration of your Coverage Period;
- Provide proof of eligibility for AllClear Identity Repair by providing the redemption code on the notification letter you received from the sponsor Company;
- Fully cooperate and be truthful with AllClear ID about the Event and agree to execute any documents AllClear ID may reasonably require; and
- Fully cooperate with AllClear ID in any remediation process, including, but not limited to, providing AllClear ID with copies of all available investigation files or reports from any institution, including, but not limited to, credit institutions or law enforcement agencies, relating to the alleged theft.

### **Coverage under AllClear Identity Repair Does Not Apply to the Following:**

Any expense, damage or loss:

- Due to
  - Any transactions on your financial accounts made by authorized users, even if acting without your knowledge, or
  - Any act of theft, deceit, collusion, dishonesty or criminal act by you or any person acting in concert with you, or by any of your authorized representatives, whether acting alone or in collusion with you or others (collectively, your "Misrepresentation");
- Incurred by you from an Event that did not occur during your coverage period; or
- In connection with an Event that you fail to report to AllClear ID prior to the expiration of your AllClear Identity Repair coverage period.

### **Other Exclusions:**

- AllClear ID will not pay or be obligated for any costs or expenses other than as described herein, including without limitation fees of any service providers not retained by AllClear ID; AllClear ID reserves the right to investigate any asserted claim to determine its validity.
- AllClear ID is not an insurance company, and AllClear Identity Repair is not an insurance policy; AllClear ID will not make payments or reimbursements to you for any loss or liability you may incur.
- AllClear ID is not a credit repair organization, is not a credit counseling service, and does not promise to help you improve your credit history or rating beyond resolving incidents of fraud.
- AllClear ID reserves the right to reasonably investigate any asserted claim to determine its validity. All recipients of AllClear Identity Repair coverage are expected to protect their personal information in a reasonable way at all times. Accordingly, recipients will not deliberately or recklessly disclose or publish their Social Security number or any other personal information to those who would reasonably be expected to improperly use or disclose that Personal Information.

### **Opt-out Policy**

If for any reason you wish to have your information removed from the eligibility database for AllClear Identity Repair, please contact AllClear ID:

<b>E-mail</b> support@allclearid.com	<b>Mail</b> AllClear ID, Inc. 816 Congress Avenue Suite 1800 Austin, Texas 78701	<b>Phone</b> 1-855-434-8077
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