

# Flynn Restaurant Group Privacy Policy

Effective Date: 1/1/2020

Last Revised: 5/24/2020

Flynn Restaurant Group and its affiliated companies Apple American Group, Bell American Group, Pan American Group, and RB American Group (collectively, “Flynn,” “we,” or “us”) care about your privacy. This Privacy Policy describes how we collect, use, and share information, including information we may collect at our restaurant locations or when you interact with our websites, social media sites and handles, tabletop/mobile applications, email and online services, and other Flynn personnel (collectively, our “Services”). This Privacy Policy explains:

- the [types of information](#) we collect through our Services
- how we [use and protect](#) that information
- the types of information we may [share with others](#) and under what circumstances
- the [choices you have](#) regarding our collection, use, and sharing practices
- details regarding [our use of third-party cookies](#) and other tracking technologies

We also include specific disclosures for residents of [California](#).

This Policy applies to any information we collect when you use the Services. It also applies anywhere it is linked. It does not apply to non-Flynn websites, services, and applications that may link to the Services or be linked to or from the Services; please review the privacy policies on those websites and applications directly to understand their privacy practices.

## **Information We Collect**

### Information You Give Us

Some of the Services may include features that permit you to enter contact information and other information about you. We collect and store any information you enter on our Services. This includes:

- Email address information when subscribing to email offers or newsletters
- Information you provide when you complete a survey, submit a comment, feedback, or complaint, or report a claim, online or at one of our restaurant locations
- Information you provide when you participate in a promotion, event, contest, or sweepstakes that we offer
- Information you submit through a website form or when you apply for a job with us
- Information you provide when you make a reservation or ask to be added to our seating waitlist, such as your name and mobile phone number
- Information you provide when you dine with us to facilitate contact tracing by local health departments during the COVID-19 pandemic, such as your name, your telephone number, and/or your address

- Information you provide when you place an order directly with one of our restaurants
- If you contact us, we may keep a record of that correspondence and any contact information provided

### Information We Collect Automatically

When you interact with the Services, certain information about your use of our Services is automatically collected. Much of this information is collected through cookies, web beacons, and other tracking technologies, as well as through your web browser or device. This includes:

- Details of your visits to our site and information generated in the course of your use of our site (including the timing, frequency and pattern of service use) including, but not limited to, traffic data, location data, weblogs and other communication data, the resources that you access, and how you reached our site.
- Details regarding the device you use to access our Services, including, but not limited to, your IP address, operating system and browser type.
- Information about how you interact with our ads and emails, including whether you open or click links in any correspondence.
- Information that you make available to us on a social media platform (such as by clicking on a social media icon linked from our Services), including your account ID or username and other information included in your posts.

Any or all of the activities relating to collecting usage information may be performed on our behalf by other companies. Specifically, Google Analytics, through the use of cookies or other tracking technologies, helps us analyze how users interact with and use our website, compiles reports on website activity, and provides other services related to our website activity and usage. The technologies used by Google may collect information such as your location, time of visit, whether you are a return visitor, and any referring website. You can learn more about Google's partner services and to learn how to opt out of tracking of analytics by Google on [Google's Privacy and Terms website](#).

### How We Use and Protect Your Information

We may use the information we collect from you for the following purposes:

- To improve our Services
- To enable additional features on our Services and to provide you with a personalized service
- To provide you with the best service and improve and grow our business, including understanding our customer base and purchasing trends and understanding the effectiveness of our marketing
- To detect, investigate, and prevent activities that may violate our policies or be fraudulent or illegal, and to comply with legal requirements regarding the provision of products and services
- To comply with federal, state, and/or local requirements to collect dine-in guest information during the COVID-19 pandemic to facilitate contact tracing

## How We Secure the Information We Collect From or About You

We use a combination of physical, technical, and administrative safeguards to protect the information we collect through the Services. While we use these precautions to safeguard your information, we cannot guarantee the security of the networks, systems, servers, devices, and databases we operate or that are operated on our behalf.

## Our Sharing of Your Information

- Service Providers: We engage the following types of vendors to perform functions on our behalf such as: billing and collection providers; auditing and accounting firms; professional services consultants; providers of analytics services; security vendors; and IT vendors. There are limited circumstances in which the service provider collects data directly from you when their privacy policies may also apply.
- Social Media Platforms: Where you choose to interact with us through social media, your interaction with these programs typically allows the social media platform to collect some information about you through digital cookies they place on your device and other tracking mechanisms. In some cases, the social media platform may recognize you through its digital cookies even when you do not interact with their application. Please visit the social media platforms' respective privacy policies to better understand their data collection practices and controls they make available to you.
- Companies involved in advertising: We partner with companies that assist us in serving advertising regarding the Services to others who may be interested in the Services. These companies may use tracking technologies on our website to collect or receive information from the Services and elsewhere on the internet and use that information to provide measurement services and target ads.

