

## **PRIVACY POLICY**

This "Privacy Policy" is a legal agreement between Frost-Arnett, a Tennessee company whose notice address is contained below and any of its Affiliates ("Company") and each user who Uses the Content as defined herein ("You/User").

By accessing the websites owned by the Company, including, but not limited to [www.facpayments.com](http://www.facpayments.com) ("Website"), registering to use the Website or otherwise utilizing any information, materials, products, content, design, compilations, magnetic translations, digital conversions, communications, software, photos, video, graphics, music, sounds and other material and/or services that are available on the Website or provided by Company that can be viewed by Users including, without limitation, message boards, chats, other original content, text, communications, software, images, sounds, data or other information provided by Company or the User in connection with the Company or the Website (the actions included in this section are referred to as "Use" and the materials are collectively referred to as "Content").

By Using the Content, You acknowledge Your acceptance and agreement to be bound by the terms contained in this Privacy Policy. Please read them carefully. You may print up this Privacy Policy at any time by clicking on the link on the Website. Company and You agree that You have exchanged adequate consideration to be bound by the terms of this Privacy Policy. This Privacy Policy is subject to change by Company and You are responsible for reviewing this Privacy Policy prior to any repeated Use for any changes.

**If you do not agree to these terms do not Use the Website or the Content.**

### **PURPOSE**

Company's Privacy Policy is provided to inform the User how Company collects and uses the personal information User provides to Company and allow the User to make informed decisions when Using the Content. It is important to note that any information publicly posted on the Website by the User is no longer considered "confidential" through no fault of Company.

Company respects Your privacy and recognizes Your need for appropriate protection and management of any personally identifiable information You enter into our Website or otherwise Use the Content. Company is committed to privacy and supports current industry initiatives to preserve individual and company privacy rights on the Internet. Company may update this Privacy Policy from time to time at its sole discretion.

### **CLASSIFICATION OF INFORMATION**

User may provide Company with two types of information while Using any Content, which includes personal information knowingly disclosed to Company by You to help identify You, such as your name, your telephone number, email address, credit card number or billing information that is collected on an individual basis, including, but not limited to Registration Data and User Data, as defined herein or within the Terms of Use Agreement incorporated herein by reference (collectively referred to as "Personal Information") and information about the services that You Use and how You Use them, such

as device-specific information, mobile network information, server log information, location information, unique application numbers regarding numbers and information about your Use of certain material, cookies or identifiers created when You Use the Content and other Website use information collected on an aggregate basis as User and others browse the Website (“User Information”). It is important to note that our services may allow you to share information with others publicly (“Public Information”). Company is not responsible for maintaining the confidentiality of any Public Information. When you share information publicly, it may be indexable by search engines, which is not the responsibility of Company. The User Information and Personal Information shall collectively be referred to herein as “Information,” except where only one or the other is referenced, but none shall include Public Information.

## **PERSONAL INFORMATION**

Personal Information includes, but is not limited to individual information about the User, Registration Data, User Data, Content and the User’s practices when Using the Content, such as, but not limited to information compiled from using the Website, accessing certain services provided by Company, accessing email newsletters and alerts, or purchasing items through the Website and can include such personally identifiable information as name, email address, company name, discussion group submissions, address, phone number, email address, and credit card information or additional comments pertaining to service needs and interests.

## **USER INFORMATION**

User Information includes, but is not limited to content similar to other commercial websites that uses a standard technology called Cookies and web server logs (“Log Files”) to collect information about how the Website is used. Information gathered through Cookies and Log Files may include the date and time of visits, the pages viewed, time spent at the Website, and the websites visited just before and just after the Website. Company’s advertisers and ad serving companies may also use small pieces of code to determine which advertisements and promotions users have seen and how users responded to them. Personal Information is not stored in Cookies, Log Files or in the code discussed above. Company treats User Information as nonpersonal, unless otherwise distinguished by local and/or federal law. Company also uses Cookies and Log Files to remember personal information when you Use the Website, online services and Content.

