

## Privacy Policy for Use of the Eastmark® Community Web Portal

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Mesa, Arizona 85212

**Phone:** 480-625-3005/855-EASTMRK

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**Web Site:** [www.eastmark.com](http://www.eastmark.com)

Eastmark Residential Association, Inc., an Arizona non-profit corporation (the “Residential Association”), Eastmark Community Assembly, Inc., an Arizona non-profit corporation (the “Assembly”), and Eastmark Community Alliance, Inc., an Arizona non-profit corporation (the “Alliance”), (the Residential Association, the Assembly and the Alliance are collectively referred to herein as the “Associations”), recognize that privacy is important. This Privacy Policy applies to the Eastmark community web portal, as posted at [www.eastmark.com](http://www.eastmark.com) and updated from time to time (the “Web Portal”). In addition to these statements, it specifically incorporates as though restated in full herein the Privacy Policy established by The Active Network, Inc. (“Active”), including all of the rights granted to Active. The Associations and Active may change, or add to, each of their respective policies at any time, and reference to the term “Privacy Policy” includes any such changes or additions. New or revised policies will be posted on the Web Portal and will be effective immediately upon posting. If at any time, any policy of this Privacy Policy is not acceptable to you, you (and all members and guests of your household) should immediately cease all use of the Web Portal.

### Active Privacy Policy

Active, and its affiliated companies and subsidiaries (collectively, “Active,” “us”, “we” or “our”), value your privacy and are committed to protecting your personal information. Active is a leading provider of Activity and Participant Management™ solutions. Our flagship technology platform, ActiveWorks®, transforms the way organizers manage their activities and events by automating online registrations and streamlining other critical management functions while also driving consumer participation to their events. Our websites include online communities for people who want to discover, participate in, and share activities about which they are passionate. While utilizing our services, you’ll be able to learn about upcoming events, register for some of those events and tell your friends about the events. Our services may also be used by organizations to provide you the ability to take certain actions. For example, we may create, or host, websites and mobile applications on the

behalf of others that allow you to, among other things, register for a class or a conference, make campsite reservations, purchase hunting or fishing licenses, or pay a parking ticket.

We also offer mobile applications that provide information about events in your area, permit you to register for races, make camping reservations, book tee times, create and download training programs, in addition to other services, and enjoy many of the benefits of our websites (collectively, the “Applications”). In general, our Applications operate on an open network; that means that any information that you post to these Applications may be available to other users of the same application, and in some instances, on our websites.

In this Privacy Policy, we describe the information that we collect from visitors to, and users of, our websites (the “Sites”), our blogs, our Applications, and our online products and services (collectively, the “Services”). By visiting our Sites or using any of our Services, you agree that your personal information will be handled as described in this Privacy Policy, which is incorporated by reference into the Active Terms of Service, available at <http://www.Activenetwork.com/information/terms-of-use>.

Active has been awarded TRUSTe's Privacy and Children's Privacy Seal signifying that this Privacy Policy and our practices have been reviewed by TRUSTe for compliance with TRUSTe's Web Privacy, COPPA, and TRUSTed Cloud program requirements including transparency, accountability and choice regarding the collection and use of your personal information. The TRUSTe programs do not cover information that may be collected through downloadable software. The TRUSTe Privacy Seal covers only information that is collected through the following Active websites: [Active.com](http://Active.com), [Activeglobal.com](http://Activeglobal.com), [Thrive.com](http://Thrive.com), [Trainer.Active.com](http://Trainer.Active.com), [eTeamz.com](http://eTeamz.com), [Activegiving.com](http://Activegiving.com), [Campregister.com](http://Campregister.com), [Fellowshipone.com](http://Fellowshipone.com), [Regonline.com](http://Regonline.com), [Starcite.com](http://Starcite.com) and [Reserveamerica.com](http://Reserveamerica.com). The TRUSTe programs do not cover information that may be collected through the Applications or mobile devices. If you have questions or complaints regarding our Privacy Policy or practices, please contact us at [privacy@Activenetwork.com](mailto:privacy@Activenetwork.com). If you are not satisfied with our response you can contact TRUSTe [here](#).

