

PRIVACY POLICY

Tavern on Fourth is committed to protecting your privacy. The www.tavernon4thky.com website (the "**Site**") is owned and operated by Louisville Tavern on 4th, LLC (here and after "**The Company**"). The Company may also be referred to herein as "we," "us," and "our" within the Policy. The terms "user," "you," and "your" refer to you as a user of the Services.

I. Overview

This Privacy Policy ("**Policy**") governs your access to and use of the Site, as well as all other websites and online customer portals provided by The Company relating to Tavern on Fourth, including any Wi-Fi connections made available by The Company at Tavern on Fourth (collectively, the "**Services**"). The Company may also be referred to herein as "we", "us", and "our" within the Policy. The terms "user," "you," and "your" means any user of the Site or related Services. This Policy discloses the online data collection and usage policies and practices for these Services only, including an explanation of:

- the categories of Personally Identifiable Information that may be collected;
- how your information is used
- the categories of persons or entities with whom the information may be shared
- the choices that are available to you regarding collection, use, and distribution of the information
- how long we keep this information
- how you can opt in or out of promotional e-mails or other correspondence
- the kind of security procedures that are in place to protect the loss, misuse or alteration of information
- how you can review and request changes to the information
- how we notify visitors and users of the Services of changes to this Policy

If you have questions about the Policy or our practices or if you need to contact us about the information we collect about you, please contact The Company via e-mail at privacy@fourthstreetlive.com with an e-mail subject line referring to the Policy, or by mailing a notice to:

Louisville Tavern on 4th, LLC
427 S. Fourth Street
Louisville, KY 40202
Attn: Marketing/Privacy Feedback

II. Agreement And Eligibility

- A. Your Agreement With The Company:** Please note this Policy constitutes a binding legal agreement between you and The Company. Before accessing, using, or interacting with the Site and/or Services you should carefully review the terms and conditions of this Policy, as well as our Terms of Use found at

www.tavernon4thky.com/terms, which is incorporated into your agreement with The Company by this reference. This Policy applies only to the Services, and The Company's collection, use, disclosure, and protection of your information. It does not apply to third party websites, applications, or services. By using, accessing, or interacting with the Services, you explicitly accept, without limitation or qualification, the full terms of our Policy and Terms, including the collection, use, storage, and transfer of Personally Identifiable Information (as we define it below) described in these documents. If you disagree with the collection and processing of your Personally Identifiable Information as set forth in our Policy and Terms, then you may not use or access the Services.

B. Eligibility And Children's Privacy: The Services are not directed to children under the age of 13. You may not use the Services if you are under the age of 13. We do not seek to collect information about children under the age of 13 or those that are not eligible to use the Services. No information should be submitted to or posted through the Services by users under 13 years of age. Certain other Services may be restricted to those over the ages of 18 or 21. You may not use the Services if you are not eligible. If you are the parent or guardian of a child under 13 years of age or another that has used the Services who is not eligible and believe that he or she has disclosed Personally Identifiable Information to us, please contact us at privacy@fourthstreetlive.com so that we may delete this information.

III. Information Collection and Use

The Company collects certain information about you when you use the Services through various means, including when you provide information to us and when we automatically collect information about you when you access, use, or interact with the Services. We use this information for a variety of different reasons, including providing the Services, tailoring the Services to you, and for advertising and marketing purposes. The types of information The Company may collect and ways we may use this information are described in more detail below.

A. Information You Provide

Types of information you may provide to The Company through your use of the Services include:

- i. Personally Identifiable Information:** "Personally Identifiable Information" refers to information about you or any other identifiable individual that may be used to identify you such as your name and contact information. Some examples of Personally Identifiable Information that we collect through our Services are:
 - Your name
 - Address

- E-mail address
- Phone number
- Date of Birth

We protect any Personally Identifiable Information you may choose to share with us. We may share your Personally Identifiable Information in certain limited circumstances where it is necessary, such as to process payments or to provide information to our Service Provider (as defined below) partners for promotional and advertising activities. You are not required to provide us your Personally Identifiable Information; however, if you choose to withhold certain Personally Identifiable Information, we may not be able to provide you with certain Services.

