

## **Privacy Policy**

Last Updated: February 8, 2018

### **CORPORATE PRIVACY POLICY**

We value you as a customer and take your personal privacy seriously. In the course of providing you with products and services, we may collect certain personal information that we understand may be considered private or confidential. We are therefore providing this Privacy Policy to explain our practices and policies for collecting, using and sharing information collected from or about you. In this Privacy Policy, terms such as “us” “we” and/or “our” refer to Racing Associates of Colorado, Inc. and its subsidiaries.

#### ***Our Privacy Principles***

- We protect, according to strict standards of security and confidentiality, all nonpublic personal information we collect about our customers.
- We maintain physical, electronic and organizational safeguards to protect this information.
- We require any person or organization providing products or services to customers on our behalf to protect the confidentiality of this information.
- We permit only authorized employees and contractors, including but not limited to consultants, to have access to nonpublic personal information of our customers.
- We afford former customers the same protections as existing customers with respect to the use and sharing of their information.

#### ***Information We May Collect***

We collect and use information we believe is necessary to administer our business and provide you with the products and services you request. We may collect and maintain both personal and non-personal Information needed for these purposes.

“Personal Information” includes any information by which you can be personally identified, such as your first name, last name, address, phone, email address, credit card number, social security number, Rewards number, date of birth, purchase information, gaming information and other similar information. You may provide us with Personal Information under a wide range of circumstances, such as when you submit information to us through our websites; sign up for email or text messages.

“Non-Personal Information” is information about you that does not personally identify you. Information of this type is most commonly obtained through your use of our websites and visits to our businesses.

### ***How We May Use Your Information***

We will use the Personal Information you provide to us for the specific purposes for which you provided the information, as stated at the time of collection. The following are some other ways in which we may use your information to administer our business and provide you with the products and services you request:

- to notify you about promotions and special offers regarding products and services provided by us or our affiliates or other associated third parties;
- to improve the products and services we provide you and develop new products and services;
- to improve our websites;
- to generate aggregate statistical studies about our customers;
- to contact you in response to your inquiries, comments and suggestions;
- to provide you with a secure and safe environment;
- to contact you when necessary;
- for identification and verification purposes;
- to analyze fraud and credit risk; and
- As permitted or required by law or for compliance with regulatory requirements
- Otherwise with your consent

### ***Information Disclosure to Affiliated Entities***

For business purposes, we may share certain Personal and Non-Personal Information we receive from you, and about your transactions with us, with our affiliates, including our owned, operated, and managed casinos, online, mobile and web based businesses, and other corporate entities or affiliates. Doing so allows us to provide the products and services you have requested and quickly respond to applications for credit or other financial services. We may also disclose your Personal Information to our affiliates if you participate in our “self-exclusion” programs.

### ***Information Disclosure to Non-Affiliated Entities***

As permitted and/or required by law, we may share the information we collect from and about you with non-affiliated third parties.

Information may be shared with or collected by third party service providers who provide us with services such as credit card processing, credit checks or processing and fulfilling reservations or purchases. We require these providers to exercise reasonable care to protect your Personal Information and restrict the use of your Personal Information to the purposes for which it was provided to them.

We may share certain limited information about you with other companies with whom we have joint marketing agreements or other businesses with whom we have a contractual relationship (“Joint Marketing Partners”), who may contact you as part of a third party promotional program or loyalty program. These businesses generally include financial services companies, such as banks and other

service providers. We may transfer or provide a copy of your Personal Information to non-affiliated third parties in connection with an acquisition, merger, restructuring, sale, reorganization or other transfer involving any of our properties or all or any portion of our business.

We may also disclose your Personal Information to third parties for the following purposes:

- as required by law or regulation;
- to comply with legal, regulatory or administrative requirements of any governmental authorities, including but not limited to gaming regulators;
- to comply with a court order, subpoena, search warrant or other valid legal process;
- to perform background checks for any reason which includes but is not limited to any investigation into your identity, any credit checks or any inquiries into your personal history;
- to enable you to participate in offline events and tournaments;
- to provide prizes to you;
- in connection with any legal action, claim or dispute, including but not limited to the collection of debts; and
- for audit purposes as required; and
- for the protection persons or property.

#### ***How to Access, Update and Correct Personal Information***

In order to ensure that all of your Personal Information is correct and up to date, visit and speak to a customer service representative in the General Office.

#### ***Changes in Privacy Policy***

Over time, it may be necessary to modify or supplement our Privacy Policy. When we make changes, we will post the changes to our websites and change the date at the top of the policy. The amended Privacy Policy will be effective upon posting on the Site. We encourage you to visit our websites from time to time to review our Privacy Policy in the event it has changed. Your continued provision of information to us or use of our websites following the posting of changes to the Privacy Policy means that you accept the changes and our use of your Personal Information in accordance with the revised Privacy Policy. If we make any material changes, we will also provide our current Financial Services customers with revised notices as described below.

Additionally, in relation to the online Privacy Policy, we reserve the right to amend, modify, update and change any of the terms and conditions of the online Privacy Policy from time to time and you may be required to accept such changes to the Privacy Policy in order to continue using the online services and products.

#### ***Legal Gaming Age Policy***

Persons under the legal gaming age in the applicable jurisdiction are not permitted to gamble at our properties and/or online or through any web or social mobile application, or loiter on any of our casino

properties located in the United States. Any offers we make or any contests we conduct, unless otherwise noted, are not open to persons younger than the legal gaming age in the applicable jurisdiction. Persons younger than this legal age are not allowed to use our websites or mobile applications, accept offers, or win contests, and we do not knowingly collect information from such persons for gaming-related offers. We reserve the right to verify age at any time for any reason and may decline to provide products, services or access rights to any person who does not have valid age identification.