## **WHAT INFORMATION DO WE COLLECT ABOUT YOU AND WHY?**

The information we collect from you allows you to log into our Sites; use our Services and Applications; and register for and/or set up registration for you or your organization's customers for events, contests, camps, licenses, classes, tickets, facility/equipment use, transactions, sales, memberships, reservations, donations and/or activities (singularly, an “Event”) or collectively, the “Events”). We also collect information from businesses, organizations and individuals who request information from Active.

Individuals and agents of individuals may provide us information directly or indirectly by registering for an Event or by otherwise using our Services (these individuals are referred to as “Consumers”). For example, you may enter your information in order to register for an Event, or someone who has organized a team may enter your information on your behalf to register your entire team. In addition, individuals or organizations can use our Services to set up Events for Consumers (those who use our Services to provide a service to Consumers are referred to as “Clients”). Relatedly, our Clients (including agents of our Clients) may provide us personal information about individuals who have registered for an Event being operated by our Client or who the Client wants us to contact or otherwise provide Services to on behalf of the Client.

***Information We Collect Directly From You.***

Account Information for our Sites. You may browse our Sites without creating an online account or providing us with your information, but to use certain features, or to register for an Event, you may need to create an account or otherwise provide us with information. When you create an account with us or register for an Event, we may ask you to provide the following:

- Your first and last name;
- Your email address and your desired password;
- Your display name (this is the name other people will see when you post items to one of our Sites or engage in other similar activities on our site);
- Your date of birth;
- Your subscription preferences (whether, and what types of information, you would like us to send you);
- Information about your activities and interests;
- Other profile data, such as contact information, occupation, gender and photo;
- Your physical activities or similar health related information (how long you exercised, caloric intake or weight lost);
- The contact information of a friend (when inviting them to visit the Site);
- Payment information, such as credit card or financial account numbers (if applicable).

*Log in Information for our Sites.* Once you have signed up for a particular Active Site, on subsequent visits to the same Site, you may simply need to enter your user ID or email address (as applicable) and password to gain access to the Site; however, for certain Sites, your login credentials will only gain you access to Events held by the particular Client with whom you originally registered. In some cases, you may be able to use your log in credentials to access multiple Active Sites.

*Log in and Location Information for our Mobile Applications.* When you first visit any of our Applications, you may have the option of creating a user ID and password for subsequent visits. When you log into certain of our Applications, we will request your permission to obtain your current location (so-called “geographic location” information) so that we can identify Events near you or to provide other location-related services. In the “settings” function on your phone, you will have the ability to manually permit or preclude us from recording your geographic location information for certain Applications or features of Applications, for example, so that we can track your running route, point you to an open ski slope, or help you to find a campground.

*Events and Training Information.* As a registered user of our Sites, you may be able to post information about upcoming Events. We may collect information from you if you choose to register for an Event or record your training activity. For some Events, you may register directly on our Sites and through our Applications; for other Events, we may provide a link that directs you to the sponsor or holder of the Event. The information that we collect about you may vary based on the Event, but generally includes the same type of information that you would include when creating an account with us. In addition, if the Event is a race or timed event, we may collect information related to tracking your performance (e.g., data collected by a race chip ID). If there is a charge to enter an Event, we may collect your credit card billing information, including your credit card number, expiration date, billing and shipping address, and other information necessary to process your payment.

*Church Management Systems.* With respect to our church management services, when you attend a class, give to the church, request assistance, or your children are cared for, we may request additional information about you; however, you can choose not to provide us with such information. For example, salvation date, baptism date, and/or church membership/leadership classes attendance may be requested. As well, your testimony will be captured if you provide it. This information will be used solely in ways to help us understand how to best meet you and your family’s spiritual needs. Please see “Charitable Events/Fundraising” for our policy concerning charitable contributions to the church using “Online Giving.”

*Charitable Events/Fundraising.* You may create a page on certain of our Sites to collect donations for (i) your participation in a charity event (e.g., you want to raise money for running in a marathon), (ii) a particular charity, or (iii) for other purposes. We may collect information from you surrounding the charitable event or your request for donations. In addition, if you donate to a particular Event/cause, we may collect your name, contact information and credit card information.

