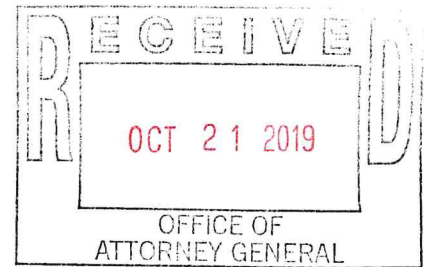


# HUSCH BLACKWELL

Eric S. Levy  
Senior Counsel

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Direct: 214.999.6188  
Fax: 214.999.6170  
eric.levy@huschblackwell.com



October 16, 2019

**Via Certified Mail, Return Receipt Requested – 9314 7699 0430 0064 5907 80**

Office of Attorney General  
600 East Boulevard Avenue, Dept. 125  
Bismarck, ND 58505-0040

To whom it may concern:

Please be advised that Eye Buy Direct, Inc. ("EBD"), 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. In June of this year, EBD learned that a small number (356) of U.S. consumers had reported fraudulent activity on their credit cards in September 2018 and March 2019. One thing these consumers had in common was a transaction on the EBD website, [www.eyebuydirect.com](http://www.eyebuydirect.com).

Upon receiving this information, EBD immediately retained the services of a respected cyber risk management firm with expertise in digital forensics to determine whether EBD's systems had been compromised. The investigation, which finished on September 17, 2019, concluded that EBD's systems showed signs of intrusions, but investigators were unable to confirm with certainty how or when the platform had been breached or whether any data had been accessed or taken.

After EBD received confirmation of the intrusion, it retained the services of an independent cyber security firm to help review and update security protections across all our systems. Following immediate and coordinated action, the incident was addressed on September 28, 2019, and all identified weaknesses have been or are currently being corrected. At the same time, EBD has undertaken significant investments to further consolidate the security of its platform and mitigate future risks.

Given the fact that the forensic investigators were unable to confirm with certainty how or when the platform had been breached or whether any customer data had been accessed or taken, EBD, in an abundance of caution, has made the decision to notify all customers who made purchases on [www.eyebuydirect.com](http://www.eyebuydirect.com) between September 1, 2018 and September 28, 2019. 2,054 North Dakota residents made purchases within this timeframe and were thus potentially affected by the security incident. The information captured from these individuals may have included first name, last name, mailing address, email address, prescription

October 16, 2019

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information, payment card number, payment card verification code, and payment card expiration date. Notification was mailed to these potentially affected North Dakota residents on October 14, 2019. A template copy of the notification is attached as Exhibit A.

Additionally, there were 4 North Dakota residents among those individuals who had previously reported fraudulent activity on their credit cards. The information captured from these individuals included first name, last name, mailing address, email address, payment card number, payment card verification code, and payment card expiration date. Although these individuals have already reported fraudulent activity to their credit card providers and presumably obtained a replacement card, EBD also mailed notification to these North Dakota residents on October 14, 2019; said notice will offer one year of free identity theft monitoring and repair services through Experian. A template copy of this notification is attached as Exhibit B.

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, EyeBuyDirect's mailing address is 2801 S. I-35, Suite 170, Austin, TX 78741.

EyeBuyDirect sincerely regrets any inconvenience or concern caused to North Dakota residents by this incident.

Sincerely,

  
Eric S. Levy

# EXHIBIT A

# EYEBUYDIRECT

Dear EyeBuyDirect Customer,

At EyeBuyDirect, we care about keeping your vision sharp and your information safe. Recently, we were made aware of an incident that may have affected the security of your personal information. We want to share what we know, steps we are taking in response and how we're helping protect customers who were affected.

## What Happened

In June, EyeBuyDirect learned that 356 U.S. consumers had reported fraudulent activity on their credit cards in September 2018 and March 2019. One thing these consumers had in common was a transaction on the EyeBuyDirect website, [www.eyebuydirect.com](http://www.eyebuydirect.com). Upon receiving this information, we immediately retained the services of a respected cyber risk management firm with expertise in digital forensics to determine whether EyeBuyDirect's systems had been compromised. The investigation concluded that our systems showed some signs of intruder(s), but investigators were unable to confirm with certainty how or when the platform had been breached or whether any data had been accessed or taken.

Based on these conclusions, it's unclear if your information was compromised. What we do know is that our customers' privacy and information security are and will remain our top priority. That's why we're keeping you informed.

