




 : Hi, my name is Hazel S.. How may I help you?

 **Mark Boutros:** heello

 **Mark Boutros:** I have not login for a long time. When I logged on I saw all my photos are gone. where are they?


 : I'm very sorry to hear that but let me see what I can do, Can you provide me with the E-mail register to your Kodak account so I can look into it please.


 **Mark Boutros:** lorca1973@yahoo.com please tell me they are backed up.


 : Thank you, one moment please.

 **Mark Boutros:** still there?

 : Yes.

 : Thank you for your patience, I'm still looking into it, please bear with me

 : Thank you for your patience, this is what I found:

 : The images within your KODAK Gallery account have unfortunately been deleted because you did not meet the minimum purchase requirement under our Storage Policy over a 12 month period.

We notified you three times, using the email address associated with your Gallery account, to remind you of our new Storage Policy. Since action was not taken, and we received no response from you, the photos in your account were deleted.


Members may upload an unlimited number of photos to the KODAK Gallery website (Kodakgallery.com). Beginning March 13, 2009, our new Storage Policy states, however, that in order to continue storing photos on the Gallery website, you must make a purchase from the Gallery within 90 days of your first upload, and then every 12 months thereafter. The amount of the required purchase is based on the amount of storage space your photos occupy on the Gallery website. If the amount of storage you use is equal to 2 gigabytes (GB) or less, you must make purchases totaling at least \$4.99 once every 12 months. If your storage amounts to over 2 GB, you must make purchases totaling at least \$19.99 once every 12 months. If you do not meet the applicable minimum purchase requirement, your photos may be deleted.

To view our new Storage Policy\*, please go to: [Kodakgallery.com/TermsOfService.jsp](http://Kodakgallery.com/TermsOfService.jsp) (See section 18.)


We thank you for being a Gallery member and look forward to continuing to be your trusted photo partner.

\* The following are excluded from the annual minimum purchase amount: Purchases made through a third party provider (e.g., PhotoStamps), where a member does not purchase such product or service through the Kodak Imaging Network cart.

\*\* Your continued use of the Gallery is deemed acceptance of the Terms of Service.


 **Mark Boutros:** OK, well I didn't get the email. It probably went to spam. How can I get the pictures back?


 **Mark Boutros:** I'll make a purchase.

 : I'm sorry for this inconvenience but since the picture have been deleted we can't restore them back.


 **Mark Boutros:** What??


 **Mark Boutros:** I joined when it was Ofoto before Kodak owned it. It was a free service.

 **Mark Boutros:** There was no minimum purchase requirement when I joined. That was not what I signed up for.

 : I understand and I'm sorry for this confusion but it has been more then 2 years since the policy change and we did send out email's to the account register to ofoto as notification, since a reply was not sent back to use and no qualifying purchase was made the picture got deleted.

 **Mark Boutros:** It was still free when Kodak took over I should add. I never got the notice the policy changed.


 **Mark Boutros:** Are you saying Kodak feels they can change the agreement without my consent?


 **Communication with the RightNow Chat service has been lost. Please wait while attempts are made to restore the connection.**


 **Disconnection in 240 seconds.**


 **Connection resumed.**

 **Mark Boutros:** did you get my question? Are you saying Kodak feels they can change the agreement without my consent?


 : I'm sorry for this confusion but I did not say that.


 : I'm only explaining the policy change .

 **Mark Boutros:** Well either Kodak feels they need my consent or they don't. I'm asking which is it?

 **Mark Boutros:** Are you absolutely sure there is no backup?

 : I'm sorry for this inconvenience but ones the photos has been deleted from the storage we can't restore them.

 **Mark Boutros:** OK, so which is it either Kodak feels they need my consent or they don't. Which one is the policy?

 : I'm sorry for this inconvenience, I do understand your frustration but Kodak sent email before they change the policy and deleted the images so you can make the qualifying purchase. Please read the following information:

 : Thank you for contacting us about the KODAK Gallery Storage Policy changes.

In order to help offset our substantial storage costs, it's long been our policy that Gallery customers make an annual purchase in exchange for unlimited photo storage and sharing. Despite that arrangement, we discovered that frequent Gallery shoppers were essentially subsidizing those who aren't.


So, to better balance the scales, we've made a simple adjustment to our policy. In order to continue to store photos at the Gallery, all you need to do is make purchases totaling at least \$4.99 if your storage is equal to 2 GB or less, or \$19.99 if your storage exceeds 2 GB by the date indicated within Your Storage Status below.


You can continue enjoying the benefits of photo storage at the Gallery, including:

- Ordering high-quality Prints and photo merchandise
- Storing all your images in one place
- Sharing your favorite photos with friends and family
- Receiving a variety of photo tips, tools, and project ideas


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\*\* Your continued use of the Gallery is deemed acceptance of the Terms of Service.