*Contests, Surveys and Questionnaires.* When you sign up for sweepstakes or contests, or complete questionnaires or surveys, we collect the information you submit to us. We use this information to administer the sweepstakes, contest or survey, to analyze the results, for research purposes, to send you other information or offers we think may be of interest to you, to comply with legal requirements and for other purposes as discussed in this Privacy Policy.

*Licenses, Reservations, Permits, and Fines.* When you purchase hunting or fishing licenses, camping permits, or submit payment for fines, we may require additional information about you in order to complete your request. For example, we may need your driver's license number, social security number, or visa or passport number in order to verify your identity and process your request. In addition, we might collect public agency reservation information (e.g., information about your planned visit to a specific government agency-operated or government agency-administered campground or park, such as dates of stay or number of occupants, other than personal information). This information is used only as necessary in order to help complete your transaction.

*Golf Tee Times.* When you purchase or make a golf tee time reservation, you may be required to provide your name, your phone number, and you may be required to provide a credit card number to hold or process your reservation.

*Suppliers of Services to Corporate Clients for Meeting Management.* Active provides access to its Services via Sites to suppliers of services to corporate Clients ("Suppliers"). These Suppliers include hotels, convention and visitors bureaus, and destination management companies. Individuals and companies ("Buyers") use Active's technology via Sites on behalf of corporate Clients to manage meetings and to purchase services for these meetings and events from Suppliers. Attendees use the Services when invited by a corporate Client to attend a meeting. They do so by viewing a Site that contains questions created by the corporate Client. By responding to these questions, the attendee gives the corporate client information about the attendee and the attendee's plans for attending that specific meeting.

*RFPs.* When a Client submits a request for proposal (“RFP”) to a property or service provider listed through our Services, we will contact the applicable property or service provider and disclose information necessary to submit the RFP, which may contain personal information. The property or service provider will not have access to the Client’s address book or information collected through the Service.

*User Profiles, Comments and Posts.* Some of our Sites and Applications allow users to create or post content, such as comments, profiles, blogs and messages. If you provide content to our Sites, we may collect and use that information as described in this Privacy Policy. Please note that such information may be viewed, collected or used by other registered users and public visitors to our Sites. Once posted, we cannot prevent such information from being used in a manner that may violate this Privacy Policy, the law or your personal privacy. Your profile, however, may offer privacy settings within your account to help you manage how your content is displayed.

*Job Site References.* As part of applying for employment with Active, we may ask you for information such as details regarding your education, employment history, qualifications, and the contact information of a former colleague’s name. This information is used for job reference purposes only and is not used for any other purpose.

*Information We Collect from Facebook.* We may provide you with the opportunity to connect via Facebook, through our Sites or Applications. For example, you can indicate that you are going to participate in an Event and invite your Facebook friends to join that Event. If you log into Facebook through our Sites or Applications, we will request permission to (i) access your basic information, which includes your name, profile picture, gender, networks, Facebook user ID, list of friends and any other information that you have made public on Facebook; and (ii) manage your participation in Events (so that Active may RSVP on your behalf). For information about how Facebook may disclose your information, including any information you make public, please consult the Facebook Data Use Policy. We have no control over how Facebook uses or discloses the personal information you provide to it. We store the information that we receive from Facebook along with other information that we collect from you or receive about you.

*Information We Collect About You From Third Parties.* We also may collect information, including personally-identifiable information, about you from our affiliates and non-affiliated third parties. For example, if you register for a race by clicking through

our Sites, the sponsor of the race may provide us with your name and contact information, and when the race is over, we also may obtain your race time.

*Information We Collect Automatically.* We may use cookies, web beacons, and other automated devices to collect information, including personally-identifiable information, about you when you visit our Sites and receive emails from us. Specifically, we may collect the following information about your use of our Sites via these technologies: your browser type and operating system; web pages you view; links you click; your Internet Protocol (“IP”) address; your approximate geographic location; your interaction with the Sites; length of time you are logged in to our Sites; and websites visited before or after our Sites. In some of our email messages, we use a “click-through URL” linked to content on the Active website. When Customers click one of these URLs, they pass through a separate web server before arriving at the destination page on our Site. We track this click-through data to help us determine interest in particular topics and measure the effectiveness of our customer communications. If you prefer not to be tracked in this way, you should not click text or graphic links in the email messages. We also collect non-personal data (including, without limitation, the type(s) set forth above) from third parties. The information we collect from third parties may be combined with the information we collect. This information also may be associated with your username and combined with other information, including personally-identifiable information that we collect about you. For more detailed information on our use of cookies and other tracking technologies, please see our cookie policy here: <http://www.Activenetwork.com/information/cookie-policy.htm>

#### **WHEN AND HOW DOES Active SHARE INFORMATION IT RECEIVES?**

*Third Parties.* We may share your information, including personally-identifiable information, with non-affiliated and affiliated third parties.

