

LAVU, INC. PRIVACY POLICY

LAST UPDATED: JANUARY 11, 2018

Lavu, Inc. (including, without limitation, affiliates, subsidiaries, partners, associates, divisions, agents, joint ventures, or other companies under common control with us which are collectively referred to herein as “Lavu”) respects the privacy of users of our websites (collectively, the “Lavu Websites”). Lavu’s privacy policy (this “Privacy Policy”) is intended to inform you of our policies, procedures and practices regarding the collection, use and disclosure of any information that we collect from users of the Lavu Websites as well as users of Lavu’s applications, products or services. This Privacy Policy does not apply to any websites, mobile applications or other online services that do not display or link to this Privacy Policy.

INDIVIDUALS LOCATED OUTSIDE THE UNITED STATES WHO USE THE LAVU WEBSITES

If you are located outside the United States and you use the Lavu Websites, by such usage, you acknowledge and agree that your personal information may be processed in the country in which it was collected, including the United States, where laws regarding processing of personal information may be less stringent than the laws in your country. By providing your data, you acknowledge such transfer.

THE TYPES OF INFORMATION WE MAY COLLECT

We collect information from you in various ways when you access or use the Lavu Websites, including, without limitation, in the following ways:

(a) Personal Information You Provide to Us Which We May Collect

We may collect the information that you voluntarily provide to us. For example:

- We may collect personal information from you, such as your first and last name, e-mail, telephone number and password when you create an account.
- If you tell us where you are (e.g., by allowing your mobile device to send us your location or by entering your city, state and/or zip code information), we may use that information to provide you with location-based information, such as the location of restaurants in your proximity that use Lavu’s applications, products or services. If you want to deactivate this feature, you can deactivate GPS on your mobile device.
- If you utilize our applications, products or services which allow you to store preferences such as your location, recent orders and favorite menu items in order to make it more convenient for you to place additional orders in the future, we may collect that information.
- If you order menu items from Lavu’s Websites or from third-party websites that use Lavu’s applications, products or services, we may collect information which we believe is necessary to complete the transaction, including, without limitation, your name and address.
- If you provide us feedback or contact us via email, we may collect your name and email address, as well as any other content included in the email.

- We may also collect other types of personal information that you provide to us voluntarily, such as any information requested by Lavu if you contact us regarding information about or support requests for any Lavu applications, products or services.

(b) Personal Information Which We May Collect Via Technology

We may collect certain information from you automatically as described below when you access and use the Lavu Websites or Lavu's applications, products or services:

- **Information Collected by Lavu's Servers.** To make the Lavu Websites and Lavu's applications, products and services more useful to you, our servers (which may be hosted by a third-party service provider) may collect information from you, including the referring/exit pages, your browser type, domain name, date/time stamp of your visit and your Internet Protocol (IP) address (a number that is automatically assigned to your computer or device when you use the Internet). We use this information to analyze trends, administer and update the Lavu Websites and Lavu's applications, products and services, to monitor for fraudulent activities and for the efficacy of our fraud management tools, and to better tailor our applications, products and services to our users' needs.
- **Cookies.** Like many companies with websites, we use cookies to collect information. "Cookies" are small pieces of information that a web site sends to your computer's hard drive while you are viewing a web site. We may use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer until you delete them) to provide you with a more personal and interactive experience on the Lavu Websites. This type of information is collected to make the Lavu Websites as well as Lavu's applications, products and services more useful to you and to tailor your experience with us to meet your particular interests and needs.
- **Mobile Services.** We may also collect non-personal information from your mobile device if you have downloaded Lavu's mobile application. This information is generally used to help us deliver the most relevant information to you. Examples of information that may be collected and used include, without limitation, your geographic location, how you use the Lavu application(s), and information about the type of mobile device you use. In addition, in the event Lavu's application crashes your mobile device, we may receive information about your mobile device model software version and the device carrier, which allow us to identify and fix bugs and otherwise improve performance of Lavu's application(s). This information is sent to us as aggregated information and is not traceable to any individual and cannot be used to identify an individual.
- **Third Party Analytics.** We may use third party analytics service providers to help analyze how users use the Lavu Websites and Lavu's applications, products and services. These analytics service providers may use Cookies to collect information such as how often users visit the Lavu Websites, what pages they visit and what other websites they used prior to coming to the Lavu Websites. We may use the information we get from these analytics service providers to improve the Lavu Websites and Lavu's applications, products or services.

(c) Social Networking Websites and Services

The Lavu Websites and Lavu's applications, products and services may allow users to access a social networking sites (each, an "SNS") to interact with and share with their friends their experiences with Lavu or company's which utilize Lavu's applications, products or services. If you use an SNS that Lavu supports, and then entering your SNS login credentials on such SNS we may receive information from that SNS to make it easier for you to create an account with Lavu and to show you our relevant content on such SNS. Any information that

we collect from each of your SNS account may depend on the privacy settings you have with such SNS, so please consult your SNS's privacy and data practices.

