

Bench Tree Portal Privacy Policy

Last modified: 11-1-2018

Introduction

BENCH TREE GROUP, LLC, a Texas company, ("**Bench Tree**", "**We**," "**Us**," "**Our**") respect your privacy and are committed to protecting it through our compliance with this policy.

This policy describes:

- The types of information we may collect from you when you register with or use the Bench Tree Client Portal (our "**Portal**").
- Our practices for collecting, using, maintaining, protecting, and disclosing that information.

This policy applies to information we collect:

- On the Portal.
- In email or other electronic messages sent through or in connection with this Portal.

It DOES NOT apply to information collected by:

- Us offline or through any other means, including on any other website operated by Bench Tree or any third party (including our affiliates and subsidiaries); or
- Any third party (including our affiliates and subsidiaries), including through any application or content (including advertising) that may link to or be accessible through our Portal.

These third parties may have their own privacy policies, which we encourage you to read before providing information on or through them.

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Website and not to register with and use our Portal. By accessing or using this Website and/or by registering with or using our Portal, you agree to this privacy policy. This policy may change from time to time. Your continued use of our Portal after we make changes is deemed to be acceptance of those changes, so please check the policy periodically for updates.

Children Under the Age of 13

This Portal is not intended for children under 13 years of age, and we do not knowingly collect personal information from children under 13. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at support@benchtree.com.

Personal Information We Collect and How We Collect It

Personal information is information relating to an identified or identifiable natural person. An identifiable natural person is an individual that can be identified, directly or indirectly, be

referenced to an identifier such as: a name, an identification number, specific location data, an online identifier, or other attributes specific to that natural person. Personal information does not include information that has been anonymized or aggregated in such a way that it can no longer be used to identify a specific natural person, whether on its own or in combination with other information.

We collect personal information from and about users of our Portal:

- Directly from you when you provide it to us.
- Automatically when you use the Portal.

Personal Information You Provide to Us.

When you register with or use our Portal, we may ask you to provide information:

- By which you may be personally identified, such as
 - first name;
 - last name;
 - organization name;
 - postal address;
 - profile title;
 - a little description about yourself;
 - or any other identifier by which you may be contacted online or offline (“personal information”).
- That is about you but individually does not identify you, such as industry of business and business type.

This information includes:

- Information you provide by filling in forms on our Portal. This includes information provided at the time of registering to use the Portal, uploading data, and requesting further services. We may also ask you for information when you report a problem with our Portal.
- Records and copies of your correspondence (including email addresses and phone numbers), if you contact us.
- Your responses to surveys that we might ask you to complete for research purposes.
- Details of transactions you carry out through the App and of the fulfillment of your subscription services. You may be required to provide financial information before placing an order through our Portal.
- Your search queries on the App or through our Portal.
- OTHER TYPES OF INFORMATION THE USER PROVIDES.

You may also provide information, data, or content to be published or displayed (“Posted”) on areas of our Portal which are accessible by other members and administrators of your organization (collectively, “User Contributions”). Your User Contributions may, but not necessarily, contain personal information. Your User Contributions are Posted and transmitted to others at your own risk. Although your individual access to the Portal (“Customer Portal”) must be initiated only by a Bench Tree Portal Admin who controls your organization’s access to the Portal, please be aware that no security measures are perfect or impenetrable. Additionally,

we cannot control the actions of third parties with whom you may choose to share your User Contributions. Therefore, we cannot and do not guarantee that your User Contributions will not be viewed by unauthorized persons.

How We Use your Personal Information.

We use your personal information to:

- Identify you when you login to your account on the Portal,
- Enable us to operate the Portal and provide them to you,
- Improve the Portal we provide to you,
- Communicate with you, and
- Maintain the security of our Portal through authentication.

Legal Basis for Use of Personal Information

We process personal information from you where:

- We have your consent (i.e., you opt-in) to do so,
- We need the personal information to perform a contract with you (e.g., to deliver the Bench Tree Portal you have requested), or
- The processing is in our legitimate interests (and not overridden by your data protection interests or fundamental rights and freedoms).

In some cases, we may also have a legal obligation to collect personal information from you, or may otherwise need the personal information to protect your vital interests or those of another person.

Where we rely on your consent to process personal information, you have the right to withdraw or decline your consent at any time. Please note that this does not affect the lawfulness of the processing based on consent before its withdrawal.