- *Affiliates.* We may disclose the information we collect from you to our affiliates or subsidiaries; however, if we do so, their use and disclosure of your information will be subject to this Privacy Policy.
- *Event Sponsors or Partners.* If you are using our Services to register for an Event or to purchase a third party product or service, Active shares the personal information that you provide with the applicable third parties in order to fulfill your request. You may receive communications, correspondence, emails, or direct mail from these entities; each such party operates independently from Active and is not subject to

this Privacy Policy but is subject to its own privacy policy. In some instances, we allow Clients to use our email system to contact Consumers for their current and past Events, so you may receive emails from our system that originate with such Clients. Please refer to that party's privacy policy if you have any questions about its use of your information.

- *Service Providers.* We may disclose the information we collect from you to third party vendors, service providers, contractors or agents who perform functions on our behalf. For example, these providers may help us administer our Sites and Applications manage and administer Events or process credit card payments. These third parties have agreed to maintain the confidentiality, security and integrity of our information and may be located wherever Active operates. Where required by law, these companies agree to only use such information for the purposes for which they have been engaged by us unless you expressly permit them to use your information for other purposes.
- *Other Non-Affiliated Third Parties.* We may disclose the information that we collect about you to non-affiliated third parties (with your consent if consent is required by law), such as promotional partners and others with whom we have marketing or other relationships. Those third parties may use your information for marketing purposes such as to market products and services that they believe would be of interest to you. We also may combine the information that we collect about you with other information that we obtain from third parties. This information may help us to determine what advertisements to direct to you, to place on our website and where to advertise our Services. As discussed in the advertising section below, you have the ability to “opt out” of certain uses of your information. You also have the ability to “opt in” to receive certain information from us and non-affiliated third parties.
- *Supplemental Service Partners.* By purchasing, making reservations or registering for products or services offered by third parties as a result of your interaction with the Services or use of the Sites (such as magazine subscriptions, hotel bookings, or cruises), electing to receive communications (such as emails) or electing to participate in contests, sweepstakes, or other programs (such as discount or rewards programs), offered or sponsored by third parties on the Site, you consent to our providing your personal information to those third parties, and you agree that we are not responsible, or liable, for any of their actions or omissions. Those third parties may use your personal information in accordance with their own privacy policies. You will need to contact those third parties to instruct them directly regarding your preferences for the use of your personal information by them. Additionally, you agree

that we will have the right to use and disclose all such information submitted by you to such third parties in the same manner in which we have the right to use and disclose all other information submitted by you directly to us.

- *Strategic Partners.* Active has integration relationships with third-party companies and individuals ("Partners"). These relationships extend the functionality of the Services and the Partner's application or service ("Integrated Service") by allowing the Services and the Integrated Service to exchange customer data and to establish linked business processes between the two. Customers who pay Active for use of the Services and use this Integrated Service are considered customers of both Active and the Partner. Active and the Partner may share customer contact, account, financial and billing information, and business data with respect to their integrated business relationship with the Customer. The sharing of this information allows Active and the Partner to establish the identity of the shared customer and determine referral fees owed. This sharing also allows the Partner to provide consolidated billing services to the shared Customer and allows for the enhanced functionality of the Integrated Service. Information shared for these purposes is governed by this Privacy Policy.
- *Affiliate and Referral Partners.* Active has referral relationships with third-party companies and individuals ("Referral Partners") who refer their customers to Active. Active and a Referral Partner may share certain information with respect to a customer that is referred by Active or a Referral Partner to allow Active and the Referral Partner to establish the identity of the shared customer and determine referral fees owed.
- *Corporate Clients and Suppliers.* By providing your personal information to Active for use by a corporate Client or a Supplier (e.g., to make reservations with a particular hotel) you consent to Active providing a copy of your personal information to that corporate client or Supplier for collection, processing and any further transfer in accordance with the privacy policy (if any) of that corporate client or supplier. Active is not responsible for any actions of its corporate Clients or Suppliers.
- *Government Clients.* By making reservations on the Sites for campgrounds or using other services provided by government entities, you consent to us sharing your personal information and public agency reservation information with the government agencies and other third parties associated with the registration or reservation you are making or service you are using ("Government Agency Partners"). Government Agency Partners may use your personal information and public agency reservation

