

PRIVACY POLICY

Runway 84 Restaurant LLC (hereafter, “Runway 84”, “we”, “our” or “us”) values the trust you have placed in us. As part of our relationship, we recognize and respect your privacy concerns.

This Privacy Statement (“Privacy Statement”) describes the types of personal information we collect on our websites, software applications, social media pages, HTML-formatted e-mail messages, at our restaurants and in other ways discussed below (individually and collectively, the “Services”), how we may use that information, with whom we may share it and the measures we take to protect the security of personal information. We also tell you the choices available to you regarding our use of your personal information and how you can access and update this information.

We reserve the right to modify or supplement this Privacy Statement at any time. If a material change to the terms of this Privacy Statement is made, we will post a notice prior to the change becoming effective on our homepage located at: www.runway84.com and a link to the new privacy statement. You may wish to check this section of our Services from time to time, because your continued use of our Services will signify your acceptance of the changes to our Privacy Statement. This Privacy Statement is incorporated into, and part of our [Terms of Use](#), which governs your access to and use of our Services in general. This Privacy Statement shall be interpreted under the laws of the United States, regardless if the location, residence or nationality of

individual users. This Privacy Statement's effective date is January 1, 2023.

YOUR CONSENT

If you are unsure whether this Privacy Statement is in conflict with the applicable local rules where you are located, you should not submit your or any other persons personally identifiable information to us. Anyone who accesses, uses or interacts with our Services who submits personally identifiable information or provides any other information does thereby affirmatively consent to: (i) the international transmission, transfer, processing and/or storage of all such information, including personally identifiable information, to a country which may be deemed to have inadequate data protection and (ii) the collection (including by Automated Interactions as such term is defined below), transmission, using, sharing and storage of such information, including personally identifiable information, as provided in this Privacy Statement.

TYPES OF INFORMATION WE COLLECT

We may collect personal information about you in various ways, such as when you provide it on our Web sites, at our restaurants, through our apps and social media channels, at our events, through surveys, via text messages or on the telephone. The types of personal information we may or our third party providers may collect include:

- Contact information (such as name, postal address, email address, and mobile or other telephone number);
- payment information (such as your payment card number, expiration date, authorization number or security code, delivery address, and

billing address);

- customer service information;
- purchase and transaction information (such as the nature, quantity and price of the goods or services you exchange and the individuals or entities with whom you communicate or transact business);
- username and password;
- information regarding your personal or professional interests, date of birth, marital status, demographics, preferences, experiences with our products and services and contact preferences;
- photographs, comments and other content you provide;
- contact information you provide about friends or other people you would like us to contact;
- employment information (such as educational and employment background, contact information, CV, resume, transcripts; employment references and related information); and
- information we may obtain from our third-party service providers.

In addition, we and our third party providers may collect certain information by automated means, such as cookies, web beacons and web server logs through your interaction with and use of the Services and Web sites not under our management or control (“Automated Interactions”). Such Information may include, but is not limited to, network routing information (where you came from), equipment information (browser type), your IP address (which may identify your general geographic location or company), date and time, unique device identifier, MAC address, clickstream information (when each Web page was visited and how much time was spent on the page), general geo-location data, and settings of the device you use to access the Services.

Although our and our third party providers' use of Automated Interactions may change over time as technology evolves, the following descriptions are designed to provide you with additional detail about our current approach to information collected from Automated interactions.

Cookies: Our, along with certain third parties, servers will query your browser to see if there are “cookies” previously set by our Services. A cookie is a small piece of information sent by a Web server to store on a Web browser so it can later be read back from that browser. Cookies may collect information, including a unique identifier, user preferences, profile information, and general usage and volume statistical information. Cookies may also be used to collect individualized website use data, provide Services personalization, or conduct and measure the effectiveness of advertising in accordance with this Privacy Statement.

When you use a web browser to access the Services, you can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent. Each browser is different, so check the “Help” menu of your browser to learn how to change your cookie preferences. The operating system of your device may contain additional controls for cookies. Please note, however, that some Services may be designed to work using cookies and that disabling cookies may affect your ability to use those Services, or certain parts of them. For example, if you turn off cookies or refuse them, you may not be able to make purchases on our Services.

