

Last Updated: January 1, 2017

We at Hashtag Applications, LLC and/or its affiliates (“Hashtag,” “we,” “us,” or “our”) have created this privacy policy (this “Privacy Policy”) because we know that you care about how information you provide to us is used and shared. This Privacy Policy relates to the information collection and use practices of Hashtag in connection your use of our website features and services when you visit or use fromtherestaurant.com (the “Website”) or Hashtag applications for mobile devices (the “Platform” and together with the Website the “Hashtag Services”). By visiting our website and/or using the Hashtag Services, you are agreeing to the terms of this Privacy Policy.

When you provide us with any Personal Information (as defined below), you consent to Hashtag’s collection, use, disclosure, and retention of your information in accordance with this Privacy Policy and as otherwise permitted by law.

## THE INFORMATION WE COLLECT

### 1. PERSONAL INFORMATION

When you use the Hashtag Services you may be required to provide us with personal information about yourself, such as your name, address, phone number and e-mail address (collectively, the “Personal Information”). We do not collect any Personal Information from you when you use our website or Platform unless you provide us with the Personal Information voluntarily (for example, by placing an online order).

### 2. BILLING INFORMATION

In order to submit orders through Hashtag Services, you will be required to provide certain information in addition to the Personal Information noted above. Such information may include a debit card number, credit card number, billing address, and similar information (collectively, the “Billing Information”).

### 3. GEOLOGICAL INFORMATION

In order to provide access to the Platform while you are using a mobile device, we automatically collect geolocation information from your mobile device, your wireless carrier, or certain third-party service providers (“Geolocation Information”). Collection of such Geolocation Information occurs only when the Platform is running on your mobile device. You may control the collection of geolocation information through the user settings on your device. You may decline to allow us to collect such Geolocation Information, in which case Hashtag will not be able to provide certain services to you. Because your Geolocation Information is subject to abuse by others, please be sure to manage your mobile device and privacy preferences on the Platform on an ongoing basis.

### 4. OTHER INFORMATION

In addition to the Personal Information, the Billing Information, and the Geolocation Information, we may collect additional information (collectively, the “Other Information”). Such Other Information may include:

**From You.** Additional information about yourself that you voluntarily provide to us, such as your food orders.

**From Your Activity.** Information that we automatically collect when you use the Platform, such as the device from which you access the Platform, your IP addresses, browser type and language,

referring and exit pages and URLs, date and time, amount of time spent on particular pages, what sections of the Platform you visit, what you order and from which restaurants, and similar information concerning your use of the Platform.

**From Cookies.** Information that we collect using “cookie” technology. Cookies are small packets of data that a website stores on your computer’s hard drive so that your computer will “remember” information about your visit. We use cookies to help us collect Other Information and to enhance your experience using Hashtag Services. If you do not want Hashtag Services to place a cookie on your hard drive, you may be able to turn that feature off on your computer or mobile device. Please consult your internet browser’s documentation for information on how to do this. However, if you decide not to accept cookies from us, the Hashtag Services website or application may not function properly.

**Third-Party Analytics.** We use third-party analytics services (such as Google Analytics) to evaluate your use of the Hashtag Services, compile reports on activity, collect demographic data, analyze performance metrics, and collect and evaluate other information relating to the Platform and mobile and internet usage. These third parties use cookies and other technologies to help analyze and provide us the data. By accessing and using the Hashtag Services, you consent to the processing of data about you by these analytics providers in the manner and for the purposes set out in this Privacy Policy. The information used by such analytics services is generally at the aggregate level.

#### ACCESSING AND MODIFYING PERSONAL INFORMATION AND COMMUNICATION PREFERENCES

If you have used the Platform to place an online order, you may access, review, and make changes to your Personal Information and certain Other Information by following the instructions found on the Platform. You cannot opt out of receiving transactional e-mails related to the orders you place using the Platform. We will use commercially reasonable efforts to process such requests in a timely manner. You should be aware, however, that it is not always possible to completely remove or modify information in our subscription databases. In such case, we will provide you the reason why the modification or removal was not possible if you inquire through e-mailing [support@foxordering.com](mailto:support@foxordering.com).

#### HOW WE USE AND SHARE INFORMATION

We use the Personal Information and the Other Information to provide you access to and use of the Hashtag Services, solicit your feedback, inform you about our products, services and promotional programs, and to improve our service to you. We use the Billing Information to process your orders, and we use the Geolocational Information to recommend nearby restaurants to you. We do not save your credit card information in our system. We may share Personal Information, Billing Information, Geolocational Information, and/or Other Information as described below.