## What Information Was Involved

Investigators were unable to determine whether and, if yes, which information was compromised. If your information was accessed or taken, the information may have included details of your purchase(s) with EyeBuyDirect, including personal details, such as your first name, last name, shipping and/or billing address and prescription data as well as payment-related information, such as your payment card number, payment card verification code and payment card expiration date. Our policy is to not store any payment card information, but this information is transmitted between your browser and our servers and therefore may have been exposed to a potential intruder.

## What We Are Doing

At EyeBuyDirect, we take the protection of your personal information very seriously. Upon receiving the notification of a potential incident in June, we promptly took steps to validate all data flows into and out of our systems, and we ensured that there were no unauthorized modifications to our software platform. We also retained the services of an independent cyber security firm to help review and update security protections across all our systems. Following immediate and coordinated action, the incident has been addressed and all identified weaknesses are currently being corrected. At the same time, we have undertaken significant investments to further consolidate the security of our platform and mitigate future risks.

# EYEBUYDIRECT

## What You Can Do

Since we don't know for certain that your individual information was compromised, the best thing to do is to check the statements of any credit card you used to make a purchase on the EyeBuyDirect website for fraudulent or suspicious charges. If you find even one, contact your credit card company immediately and report the fraud.

You may contact one of the credit reporting companies below for assistance.

Equifax	Experian	TransUnion
1-800-525-6285	1-888-397-3742	1-800-680-7289
<a href="http://www.equifax.com">www.equifax.com</a>	<a href="http://www.experian.com">www.experian.com</a>	<a href="http://www.transunion.com">www.transunion.com</a>

## OBTAIN MORE INFORMATION ABOUT IDENTITY THEFT AND WAYS TO PROTECT YOURSELF

Visit <http://www.experian.com/credit-advice/topic-fraud-and-identity-theft.html> for general information regarding protecting your identity.

The Federal Trade Commission has an identity theft hotline: 877-438-4338; TTY: 1-800-653-4261. They also provide information on-line at [www.ftc.gov/idtheft](http://www.ftc.gov/idtheft).

## For More Information

The EyeBuyDirect customer service team is at your disposal to answer any questions you may have. You can contact us by phone at 855.393.2891. Monday through Friday, 9:00 a.m. to 12:00 a.m. EST and Saturday to Sunday, 9:00 a.m. to 6:00 p.m. EST, excluding U.S. holidays. Or, simply contact us via email at [eyecare@eyebuydirect.com](mailto:eyecare@eyebuydirect.com).

Please note that this notice is the only one you will receive from EyeBuyDirect, and we will never request personal information by email or by phone.

Your vision is our vision. Rest assured we're taking every action to ensure your information is as secure with us as your eyesight is.

Sincerely,

EyeBuyDirect, Inc.

# EXHIBIT B

[Company Logo]

[Return Address]  
[Return Address]

[Date]

[Insert Recipient's Name]  
[Insert Address]  
[Insert City, State, Zip]

*RE: Important Security Notification  
Please read this entire letter.*

Dear EyeBuyDirect Customer,

At EyeBuyDirect, we care about keeping your vision sharp and your information safe. Recently, we were made aware of an incident that affected the security of your personal information. We want to share what we know, steps we have taken in response and how we're helping protect customers who were affected.

#### What Happened

In June, EyeBuyDirect learned that 956 U.S. consumers had reported fraudulent activity on their credit cards in September 2018 and March 2019. One thing these consumers had in common was a transaction on the EyeBuyDirect website, [www.eyebuydirect.com](http://www.eyebuydirect.com). Upon receiving this information, we immediately retained the services of a respected cyber risk management firm with expertise in digital forensics to determine whether EyeBuyDirect's systems had been compromised. The investigation concluded that our systems showed some signs of intrusion(s), but investigators were unable to confirm with certainty how or when the platform had been breached or whether any data had been accessed or taken.

You are receiving this notice because you were one of the individuals who reported fraudulent charges on your credit card. While it's unclear how or when exactly your information was compromised on [www.eyebuydirect.com](http://www.eyebuydirect.com), it was compromised and we are sincerely sorry for that. Our customers' privacy and information security are and will remain our top priority, which is why we are redoubling our efforts to ensure there is no doubt about the privacy or security of your information.