## Additional Information about our Data Collection and Sharing Practices

### Sharing of Aggregated Data

We may analyze aggregated, de-identified data and share these analyses at our discretion, including with marketing agencies, media agencies, and analytics providers. These other companies will not be able to relate this data to identifiable individuals.

### Combination of Information

We may combine information from the Services together and with other information we obtain from our business records.

### Change of Ownership or Corporate Organization

We may transfer to another entity or its affiliates or service providers some or all information about you in connection with, or during negotiations of, any merger, acquisition, sale of assets or any line of business, change in ownership control, or financing transaction. We cannot promise that an acquiring party or the merged entity will have the same privacy practices or treat your information the same as described in this Policy.

### Our Practices Regarding Information Belonging to Children

The Services are intended for users age thirteen and older. Flynn does not knowingly collect personal information from children. If we discover that we have inadvertently collected personal information from anyone younger than the age of 13, we will delete that information.

### **Your Options and Rights**

If at any time you would like to unsubscribe from receiving future emails, you can click the unsubscribe link at the bottom of any email newsletter, or email us at [privacy@flynnrg.com](mailto:privacy@flynnrg.com) and we will promptly remove you from all correspondence.

### **Your California Privacy Rights**

#### California Shine the Light

Residents of the State of California have the right to request information about other companies to whom the company has disclosed certain categories of personal information during the preceding year for those companies' direct marketing purposes. If you are a California resident and would like to make such a request, please email [privacy@flynnrg.com](mailto:privacy@flynnrg.com) or write to us or call us at

Flynn Restaurant Group  
6200 Oak Tree Boulevard, Suite 250  
Independence, OH 44131  
1-855-575-7220

#### California Consumer Privacy Act

The California Consumer Privacy Act ("CCPA") provides California residents with rights to receive certain disclosures regarding the collection, use, and sharing of "Personal Information," as well as rights to access and control Personal Information. The CCPA defines "Personal Information" to mean "information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household." Certain information we collect may be exempt from the CCPA because it is considered public information (i.e., it is made available by a government entity) or covered by a federal privacy law, such as the Gramm–Leach–Bliley Act, the Health Insurance Portability and Accountability Act, or the Fair Credit Reporting Act.

To the extent that we collect Personal Information that is subject to the CCPA, that information, our practices, and your rights are described below.

### **Right to Notice Regarding the Categories of Personal Information Collected**

You have the right to receive notice of the categories of Personal Information we collect and the purposes for which those categories of Personal Information will be used, at or before the time of collection. The following is a description of our data collection practices, including the Personal Information we collect, the sources of that information, the purposes for which we collect the information, and whether we disclose that information to other companies. We may use any and all of the information for any of the purposes described in this Privacy Policy, unless limitations are listed. The categories we use to describe the information are those enumerated in the CCPA.

- **Personal Identifiers:**

- We may collect your name, email address, telephone number, or postal address when you submit a form, claim, or survey to us, if you communicate with us by telephone or email, or when you submit your information to reserve a table or a seat at our restaurants.
- We collect your IP address automatically when you use our Services.
- We collect your Device ID automatically when you use our Services.
- **Protected Classifications:** We collect your age in order to comply with laws that restrict collection and disclosure of personal information belonging to minors. We may collect your gender if you provide it in a survey you complete for us.
- **Commercial Information:** When you engage in transactions with us, we may create records of goods or services purchased.
- **Biometric Information:** We do not collect information about your physiological, biological, or behavioral characteristics.
- **Internet or Other Electronic Network Activity Information:** We collect information about your browsing history, search history, and information regarding your interaction with our websites, applications, and advertisements automatically when you utilize our Services.
- **Geolocation Data:** As described above, we collect your IP address automatically when you use our Services. We may be able to determine your general location based on the IP address. We do not collect your precise location (i.e., your GPS coordinates).
- **Audio, electronic, visual, thermal, olfactory, or similar information:** We may collect video surveillance at our stores. Otherwise we do not collect this information.
- **Professional or employment-related information:** We may collect professional or employment-related information about you when you search for job openings or apply for a job with us.
- **Education information:** We may collect educational information about you if you apply for a job with us.
- **Inferences drawn to create a profile about a consumer reflecting the consumer’s preferences or characteristics:** We do not analyze your actual or likely preferences.

