

## **Privacy Policy and SMS Terms of Use**

Thank you for using the *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* ("our", "us" or "we") website located at <https://www.blarneycastleoil.com> (the "Website") and our services. Please do not use our Website or any of our services until after you carefully review and accept all terms and conditions in this Privacy Policy (the "Policy"), as well as the *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* Terms of Service (the "Terms of Service"). This Policy is part of, and is subject to, the Terms of Service; any capitalized terms not defined in this Policy have the meaning identified in the Terms of Service. *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* and you may be referred to in this Policy individually as a "party" and collectively as "parties."

BY ACCESSING OR USING THE *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* WEBSITE OR SERVICES, OR BY CLICKING A BOX INDICATING YOUR ACCEPTANCE, OR BY EXECUTING AN ORDER FORM THAT MENTIONS THE *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* TERMS OF SERVICE, YOU AGREE TO THIS POLICY. IF YOU ARE ACCESSING OR USING OUR WEBSITE OR SERVICES AS AN AGENT OR EMPLOYEE OF A COMPANY OR OTHER LEGAL ENTITY, YOU REPRESENT THAT YOU HAVE THE LEGAL AUTHORITY TO BIND, AND ARE BINDING, THAT LEGAL ENTITY TO THIS POLICY (IN WHICH CASE "YOU" AND "YOUR" REFER TO THAT LEGAL ENTITY). IF YOU DO NOT HAVE THAT AUTHORITY, OR IF YOU DO NOT (OR LACK THE LEGAL CAPACITY TO) AGREE TO ALL OF THIS POLICY AND THE TERMS OF SERVICE, YOU ARE NOT PERMITTED TO USE OUR WEBSITE OR SERVICES.

*Blarney Castle Oil and Propane and the EZ Mart Family of Stores* RESERVES THE RIGHT TO MODIFY THIS POLICY, AND THE TERMS OF SERVICE, AND OUR OTHER POLICIES AND SERVICES AT ANY TIME. SUCH MODIFICATIONS WILL TAKE EFFECT WHEN *Blarney Castle*

*Oil and Propane and the EZ Mart Family of Stores* POSTS ON ITS WEBSITE, OR OTHERWISE PROVIDES, AN UPDATED VERSION OF ANY OF ITS POLICIES OR SERVICES (OUR USE OF PERSONAL INFORMATION IS GOVERNED BY THE VERSION OF THIS POLICY AND THE TERMS OF SERVICE IN EFFECT AT THE TIME WE USE THE INFORMATION, NOT WHEN IT IS COLLECTED.) ACCORDINGLY, YOU ARE RESPONSIBLE FOR REGULARLY REVIEWING THE *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* WEBSITE, TERMS OF SERVICE, THIS POLICY AND *Blarney Castle Oil and Propane and the EZ Mart Family of Stores'* OTHER POLICIES. YOUR CONTINUED USE OF OUR WEBSITE OR ANY *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* SERVICES AFTER SUCH MODIFICATIONS ARE POSTED, OR OTHERWISE PROVIDED, CONSTITUTES YOUR CONSENT TO SUCH CHANGES.

Your privacy is important to us, and we understand that you expect us to share Personally-Identifiable Information (defined below) about you carefully. This Policy describes our practices regarding your Personally-Identifiable Information. Specifically, this Policy sets forth:

What Personally-Identifiable Information is; What information about you *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* collects; How *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* uses such information; How *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* shares such information; How *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* protects such information; and How you may access, verify and, if necessary, correct such information.

#### 1. "Personally-Identifiable Information" Defined

In this Policy, "Personally-Identifiable Information" and "PII" mean any information that may be used (alone or in combination with other information) to identify an individual, including, but not limited to: a first or last name; a home or other physical address; an

email address; a phone number or other contact information; and credit card or other payment information.

## 2. What Information About You Does *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* Collect?

When you use the *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* Website or services, *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* may collect information about you in the following ways: (a) you may provide information to us (e.g., during the registration or ordering process); and (b) we may receive information about you automatically or indirectly in the course of our interactions (e.g., by virtue of you using our Website).