Other Local Storage: We, along with certain third parties, may use other kinds of local storage technologies, such as Local Shared Objects (also referred to as “Flash cookies”) and HTML5 local storage, in connection with our Services. These technologies are similar to the cookies discussed above in that they are stored on your device and can be used to store certain information about your activities and preferences. However, these technologies may make use of different parts of your device from standard cookies, and so you might not be able to control them using standard browser tools and settings. One method of preventing Flash cookies from being placed is to adjust your preferences in the Macromedia Website Privacy Setting Panel at macromedia.com.

Beacons: We, along with certain third parties, also may use technologies called beacons (or “pixels”) that communicate information from your device to a server. Beacons can be embedded in online content, videos, and emails, and can allow a server to read certain types of information from your device, know when you have viewed particular content or a particular email message, determine the time and date on which you viewed the beacon, and the IP address of your device. We and certain third parties use beacons for a variety of purposes, including to analyze the use of our Services and (in conjunction with cookies) to provide content and ads that are more relevant to you; information collected using these technologies may be associated with the recipient’s e-mail address.

By accessing and using our Services, you consent to the storage of cookies, other local storage technologies, beacons and other

information on your devices. You also consent to the access of such cookies, local storage technologies, beacons and information by us and by the third parties mentioned above.

Location Based Services: We and our partners and licensees may collect, use, and share the physical location of your device and use it to provide you with personalized location-based services or content. Where available, location-based services may use GPS, Bluetooth, and your IP Address, along with crowd-sourced Wi-Fi hotspot and cell tower locations, and other technologies to determine your devices' approximate location. In some instances, you may be permitted to allow or deny such use of your device's location, but if you choose to deny such use, we may not be able to provide you with the applicable personalized services or content. In all other instances, you affirmatively consent that we may receive, use, share and transfer information about the physical location of your device in accordance with this Privacy Statement.

OTHER WAYS WE COLLECT PERSONAL INFORMATION

QR Codes: We may use QR codes in connection with certain promotions, contests and special events. If you scan our QR code, you will get an invitation on your mobile device to join our mailing list. To sign up, we ask you for information such as your name, mailing address, email address, telephone numbers, and age. We use the information to communicate with you about our products, services and promotions and as described in this Privacy Statement.

In-Restaurant Wi-Fi Data Collection: In certain restaurants we use a service that analyzes Wi-Fi signals from mobile devices to measure restaurant occupancy and to identify guest traffic patterns in the restaurant. The service determines the location of a smartphone or wireless device by observing Wi-Fi or Bluetooth signals that are broadcast from that device. Individual devices are identified by a media access control (“MAC”) address that was assigned to the device when it was manufactured. For the service to collect information from your device, the device’s Wi-Fi must be turned on while you are in the restaurant. If your device’s Wi-Fi function is enabled, you will receive a pop-up message that asks whether you agree to allow your device’s Wi-Fi data to be collected while you are connected to the in restaurant Wi-Fi network. The service provider that collects information from mobile devices in our restaurants hashes MAC addresses to anonymize the addresses before using them for analysis purposes. The service provider’s reports to us contain only aggregated statistics about visitors to the restaurant. If you change your mind after agreeing to allow your device’s Wi-Fi data to be collected, you can opt out by turning off your device’s Wi-Fi function or by sending an email to: support@zenreach.com.

Publicly Available and Other Sources: We also may obtain information you have made publicly or lawfully available, such as, via third-party social networking services when you choose to connect with those services, or information provided by third party sources, such as marketing opt-in lists, or data aggregators. Please note that we may combine this information with other information that we collect about you and use and share it as described in the Privacy Statement. With regard to employment related information, Runway

84 may collect information from third parties, for example, in connection with a background or employment check and/or an employment reference. We are not responsible for the accuracy of any information provided by third parties or third party policies or practices.

We also may collect other information about you, your device, or your use of the Services in ways that we describe to you at the point of collection or otherwise with your consent.