- ii. **Demographic Information:** Demographic information is socio-economic information such as ZIP codes, postal codes, population, education, interests, and employment information which we may collect about you, but which may not be Personally Identifiable Information. Some demographic information may be collected about you through your use of the Services; or you may provide demographic information to us.
- iii. **Communication Information:** If you sign up for certain Services, provide your contact information, e-mail us, log in to certain Services, sign up for surveys, provide your information to us via a form, participate in a contest, subscribe to our newsletters or mailing lists, or make purchases through the Services, whether online or in-person, we may collect and retain this communication information. Examples of communication information include your name, phone number, e-mail address, and social media account information. By providing communication information to The Company via the Services, you agree we and our partners and affiliates may contact you with information about the Services or other communications from our partners or affiliates. If you do not want to receive such correspondences, you may unsubscribe using the information provided in the correspondence or by contacting us directly. Please note requests to remove your communication information from our lists may take some time to fulfill and we may not be able to opt you out of all communications, such as legal notices. We may also still contact you as needed to provide important announcements or notifications regarding the Services. If you exchange messages with others through the Services, we may store those messages in order to process and deliver them, allow you to manage them, and investigate possible wrongdoing in connection with the Services. If you send information via your phone or mobile device via SMS or MMS text messages, we may log and store your phone number, phone carrier, and the date and time that the message was processed. Carriers may charge recipients for texts that they receive.
- iv. **Social Media Information:** If you log in to the Services using a social media profile, for example your Facebook or Twitter accounts, we may collect certain

social media information, including your account name, handle, and information made publicly available through your social media accounts. We may use this information to allow you to log in to the Services, participate in certain Services such as contests or rewards, contact you regarding the Services, or contact you with offers and promotions on behalf of The Company or our partners.

- v. **Payment Information:** We may collect and store information related to your purchases made through the Services, such as through ticket purchases or Live! Rewards card purchases. If you make a purchase through the Services, you may provide certain information to complete those payments, such as your name, address, credit or debit card number, card expiration date, CVV code, and address (collectively, "Payment Information"). The Company will not make such Payment Information public or share your Payment Information with third parties, unless required to do so to complete the payment, such as to a payment processor Service Provider (as defined below). We do not store your credit card or Payment Information apart from the last four digits of credit card numbers.
- vi. **Support Information:** You may provide information to us via a support request submitted through the Services. We will use this information to assist you with your support request and may maintain this information to assist you or other users with support requests. Please do not submit any information to us via a support submission, including confidential or sensitive information that you do not wish The Company or our Service Providers to have access to or use in the future.

B. Information We Collect Automatically

Types of information The Company may collect about you automatically through your use of the Services include:

- i. **Behavioral Information:** We may also collect behavioral information regarding how you use our Services, information about your computer hardware and software including your IP address, browser and operating system types, domain names, access times and referring website addresses. This information is used for, among other things, analyzing the use of resources, serving up advertisements, providing promotional offers, troubleshooting problems, preventing fraud, and improving the Services.
- ii. **Location Information:** When you use or interact with the Services, we may access, collect, monitor and/or remotely store data about your location, which may include your address, geolocation, ZIP code, GPS coordinates, or similar information regarding the status and location of your computer, mobile device, or other devices used to access the Services ("Location Information"). Some features of the Services, particularly location-based services, may not function properly if use or availability of location data is impaired or disabled.

- iii. **Cookies:** A cookie is an industry standard small file placed on your computer. Cookies allow us to "remember you" when you return to the Services to make your visits more relevant and to retrieve information from your prior visits. The cookie stores information about the searches that you have made and the items that you have viewed and allows us and other third parties to replace non-relevant advertisements with ones that are more relevant to your presumed interests. Some of the cookies we use are permanent cookies and we allow third parties to use cookies in the operation of our Services. The cookies we use do not permit us to personally identify you. Some Services may not function properly if you disable cookies.