information in accordance with their own privacy policies. You will need to contact those Government Agency Partners who contact you to instruct them directly regarding your preferences for the use of your personal information and public agency reservation information by them.

We also may share your information for the following reasons:

- *Business Transfers.* If we are acquired by, or merged with, another company, or if substantially all of our assets are transferred to another company, or as part of a bankruptcy proceeding, we may transfer the information we have collected from you to the acquiring company. You acknowledge and agree that any successor to or acquirer of Active will continue to have the right to use your information in accordance with the terms of this Privacy Policy.
- *In Response to Legal Process.* We also may disclose the information we collect from you in order to comply with the law, a judicial proceeding, court order or other legal process, such as in response to a subpoena.
- *To Protect Active and Others.* We also may disclose the information we collect from you where we believe it is necessary to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety of any person or violations of our Terms of Use or this Privacy Policy.
- *Aggregate and Anonymized Information.* We may share aggregate or anonymized information about Customers with third parties for marketing, advertising, research or similar purposes. For example, if we display advertisements on behalf of a third party, we may share aggregate, demographic information with that third party about the Customers to whom we displayed the advertisements.

***Third Party Applications.*** Third party applications, such as the Facebook, Twitter, Pinterest, or Google buttons, may be available on our Sites. The owners or providers of those third party applications may collect personally-identifiable information from you. Their collection of information is bound by their own information collection policies and practices. Your interactions with third party applications on our Sites may be shared with others within your social network. We are not responsible for the collection and use of your information by third parties.

***Network Advertisers.*** Network advertisers are third parties that display advertisements based on your visits to our Sites and other websites you have visited. This enables us and these third parties to target advertisements to you for products and services

in which you might be interested. These third party services may use cookies, JavaScript, web beacons (including clear GIFs), Flash LSOs and other technologies to measure the effectiveness of their ads and to personalize advertising content to you. These third party technologies are governed by each third party's specific privacy policy, not this one. We may provide these third parties with information, including both personally identifiable and non-personally identifiable information, about your usage of our Sites and our Services. For more detailed information on the use of third party technologies and how to opt out of receiving targeted advertisements, please see our cookie policy: <http://www.Activenetwork.com/information/cookie-policy.htm>.

***Third Party Links.*** At times, our Sites and Applications may contain links to other third party websites. Any access to and use of such linked websites is not governed by this Privacy Policy, but instead, is governed by the privacy policies of those third party websites, and we are not responsible for the information practices of such third party websites.

## **HOW SECURE IS INFORMATION ABOUT ME?**

We have implemented commercially reasonable precautions, including, where appropriate, password protection, encryption and secure socket layering to protect our Sites and the information we collect from loss, misuse and unauthorized access, disclosure, alteration and destruction. Please be aware that despite our best efforts, no data security measures can guarantee 100% security all of the time. Please keep this in mind when disclosing any of your personal information via the Internet.

You should take steps to protect against unauthorized access to your password, computer and web-enabled devices, among other things, by signing off after using a shared computer, inserting a password on your web-enabled device, choosing a password that nobody else knows or can easily guess, keeping your password private, and periodically changing your password. You should never share your log-in information with others. We are not responsible for any lost, stolen or compromised passwords, or for any activity on your account via unauthorized password activity. More information on Active's security can be found at: <http://www.Activenetwork.com/security.htm>.

