

## PRIVACY POLICY AND COOKIE NOTICE

Effective Date: March 12, 2020

The Stand, LLC and its subsidiaries and affiliates (“**The Stand**,” “**we**,” or “**us**”) respect and value your privacy. As part of our commitment to use the information you share with us responsibly, we want you to be familiar with how we collect, use, and disclose information relating to you, your computer, or your device and that enables your identification (“**Personal Information**”).

This Privacy and Cookie Notice (this “**Notice**”) describes how we process Personal Information about you that we collect through each website or application operated and controlled by us from which you are accessing this Notice (the “**Site**”). This Notice does not apply to information that we collect offline, such as over the telephone or in person. By using the Site, you agree to the terms and conditions of this Notice.

### 1. WHAT INFORMATION DO WE COLLECT ABOUT YOU?

#### a. What You Give Us

Some parts of the Site may ask you to submit Personal Information in order for you to benefit from the specified features or to participate in a particular activity. For example, you may voluntarily provide Personal Information to us in the following ways:

- **Contact Us Forms and Correspondence:** If you contact us, we may keep a record of that correspondence. For example, we collect the information that you provide on the “contact us” form available on the Site.
- **Order Information:** When you place an order on the Site, we obtain from you the information we need to complete your transaction. This may include your name, delivery address, billing address, telephone number, email address, and credit card number. We may also retain details of your specific orders and transactions with us.
- **Registration For An Account:** If you register for an account with us, we will collect the information that you voluntarily provide when registering. This information may include your name, username, and password.
- **Loyalty Program:** If you register for our loyalty program, we will collect the information you provide to register, and we will collect and maintain information about your orders and transactions with us in order to manage the loyalty program and your rewards.
- **Employment Applications:** Some areas of the Site may allow you to submit information related to job opportunities with The Stand. If you apply for an employment opportunity, you may provide us with certain personal information about yourself.
- **Subscribe to Mailing List:** If you subscribe to our mailing list, we will collect your email address.

We may combine Personal Information you submit through the Site with other information we have collected from or about you, whether on-line or off-line. We treat the combined information in accordance with this Notice.

**b. Information from Use of the Site**

Through your use of the Site, we may also gather information about your use of the Site that does not identify you directly but may identify your computer or device. Generally, this information is collected through what we refer to in this Notice as “**Traffic Data.**” We may collect and store such Traffic Data automatically whenever you interact with the Site. For example, we may collect your IP address, the hostname of your computer, browser information and reference site domain name every time you use the Site. We may collect information regarding user traffic patterns and Site usage. This Traffic Data does not, however, contain anything that can personally identify you, though it may identify your computer or device; it is used to analyze and improve the Site, to provide you with a better experience on the Site, and to show you offers tailored to you. Please see the section below in this Notice regarding Passive Information Collection for more information about our use of cookies and other technologies.

**c. Location Data**

If you use certain parts of our Site, we may collect location data obtained from your IP address or mobile device, or you may be asked to input location data. We use this location data to find our nearest restaurant to you.

**d. Facebook if You Connect to The Stand application through Facebook**

When you sign up for an account on the Site, you have the opportunity to create and/or associate your account by logging into your existing account on Facebook. This makes it easier to sign into your account with The Stand. If you choose to register through Facebook for your account with us, or later link you're The Stand account to your Facebook account, you authorize us to collect and use certain information you have provided to Facebook. What we collect depends on your privacy settings with Facebook, but may include:

- Facebook user ID
- Your name
- Your email address
- [your gender]
- [your birthday]
- Your address
- Your location
- Your time zone
- Your telephone number
- Other information you make publicly available via Facebook

This information is collected by Facebook and is provided to The Stand under the terms of Facebook's privacy policy. You can control what information is shared by Facebook with us by adjusting the privacy and data settings in your Facebook account. The Stand will not post anything on your Facebook account.

## e. Data about Children

We do not knowingly collect Personal Information through the Site from children under the age of 13. We reserve the right to delete any information identified as having been provided through the Site from children under the age of 13.