- iv. **Web Beacons, Links, And Other Tracking Technology Information:** The Company may also keep track of how you use and interact with the Services through the use of web beacons, links, and other tracking technologies. We use and sometimes allow third parties to use web beacons (also known as Action Tags, Clear Gifs or Pixel Tags) and other tracking technologies in the operation of our Services. A web beacon is an industry-standard, often transparent graphic image usually no larger than a 1x1 pixel that is placed a website or other digital platform. Web beacons allow us to help analyze the use of and improve the Services, including to track responses or actions by users who view certain advertisements and to count the number of times that users visit our Site and Services and may be used by both us and third parties for the purpose of providing personalized media, determining which advertisements are most effective on our Services and for targeting future advertising campaigns. We may also include web beacons in e-mail messages or promotional newsletters for detecting whether the messages have been opened or if you performed any actions after opening them. Through these technologies we may automatically collect information about your use of the Services and other online activities, including our e-mail correspondences, third-party services, and client applications, and certain online activities after you leave the Services. The information we collect using these technologies is generally only analyzed on an aggregate basis.

- v. **Unique Identifiers:** When you use or access the Services, we may access, collect, monitor, store on your device, and/or remotely store one or more "Unique Identifiers," such as a universally unique identifier ("UUID"). A Unique Identifier may remain on your device persistently, to help you log in faster and enhance your navigation through the Services. Some features of the Services may not function properly if use or availability of Unique Identifiers is impaired or disabled.

- vi. **Log File Information:** When you use our Services, we may receive log file information such as your IP address, browser type, access times, domain names operating system, the referring web page(s), pages visited, location, your mobile carrier, device information (including device and application IDs),

search terms, and cookie information. We receive log file data when you interact with our Services, for example, when you visit our websites, sign into our Services, or interact with our e-mail notifications. The Company uses log file data to provide, understand, and improve our Services, and to customize the content we show you. The Company may link this log file to other information The Company collects about you via the Services.

- vii. **Publicly Available Information:** The Company may also collect information about you from publicly available sources. Information you make publicly available in any public or open forum, such as on a social network, may be considered public information for the purposes of this Policy, and may be accessed and collected by The Company. Please be aware that any content or information you share with or provide to third parties using or related to your use of the Services is neither private, nor confidential. The Company is not responsible for any content or information you post or share with third parties. If you do not wish for certain information to be public, please do not share it.

C. Additional Examples of How We Use Information

In addition to the uses described above, further examples of how we use information include:

- i. **Promotional and Marketing Activities:** We collect information, including Personally Identifiable Information, from users of the Services when users sign up for promotions, enter contests, complete surveys, and through other marketing activities. We may collect this information ourselves or with the help of third party advertisers or other Service Providers. We may also combine information we have collected with information we obtain from other parties to enhance our ability to market products and services that may be of interest to you. We use this information to provide or assist our Service Providers (as defined below) in providing the promotion or marketing activities and may also use this information help enhance, tailor, and administer our Services. You may unsubscribe from certain correspondences by using the information provided in the correspondence or by contacting us directly. By providing your contact information and using the Services, you consent to receiving calls, text messages and e-mails via an automated means regarding promotions, specials, and other marketing offers.
- ii. **Advertising:** We license technology to provide advertisements via our Services and across the Internet. By knowing a little about you we are able to deliver more relevant advertisements and content to you in the form of targeted ads, banners and promotions. We also use third party advertising servers and Service Providers to display advertisements linked to certain search terms that you have entered, or to certain pages that you are viewing. We share aggregated data with advertisers. We also use advertising partner Service Providers to assist us in delivering personalized on-line advertisements to you through the use of cookies while you are on the Internet. We and our network

advertisers and Service Providers may target advertisements for products and services in which you might be interested based on your visits to both the Site and Services and other websites.

We do not share Personally Identifiable Information with these third parties, but ad network providers, the advertisers, the sponsors, and/or analytics Service Providers may set and access their own cookies, pixel tags and similar technologies on your device and they may otherwise collect or have access to information about you, including information about your use of the Services.

Opting Out: If you prefer to not receive targeted advertising, you may be able to opt out of certain network advertising programs that use your information. To do so please visit the NAI Opt-Out Page which may be available at: http://www.networkadvertising.org/managing/opt_out.asp. The NAI Opt-Out Page provides a tool that identifies its member companies that have cookies on your browser and provides links to those companies. Please note that even if you choose to remove your information (opt out), you may still see advertisements while you're browsing online. However the advertisements you see may be less relevant to you and your interests. Additionally, many network advertising programs may allow you to view and manage the interest categories they have compiled from your online browsing activities. These interest categories help determine the types of targeted advertisements you may receive.