## **COOKIES**

A “Cookie” is a very small text document, which often includes an anonymous unique identifier. When a User visits a website, that website's computer asks the User’s computer for permission to store files in a part of the User’s hard drive specifically designated for Cookies. Each website can send its own Cookie to a User’s browser if the browser's preferences allow it, but only to access the Cookies it has already sent to the User, not the Cookies sent to the User by other websites. Company has no control over the other websites’ Cookies.

## **USE**

The “Company Use” is as set forth in this section. Company generally, but not exclusively, uses Information for purposes of administering and expanding its business activities; providing products and/or services to Users; providing Information to third-party businesses and affiliates required to fulfill product orders and/or provide services; providing customer service; making available other products and services to Users; notifying the User about important changes to the Website; providing new services, Company information, alerts and special offers. Company may need to send critical service updates from the Website, which User may not opt-out of receiving.

We may share aggregated, non-personally identifiable information publicly and with our partners, like publishers, advertisers or connected websites, such as trends about the general use of our services.

We provide Information to our affiliates or other trusted businesses or persons to process it for us, based on our instructions and in compliance with other appropriate confidentiality and security measures. We will also share Information with companies, organizations or individuals outside of the Company if we have a good-faith belief that access, use preservation or disclosure of the Information is reasonably necessary to:

- meet any applicable law, regulation, legal process or enforceable governmental request;
- enforce the Terms of Use;
- investigate any potential violations;
- detect, prevent or otherwise address fraud, security or technical issues; and
- protect against harm to Company, Users or the public as required or permitted by law.

Whenever you Use the Content, Company will provide you access to your Personal Information. If your Personal Information is wrong, Company strives to give you a way to update it or to delete it, unless We are required to keep that information for legitimate business or legal purposes. When updating your Personal Information, We may ask You to verify Your identity before We can act on your request.

We may reject requests that are unreasonably repetitive, require disproportionate technical effort, risk the privacy of others, or would be extremely impractical. Where We can provide information access and correction, We will do so for free, except where it would require a unreasonable level of effort. We aim to maintain Our services in a manner that protects information from accidental or malicious destruction. Because of this, after You delete information from Our services, We may not immediately delete residual copies from Our active servers and may not remove information from Our backup systems.

## **SECURITY**

Company follows generally accepted industry standards to protect Information, both during transmission and after receipt. No method of transmission over the Internet, or method of electronic storage, is 100% secure and Company does not guarantee absolute security.

Company works hard to protect Your Information from unauthorized access to or unauthorized alteration, disclosure or destruction of Information, specifically:

- Company encrypts many of its services using SSL;

- Company reviews its information collection, storage and processing practices, including physical security measures, to guard against unauthorized access to systems; and
- Company restricts access to Personal Information by Company employees, contractors and agents who need to know that Personal Information in order to process it for Us, and who are subject to confidentiality obligations and may be disciplined or terminated if they fail to meet these obligations.

Email is not recognized as a secure medium of communication. User should not send private information via email.

## **LINKS**

Company is not responsible for the practices employed by any affiliates or other third party websites linked to or from the Website (“Links”), nor the information or content contained therein. Often Links to other websites are provided solely as pointers to information on topics that may be useful to Users. This Privacy Policy does not apply to any Links. Browsing and interaction on any other website, including websites accessed via Links, are subject to that website's own rules and policies. Please read over those privacy rules and policies before proceeding.

## **CONSENT**

By using the Website, the User consents to Company’s collection and use of Personal Information as described in this Privacy Policy and the Terms of Use Agreement. Any changes to the Privacy Policy will be posted on the Website. The terms are subject to change at any time by Company without penalty to Company.

## **OTHER DOCUMENTS**

This Privacy Policy is incorporated by reference into the other legal agreements available on the Website or within the Content.

## **CONTACT US**

If you have any questions or concerns regarding this Privacy Policy, please contact us at:

Frost-Arnett  
480 James Robertson Parkway  
Nashville, TN 37219  
info@frost-arnett.com

## **MISCELLANEOUS**

You agree that all matters relating to Your Use, including all disputes, will be governed by the laws of the United States and by the laws of the State of Tennessee without regard to its conflicts of laws provisions. You agree to the personal jurisdiction by and venue in the state and federal courts in Tennessee, and waive any objection to such jurisdiction or venue.

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