### Information You Provide

We receive and store information (including, but not limited to, Personally-Identifiable Information) you choose to enter on the *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* Website or provide us in other ways, e.g., by telephone or email. For example, when you register for our services or complete an online questionnaire, we collect information about you, which may include: your first and last name; home and other mailing address; email address; birthday; phone number; credit card or other payment information; and general information about you and your business activities. You may also choose to provide information regarding friends or family members (e.g., to tell them about the *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* Website or services). We may also combine information you provide with other information about you that you provide to other online and offline sources (e.g., our merchant partners who may give that information to us) to provide you with a better experience and improve the quality of our services. For certain services, we may give you the opportunity to opt-out of such combining of information. You can also choose not to provide us with certain information, but then you might not be able to take advantage of some of our services or features. In

general, the more information you give us, the better we can provide and improve our Website and services to meet your needs.

### Information We Collect Automatically Or Indirectly

We also collect other information about you automatically or indirectly when you use our Website or services. For example, we automatically receive and record certain information about you (i) when you use a mobile device to access our Website or services, and (ii) when you use a Web browser to access our Website or services – e.g., your IP address, the type of Web browser you are using, Cookie Information (defined below) and the Web pages you request, travel to and link to. Our Website and services also automatically collect usage information like the numbers and frequency of visitors to our Website and its components. Cookie Information (also called "Cookies") is alphanumeric identifying information we transfer to your computer through your Web browser to enable our Website and other systems to recognize your browser and tell us how and when certain pages in our Website are visited and by how many people. Our Cookies do not collect Personally-Identifiable Information, and we do not combine PII collected through Cookies with other PII to tell us your identity, screen name or email address.

The "Help" portion of the toolbar in most Web browsers provide information regarding how to prevent your browser from accepting new Cookies, how to command the browser to tell you when you receive a new Cookie, or how to fully disable Cookies. We strongly recommend that you leave the Cookies activated, however, because Cookies enable you to take advantage of some of our Website's most attractive features. Several companies also offer programs that help you to visit websites anonymously. Although ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** will not be able to provide a personalized experience if we cannot recognize you, we want you to be aware these programs exist. When you connect to our Website or other services using your mobile device, ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** will receive information your

mobile service provider sends uniquely identifying your device. Certain ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** services may also require us to collect from you the phone number, and/or other unique identifying information, for your device. We may associate that phone number to the mobile device identification information and to other information we have collected from and about you; however we will not use that number for telemarketing. Some mobile service providers are required to operate a system that will record the physical location of devices that use their service. Depending on the mobile service provider, ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** may automatically receive that information.

### 3. How Does ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** Use the Information We Receive?

***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** may use the information (including PII) we receive to send you (and your friends and family, as applicable) promotional emails regarding our Website and services, your preferences, and ways we can improve future user experiences with ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores***. For example, ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** may use your information to offer you extended services and/or functionality. If at any time you decide you want to stop receiving such promotional emails from ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores***, please notify us by opting out or by calling our promotional partner at **1-231-347-8713**.

We may use the information we receive to: (a) provide you access to our Website and services; (b) monitor and support your use of our Website and services; (c) better understand what products and services are of interest to our users; (d) analyze how we may improve our Website and services; (e) notify you of changes to our services or applicable terms; and (f) accomplish a specific purpose for which you provide particular information to us.

We only utilize Website usage data in aggregated form. We use such aggregated usage data to understand users' preferences, and to measure interest in aspects of our Website and services (e.g., how often customers use various parts of the Website). That helps us enhance the appeal of our Website and services to as many customers as possible.

#### 4. How Does *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* Share the Information We Receive?

*Blarney Castle Oil and Propane and the EZ Mart Family of Stores* is not in the business of selling your information. We do not share your Personally-Identifiable Information except as approved by you or described in this Policy:

##### A. Related Companies, Agents and Service Providers

We may share your information (including PII) with any legal entity that is affiliated with *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* for purposes consistent with this Policy. *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* may also engage other independent companies and individuals to perform services on our behalf (e.g., processing credit card payments, sending postal mail and email to you, and analyzing data). Although these agents and service providers may have access to your PII to perform such services for us, we will not permit them to use any PII for any other purpose.

##### B. Business Partners

We may also provide certain information (e.g., statistical data) to our third party business partners regarding how our customers, in the aggregate, use our Website and services. We share this type of information to help our business partners optimize their related services and understand how often our users utilize aspects of our Website and services that are relevant to our business partners.

### C. Protection of *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* and Others

We may release your account information and other PII to appropriate third parties (including, but not limited to, legal authorities) when we believe such release is necessary to: comply with the law; enforce or apply our Terms of Service; or protect the rights, property, or safety of *Blarney Castle Oil and Propane and the EZ Mart Family of Stores*, our users, or any third parties (including, but not limited to, exchanging information with other companies and organizations for fraud protection and credit risk reduction).