- iii. **On Premises Activities:** To provide certain Services or offer certain promotions or contests, The Company often collects information about users of the Services on-site and in person, for example at a concert at one of our facilities. We may use this information to offer discounts or other promotions to users who, for example, elect to opt-in to The Company's SMS marketing activities. We use this information to provide the Service, operate contests and promotions, and for other marketing activities. By providing us your contact information and using the Services, you consent to receiving calls, text messages, and e-mails via an automated means regarding promotions, specials, and other marketing offers.
- iv. **Ticket Transactions:** When you purchase tickets through the Services, we and our Service Providers collect information necessary to process the ticket purchase and provide you with tickets, including your Personally Identifiable Information and Payment Information. We may use this information to contact you about your ticket purchase or ticketed event, and may share your information with our Service Providers for promotional and marketing activities.
- v. **Live! Rewards Program:** We offer a Live! Rewards Program that rewards users for frequenting our Services. We collect information about you, including Personally Identifiable Information, when you sign up for our Live! Rewards Program and may use this information to operate the program, provide

rewards, and may share your information with our Service Providers for promotional and marketing activities.

- vi. **Wi-Fi:** We may provide complimentary Wi-Fi to users who agree to opt-in to certain marketing and promotional communications. As part of providing our complimentary Wi-Fi agreement, users are asked to create and log in with a user profile using their e-mail address, Facebook or Twitter profiles, or mobile phone number. For users who provide their social media profiles, we may collect certain social media information, including your account name, handle, and information made publicly available through your social media accounts. We may use information collected through our complimentary Wi-Fi Services to allow access to our complimentary Wi-Fi, and may share your information with our Service Providers for promotional and marketing activities. By providing us your contact information and using these Services, you consent to receiving calls, text messages, and e-mails via an automated means regarding promotions, specials and other marketing offers.
- vii. **Newsletters, Promotional E-mails and Personalized On-line Advertisements:** Through our Services, we use your information (including Personally Identifiable Information) to provide newsletters, promotional e-mails and personalized on-line advertisements as a service to our customers. We may send you newsletters and e-mails periodically listing current specials and deals.

Opting out: You may "opt-out," or unsubscribe from our newsletters, e-mails or personalized on-line advertisements by following any unsubscribe instructions in any e-mail, newsletter or personalized on-line advertisement you receive from us, or by sending an e-mail to privacy@fourthstreetlive.com and refer to our Privacy Policy and request to be opted out. Please Note: If you receive e-mails separately from third party merchants, then all information that you choose to disclose to them will be subject to their privacy policy, terms of use, and opt-out procedures.

- viii. **Website Browsing:** We may collect information about your use of the Services via our Site through the use of third-party advertising servers, content servers, or website analysis agents who, for example, provide us with the ZIP code and area code associated with a visitor's server, along with pages viewed on our Site. We may review the actions of the visitors of our Site on an aggregate basis to determine customers' preferences and improve our Site and Services. We also may conduct research on our visitors' demographics, interests, and pages viewed based on the information collected in connection with use of our Site. We may use this data to tailor the visitor's experience at our Site, to improve our marketing and promotional efforts, to statistically analyze Site usage, to improve our product offerings, service offerings, and to customize the content, layout, and/or services provided on our Site. We may, for example, receive reports from third-party ad servers, content servers, or web site analysis agents

that tell us how many ads were presented and clicked upon or what content was served or viewed.

IV. Information Sharing

The Company will not share, sell, rent, or otherwise disclose your private personal information to third parties without your consent, except in the limited circumstances described in this Policy, including for the uses described above and to:

- A. Personnel:** The Company' personnel may have access to your information as needed to provide and operate the Services in the normal course of business. This includes information regarding your use and interaction with the Services.
- B. Service Providers:** The Company works with various third party organizations and individuals to help provide the Services to you ("**Service Providers**"), such as payment processors, promotions and marketing firms, sweepstake, contest and other promotional offering providers, ticket providers, Wi-Fi providers, and companies providing analytics information to provide the Services. We may share your information with our Service Providers for the purpose of providing the Services. The information we share to our Service Providers may include both information you provide to us and information we collect about you, including Personally Identifiable Information, Payment Information (to payment processing providers only), information from data collection tools like cookies, web beacons, log files, unique identifiers, and location data. The Company takes reasonable steps to ensure that our Service Providers are obligated to reasonably protect your information on The Company' behalf. If The Company becomes aware that a Service Provider is using or disclosing information improperly, we will take commercially reasonable steps to end or correct such improper use or disclosure.
- C. Business Transactions:** The Company may purchase other businesses or their assets, sell our business assets, or be involved in a bankruptcy, merger, acquisition, reorganization or sale of assets (a "**Business Transaction**"). Your information, including Personally Identifiable Information, may be among assets sold or transferred as part of a Business Transaction.
- D. Lawful Requests:** We may be required to disclose user information pursuant to lawful requests, such as subpoenas or court orders, or in compliance with applicable laws. We generally do not disclose user information unless we have a good faith belief that an information request by law enforcement or private litigants meets applicable legal standards. We may share your information when we believe it is necessary to comply with applicable laws, to protect our interests or property, to prevent fraud or other illegal activity perpetrated through the Services or using The Company name, or to protect the safety of any person. This may include sharing information with other companies, lawyers, agents, or government agencies. Nothing in this Policy is intended to limit any legal defenses or objections that you may have to a third party's, including a government's, request to disclose

your information. Because The Company is a United States company and information collected through our Services is stored in whole or in part in the U.S., your information is likely subject to U.S. law.

V. Accessing & Modifying Your Information

- A. Access To The Information The Company Has Collected About You:** The Company provides certain tools and settings within the Services to help you access, correct, delete, or modify your personal information associated with the Services. The Company welcomes you to contact us at privacy@fourthstreetlive.com regarding the information we have about you, including regarding the nature and accuracy of the data. Requests to delete or remove your information do not necessarily ensure complete or comprehensive removal of the content or information posted, and removed information may persist in backup copies indefinitely. Please note that if you choose to delete your information or opt-out of the collection and use of your information, you understand that certain features, including but not limited to access to the Services, may no longer be available to you.
- B. Information Storage:** We may store the information we collect about you indefinitely, but information generally will be retained only for as long as necessary to fulfill the purposes for which the information was collected, or as otherwise required by law. Following termination or deactivation of any accounts you may have with The Company, The Company may retain your information and content for a commercially reasonable time for backup, archival, and audit purposes.
- C. Opting-Out Of Communications From The Company:** Users may opt-out of receiving certain communications from The Company by following the unsubscribe process described in an e-mail communication, or by contacting us using the contact information provided below. You may direct us not to or to stop: (i) sharing your Personally Identifiable Information with third parties; (ii) or to stop using your Personally Identifiable Information to provide you with information or offers sent by us; or (iii) or stop sending you newsletters, e-mails or other communications provided by us. You may do so by: (i) sending us an e-mail at privacy@fourthstreetlive.com; (ii) contacting us by mail at Louisville Tavern on 4th, LLC, LLC, 427 S. Fourth Street, Louisville, KY 40202, Attn: Marketing/Privacy Feedback; or (iii) following the removal instructions in the communication that you receive. Your opt-out request will be processed within a commercially reasonable time frame of the date on which we receive it. However, please note you may not opt-out of Services-related communications, such as account verification, purchase and billing confirmations, changes or updates to features of the Services, or technical and security notices.
- D. Do Not Track:** The Company does not currently employ a process for automatically responding to "Do Not Track" (DNT) signals sent by web browsers,

mobile devices, or other mechanisms. Per industry standards, third parties may be able to collect information, including Personally Identifiable Information, about your online activities over time and across different websites or online services when you use Services. You may opt out of online behavioral ads at <http://www.aboutads.info/choices/>. You also may limit certain tracking by disabling cookies in your web browser.

VI. Information Security

The Company takes reasonable efforts to secure and protect the privacy, accuracy, and reliability of your information and to protect it from loss, misuse, unauthorized access, disclosure, alteration and destruction. The Company implements security measures as we deem appropriate and consistent with industry standards. When personal information (such as a credit card or bank account number) is transmitted to other websites, it is protected through the use of encryption, such as the Secure Sockets Layer (SSL) protocol. As no data security protocol is impenetrable, The Company cannot guarantee the security of our systems or databases, nor can we guarantee that personal information we collect about you will not be breached, intercepted, destroyed, accessed, or otherwise disclosed without authorization. Accordingly, any information you transfer to or from Services is provided at your own risk.