### ***Video Surveillance***

We use surveillance systems to monitor all public or sensitive areas of our properties. Video surveillance cameras are used for security purposes and to protect the Company, our customers, and employees against potential violations of criminal or civil laws. Surveillance camera output is monitored by our employees and contractors and may be viewed by law enforcement and regulatory authorities.

### ***CONSENT***

By providing your Personal Information or logging on to the Website, you expressly consent to the collection, processing and disclosure of your Personal Information for the purposes described in this Privacy Policy. Your continued use of the services included in the Website constitutes your agreement to this Privacy Policy and any amendments thereto.

### ***RESPONSIBLE GAMING***

Racing Associates of Colorado, Inc. takes responsible gaming very seriously. Our Responsible Gaming Policy can be found here: <https://www.problemgamblingcolorado.org/>.

### ***CONTACT US***

Should you have additional questions, comments or concerns, please contact us here <https://www.mhiracingcom/mhre/micontact>.

### ***ONLINE PRIVACY POLICY***

In addition to the practices and policies described above, the following apply to our websites and mobile applications (each a "Site").

#### ***A. Additional Information We May Collect***

##### ***Traffic Data***

We automatically track and collect general log information when you visit our Site, including your: (i) Internet Protocol (IP) address, (ii) domain server, (iii) operating system, and (iv) type of Web browser as well as the pages you visit on our websites and mobile applications (collectively "Traffic Data"). Traffic

Data does not personally identify you, but is helpful for marketing purposes and for improving your experience on the Sites. We use the Traffic Data to report aggregated website activity and to better understand the needs of our users so we can make informed decisions regarding the content and design of the Site, for fraud prevention purposes, recognizing your geo-location and to detect responsible gaming issues. Amongst other things, it enables us:

- to estimate our audience size and usage pattern;
- to learn what information is of most and least interest;
- to speed up your searches; and
- to learn of any possible Site performance problems.

We may collect Traffic Data through various technologies including, but not limited to, cookies, IP addresses, and transparent GIFs (Graphics Interchange Format, a software technology also known as a pixel tag).

### ***Personal Information***

You may provide us with Personal Information when you use the Site or websites operated by our service providers by completing online forms or entering information where requested, or by sending us emails or text messages.

### ***Cookies and Other Technologies***

We use cookies and other technologies on our Sites. Cookies are small text files offered to your computer by servers in order to keep track of your browser as you navigate the Site. Cookies may be stored on your hard drive in which case they remain on your hard drive until deleted, or in temporary memory in which case they are deleted when you shut down your browser or turn off your computer. We may use cookies and similar technologies to identify who you are and may use them when you visit our Site, click on our ads, or open our emails. Cookies also enable us to remember your user preferences for our Site. In addition, if you choose to provide us with Personal Information, we may store some items of your Personal Information and use it with the Traffic Data to better personalize your experience on our Site. Cookies and other technologies may also be used for site maintenance and analysis, performing network communications, authenticating users, serving contextual advertisements, and protecting against fraud and theft. You can block or remove cookies using your Internet browser's settings. If you block or remove cookies, your ability to perform certain transactions, use certain functionality, and access certain content on our Site may be affected. Please consult the "Help" section of your browser for instructions on how to do so correctly. Also, please note, that Flash cookies do not operate the same way as browser cookies, therefore, the cookies management tools that are available in most of the web browsers may not enable removal of such flash cookies. If you wish to learn more about management of flash cookies, you can check at [www.adobe.com](http://www.adobe.com) and make changes at the privacy settings panel. If you disable cookies, you may lose some of the features and functionality of playing our games, as cookies are necessary to track and enhance some of our game activities.

Third-party advertising companies that work with us may also use cookies and other similar technologies to collect Non-Personal Information to provide you with advertisements that are likely to be of interest to you.

### ***B. Online Security***

We use industry-leading safeguards to protect the Personal Information that we collect from unauthorized access. However, due to the design of the Internet, we cannot guarantee that communications between you and our servers will be completely secure or free from unauthorized access by third parties.

### ***C. External Links***

The Site may contain hyperlinks to other websites that may have information policies and practices that are different from ours. The fact that we have provided a link to a site is NOT an endorsement, authorization, sponsorship, or affiliation by us with respect to such site, its owners, or its providers. Links to other websites are provided only as a convenience to you. We are not responsible for the content, validity, privacy policies or reliability of any website linked to this Site that is not within our family of properties. There are risks in using any information, software, products or services found on the Internet, and you should make sure that you completely understand these risks before using, relying upon, or purchasing anything via the Internet.

### ***D. Terms of Use***

Your use of our Site constitutes your acceptance of the terms and conditions in this Privacy Policy as modified from time to time. By using our Site, you represent that you are of the legal gaming age in the applicable jurisdiction where you reside.

### ***E. Non-U.S. Residents***

Unless otherwise specified, our Site and material provided on our Site are solely for promoting products, programs, and business operations within the U.S. If you do not reside in the U.S. and are visiting this Site, if you provide Personal Information to us, it may be transferred to and processed on computers in the U.S. and other countries. Do not provide your Personal Information to us if you do not want this information to be transferred outside of your country, or if the laws in your country restrict these types of transfers. Instead, please contact us using the information provided in the section titled "Contact Us." Your provision of Personal Information to us will be handled in accordance with this Privacy Policy. Your provision of Personal Information to us through this Site means that you agree to the terms of this Privacy Policy.