## **CAN I ACCESS AND MODIFY MY PERSONAL INFORMATION?**

If your personal information changes, or if you no longer desire our service, you may correct, update, delete/remove, or ask to have it removed from a public forum or testimonial by making the change within your account settings or by contacting us via one of the methods listed in this Privacy Policy. We will respond to your request to access within 30 days. Please note that copies of information that you have updated, modified, or deleted may continue to reside in our systems for a period of time. Also, you may not be able to remove your personal information from archived web pages that we no longer maintain – such as your name and race time from a past Event. In the event we are unable to complete your access request, we will notify you if we are unable to do so and provide an explanation as to why. We may decline to process requests that are unreasonably repetitive, require disproportionate technical effort, jeopardize the privacy of others, are extremely impractical or for which access is not otherwise required by local law.

If your information has been shared with a third party, as described above, or collected on behalf of a Client, then that third party has received their own copy of your data. If you have been contacted by one of these third parties, or one of our Clients, and wish to correct or request they delete your information, please contact them directly.

## **WHAT CHOICES DO I HAVE REGARDING MY INFORMATION?**

Active may send you emails from time-to-time, for example, to ask you about an Event in which you participated. When you use our Services, you may have the option of signing up for news and offers from us or other third parties, which may include information about Events, our newsletter or other items that we (or third parties) believe may be of interest to you.

If, at any time, you would like to stop receiving the information that you have requested to receive from us, you may follow the “opt out” instructions contained in any such e-mail. Please note that it may take up to 10 business days for us to process “opt out” requests.

To “opt out” of products, programs, Services or offers from our affiliates and trusted partners, please contact [privacy@Activenetwork.com](mailto:privacy@Activenetwork.com) or log into your account and update your subscription preferences. If you “opt out” of receiving emails or promotions from us, we still may send you emails about your account or any Services you have requested, or received from us, or for other customer services purposes. In addition, you may still receive emails sent by our Clients through means other than our system. Further, if you “opt out” of receiving information related to a particular Event, you will still receive Active

communications and communications from other organizers whose Events you have attended, or are registered to attend, or who have otherwise obtained your email address. So you may have to unsubscribe from multiple emails before you stop receiving all communications related to Events for which you registered through our Services. Note that you cannot unsubscribe from update communications about the Services unless you close your account.

If you do not wish to have your personal information shared with third parties for the creation and display of targeted advertisements, you will need to close your account. This action may be possible through the settings within your account or by contacting us at [privacy@Activenetwork.com](mailto:privacy@Activenetwork.com).

By electing to stop receiving all communications from us or through our system, you will no longer receive any updates on your account or on Events you are registered to attend, or have previously attended, including communications regarding refunds. We do not recommend that you do this unless you plan to no longer use the Services, are not currently registered for an Event, are not currently organizing an Event and will have no need to receive further communications from us or through our system. Even after you “opt out” of all communications, we will retain your information in accordance with this Privacy Policy; however, we will no longer use it to contact you. However, our Clients who have received your information in accordance with this Privacy Policy may still use that information to contact you in accordance with their own privacy policies, but they may not use our system to do so.

For the ActiveGlobal Site, you may delete/remove personal information by submitting a request to Customer Support at <http://www.Activeglobal.com/AboutUS/index.cfm?AC=ContactAE>.

If you would like to delete your account with us, you may do so by emailing us at [support@Activenetwork.com](mailto:support@Activenetwork.com) and specifying which account(s) to delete.

#### **CONSENT TO TRANSFER INFORMATION TO THE UNITED STATES**

Active and its wholly-owned subsidiary, StarCite, Inc., each comply with the U.S. – E.U. Safe Harbor framework and the U.S. – Swiss Safe Harbor framework as set forth by the U.S. Department of Commerce regarding the collection, use, and retention of personal data from European Union member countries and Switzerland. Active and StarCite, Inc. have certified adherence to the Safe Harbor Privacy Principles of notice, choice, onward transfer, security, data integrity, access, and enforcement. To learn more about the Safe Harbor program and to view the certifications, please visit <http://www.export.gov/safeharbor/>.

For disputes that may arise regarding the human resources data of our employees, we have agreed to use TRUSTe as our independent third party dispute resolution partner. A link to TRUSTe's dispute resolution mechanism is accessible above.

If you are located outside of the United States, please note that information we collect may be transferred to and processed in the United States. By using our Sites and Applications, you consent to the transfer and processing of your information in countries which may not have data protection laws that provide the same level of protection that exists in countries in the European Economic Area. Your consent is voluntary. If, however, you do not consent, then we may not be able to provide you with our Services.