Please do your part to help us keep your information secure. You are responsible for maintaining the confidentiality of any passwords or other login or other entry or participation information to any accounts or other activities in connection with the Services, and are fully responsible for all activities that occur under your accounts. The Company specifically reserves the right to terminate your access to the Services and any contract you have with The Company related to the Services in the event it learns or suspects you have improperly disclosed information related to the Services.

VII. Additional Provisions Regarding The Services & Your Information

- A. Changes to Our Policy:** The Company may modify this Policy from time to time. If we decide to change our Policy, we will post those changes on this page so that you are always aware of what information we collect, how we use it, and under what circumstances we disclose it. The most current version of this policy will govern our use of your information and will be located at www.tavernon4thky.com. We will notify you of material changes to this Policy by posting a notice at the Services or by e-mailing you if The Company has an address for you. You understand and agree that if you use or access the Services after the date on which the changes take effect, you are bound by any such revisions and we will treat your use as acceptance of the updated Policy.

Transfer And Storage Of Your Information: Please note information The Company collects about you may be transferred, processed and/or accessed by us in the United States, or another country where we, or our Service Providers operate. By using the Services, you acknowledge and agree that your information can be stored for the purposes identified in this Policy. Please be aware Personally

Identifiable Information may be transferred to, and maintained on, computers located outside of your state or country where privacy laws may differ from and may not be as protective as those where you live. If you are located outside the United States and choose to allow us to collect information about you, please be aware that The Company may transfer your Personally Identifiable Information to the United States and process and store it there. By allowing collection of your Personally Identifiable Information, you consent to having your personal data transferred to, processed, and stored in the United States.

If you are located in the European Economic Area ("EEA") or other regions with laws governing data collection and use that may differ from U.S. law, please note that we may transfer information to a country or jurisdiction that does not have the same data protection laws as your jurisdiction. It may also be processed by staff operating outside the EEA who work for us or for one of Service Providers. By submitting your information, registering for, or using the Services, you consent to the transfer, processing, and storage of your information in the United States, or any other country in which The Company or our Service Providers maintain facilities, and to the use and disclosure of information about you as described in this Policy.

B. Third Party Sites and Links: Portions of the Services contain links and/or advertisements to other websites maintained by us in addition to links to websites maintained by unrelated companies and persons. In some instances, a window containing a third party merchant's website may appear. The Company does not control the privacy policies of these sites and we are not in any manner responsible for any information you disclose to any third party via any of these third party sites. The privacy policies of the third party sites will govern their use of any information you provide to them through their sites.

You acknowledge that we are not responsible for the actions or privacy policies of any third party sites accessed through these links or made available through these resources, nor for any damages or losses, directly or indirectly, caused or alleged to have been caused as a result of your use or reliance on such websites. We do not make any representations whatsoever, or give any warranties of any kind, expressed, implied, or otherwise about other websites which you may access through the Services, including without limitation any third party site providing credit card processing services, sweepstakes or other contests, community forums, bulletin boards, chat rooms, blogs about the various products, promotional offers, or advertisements. If you access these other websites, you do so at your own risk.

C. Safely Using The Company' Services: Despite The Company' safety and privacy controls, we cannot guarantee the Services are entirely free of illegal, offensive, pornographic, or otherwise inappropriate material, or that you will not encounter inappropriate or illegal conduct from other Users when using the Services. You

can help The Company by notifying us of any unwelcome contact by contacting us using the information below.

D. California Residents: California law permits our customers who are California residents to request certain information regarding our disclosure of Personally Identifiable Information to third parties for their direct marketing purposes. To make such a request, please send an e-mail to privacy@fourthstreetlive.com or write to us at: Louisville Tavern on 4th, LLC, 427 S. Fourth Street, Louisville, KY 40202, Attn: Marketing/Privacy Feedback.

E. Contacting Us: If you have any comments or questions, you may send an e-mail to privacy@fourthstreetlive.com or write to us at:

Louisville Tavern on 4th, LLC
427 S. Fourth Street
Louisville, KY 40202
Attn: Marketing/Privacy Feedback

This Policy was updated as of 12/11/2017.