If we ask you to provide personal information to comply with a legal requirement, we will make this clear at the relevant time and advise you whether the provision of your personal information is mandatory or not (as well as of the possible consequences if you do not provide your personal information). Similarly, if we collect and use your personal information in reliance on our legitimate interests which are not already described in this notice, we will make clear to you at the relevant time what those legitimate interests are.

Automatic Information Collection and Tracking

When you download, access, and use our Portal, we may use technology to automatically collect:

- **Device Information.** We may collect information about your mobile device and internet connection, including the device's unique device identifier, IP address, operating system, browser type, mobile network information, mobile device ID, mobile device type, mobile device model, mobile device operating system version, device's location, and the device's telephone number. Specifically, we automatically collect your IP

address for security purposes.

- **Usage Details.** When you access and use our Portal, we may automatically collect certain details of your access and use, including certain account activity such as your Bench Tree document views, creation of User Contributions, posting of User Contributions, impressions, traffic data, logs, attributes indicating level of usage or user properties, and other communication data and resources that you access and use on or through our Portal.
- **Stored Information and Files.** We may also access metadata and other information associated with other files stored on your device. This may include, for example, photographs, audio and video clips, personal contacts, and address book information.

If you do not want us to collect this information, do not register with, access, or download our Portal.

We also may use these technologies to collect information about your activities over time and across third-party websites, apps, or other online services (behavioral tracking) such as the usage details outlined above. If you do not want your behavior and usage details tracked, do not authorize third-party applications (such as Facebook®, Pinterest®, or Instagram®) do not register with, access, or download our Portal, and delete the App from your device.

Disclosure of Your Information

We do not sell your personal information to third parties. We may disclose aggregated information about our users, and information that does not identify any individual or device, without restriction. In addition, we may disclose personal information or usage details that we collect or you provide:

- To our subsidiaries and affiliates.
- To contractors, service providers, and other third parties we use to support our business. Specifically, we currently share with or collect personal information and/or usage details from the following list of service providers. You may contact each service provider directly to remove or update your personal information. For more information on each service provider's privacy policy and its compliance with GDPR, visit the accompanying links below.
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Bench Tree's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Bench Tree about our Service users is among the assets transferred.
- To fulfill the purpose for which you provide it. [For example, if you give us an email address to use the "email a colleague" feature of our Portal, we will transmit the contents of that email and your email address to the recipients.]
- For any other purpose disclosed by us when you provide the information.
- With your consent.
- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- To enforce our rights arising from any contracts entered into between you and us and

for billing and collection.

- If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Bench Tree, our customers or others.

Information Collection and Tracking Technologies.

The technologies we use for automatic information collection may include:

- **Cookies.** Certain identifying information is encrypted and stored in your session cookies in your browser. A cookie is a small file placed on your smartphone or other computer device. Use of cookies allows us to remember users across sessions. For example, we use cookies when you select the “remember me” check box when logging in to our Portal. It may be possible to refuse to accept cookies by activating the appropriate setting on mobile or other computer device. However, if you select this setting you may be unable to access certain parts of our Portal.
- **Web Beacons.** Pages of our Portal [and our emails] may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit Bench Tree, for example, to count users who have visited those pages [or opened an email] and for other related app statistics (for example, recording the popularity of certain app content and verifying system and server integrity).]
- OTHER TECHNOLOGIES.

Third-Party Information Collection

When you use our Portal, certain third parties may use automatic information collection technologies to collect information about you or your device. These third parties may include:

- Advertisers, ad networks, and ad servers.
- Analytics companies.
- Your mobile device manufacturer.
- Your mobile service provider.
- OTHERS.

These third parties may use tracking technologies to collect information about you when you use our Portal. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites, apps, and other online services websites. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties’ tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

Your Choices About Our Collection, Use, and Disclosure of Your Information

We strive to provide you with choices regarding the personal information you provide to us. This section describes mechanisms we provide for you to control certain uses and disclosures of over your information.

- **Collection and Removal of Personal Information.** You can choose not to provide your personal information when using our Portal, but this may prevent you from being able

to take full advantage of the functions available online and it may prevent us from being able to provide you with our Portal.