(d) Location Information.

If you have enabled location services on your mobile device and agree to the collection of your location when prompted by the Lavu Websites or by Lavu's applications, products or services, we may collect your location information in order to locate those restaurants or other businesses which are in proximity to you and which utilize Lavu's applications, products or services. If you do not want us to collect this information collected, you may decline the collection of your location when prompted, or disable location services on your mobile device.

HOW WE MAY USE YOUR INFORMATION

(a) General Use

In general, we use your personal information to respond to your requests as submitted through the Lavu Websites or through Lavu's applications, products and services, to provide you with the information, products and services that you request, or to aid us in serving you better. We may use your personal information in one or more of the following ways:

- facilitate the creation of and to secure your account on our network;
- identify you as a user in our system;
- provide improved administration of the Lavu Websites and Lavu's applications, products and services;
- provide the applications, products and services you request;
- improve the quality of your experience when you interact with the Lavu Websites or when you use Lavu's applications, products and services;
- send you a welcome e-mail to verify ownership of the e-mail address that was provided when your account with Lavu was created;
- send you administrative e-mail notifications, such as security or support and maintenance advisories;
- respond to your inquiries related to employment opportunities or other communications from Lavu;
- solicit your feedback; and
- send newsletters, surveys, offers, and other promotional materials related to our applications, products or services and for other marketing purposes of any company which is utilizing Lavu's applications, products or services.

(b) Creation of Anonymous Information

We may create anonymous information records from personal information by excluding information (such as your name) that make the information personally identifiable to you. We may use this anonymous information to analyze request patterns and usage patterns so that we may enhance the Lavu Websites and our applications, products and services. We reserve the right to use and disclose anonymous Information to third parties in our sole discretion.

DISCLOSURE OF YOUR PERSONAL DATA.

We may disclose your personal data as described below and as described elsewhere in this Privacy Policy.

(a) Lavu Partner Food Vendors

When you order menu items from restaurants or food vendors which utilize Lavu's applications, products or services (each, a "Lavu Partner Food Vendor"), we will transmit your order to such Lavu Partner Food Vendor location designated by you, so that such Lavu Partner Food Vendor can fulfill your order. We may also share your personal information with such Lavu Partner Food Vendor or its third-party providers so that they can directly market their products and services to you.

BECAUSE WE DO NOT CONTROL THE PRIVACY PRACTICES OF THE LAVU PARTNER FOOD VENDORS, YOU SHOULD READ AND UNDERSTAND THE PRIVACY POLICIES POSTED ON THE RESPECTIVE WEBSITES OF SUCH LAVU PARTNER FOOD VENDORS.

NOTICE TO CALIFORNIA RESIDENTS – YOUR CALIFORNIA PRIVACY RIGHTS (AS PROVIDED BY CALIFORNIA CIVIL CODE SECTION 1798.83)

A CALIFORNIA RESIDENT WHO HAS PROVIDED PERSONAL DATA TO A BUSINESS WITH WHOM HE/SHE HAS ESTABLISHED A BUSINESS RELATIONSHIP FOR PERSONAL, FAMILY, OR HOUSEHOLD PURPOSES (A "CALIFORNIA CUSTOMER") MAY REQUEST INFORMATION ABOUT WHETHER THE BUSINESS HAS DISCLOSED PERSONAL INFORMATION TO ANY THIRD PARTIES FOR THE THIRD PARTIES' DIRECT MARKETING PURPOSES. IN GENERAL, IF THE BUSINESS HAS MADE SUCH A DISCLOSURE OF PERSONAL DATA, UPON RECEIPT OF A REQUEST BY A CALIFORNIA CUSTOMER, THE BUSINESS IS REQUIRED TO PROVIDE A LIST OF ALL THIRD PARTIES TO WHOM PERSONAL DATA WAS DISCLOSED IN THE PRECEDING CALENDAR YEAR, AS WELL AS A LIST OF THE CATEGORIES OF PERSONAL DATA THAT WERE DISCLOSED. CALIFORNIA CUSTOMERS MAY REQUEST FURTHER INFORMATION ABOUT OUR COMPLIANCE WITH THIS LAW BY E-MAILING: SUPPORT@LAVU.COM. PLEASE NOTE THAT WE ARE REQUIRED TO RESPOND TO ONE REQUEST PER CALIFORNIA CUSTOMER EACH YEAR AND WE ARE NOT REQUIRED TO RESPOND TO REQUESTS MADE BY MEANS OTHER THAN THROUGH THIS E-MAIL ADDRESS.