HOW WE USE INFORMATION

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

- Provide products and services to you;
- process your payments;
- send you promotional materials and other communications;
- communicate with you about, and administer your participation in, special events, contests, sweepstakes, programs, offers, surveys and market research;
- provide advertisements to you about our products and services;
- tailor your use of the Services, marketing experience, and communications according to your preferences and our terms;
- interact with you on third party social networks (our interactions with you on a third party social network would be subject to that network's privacy policies and terms of use)
- respond to your inquiries;
- to post testimonials;
- create and manage your account;

- operate, evaluate and improve our business (including developing new products, services and restaurants; enhancing and improving our Services (for example, to facilitate navigation and the login process, avoid duplicate data entry, enhance security, keep track of shopping cart additions and preserve order information between sessions); managing our communications; analyzing our products, services and guest base; cross reference guest databases to identify common guests; performing data analytics; (including online advertising and e-mail marketing), and performing accounting, auditing and other internal functions);
- reduce credit risk and manage collections;
- verify your identity;
- contact or notify you if necessary;
- manage our recruiting and hiring processes;
- protect the security and/or integrity of our Services and our business;
- protect against, identify and prevent fraud and other unlawful activity, claims and other liabilities;
- comply with and enforce applicable legal requirements, our Terms of Use, relevant industry standards, contractual obligations, corporate governance and our policies; and
- fulfilling any other purposes consistent with our statements under this Privacy Statement.

We also may use the information in other ways for which we provide specific notice at the time of collection.

In addition, we may use non-personally identifiable information we collect for any purpose, except where applicable law requires

otherwise. If we are required to treat non-personally identifiable information as personal information under applicable law, then we will only use it in the same way information under applicable law, then we will only use it in the same way that we are permitted to use and disclose personal information.

INFORMATION WE SHARE

We may share the personal information you provide to us with our affiliates and our and their respective subsidiaries and our and their respective parents worldwide, and our licensees and joint venture partners for the purposes described in this Privacy Statement. In addition, unless you object by emailing us at info@runway84.com, to the extent permitted by law, we may share information about you with other third parties for those parties' own purposes, such as to offer products or services that may interest you. We also may share the information with our service providers who perform services on our behalf based on our instructions. These service providers are not authorized by us to use or disclose the information except as necessary to perform services on our behalf or comply with legal requirements. Examples of these service providers include entities that process credit card payments, manage and reduce our credit risk, verify information, fulfill orders, conduct surveys and promotions, and provide web hosting, analytics and marketing services. These service providers may combine data we provide to them or allow them to collect from or about you with data they collect in connection with other Web sites, applications, products or services to measure the effectiveness of our advertising and determine how you rate and/or use our Services.

We also may disclose information about you (i) if we are required to do so by law or legal process (such as a court order), (ii) in response to a request by law enforcement and other government authorities, (iii) enforce our Terms of Use or the terms of any of our statements, guidelines or policies or (iv) when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss or in connection with an investigation of suspected or actual illegal activity. Information we receive about you may be accessed, processed and retained for an extended period of time when it is the subject processed and retained for an extended period of time when it is the subject of a legal request or obligation, governmental investigation, or investigations concerning possible violations of our terms or policies, or otherwise to prevent harm. We also reserve the right to transfer personal information we have about you in the event we sell or transfer all or a portion of our or business or assets (including in the event of a reorganization, dissolution or liquidation). To the maximum extent permitted by applicable law, we may also use IP addresses, mobile device identifiers or any other information we collect to identify users, and may do so in cooperation with copyright owners, internet service providers, wireless service providers or law enforcement agencies in our discretion. Such disclosures may be carried out without notice to you In addition to the disclosures described in this Privacy Statement, we may share information about you with third parties when you consent to or request such sharing.

We may also share, sell and transfer aggregated, anonymized information for any purpose, except where applicable law requires otherwise.

ANALYTICS, ADVERTISING, AND RETARGETING

We have engaged third parties for analytics services. These third parties may use cookies and other tracking technologies to analyze your usage of our Services. Information generated by these services may be transmitted to and stored by these third parties on servers in the U.S. (or elsewhere) and these third parties may use this information for purposes such as evaluating your use of the Services, compiling statistic reports on the Services' activity, and providing other services relating to the Services activity and other internet usage.

We may also engage third parties to serve advertisements on the Services and/or on other Web sites. These third parties collect and share information with us during your visits to our Services and other Web sites in order to provide advertisements about goods and services likely to be of greater provide advertisements about goods and services likely to be of greater interest to you, measure and research the effectiveness of our advertisements, track page usage and paths followed during visits through our Services, help us serve relevant internet banner advertisements on our Services and on other Web sites, and track use of our internet banner advertisements and other links from our marketing partners' sites to our Services. We may use the information collected on our Services for online behavioral advertising purposes including retargeting and to customize ads to you when you visit third party Web sites.