## 2. HOW DO WE USE THE INFORMATION WE COLLECT FROM YOU?

We use Personal Information submitted by you or otherwise collected through the Site for the purposes described in this Notice and as otherwise described to you at the point of collection. Generally, we use the information you provide for the reason for which it was provided. For example, if you contact us by e-mail, we will use the Personal Information you provide to answer your question or resolve your problem and will respond to the email address from which the contact came. We may also use Personal Information about you as specifically described below:

- **Requests, Inquiries, and Applications:** We may use your Personal Information to process, evaluate, and respond to your requests, inquiries, and applications. So, if you provide us with Personal Information to participate in a contest or promotion, we may use your information to administer your participation. If you request certain information from us, we will use your Personal Information to process and respond to your request.
- **To Process Orders:** We may use your Personal Information for purposes of fulfilling orders and ensuring delivery.
- **Manage Our Relationship With You:** We may use your Personal Information to facilitate your use of our Site and your account, and to send you important information regarding our relationship with you or regarding the Site, such as information about changes to our terms, conditions, policies, and other administrative information.
- **Loyalty Program:** If you participate in our loyalty program, we may use Personal Information about you and your orders and transactions with us to manage the loyalty program, to communicate with you about offers that may be of interest to you, and to track and process your rewards.
- **Promotional Purposes:** We may use your Personal Information, including your transaction history with us, to personalize your consumer experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our Site and via email.
- **Internal Business Purposes:** We may use your Personal Information for internal business purposes, including without limitation, to help us operate, evaluate, and improve the quality of the Site; to better understand those individuals that utilize the Site; to verify your identity; to prevent, protect against, identify, or address fraud, unauthorized activity, claims, liabilities, and other wrongdoing; to provide you with customer service; and to generally manage our business.

- **Employment:** If you provide Personal Information to apply for a job with The Stand, we may use the Personal Information you provide to evaluate your job application, consider you for that job or for similar jobs in the future, and contact you regarding possible employment.
- **Traffic Data:** We may use Traffic Data to perform data analytics and to personalize your experience on the Site. To learn more about how we use Traffic Data, please see Section 5 of this Notice.
- **Legal Requirements, Industry Standards, and Contractual Obligations:** We may use your Personal Information for complying with and enforcing applicable legal requirements, industry standards, and our contractual obligations.

We may use non-personal information or aggregate information that does not identify an individual without restriction, and we may share such information with third parties.

### 3. WITH WHOM DO WE SHARE YOUR INFORMATION?

We may share your Personal Information only as described in this Notice or as otherwise described to you at the point of collection.

- **Affiliates:** We may share your Personal Information with our affiliates for purposes consistent with this Notice. Our affiliates will be bound to maintain that Personal Information in accordance with this Notice.
- **Agents, Consultants, and Service Providers:** We may share your Personal Information with individuals or companies that we hire to provide services to us, such as website hosting services.
- **Business Transfers:** We may transfer your Personal Information in the event of a business sale, merger, consolidation, change in control, transfer of substantial assets, bankruptcy, liquidation, or reorganization. We may also disclose your Personal Information in the course of due diligence of such a transaction. You acknowledge and agree that any successor to or acquirer of The Stand (or its assets) will continue to have the right to use your Personal Information and other information. Whether the recipient of your Personal Information in these cases will handle your Personal Information pursuant to this Notice will depend on the applicable law and other factors.
- **Legal Requirements:** We use and disclose Personal Information as we believe to be necessary or appropriate: (i) under applicable law, including laws outside your country of residence; (ii) to comply with legal process; (iii) to respond to requests from public and government authorities, including public and government authorities outside your country of residence; (iv) to enforce our terms and conditions; (v) to protect our operations or those of any of our affiliates; (vi) to protect our rights, privacy, safety, or property, and/or that of our affiliates, you, or others; and (vii) to allow us to pursue available remedies or limit the damages that we may sustain.
- **Passively Collected Information:** We may share Traffic Data that does not identify you directly, but may identify your computer or device, as described in Sections 4 of this Notice.