 **Mark Boutros:** You explained that. Email from a company isn't very effective because of spam filters. you should know that. if you need a definition of what a spam folder is, I can find one for you. And by telling me that all Kodak has to do is send out some emails without knowing if they got through, that means Kodak doesn't need my consent to throw my pictures away. Just to be clear.


 **Mark Boutros:** So, please give me the email and physical address of someone I can write to.

 **Mark Boutros:** someone with actual power please. not a generic customer service rep.


 : The Spam filter settings are within your email account, You can send us an email to [service@kodakgallery.com](mailto:service@kodakgallery.com), ones again I'm very sorry for this inconvenience but this is nothing else that I can do.

 **Mark Boutros:** no. I said someone with authority. What I mean is a first and last name and a title, please.


 : I'm sorry, but this is the only information I can provide you with. By sending an Email to that address further action can be taken.


 **Mark Boutros:** can you provide me the name of the VP of marketing? I could find that out on my own, so by not giving to me you are just trying to make my life more difficult.


 : I'm sorry but we are not authorized to provide that kind of Information.


 **Mark Boutros:** So what can you do to fix this problem?


 : I'm sorry but there is nothing that I can do to have the picture restored.


 **Mark Boutros:** So, I want to be clear, you can't tell me who the VP of marketing is for Kodak?































 : That is correct.

 **Mark Boutros:** His name is Jeffrey W. Hayzlett

 **Mark Boutros:** You should know the chain of command for your own company

 : I'm sorry about this inconvenience but I'm not authorized to provide any names from our VP from Kodak.

 **Mark Boutros:** So, I come to you with a problem and not only refuse to do anything, you won't give me public information. Do you understand that?

-  **Mark Boutros:** How can you not be authorized when it is on your website?
-  **Mark Boutros:** Would you like me to send you a copy of the letter I write to Mr. Hayzlett?
-  : I'm sorry but there is no one from my department that could assist you in restoring your pictures, I hope I could and I just can't because they are no longer available and I'm sorry that you lost them. Also, I'm not authorized to provide any names from our VP from Kodak but you can always find the information available on the web site or any other Internet search engine.
-  : I apologies for any inconvenience this might have cause you. Is there anything else I can help you with?
-  **Mark Boutros:** You haven't helped me with anything, so how can there be anything else?
-  **Mark Boutros:** Look Hazel S. I'm sure you are a very nice person. You want world peace and you think babies are cute and none of this is your fault. I just want to know that if you can't get my pictures back, what can you give me?
-  : I'm checking this information with my supervisor, please bare with me.
-  **Mark Boutros:** ok
-  : Thank you for your patience, I'm still looking into it, please bear with me
-  **Mark Boutros:** ok
-  : Thank you for your patience, I was checking with my supervisor and the pictures unfortunately have been deleted, Is not like we don't want to help you but If we had anything that we could have tried to have your picture restored we would have done it but there is nothing because the picture were deleted form the server, I'm terribly sorry for this inconvenience.
-  **Mark Boutros:** OK, but that wasn't my question. My question was since you cannot get me my pictures, what can you do for me?
-  : I'm sorry for this confusion but what kind of help are you requesting?
-  **Mark Boutros:** Is there something you can do to make up for this? Gift certificate? Money? A flight to one of the places around the world where I was in the pictures you lost?
-  **Mark Boutros:** Motor oil? hand cream? Anything?
-  : I can provide you a \$10 store credits for any future purchase.
-  **Mark Boutros:** That's great, but I have no pictures to purchase.
-  : If you decide to upload picture to the web site then you can use the credits available.
-  **Mark Boutros:** OK, look if there is nothing you can do to make up for this other than offer me a credit to buy pictures you deleted, I guess we are done.
-  **Mark Boutros:** Why would I ever use your site again?
-  **Mark Boutros:** You know, back then I sent the actual film and it was your policy not to send it back. You took the originals because it was your policy and you deleted them.
-  **Mark Boutros:** This was wen people still used film. Odd, I know.
-  : Sorry but the pictures has been deleted and can't be restore, the only thing I can offer is store credits for any future purchase, if you no longer wish to use the web site then I'm going to leave it up to you.
-  **Mark Boutros:** Thanks for leaving it up to me. I was worried it was up to someone else. Thank you. I am done.
-  : I'm sorry for this inconvenience, Is there anything else I can help you with?
-  : I apologize for the inconvenience, but due to inactivity I will need to close the chat session if a reply is not received in one minute.
-  **Mark Boutros:** I don't have any pictures with you and you won't give me an I'm sorry gift that has any meaning. What could you possibly help me with?
-  **Mark Boutros:** so no.
-  : Thank you for contacting the KODAK Gallery. If you have any further questions, please feel free to contact us again. If you need additional assistance, you can find product support information in our Help section:  <http://www.kodakgallery.com/Help2.jsp>
-  Hazel S. has disconnected.