Notwithstanding the foregoing, if you are registering for an Event with a government entity, we may be restricted by law or contract from transferring your information outside of the particular jurisdiction in which that government entity resides.

#### **CHILDREN UNDER 13 YEARS OF AGE**

Parents have the right to consent to the collection and use of personal information from children under 13 years of age (collectively, "Children," and individually, a "Child") without also consenting to the disclosure of such information to outside third parties, except in order to provide the Services. Active does not share personal information collected from Children with third parties for any purpose other than to provide the Services.

#### ***What information do we collect from children under the age of 13?***

- Personal information such as a parent's email address;
- Username and password;
- Date of birth;
- Display name (this is the name other people will see when the Child posts items to one of our Sites or engage in other similar activities on our Sites);
- Information about a Child's activities and interests;
- Other profile data, such as contact information, gender, and photo (collected from the parent);
- Physical activities or similar health related information (how long you exercised, caloric intake, or weight lost);
- The contact information of a friend (when inviting them to visit the Site);

***How we use the information collected from Children?***

- To provide a notice to parents regarding your Child's interest in registering to use the Sites;
- To obtain verifiable parental consent;
- To provide our Services, to communicate with parents about your Child's use of our Services and for other customer service purposes;
- To provide information that a parent or Child has requested to receive from us in response to an opt-in request;
- To provide our Services at the request of our Clients
- To administer Events;
- To provide results of Events;
- To improve our Sites and Services by providing personalized experiences, location customization, personalized help, and instructions.

***Can I access and modify my Child's personal information?***

If your Child's personal information changes, if you no longer wish to allow your Child to participate on the Sites, or if you wish to delete your Child's information and refuse further collection and use of the information, please email us at [privacy@Activenetwork.com](mailto:privacy@Activenetwork.com).

***How long is my Child's information retained?***

We will retain the information we collect for as long as it is needed to provide our Services while yours or your Child's account is Active. You may close your or your Child's account by contacting us. Notwithstanding the foregoing, we may retain your or your Child's information for an additional period as is permitted or required to comply with our legal obligations, resolve disputes, and enforce our agreements. Please note that even if we delete your or your Child's information, it may persist on backup or archival media and other information systems.

**TERMS OF USE**

Your use our Sites or Services, as well as any dispute over privacy, is subject to this Privacy Policy and our Terms of Use, <http://www.Activenetwork.com/information/terms-of-use.htm>, including applicable limitations on damages and the resolution of disputes.

## **SPECIAL INFORMATION FOR CALIFORNIA RESIDENTS**

California residents may request a list of all third parties to which Active has disclosed certain personally-identifiable information about you for marketing purposes. You may make one request per calendar year. In your request, please attest to the fact that you are a California resident and provide a current California address for your response. You may request this information in writing by contacting us at:

Attn: Active Privacy  
The Active Network, Inc.  
10182 Telesis Court  
San Diego, CA 92121  
Phone: 858-964-3800  
Toll Free: 888-543-7223  
Email: [privacy@activenetwork.com](mailto:privacy@activenetwork.com)

## **CHANGES TO THIS PRIVACY POLICY**

We may change this Privacy Policy from time to time, so be sure to check back periodically. If we make any changes to this Privacy Policy that materially affect our practices with regard to the personal information we have previously collected from you, we will endeavor to notify you in advance of such change, by highlighting the change on the Sites or by sending an email to you at the email address that you have registered with us. Your continued use of the Services after any changes or revisions to this Privacy Policy will indicate your agreement with the terms of the revised Privacy Policy.

If we make material changes to how we use personal information collected from Children under the age of 13, we will notify parents by email (at the address provided to us) in order to obtain verifiable parental consent for the new uses of the Child's personal information.

## **CONTACT US**

Active regularly reviews its practices regarding personally identifiable information and this Privacy Policy. If you have any questions, comments or concerns, please contact us at:

Attn: Active Privacy  
The Active Network, Inc.  
10182 Telesis Court  
San Diego, CA 92121  
Phone: 858-964-3800  
Toll Free: 888-543-7223

Email: [privacy@Activenetwork.com](mailto:privacy@Activenetwork.com)