

## Privacy Policy

Effective Date: January 1, 2023

HungerRush, LLC (“HungerRush,” “we,” or “our”) is committed to protecting your privacy and developing technology that gives you a powerful and safe online experience. This Privacy Policy (“Policy”) describes how HungerRush and our affiliates, subsidiaries, and related entities collect, use, disclose, and retain personal information about you when you visit our websites, mobile sites, or applications that link to or references this Policy (collectively, the “Site”) or otherwise interact with us online or offline. This Policy also describes the rights you may have regarding our processing of your personal information under applicable law.

This Policy does not apply to the extent that we process personal information as a processor or service provider to our restaurant customers. We are not responsible for the privacy or data security practices of our restaurant customers, which may differ from those set forth in this Policy. If your personal information has been submitted to us by or on behalf of the restaurant that collected your information, please reach out to the restaurant directly for details about the applicable privacy practices or to exercise any rights that you may have under data protection laws.

You may download a printable copy of this Policy (PDF) from the Company website.

### **Categories of Personal Information We Collect About You**

Personal information is information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with an individual or household. Through our interactions with you, we may collect the following categories of personal information:

- **Identifiers**, such as your name, email address, home or wok address or telephone number, or similar identifiers.
- **Demographic information**, which may include protected characteristics under state or Federal law, such as age, date of birth, gender, or disability status.
- **Financial information**, such as bank account number, credit card number, debit card number, or any other financial information.
- **Commercial information**, including records of personal property and products or services that you purchased, obtained, or considered.
- **Internet or other electronic activity information**, such as browsing history, search history, and information about your interactions with the Services.
- **Audio and visual information**, such as call recordings from our customer service line.
- **Inferences drawn from any of the categories of information above.**

- **Sensitive personal information**, such as account log-in and password.

We collect personal information about you from the following sources:

- **Directly from You:** We collect personal information directly from you when you interact with us, such as when you provide us with information through our Site.
- **Automatically through the Site:** When you visit the Site, we may collect certain information automatically through cookies, pixels, and similar tracking technologies.
- **From Other Sources:** We collect information about you from other sources. We may collect personal information from third parties in order to improve our Site as well as personal information from third parties that integrate with our customer ordering systems.

### Use of Cookies

The HungerRush website uses “cookies” and similar web tracking technologies to help you personalize your online experience. A cookie is a text file that is placed on your hard disk by a webpage server. Cookies are uniquely assigned to you and can only be read by a web server in the domain that issued the cookie to you. You have the ability to accept or decline cookies. Most web browsers automatically accept cookies, but you can usually modify your browser setting to decline cookies if you prefer. If you choose to decline cookies, you may not be able to fully experience the interactive features of the HungerRush services or websites you visit.

### Do Not Track

We do not currently respond to Do Not Track signals sent by internet browsers.

### **How We Use Personal Information**

We use your personal information for the following purposes:

- To communicate with you, including contacting you about our products and services or responding to your inquiries.
- To provide products and services to our customers, investors, and others, including maintaining and servicing accounts, providing customer support, and processing or fulfilling transactions
- To maintain or improve our products, services, and the Site
- Related to our business operations, including receiving services from our providers, investigating and preventing fraud, conducting audits, or identifying potential customers and investors.

- To comply with law or for other legal purposes, including retaining information to comply with law or regulations or disclosing information to a court, regulator, or other third party in response to a valid request.
- To protect ourselves or others, including protecting against malicious, deceptive, fraudulent, or illegal activity; or protecting our rights and those of our customers or investors and defending any claims made against us.
- For any other purpose to which you consent or as we may otherwise disclose at the time of collection.

**How We Disclose Personal Information**

HungerRush may disclose personal information to the following categories of third parties for the purposes described above:

- To business partners, as well as service providers that help us provide our services and operate our business;
- To law enforcement, government agencies, courts, or other third parties to protect ourselves, our employees, or others, to investigate fraud, or as required by law, such as to comply with a subpoena or similar legal process;
- To third parties in the event we are involved in a merger, acquisition, or sale of all or a portion of our assets, or in the unlikely event of bankruptcy; and
- To any other third party with your prior consent.

We “share” personal information, but otherwise do not “sell” personal information to third parties as these terms are defined under applicable data privacy laws. At times, we may disclose personal information to third parties at the direction of our customers in our capacity as their processor or service provider.

The table below describes the categories of personal information that we collect and the categories of third parties to whom, in the preceding 12 months, we have disclosed personal information for a business purpose or shared such information, for each of those categories of personal information.