#### 4. LINK TO THIRD PARTY SITES; PROCESSING PARTNER FOR ONLINE ORDERS

We are not responsible for the privacy practices of other online services, including other websites. It is your sole obligation to review and understand the privacy practices and policies of third parties. The availability of, or inclusion of a link to or interface with, any third-party service on the Site, such as an online delivery service, does not imply endorsement of it by us. Your use of those other sites and services is subject to the privacy policies of those sites and services, and not this Notice.

We use a third-party service provider to assist us in processing your personally identifiable payment information securely when you place orders online. The information collected for payment purposes, such as your credit card number and expiration date, are collected by the third-party service provider. Such third-party service provider's use of your Personal Information is governed by its own separate privacy policy, which is available on the online ordering section of the Site.

#### 5. COOKIES AND OTHER PASSIVE COLLECTION TECHNOLOGIES

As you navigate the Site, certain Traffic Data may be passively collected, meaning it is gathered without your actively providing it. This is done using the following technologies in the following ways:

**Through your browser:** Certain information is collected by most browsers, such as your Media Access Control (MAC) address, computer type and operating system type and version screen resolution, and Internet browser type and version.

**Through your device:** If you access the Site through a mobile device or other network-connected product, certain information may be collected about that device, including your device type, network service provider, and other identifiers. We may collect unique device identifiers (such as IDFA and AID tags and UUID and UDID identifiers) associated with the devices you use to access the Site.

**Using cookies:** Like many companies, our Site may use "cookies" to help make sure the Site is meeting the needs of its users and to help us make improvements and to personalize your experience on the Site. Cookies are bits of text that are placed on your computer's hard drive when you visit certain websites. We may use cookies set by us on the Site to tell us, for example, whether you have visited us before or if you are a new visitor or the parts of the Site that you use. We use third-party cookies set by our service provider, Google Analytics, to collect information about how visitors use the Site, including how long you spend on each page, and how you got to the Site. We do not use data collected by cookies to identify who you are. You can visit <https://www.google.com/analytics/learn/privacy.html> to learn more about Google Analytics' use of cookies. You can visit <https://tools.google.com/dlpage/gaoptout> for information on how to opt out of Google Analytics cookies.

You can refuse our use of some or all cookies by turning off the use of cookies in your web browser. If you use your browser settings to block all types of cookies you may not be able to access all or parts of our Site or functionality may be limited.

You can set your browser to notify you before you receive a cookie, giving you the chance to decide whether to accept it. You can also set your browser to turn off cookies.

Changing your internet browser settings can prevent the use of cookies. Each browser has a different procedure for disabling the use of cookies. The Help function within your browser should tell you how.

Alternatively, you may visit <http://www.aboutcookies.org> where you can review information on how to control cookies on a variety of browsers.

**Using Monitoring Tools:** Cookies are not the only way to recognize or track visitors to a website. We may use other, similar technologies from time to time, like web beacons (sometimes called “tracking pixels” or “clear gifs”) to better tailor the Site in order to provide a better service. These are tiny graphics files that contain a unique identifier that enable us to recognize when someone has visited our Site. These technologies usually work in conjunction with cookies. To disable cookies used on our Site, and therefore any other tracking technologies that work in conjunction with these cookies, please follow the instructions below.

**IP Address:** Your IP Address is a number that is automatically assigned to the computer that you are using by your Internet Service Provider. An IP Address is identified and logged automatically in our server log files whenever a user visits the Site, along with the time of the visit and the page(s) that were visited. Collecting IP Addresses is standard practice on the Internet and is done automatically by many online service providers, including website operators. We use IP Addresses for purposes such as calculating Site usage levels, helping diagnose server problems, and administering the Site.

**Social Media Plug-Ins:** We use social media plug-ins from social media networks like Facebook, Pinterest, Instagram, YouTube and Twitter, which are labeled on our Site with the well-known symbols of the respective social network. If you interact with these plug-ins, your activity on the Site may also be made available to those social networks. In order to understand how those social networks use and disclose your Personal Information, please review the privacy policies available on the websites of those social networks.