(b) Third Party Service Providers

We may share your personal information with third party service providers to: provide you with the applications, products or services that may be available on the Lavu Websites; to conduct quality assurance testing; to facilitate the creation of accounts; to process payments; to provide technical support; and/or to provide other services.

(c) Affiliates

We may share some or all of your personal information with our affiliates, subsidiaries, partners, associates, divisions, , joint ventures, or other companies under common control with us , in which case we will require those entities to honor this Privacy Policy.

(d) Corporate Restructuring

We may share some or all of your personal information in connection with or during negotiation of any merger, financing, acquisition or dissolution transaction involving the sale,

transfer, divestiture, or disclosure of all or a portion of our business or assets. In the event of an insolvency, bankruptcy, or receivership, personal information may also be transferred as a business asset. If our company, business or assets is acquired by another company, that company will also acquire the personal information collected by us and it will assume the rights and obligations regarding your personal information as described in this Privacy Policy.

(e) Other Disclosures

Regardless of any choices you make regarding your personal information, we may disclose your personal information if we believe in good faith that such disclosure is necessary (i) to comply with relevant laws or to respond to subpoenas or warrants served on Lavu.; (ii) to protect and defend the rights or property of Lavu or its Affiliates and Lavu customers that utilize Lavu's applications, products or services or users of the Lavu Websites; (iii) in connection with a legal investigation; and/or (iv) to investigate or assist in preventing any violation or potential violation of the law, this Privacy Policy, or our terms of service (located at www.lavu.com/terms-of-service).

A NOTE ABOUT MINORS

We do not intentionally gather personal information about visitors who are under the age of 18. Furthermore, we do not intentionally allow visitors under the age of 18 to register for Lavu's applications, products or services. If a minor under the age of 18 submits personal information to us, and we learn that the personal information is the information of a minor, we will attempt to delete the information as soon as possible. If you believe that we might have any personal information from a minor under the age of 18, please contact us immediately at: 116 Central Avenue SW, Albuquerque, NM 87102, Attention: Privacy Officer.

LINKS TO OTHER WEBSITES

Lavu's Websites may contain links to third-party websites (including, without limitation, websites owned or operated by Lavu Partner Food Vendors). When you click on a link to any third-party website, you will leave a Lavu Website and go to a website owned and controlled by another entity and that entity may collect personal and/or anonymous information from you. Our provision of a link to any third-party website is for your convenience and does not signify our endorsement of such third-party website or its contents. We have no control over, do not review, and cannot be responsible for, these third-party websites or their content. Please be aware that the terms of our Privacy Policy do not apply to these third-party websites.

YOUR CHOICES REGARDING YOUR INFORMATION.

You have several choices regarding use of your information on Lavu's Websites or Lavu's applications, products or services.

(a) Cookies

If you decide at any time that you no longer wish to accept cookies from the Lavu Websites or from Lavu's applications, products or services for any of the purposes described above,

then you can instruct your browser, by changing its settings, to stop accepting cookies or to prompt you before accepting a cookie from the websites you visit. Consult your browser's technical information. If you do not accept cookies, however, you may not be able to use all portions or all functionality of the Lavu Websites or Lavu's applications, products or services. If you have any questions about how to disable or modify cookies, please let us know at the contact information provided below.

(b) Application

You can stop all collection of information by a Lavu application by uninstalling such application. You may use the standard uninstall processes as may be available as part of your mobile device or via the mobile application marketplace or network.

(c) How We Respond to Do Not Track Signals

Some web browsers transmit "do not track" signals to the websites and other online services with which your web browser communicates. There is currently no standard that governs what, if anything, websites should do when they receive these signals. We currently do not take action in response to these signals. If and when a standard is established, we may revise our policy on responding to these signals.

PRIVACY POLICY UPDATES

This Privacy Policy is subject to occasional revision, and if we make any material changes in the way we collect, use, or disclose your personal information, we will post a notice on the Lavu Websites and/or within the relevant Lavu application, product or services. For existing users of the Lavu Websites, any changes to this Privacy Policy will be effective thirty (30) calendar days following our posting of notice of the changes. For new users of the Lavu Websites, these changes will be effective immediately. If you object to any such changes, you must notify us prior to the effective date of such changes that you wish to deactivate your account with us. Continued use of the Lavu Websites following notice of any such changes shall indicate your acknowledgement and agreement with such changes.

CONTACT US

If you have any questions or if you require additional information about our Privacy Policy, our data collection or processing practices, or if you want to report any security violations to us, please contact us at: (800)767-5288; by email at: support@lavu.com; or by postal mail at: Lavu, Inc. 116 Central Avenue SW, Albuquerque, NM 87102, Attention Privacy Officer.