#### What Information Was Involved

Investigators were unable to determine exactly which information was accessed or taken, but it likely included details of your purchase(s) with EyeBuyDirect, including personal details, such as your first name, last name, shipping and/or billing address and prescription data as well as payment-related information, such as your payment card number, payment card verification



code and payment card expiration date. Our policy is to not store any payment card information, but this information is transmitted between your browser and our servers and therefore may have been exposed to an intruder.

### What We Are Doing

At EyeBuyDirect, we take the protection of your personal information very seriously. Upon receiving the notification of a potential incident in June, we promptly took steps to validate all data flows into and out of our systems, and we ensured that there were no unauthorized modifications to our software platform. We also retained the services of an independent cyber security firm to help review and update security protections across all our systems. Following immediate and coordinated action, the incident has been addressed and all identified weaknesses are currently being corrected. At the same time, we have undertaken significant investments to further consolidate the security of our platform and mitigate future risks.

### What You Can Do

Since you have already reported fraudulent charges to your credit card provider, we assume that means that you have also requested and obtained a new credit card with new information. If you have not done this yet, we strongly urge you to do so.

As an added precaution, we are offering a complimentary one-year membership in Experian's® IdentityWorks<sup>SM</sup>. This service provides you with superior detection and resolution of identity theft, including assistance dealing with credit-card fraud. To activate your membership and start monitoring your personal information, please follow the steps below:

1. Ensure that you enroll by: [1/31/2020] (Your code will not work after this date.)
2. Visit the Experian IdentityWorks website to enroll: [<https://www.experianidworks.com/3bplus>]
3. Provide your activation code: [code]

If you have questions about the service, need assistance with identity restoration or would like an alternative to enrolling in Experian IdentityWorks online, please contact Experian's customer care team at [877.890.9332] by [1/31/2020]. Be prepared to provide engagement number [DB14906] as proof of eligibility for the identity restoration services by Experian.

A credit card is not required for enrollment in Experian IdentityWorks.

You can contact Experian immediately regarding any fraud issues, and have access to the following features once you enroll in Experian IdentityWorks:

- **Experian credit report at signup:** See what information is associated with your credit file. Daily credit reports are available for online members only.\*
- **Credit Monitoring:** Actively monitors Experian, Equifax and Transunion files for indicators of fraud.



- **Internet Surveillance:** Technology searches the web, chat rooms & bulletin boards 24/7 to identify trading or selling of your personal information on the Dark Web.
- **Identity Restoration:** Identity Restoration specialists are immediately available to help you address credit and non-credit related fraud.
- **Experian IdentityWorks ExtendCARE™:** You receive the same high-level of Identity Restoration support even after your Experian IdentityWorks membership has expired.
- **Up to \$1 Million Identity Theft Insurance\*\*:** Provides coverage for certain costs and unauthorized electronic fund transfers.

If you would like to discuss how you may be able to resolve issues related to the fraudulent use of your information, please reach out to an Experian agent at [877.890.9332]. If, after discussing your situation with an agent, it is determined that Identity Restoration support is needed, then an Experian Identity Restoration agent is available to work with you to investigate and resolve each incident of fraud that occurred (including, as appropriate, helping you with contacting credit grantors to dispute charges and close accounts; assisting you in placing a freeze on your credit file with the three major credit bureaus; and assisting you with contacting government agencies to help restore your identity to its proper condition).

Please note that this Identity Restoration support is available to you for one year from the date of this letter and does not require any action on your part at this time. The Terms and Conditions for this offer are located at [www.ExperianIDWorks.com/restoration](http://www.ExperianIDWorks.com/restoration). You will also find self-help tips and information about identity protection at this site.

You may contact one of the credit reporting companies below for assistance.

**Equifax**  
1-800-525-5285  
[www.equifax.com](http://www.equifax.com)

**Experian**  
1-888-397-3742  
[www.experian.com](http://www.experian.com)

**TransUnion**  
1-800-680-7289  
[www.transunion.com](http://www.transunion.com)

#### **OBTAIN MORE INFORMATION ABOUT IDENTITY THEFT AND WAYS TO PROTECT YOURSELF**

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Please note that this notice is the only one you will receive from EyeBuyDirect, and we will never request personal information by email or phone.

Your vision is our vision. Rest assured we're taking every action to ensure your information is as secure with us as your eyesight is.

Sincerely,

EyeBuyDirect, Inc.