In order to provide you our services, we need to share your name, phone number, meal order, and physical address with the restaurants from which you order and with any third parties that are involved in, or provide services in connection with, such orders, such as delivery services, licensees of the Hashtag Services, and similar parties. Such parties will use such information in accordance with the terms of their privacy policies.

In order to administer our rewards, referral, and promotional programs, we may share your Personal Information and Other Information with the restaurants from which you order and delivery services that deliver your orders.

We may from time to time share Personal Information and/or Other Information with other companies who may provide you information about the products and services they offer. However, to the extent required by law, you will be given the opportunity to opt- out of such sharing.

In an ongoing effort to better understand our users and our Platform, we might analyze the Other Information and the Geolocational Information in aggregate form in order to operate, maintain, manage, and improve the Platform. This aggregate information does not identify you personally. We may share this aggregate data with our affiliates, agents, and business partners. We may also disclose aggregated user statistics in order to describe our products and services to current and prospective business partners and to other third parties for other lawful purposes.

We may employ other companies and individuals to perform functions on our behalf. Examples may include providing marketing assistance, order fulfillment, billing, and customer service. These other companies will have access to the Personal Information, the Billing Information, the Geolocational Information, and the Other Information only as necessary to perform their functions and to the extent permitted by law.

As we develop our businesses, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, sale of assets, dissolution, or similar event, the Personal Information, Billing Information, Geolocational Information, and Other Information may be part of the transferred assets.

To the extent permitted by law, we may also disclose Personal Information, the Billing Information, the Geolocational Information, and the Other Information when required by law, court order, or other government or law enforcement authority or regulatory agency, or whenever we believe that disclosing such information is necessary or advisable, for example, to protect the rights, property, or safety of Hashtag or others.

We will take reasonable measures to require that the party receiving any of your Personal Information undertakes to: (i) retain and use such information only for the purposes set out in this Privacy Policy; (ii) not disclose your Personal Information except with your consent, as permitted by law, or as permitted by this Privacy Policy; and (iii) generally protect the privacy of your Personal Information.

#### HOW WE PROTECT YOUR INFORMATION

We take commercially reasonable steps to protect the Personal Information, the Billing Information, the Geolocational Information, and the Other Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please understand, however, that no security system is impenetrable. We cannot guarantee the security of our databases, nor can we guarantee that the information you supply will not be intercepted while being transmitted to and from us over the internet. In particular, e-mail sent to or from the Hashtag Services may not be secure, and you should therefore take special care in deciding what information you send to us via e-mail.

#### CHILDREN

We do not knowingly collect Personal Information from children under the age of 13 through the

Platform or website. If you are under 13, please do not give us any Personal Information. We encourage parents and legal guardians to monitor their children's internet usage and to help enforce our Privacy Policy by instructing their children to never provide us Personal Information without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to us, please contact us, and we will endeavor to delete that information from our databases.

#### CALIFORNIA RESIDENTS

Under California Civil Code Section 1798.83, California residents who have an established business relationship with Hashtag may choose to opt out of our sharing their Personal Information with third parties for direct marketing purposes. If you are a California resident and (1) you wish to opt out; or (2) you wish to request certain information regarding our disclosure of your Personal Information to third parties for the direct marketing purposes, please send an e-mail to [support@foxordering.com](mailto:support@foxordering.com) or write to us at:

Hashtag Applications, LLC  
4301 Oak Circle, Suite 7  
Boca Raton, FL 33431

In addition, Hashtag does not monitor, recognize, or honor any opt-out or do not track mechanisms, including general web browser "Do Not Track" settings and/or signals.

#### EXTERNAL WEBSITES, GOOGLE WALLET, AND APPLE PAY

The Platform and/or our website may contain links to third-party websites. Hashtag has no control over the privacy practices or the content of any of our business partners, advertisers, sponsors, or other websites to which we provide links. As such, we are not responsible for the content or the privacy policies of those third-party websites. You should check the applicable third-party privacy policy and terms of use when visiting any other websites.

Please be advised that your use of Google Wallet or Apple Pay is subject to the terms and conditions, including the privacy policies, of Google and Apple, respectively.

#### CHANGES TO THIS PRIVACY POLICY

This Privacy Policy is effective as of the date stated at the top of this Privacy Policy. We may change this Privacy Policy from time to time, and will notify you of such changes (e.g., posting any changes on the Platform, e-mailing you, or prompting you via a popup). By accessing the website and/or the Platform after we notify you of such changes to this Privacy Policy, you are deemed to have accepted such changes. Please refer back to this Privacy Policy on a regular basis