**Do Not Track Signals:** Our Site currently does not respond to “Do Not Track” (DNT) signals and operates as described in this Notice whether or not a DNT signal is received.

Although our use of passive collection technologies may change over time as technology evolves, the above descriptions are designed to provide you with additional detail about our current approach to information collected from passive technologies.

## 6. SECURITY

We take what we believe to be reasonable steps to protect the Personal Information collected by us from loss, misuse, unauthorized use, access, inadvertent disclosure, alteration, and destruction. However, no network, server, database, or Internet or email transmission is ever fully secure, error-free, or “hacker proof.” Therefore, you should take special care in deciding what information you provide to us. Please keep this in mind when disclosing any Personal Information.

## 7. DATA RETENTION

We generally retain Personal Information for so long as it may be relevant to the purposes above, or for longer when required by law. To dispose of Personal Information, we may anonymize it, delete it, or take other appropriate steps. Even if we delete your Personal Information, it may persist on backup or archival media for an additional period of time for legal, tax, or regulatory reasons, or for legitimate and lawful business purposes.

## **8. YOUR RIGHTS AND CHOICES**

### **Opt Out From Direct Electronic Communications**

Where it is in accordance with your preferences, The Stand may send you direct electronic communications, such as through email or text message. You may “opt out” of receiving these electronic communications by following the instructions in the message that you receive, or by sending an email to [privacy@thestand.com](mailto:privacy@thestand.com) indicating which communications you no longer wish to receive. Note that if you are a customer we may still send certain administrative messages to you by email that relate to the products that you have ordered or services that you have signed up to receive.

### **Opt Out From Cookie-Related Processing**

You can opt out from certain cookie-related processing as described in Section 5 of this Notice.

## **9. CALIFORNIA RESIDENTS**

California Civil Code Section 1798.83 (also known as the “Shine The Light” law) permits users who are California residents to request and obtain from us once a year, free of charge, information about their Personal Information (if any) we disclosed to third parties for direct marketing purposes in the preceding calendar year. Alternatively, businesses may have in place a policy not to disclose Personal Information of customers to third parties for the third parties’ direct marketing purposes unless the customer has opted-in to such information sharing. Accordingly, we will not share your Personal Information with third parties other than our affiliates for the third party’s own direct marketing purposes unless you opt-in, for example by checking a consent check box when providing us with your information.

If you are a California resident, you may have additional rights regarding your Personal Information, including rights to access or delete such information, in accordance with California law. To learn more about your California privacy rights, see our California Privacy Notice [www.thestand.com/privacy](http://www.thestand.com/privacy)

## **10. UPDATES AND CHANGES TO OUR PRIVACY POLICY**

The business and operations of The Stand may change from time to time. As a result, at times it may be necessary for us to make changes to this Notice to reflect changes in the law, our data handling practices, or the features of our services, websites, and apps. We reserve the right, in our sole discretion, to update or modify this Notice at any time. Modifications to this Notice will be posted on the Site and the new Effective Date will be displayed at the top of this Notice. In certain circumstances, The Stand may, but need not, provide you with additional notice of such modifications, such as via email. Modifications will be effective 30 days following the Effective Date, or such other date as communicated in any other notice to you. Where required by applicable law, we will apply changes only with your consent.

Please review this Notice periodically, and especially before you provide any Personal Information. This Notice was updated on the date indicated above. Your continued participation in our programs, services, and events following the effectiveness of any modifications to this Notice constitutes your acceptance of those modifications. If any modification to this Notice is not acceptable to you, you should cease accessing, browsing, and otherwise utilizing The Stand’s website, as well as its programs, services, and events.

## **11. HOW TO CONTACT US**

If you have any questions regarding this Notice or the use of your Personal Information under this Notice, you can contact us at:

By email: [privacy@thestand.com](mailto:privacy@thestand.com)

By written correspondence:

The Stand, LLC.

Attn: Privacy Policy

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Encino, CA 91316