



Wayne Stenehjem
ATTORNEY GENERAL

STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL

STATE CAPITOL
600 E BOULEVARD AVE DEPT 125
BISMARCK, ND 58505-0040
(701) 328-2210
www.attorneygeneral.nd.gov

PLEASE RESPOND TO:
CONSUMER PROTECTION DIVISION
OFFICE OF ATTORNEY GENERAL
GATEWAY PROFESSIONAL CENTER
1050 E INTERSTATE AVE STE 200
BISMARCK, ND 58503-5574
(701) 328-3404
FAX (701) 328-5568
1-800-472-2600 (Toll Free)

CPAT 170202.001

October 25, 2017

VIA FIRST CLASS MAIL

Spa d'Athena, LLC
Brent Voorhees
1500 Interchange Ave.
Bismarck, ND 58501-2084

Spa d'Athena, LLC
Jill Becker
5900 Middlefield Rd.
Bismarck, ND 58503

Spa d'Athena, Ms. Becker, Mr. Voorhees,

Our Office is concerned with the "Announcement" placed on Spa d'Athena's website on October 25, 2017. Specifically, your website represents, or represented, the following:

By sending your claim for a gift card you are agreement to Spa d'Athena's gift card validation process, responding to all mail, emails or phone calls from Spa d'Athena in a timely manner in order to process the information correctly and the time necessary to process a refund of your gift card value. By sending your claim for a gift card refund you further agree not to expect Spa d'Athena to honor or redeem your gift card at any location or event as of the date of the mail.

The language above appears to be an effort by Spa d'Athena to limit consumer claims by the mere act of sending a claim to Spa d'Athena, without regard to whether or not a refund is actually provided. Your language further appears to provide you an "out" to actually fulfilling a claim by vaguely requiring a consumer to respond in a "timely manner."

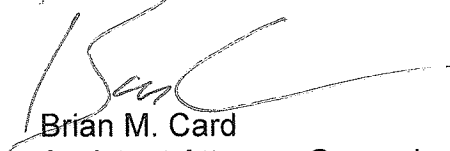
This letter is to advise you that our Office will not accept any limitations on consumers' claims imposed by Spa d'Athena.

Nothing in this letter is intended to waive any rights or remedies available to North Dakota or consumers.

Spa d'Athena
October 25, 2017
Page 2

If you have any questions, please contact me. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian M. Card". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Brian M. Card
Assistant Attorney General
Consumer Protection & Antitrust Division