We may share any of the above-listed information with Service Providers, which are companies that we engage for business purposes and are restricted from using Personal Information for any purpose that is not related to our engagement. The categories of Service Providers with whom we share information and the services they provide are described in our Privacy Policy above in the section titled [Our Sharing of Your Information](#).

As described below in the section titled [Right to Opt Out of the Sale of Personal Information to Third Parties](#), we also sell some Personal Information to third parties, as that term is defined by the CCPA. The CCPA defines “sell” to mean disclosing Personal Information to a third party for money or other valuable benefit.

We may disclose information to other parties who are not listed here when required by law or to protect our Company or other persons.

## **Right to Know About Personal Information Collected, Disclosed, or Sold**

You have the right to request that we disclose to you the Personal Information we collect, use, disclose, or sell. Our collection, use, disclosure, and sale of Personal Information is described in our Privacy Policy above.

## **Right to Know/Access Information**

You have the right to request access to Personal Information collected about you and information regarding the source of that information, the purposes for which we collect it, and the third parties and service providers with whom we share it. You may submit such a request as described below. To protect our customers' Personal Information, we are required to verify your identify before we can act on your request.

## **Right to Request Deletion of Information**

You have the right to request in certain circumstances that we delete any Personal Information that we have collected directly from you. You may submit such a request as described below. To protect our customers' Personal Information, we are required to verify your identify before we can act on your request. We may have a reason under the law why we do not have to comply with your request, or why we may comply with it in a more limited way than you anticipated. If we do, we will explain that to you in our response.

### How to Submit a Request

You may submit a request to exercise your rights to know/access or delete your Personal Information through one of two means:

- (1) By filling out a Consumer Data Request Form available [here](#).
- (2) By calling us toll-free at 1-855-575-7220.

### Verification Procedures

In order to process your request to know/access or delete Personal Information we collect, disclose, or sell, we must verify your request. We do this by asking you to:

- Provide personal identifiers we can match against information we may have collected from you previously; and
- Confirm your request using the email and/or telephone account stated in the request; or

### Authorized Agent

You may authorize another individual or a business registered with the California Secretary of State, called an authorized agent, to make requests on your behalf. We require that you and the individual complete notarized affidavits in order to verify the identity of the

authorized agent and confirm that you have authorized them to act on your behalf. Parents of minor children may submit a birth certificate of the child in lieu of an affidavit, in order to make requests on the child's behalf. Please see our required affidavits [here](#).

### **Right to Opt Out of the Sale of Personal Information to Third Parties**

You have the right to opt out of the sale of your personal information by Flynn to third parties.

We sell some Personal Information to third parties. To "sell" information means to disclose it to a company for monetary or other benefit. A company may be considered a third party either because the purpose of sharing is not an enumerated business purpose under California law, or because our contract does not restrict them from using Personal Information for other purposes.

We sell the following information:

- **Personal Identifiers:**
  - If you have ordered catering services from one of our locations, or we believe you may be interested in doing so, we may share your contact information with other the franchisor and restaurants of the same brand to provide you with better service.
- **Commercial Information:**
  - We may share your previous catering orders with the franchisor and other restaurants of the same brand so they can provide you with better service.

To exercise your right to opt out of the sale of your Personal Information, please visit our Consumer Data Request Form/[Do Not Sell My Personal Information](#) webpage or call us toll-free at 1-855-575-7220.

Please note that your right to opt out does not apply to our sharing of Personal Information with service providers, who are parties we engage to perform a function on our behalf and are contractually obligated to use the Personal Information only for that function

### **Right to Information Regarding Participation in Data Sharing for Financial Incentives**

Flynn does not offer any rewards programs or incentives for the collection or sharing of data at this time.

### **Special Information for Nevada Residents**

Residents of the State of Nevada have the right to opt out of the sale of certain pieces of their information to other companies who will sell or license their information to others. At this time, Flynn does not engage in such sales. If you are a Nevada resident and would like more information about our data sharing practices, please email [privacy@flynnrg.com](mailto:privacy@flynnrg.com).

### **Changes to This Policy**

We may make changes to this Policy from time to time. We will post any changes, and such changes will become effective when they are posted. Your continued use of our Services following the posting of any changes will mean you accept those changes.

For questions about our privacy practices, contact us at:

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6200 Oak Tree Boulevard, Suite 250  
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Email: [privacy@flynrg.com](mailto:privacy@flynrg.com)  
1-855-575-7220