### D. Business Transfers

As we continue to develop and grow our business, *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* may merge, sell or otherwise transfer some or all of our assets or business. Your PII may be one of the assets we transfer as part of such a transaction.

### 5. How Does *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* Protect the Information We Receive?

We have taken certain physical, electronic, contractual and managerial steps to safeguard and secure the information we collect from our users and store on our servers. We also use Secure Sockets Layer (SSL) encryption software to protect the security of your information during transmission to us. However, no method of transmission over the Internet or method of electronic storage is 100% secure. Therefore, while we strive to use commercially acceptable means to protect your information, *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* cannot and does not guarantee its absolute security.

You can also enhance your security by protecting against unauthorized access to your computer, and to your *Blarney Castle Oil and Propane and the EZ Mart Family of Stores*

username and password. You should also be sure to sign-off our Website each time you finish using a shared computer.

## 6. How Can You Access and Change Your Information?

Upon request, we will allow you to access and change certain information about you (e.g., your ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** username and password, contact information, transaction information and payment information) using the Support section of our Website.

## 7. Miscellaneous

### A. Third Party Websites

Our Website may permit you to link to other third party websites on the Internet, and other websites may contain links to the ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** Website. These third party Websites are not under ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores***' control. The privacy and security practices of websites linked to or from our Website are not covered by this Policy or the ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** Terms of Service, and you should carefully review the applicable third party terms. ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** is not responsible for the privacy or security practices, or the content, of any such third party websites, and you specifically agree and acknowledge that ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** will not have any liability in connection with any such third party websites. ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** does not endorse, approve or sponsor any such third party websites unless expressly indicated by ***Blarney Castle Oil and Propane and the EZ Mart Family of Stores*** in writing.

### B. No Use By Children



Our Website and services are not intended for use by children under 13 years of age; if you are under 13, you are not permitted to use our Website or services in any way. **Blarney Castle Oil and Propane and the EZ Mart Family of Stores** does not knowingly collect any Personally-Identifiable Information from any children under 13. If you have any concerns about privacy on the Website, please email [frontdesk@106khq.com](mailto:frontdesk@106khq.com) and we will try to resolve it.

## 7. SMS Mobile Messaging Terms of Use

A. Companies' SMS and MMS Text Messaging Programs: Through the technology platform and associated services provided by **Blarney Castle Oil and Propane and the EZ Mart Family of Stores**, third party companies and entities ("Companies") may engage in mobile messaging campaigns with their customers in which customers may subscribe to receive messages on a wireless device via short message service ("SMS") or multimedia message service ("MMS"), otherwise known as "text messages," the frequency and availability of which will depend on the activity as well as the preferences a customer may have (or have not) set for the service. In connection with text messaging programs, Companies are responsible for (a) obtaining prior express written consent from their customers to receive text messages and/or distribute text messages, (b) the collection of customer lists, and the preparation and distribution of all messages and content to customers through text messages, and (c) complying with applicable laws, regulations and guidelines including, without limitation, the carrier or wireless industry guidelines regarding data privacy or transmission of technical or personal data. By completing all of the steps that are designated to opt in to receive text messages for a specific usage designated by the Companies, the consumer consents to the following: 1. He or she may receive recurring text messages to the mobile number provided; 2. He or she is being sent text messages using autodial or other automated technology; 3. He or she is not required to provide consent as a condition of purchasing any goods or services; and 4. He or she is confirming that he or she is over the age of 13.

B. Cancellation: Customers may cancel or opt out of any text messaging provided by Companies by replying "STOP" (or "UNSUBSCRIBE" "CANCEL" "QUIT" or "END") from his or her mobile device to any text message received from Companies. Customers understand that, for their protection, they may receive a text message on the mobile number confirming the cancellation. To stop a service at any time, reply STOP to **88474**.

C. Help: If customers require additional information or assistance, reply "HELP" from his or her mobile device to any text message received from Companies. Message and Data Rates Fees: Customers' mobile service provider's standard messaging and data rates may apply to text messages that customers send or receive for a specific usage designated Companies. Companies and *Blarney Castle Oil and Propane and the EZ Mart Family of Stores* assume no responsibility for charges incurred by customers signing up for text messaging. Any text messaging fees that customers incur will be billed on his or her individual mobile provider bill. Text HELP to **88474** to receive help information. For Support, email [frontdesk@106khq.com](mailto:frontdesk@106khq.com).

D. Privacy: Collection, storage and use of customers' mobile number are done accordance with the privacy policy and applicable terms of use of the Companies.