

To: All Data Aire Rep/Distributor Principals & Primary Contacts

On June 23, I communicated that Data Aire will cease operations by the end of the year. This email provides a status update on orders, including new terms of sale and the required action if customers want to proceed with their order.

Representative Agreements

Due to Data Aire closing, all representative agreements will terminate as of December 1, 2022.

Every acknowledged, but not delivered, order slated to ship after August 12 will be canceled unless it is reconfirmed with a new purchase order as set out below by August 1.

Data Aire requires all potential customers who have already executed a purchase order to explicitly reconfirm that they still want to receive their order under the new terms of an amended purchase order.

To this end, any customer that wishes to receive its order must provide an amended PO with the below terms no later than the close of business on August 1, 2022. Any orders that are not reconfirmed by that date will be canceled. The following language, in totality, must be included on the amended PO; otherwise, the order will not be accepted:

"Purchase Order Number ____ between buyer and Data Aire dated ____ ("PO") is hereby amended to delete all references to warranty coverage and payment terms. The following terms are hereby incorporated into the PO through this Amended Purchase Order ("Amended PO"):

WARRANTY - Products provided under this Amended PO are not subject to or covered by any warranty from Data Aire or any other party and buyer expressly acknowledges that purchase and use of the product is at buyer's sole risk. To the maximum extent permitted by law, [Buyer/CUSTOMER] acknowledges and agrees that the products provided by Data Aire pursuant to the Amended PO are provided "as is" and without warranty of any kind and Data Aire hereby disclaims all warranties and conditions with respect to the product, whether express, implied, or statutory, including, but not

limited to, the warranties of merchantability, fitness for a particular purpose, and non-infringement of third-party rights.

PAYMENT TERMS - Buyer will pay 50% deposit of the total cost of the products at the time of execution of this Amended PO. Data Aire will notify buyer at least seven (7) days before the product is ready to be shipped to the buyer and buyer will pay the remaining 50% of the total cost to release for shipment.

ADDITIONAL TERMS - Notwithstanding any termination or cancellation provisions in the original PO, Data Aire reserves the right to cancel the PO and this Amended PO at any time. All products will be manufactured no later than October 31, 2022 and buyer must take possession of the products no later than December 31, 2022. The terms of this Amended PO shall also supersede any conflicting terms in Data Aire, Inc.'s Term of Sale or any relevant Order Acknowledgements."

The above terms are firm, and Data Aire will not negotiate or accept any revisions to these terms.

Please send the amended PO with the exact language above to your respective Data Aire factory Regional Sales Manager: Carmine Albanese, north region; William Taffe, south region; Nancy Mills, west region; Jose Rocha, east/international region; or Dan McInnis, Strategic Accounts by the end of business on August 1, 2022.

In addition to the new terms of sale, please note the following:

On the amended PO, a 5.0% discount can be applied and will be accepted due to the change in warranty status.

All existing warranties and tech support services for orders shipped prior to August 12, 2022 will be terminated as of October 31, 2022. Additional or replacement parts will not be provided after October 31, 2022.

Data Aire will not be coordinating any potential claims from the Data Aire customer to the OEM part manufacturer/provider.

If you have any questions, please get in touch with your RSM listed above. We sincerely appreciate all that you have done as our partner through the years bringing Data Aire to market.

Eric Jensen,

Eric Jensen

VP/GM
Data Aire, Inc.



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