- o Upon request we will provide you with information about whether we hold any of your personal information. To request this information please contact us at support@benchtree.com with the subject line titled "Remove." If requested to remove data we will respond within a reasonable timeframe. Please see the section of this Privacy Policy entitled **Disclosure of Your Information** for more information regarding access to, correction of, or deletion of personal information held by contractors, service providers, and other third parties we use to support our business.
- o You may access, correct, request deletion, or request a copy of any or all of your personal information in our possession by emailing us at support@benchtree.com. If you believe any of the personal information we have collected from you is inaccurate, you can email support@benchtree.com with a request to update this information. We will honor your requests within a reasonable timeframe.
- o You may access and correct your personal information by logging into to your Portal account and accessing your "Profile Settings."
- **Tracking Technologies.** You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies or block the use of other tracking technologies, some parts of our Portal may then be inaccessible or not function properly.
- **Promotion by Bench Tree.** If you do not want us to use your email address to promote our own or third parties' products or services, you can opt-out of our promotional emails and newsletter by unsubscribing or clicking on an opt-link within an email you receive. You can also always opt-out by logging into your account and adjusting your user preferences in your account profile by checking or unchecking the relevant boxes or by sending us an email to support@benchtree.com.
- **Disclosure of Your Information.** If you do not want us to share your personal information with the third parties we use to support our services to you, please do not register with, access, use, or download our Portal. Our services to you depend on other services provided by third parties. Please see the section of this Privacy Policy entitled **Disclosure of Your Information** for more information regarding access to, correction of, or deletion of personal information held by contractors, service providers, and other third parties we use to support our business.
- **Targeted Advertising by Bench Tree.** If you do not want us to use information that we collect or that you provide to us to deliver advertisements according to our advertisers' target-audience preferences, you can opt-out by [OPT-OUT METHOD]). You can also always adjust your user advertising preferences in your account profile by checking or unchecking the relevant boxes or by sending us an email to help@BenchTreeapp.com]

We do not control third parties' collection or use of your information to serve interest-based advertising. However these third parties may provide you with ways to choose not to have your information collected or used in this way. You can opt out of receiving targeted ads from

members of the Network Advertising Initiative ("NAI") on the NAI's [website](#).

Accessing, Correcting Your Personal Information

We retain your personal information for as long as necessary to provide you with our Portal you have requested, or for other essential purposes such as complying with our legal obligations, resolving disputes, or enforcing our Terms. As discussed above, you may send us an email at support@benchtree.com to request access to, correct, or delete any personal information that you have provided to us. We will honor your requests within a reasonable timeframe.

As discussed above, you may contact our third-party service providers directly to remove or update your personal information in the possession of such third-party service providers.

If you delete your User Contributions from the Portal, copies of your User Contributions may remain viewable in cached and archived pages, or might have been copied or stored by other Portal users. Proper access and use of information provided through our Portal, including User Contributions, is governed by our Terms.

Your California Privacy Rights

California Civil Code Section 1798.83 permits users of our Portal that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to support@benchtree.com or write us at:

Bench Tree LLC.
4681 C.R. 110
Georgetown, TX 78626

Data Security

We have implemented measures designed to secure your personal information from accidental loss and from unauthorized access, use, alteration, and disclosure. Our Site is maintained on an Amazon Web Service (ASW) data center where security is maintained externally by AWS. Our Portal is secured by an SSL certificate and is maintained by a Portal Administrator designated by us. The Bench Tree Portal Administrator establishes your initial access to the Portal and uploads, indexes, and secures downloadable files that we provide to Portal Users.

The safety and security of your information also depends on you. Where we have given you (or where you have chosen) a password for access to certain parts of our Portal, you are responsible for keeping this password confidential. We ask you not to share your password with anyone. We urge you to be careful about giving out information in public areas accessed through our Portal like message boards. Such message boards may be accessible through Bench Tree Tribes. The information you share in public areas may be viewed by any user of the App.

Unfortunately, the transmission of information via the internet and mobile platforms is not completely secure. Although we do our best to protect your personal information, we cannot

guarantee the security of your personal information transmitted through our App. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures we provide.

Changes to Our Privacy Policy

We may update our privacy policy from time to time. If we make material changes to how we treat our users' personal information, we will post the new privacy policy on this page with a notice that the privacy policy has been updated and notify you by email specified in your account.

For example, in light of the General Data Protection Regulation (GDPR), we recently made clarifications to our privacy policy regarding what personal information we collect from you, what we do with your personal information, and how you may access, modify, or request removal of your personal information. The GDPR applies to and protects European citizens. To the extent the GDPR applies to you, we have updated our privacy policy accordingly.

The date the privacy policy was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you and for periodically visiting this privacy policy to check for any changes.

Contact Information

To ask questions or comment about this privacy policy and our privacy practices, contact us at:

Bench Tree LLC.
4681 C.R. 110
Georgetown, TX 78626

Email: support@benchtree.com

Phone: 1-(512)-633-0760