Category of personal information	Categories of third parties to whom we may disclose personal information for a business purpose	Categories of third parties to whom we may “share” personal information
Identifiers	<ul style="list-style-type: none"> <li>• Data storage and security providers</li> <li>• Order fulfillment providers</li> <li>• Payment processors</li> <li>• Database management providers</li> <li>• Advertising, marketing, social media, and advertising facilitating companies</li> <li>• List rental providers, data coops</li> <li>• Audience authentication providers</li> <li>• Community &amp; forum management providers</li> </ul>	<ul style="list-style-type: none"> <li>• Advertising, marketing, social media and advertising facilitating companies (including list buyers and advertising clients)</li> <li>• Data cooperatives, suppliers, providers, and aggregators</li> <li>• Companies that help with our products and product recommendations</li> <li>• Related entities, such as our parent, subsidiaries and affiliates</li> </ul>

	<ul style="list-style-type: none"> <li>• Market research &amp; data enrichment providers</li> <li>• E-commerce providers</li> <li>• Companies that help with our products and product recommendations</li> <li>• Related entities, such as our parent, subsidiaries and affiliates</li> <li>• Professional advisors (such as lawyers, accountants, and consultants)</li> <li>• Governmental and law enforcement officials, or parties to legal proceedings</li> </ul>	
Demographic Information	<ul style="list-style-type: none"> <li>• Data storage and security providers</li> <li>• Database management providers</li> <li>• Advertising, marketing, social media, and advertising facilitating companies</li> <li>• List rental providers, data coops</li> <li>• Audience authentication providers</li> <li>• Community &amp; forum management providers</li> <li>• Market research &amp; data enrichment providers</li> <li>• Companies that help with our products and product recommendations</li> <li>• Related entities, such as our parent, subsidiaries and affiliates</li> <li>• Governmental and law enforcement officials, or parties to legal proceedings</li> </ul>	N/A

<p>Financial Information</p>	<ul style="list-style-type: none"> <li>• Data storage and security providers</li> <li>• Order fulfillment providers</li> <li>• Payment processors</li> <li>• Database management providers</li> <li>• E-commerce providers</li> <li>• Related entities, such as our parent, subsidiaries and affiliates</li> <li>• Professional advisors (such as lawyers, accountants, and consultants)</li> <li>• Governmental and law enforcement officials, or parties to legal proceedings</li> </ul>	<p>N/A</p>
<p>Commercial information</p>	<ul style="list-style-type: none"> <li>• Data storage and security providers</li> <li>• Order fulfillment providers</li> <li>• Payment processors</li> <li>• Database management providers</li> <li>• Advertising, marketing, social media, and advertising facilitating companies</li> <li>• List rental providers, data coops</li> <li>• Community &amp; forum management providers</li> <li>• Market research &amp; data enrichment providers</li> <li>• E-commerce providers</li> <li>• Companies that help with our products and product recommendations</li> <li>• Related entities, such as our parent, subsidiaries and affiliates</li> <li>• Professional advisors (such as lawyers, accountants, and consultants)</li> <li>• Governmental and law enforcement officials, or parties to legal proceedings</li> </ul>	<ul style="list-style-type: none"> <li>• Advertising, marketing, social media and advertising facilitating companies (including list buyers and advertising clients)</li> <li>• Data cooperatives, suppliers, providers, and aggregators</li> <li>• Companies that help with our products and product recommendations</li> <li>• Related entities, such as our parent, subsidiaries and affiliates</li> </ul>

<p>Internet or other electronic network activity</p>	<ul style="list-style-type: none"> <li>• Data storage and security providers</li> <li>• Order fulfillment providers</li> <li>• Payment processors</li> <li>• Database management providers</li> <li>• Advertising, marketing, social media, and advertising facilitating companies</li> <li>• List rental providers, data coops</li> <li>• Community &amp; forum management providers</li> <li>• Market research &amp; data enrichment providers</li> <li>• E-commerce providers</li> <li>• Companies that help with our products and product recommendations</li> <li>• Related entities, such as our parent, subsidiaries and affiliates</li> <li>• Professional advisors (such as lawyers, accountants, and consultants)</li> <li>• Governmental and law enforcement officials, or parties to legal proceedings</li> </ul>	<ul style="list-style-type: none"> <li>• Advertising, marketing, social media and advertising facilitating companies (including list buyers and advertising clients)</li> <li>• Data cooperatives, suppliers, providers, and aggregators</li> <li>• Companies that help with our products and product recommendations</li> </ul>
<p>Audio and visual information</p>	<ul style="list-style-type: none"> <li>• Data storage and security providers</li> <li>• Database management providers</li> <li>• Advertising, marketing, social media, and advertising facilitating companies</li> <li>• Community &amp; forum management providers</li> <li>• Market research &amp; data enrichment providers</li> <li>• E-commerce providers</li> <li>• Companies that help with our products and product recommendations</li> <li>• Related entities, such as our parent, subsidiaries and affiliates</li> <li>• Professional advisors (such as lawyers, accountants, and consultants)</li> <li>• Governmental and law enforcement officials, or parties to legal proceedings</li> </ul>	<p>N/A</p>
<p>Inferences</p>	<ul style="list-style-type: none"> <li>• Data storage and security providers</li> <li>• Database management providers</li> </ul>	<p>N/A</p>