To exercise your opt out choices, see the next section.

YOUR RIGHTS AND CHOICES

Accessing your Information. To the extent provided by the law, you may access the personally identifiable information we have about you and correct, update, amend, delete, or remove that information by making the change on your online account or contacting us as set forth in the “How To Contact Us” section below. We may require additional information from you to allow us to confirm your identity. Please note that we will retain and use your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

Automated Interactions: Most web browser applications (such as Microsoft Internet Explorer, Google Chrome, Firefox and Apple Safari) have features that can notify you when you receive a cookie or prevent cookies from being sent. If you disable cookies or other device tracking features, however, you may not be able to use certain personalized functions of the Services. You may have the ability to opt out of location based services by editing the setting at the device level.

Do Not Track: Your browser settings may allow you to automatically transmit a “Do Not Track” signal to online services you visit. Note, however, there is no industry consensus as to what site and app operators should do with regard to these signals. Accordingly, we do not respond to “Do Not Track” signals or other mechanisms. For more information on “Do Not Track,” visit <http://www.allaboutdnt.com>.

Analytics: To opt out of Google Analytics, visit <http://tools.google.com/dlpage/gaoptout?hl=en>

Advertising: You may choose whether to receive interest-based advertising by submitting opt outs. Some of the advertisers that perform advertising related services for us and our partners may be members of the Network Advertising Initiative (“NAI”). Some of these companies may also participate in the Digital Advertising Alliance (“DAA”) Self-Regulatory Program for Online Behavioral Advertising. To learn more about advertising networks that participate in industry-developed programs designed to provide consumers choices about whether to receive targeted advertising and to opt-out of such interest-based advertising, visit the Digital Advertising Alliance at www.aboutads.info/choices or the Network Advertising Initiative at www.networkadvertising.org/choices. In addition, some of the advertisers that perform advertising-related services for us and our partners may offer their own opt outs:

- To opt out of Google Ad Tracking
visit: <http://bit.ly/ACFPGAoptout>.
- To opt out of Facebook Ad Tracking
visit: <http://bit.ly/ACFPFBoptout>.
- To opt out of Twitter Ad Tracking
visit: <http://bit.ly/ACFPTAoptout>.

Please be aware that, even if you are able to opt out of certain kinds of interest-based advertising, you may continue to receive other types of ads. Opting out only means that those selected members should no longer deliver certain interest-based advertising to you, but does not mean you will no longer receive any targeted content and/or ads (e.g., from other ad networks).

We are not responsible for the effectiveness of, or compliance with, any third parties' opt out options or programs or the accuracy of their statements regarding their programs.

RETENTION AND ACCESS

To the extent permitted or required by law, Runway 84 may delete information at any time; accordingly, you should retain your own copy of any information you submit to us.

YOUR RESPONSIBILITIES

You are responsible for the information you provide or make available to Runway 84, and you must ensure it is honest, truthful, accurate and not misleading in any way. You must ensure that the information provided does not contain material that is obscene, defamatory, or infringing on any rights of any third party; does not contain malicious code; and is not otherwise legally actionable. Further, if you provide any information concerning any other person, such as individuals you provide as references, you are responsible for providing any notices and obtaining any consents necessary for Runway 84 to collect and use that information as described in this Privacy Statement.

MOBILE MARKETING

You may be able to sign up to receive communications about our products and services through your mobile device by submitting your mobile telephone number and/or mobile email address via our Services. If you use this feature, you provide your affirmative consent to allow us or our third party providers to send you communications about our products, services and promotions to such email address

and/or by text message and voice message. You may, at any time, opt out of receiving these communications by contacting us as specified in the “How to Contact Us” section below. Depending on the terms of your mobile phone contract, you may incur charges for receiving and sending email and text messages on your mobile device. We are not responsible for these charges.