	<ul style="list-style-type: none"> <li>• Advertising, marketing, social media, and advertising facilitating companies</li> <li>• Community &amp; forum management providers</li> <li>• Market research &amp; data enrichment providers</li> <li>• E-commerce providers</li> <li>• Companies that help with our products and product recommendations</li> <li>• Related entities, such as our parent, subsidiaries and affiliates</li> <li>• Governmental and law enforcement officials, or parties to legal proceedings</li> </ul>	
Account Credentials (sensitive personal information)	<ul style="list-style-type: none"> <li>• Data storage and security providers</li> <li>• Order fulfillment providers</li> <li>• Database management providers</li> <li>• Community &amp; forum management providers</li> <li>• Related entities, such as our parent, subsidiaries and affiliates</li> </ul>	N/A

### Your Privacy Choices and Rights

You may have certain choices and rights regarding our processing of your personal information under applicable data privacy laws, including if you are a California, Colorado, Connecticut, Utah, or Virginia resident. These rights may include:

- request a copy of your personal information;
- correct the personal information we hold about you;
- request deletion of your personal information;
- opt-out of “sharing” of personal information for “cross-contextual behavioral advertising” purposes (as these terms are defined under applicable law);
- opt out of targeted advertising;
- opt out of certain profiling activities;
- ask that we provide your personal information in a format that would facilitate its transfer to another organization, or to you, in certain circumstances (referred to as the right to data portability);
- not be unlawfully discriminated against for exercising your rights;

These rights may be limited or denied in some circumstances under applicable local law. If we deny a request, we will explain why in accordance with applicable local law.

To exercise your available rights or if you are an authorized personal representative seeking to exercise rights on behalf of someone else, please contact us at [legal@hungerrush.com](mailto:legal@hungerrush.com) or contact us via the contact information listed at the bottom of this page. To opt out of our “sharing” of your personal information, where such opt-out is afforded by local law, please submit a request labeled “Request to Opt Out” to [legal@hungerrush.com](mailto:legal@hungerrush.com).

Upon receipt of your request, we will ask you to provide certain personal information to verify your identity, such as your name, email address, telephone number, zip code, and/or purchase history, in order for us to determine if your information is in our systems and to verify your identity. We will verify and respond to your request consistent with applicable law. This may require that we request additional information from you to protect against fraudulent rights requests. To the extent we request such information from you, we will not use this information for purposes unrelated to verifying your identity. Please note that, to the extent you are an authorized personal representative seeking to exercise rights on behalf of someone else (where permitted by local law), we may request that you provide us with documentation regarding your authority under such applicable law and we also may seek additional verification directly with the individual whose rights are being exercised.

You may have the right to appeal a decision we make regarding requests to exercise rights under this Policy. To appeal a decision, please contact us at the contact information listed below.

### **Links to Third-Party Websites**

Our Site may offer links to other websites operated by third parties. We do not control and are not responsible for the privacy practices of such third party websites. Please refer to the privacy policies published on any third-party websites for information regarding how your personal information may be collected, used, or disclosed by them.

### **Safeguarding Information**

HungerRush has implemented reasonable physical, technical, and administrative safeguards designed to protect personal information from unauthorized access, disclosure, use, loss, misuse, or unauthorized alteration, or destruction. Notwithstanding these security safeguards, it is impossible to guarantee 100% security in all circumstances, including when data is transmitted over the internet.

### **Retention of Personal Information**

We will retain your personal information for as long as necessary to fulfill the purposes for which we collected it, to satisfy any applicable legal, accounting, or reporting requirements; to establish, exercise, or defend legal claims; or for our legitimate purposes. If we hold your personal information as a processor or service provider, then we retain that information in accordance with our customers’ instructions. Any request to delete your personal information is subject to these obligations and restrictions.



## **Children's Information**

This Site is not directed at children under 13 years of age, and HungerRush does not knowingly collect personal information from any child under the age of 13. If we learn that we have collected or received personal information from a child under 16 without verification of parental consent, we will delete that information.

HungerRush does not knowingly disclose the personal information of children under 16 years of age to third parties for monetary or other valuable consideration or for the purpose of targeted advertising (i.e., "sell" or "share," as those terms are defined under applicable data privacy laws).

## **Updates to this Privacy Policy**

This Policy may be updated from time to time to reflect changes in our data processing activities, business practices, and applicable law. Each time we update this Policy, we will indicate when it was most recently updated and the Policy's effective date. If we make a material change to this Policy, we may provide you with notice prior to the update taking effect, such as by posting a conspicuous notice on our Site. Unless otherwise stated, the revised Policy is immediately effective upon posting.

## **Contact Information**

Questions or concerns regarding this Policy or HungerRush's privacy practices should be directed to the following:

HungerRush, LLC  
Attn: Legal Privacy  
1315 West Sam Houston Pkwy North  
Suite 100  
Houston, TX 77043

[legal@hungerrush.com](mailto:legal@hungerrush.com)

281-971-2500