THIRD-PARTY SITES AND SERVICES

The Services may contain links to other Web sites not maintained or related to Runway 84. These links are provided as a service to users and are not sponsored by or affiliated with the Services, or Runway 84. Runway 84 has not reviewed any or all of the Web sites hyper-linked to or from the Services and is not responsible for the content or privacy practices of other Web sites. The links are accessed at the user’s own risk, and Runway 84 makes no representations or warranties about the content, completeness or accuracy of these links or the Web sites hyper-linked to the Services. Third party Web sites that are accessible by hyperlinks from the Services may use cookies and other tracking technologies. Runway 84 encourages you to read the privacy policies provided by other Web sites before you provide personally identifiable information to them. Runway 84 does not implicitly endorse third party Web sites hyper-linked to the Services.

HOW WE PROTECT PERSONAL INFORMATION

While we endeavor to protect the security and integrity of personal information collected via the Services, due to the inherent nature of the Internet as an open global communications vehicle, we cannot

guarantee that any information, during transmission through the Internet or while stored on our or our third party providers' systems, servers or otherwise in our or their care, will be absolutely safe, including from intrusion by others, such as hackers. If you correspond with us by e-mail, text message, or using Web forms like a "contact us" feature on our Services, you should be aware that your transmission might not be secure. A third party could view the that your transmission might not be secure. Runway 84 will have no liability for disclosure of your information due to errors or unauthorized acts of third parties. If we believe that the security of your personal information in our care may have been compromised, we may seek to notify you of that development. If a notification is appropriate, we will endeavor to notify you as promptly as possible under the circumstances. If we have your e-mail address, we may notify you by email. You consent to our use of e-mail as a means of such notification. If you prefer for us to use the U.S. Postal Service to notify you in this situation, please e-mail us at info@Runway84.com.

SERVICES AND PRODUCTS ON OTHER WEBSITES

We may offer some of our products and services or authorized branding on or through other Web sites, apps and platforms. Information, including personally identifiable information, that you provide to those Web sites, apps and platforms may be sent to us in order to deliver our products and services or collected and used by us as described in this Privacy Statement. We process, use, share and secure such information under this Privacy Statement. The affiliated Web sites, apps and platforms through which our products and services and authorized branding are offered may have different

privacy practices and we encourage you to read their privacy policies. We have no responsibility or liability for the practices, policies and security measures implemented by third parties on their Web sites, apps and platforms.

SOCIAL MEDIA

Our Services may include social media features, such as the Facebook Like button. These social media features may use tracking technologies to collect information about you, such as your browser information, or IP address, which page you are visiting on the Services, and may set a cookie to enable the social media feature to function properly. If you use social media features, information you post or provide access to may be publicly displayed on our Services or by the third party service that you use. Similarly, if you post information on a third party service that references our Services (e.g., by using a hashtag associated with Runway 84 in a tweet or status update), your post may be used on or in connection with our Services. Also, both Runway 84 and the third party may have access to certain information about you and your use of our Services and the social media features. Social media features are operated by a third party and governed by the privacy policy of the third party providing it. We are not responsible for and make no representations regarding the policies or business practices of any third parties and encourage you to familiarize yourself with and consult their privacy policies and terms of use.

CHILDREN'S PRIVACY

Our Services are not directed to children under the age of thirteen and we do not knowingly collect personal information from children under the age of thirteen on the Services. If we become aware that we have inadvertently received personal information from a visitor under the age of thirteen on our Services, we will take steps to delete the information as soon as possible; provided that such access is not unreasonably burdensome or expensive under the circumstances. We recommend that prospective users between the ages of 13 and 17 ask their parents or other legal guardians for permission before sending any information about themselves to anyone over the Internet. In addition, we reserve the right to limit participation in particular programs or promotions to visitors eighteen (18) years of age, twenty one (21) years of age, or older.

CALIFORNIA RESIDENTS

Subject to certain limitations under California Civil Code § 1798.83, California residents may ask us to provide them with (i) a list of certain categories of personal information that we have disclosed to third parties for their direct marketing purposes during the immediately preceding calendar year, and (ii) the identity of those third parties. To make this request, California residents may contact us as specified in the “How to Contact Us” section below.

You must provide the statement “Your California Privacy Rights” in the subject field of your e-mail or on the envelope or post card and in the actual request. For all requests, please include your name, street address, city, state, and zip code. We will not accept requests via the telephone or by facsimile. We are not responsible for notices that are

not labeled or sent properly, or that do not have complete information.

HOW TO CONTACT US

If you have any questions or comments about this Privacy Statement or if you would like us to update information we have about you or your preferences, please email us at info@runway84.com.