

Del Taco® Privacy Policy

This Privacy Policy was last updated and is effective as of December 27, 2019.

This Privacy Policy (the “Privacy Policy”) sets forth a description of practices related to personal data privacy and security of Del Taco LLC and its successors, parents, subsidiaries, affiliates, and related companies or other companies under common control that we may have now or in the future operate (“Del Taco,” “we,” “our,” or “us”). This Privacy Policy applies to Del Taco’s websites (including www.deltaco.com, www.deltacowebstore.com, www.deltaco.orderingstore.com and www.deltacofranchise.com), interactive features and mobile sites that post a link to it (collectively “Sites”) whether accessed via personal computers, mobile devices, tablets or otherwise (collectively, “Device”). This Privacy Policy covers information collected at the Sites. It does not cover any information collected at any other websites, including those maintained by Del Taco franchisees, or offline by Del Taco (unless specifically stated, such as in our stores in connection with a consumer promotion). This Privacy Policy explains how Del Taco collects, uses and shares information when you access or use our Sites. Please read this Privacy Policy carefully and review the Terms of Use, which governs your use of and access to the Sites.

Please note: The laws and regulations in different countries impose different (and even conflicting) requirements for Internet and data protection. The servers that make the Sites available worldwide are located in the United States (U.S.). All matters relating to the Sites are governed by the laws of the State of California. The Sites are intended for use by U.S. consumers only. Please note that any information you provide will be transferred directly to the U.S., and by using the Sites or providing us your Personal Information, you authorize this transfer.

By using the Sites and/or providing us your Personal Information, you signify your acknowledgement of the Privacy Policy. If any term in this Privacy Policy is unacceptable to you, do not use the Sites or provide any Personal Information.

Table of Contents

1. Information We Collect
2. Use and Disclosure of Information
3. Message Boards, Forums and Communities
4. Links To Third Party Sites and Content from Third Party Sites
5. Updating Your Information and Your Communication Choices
6. Ad Serving
7. Consent to Transfer
8. Security
9. A Special Note To Parents
10. Your California Privacy Rights
11. Privacy Policy Revisions
12. Questions? Contact us

1. Information We Collect

In the course of our business, we may collect information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household (“Personal Information”). Depending on how you have interacted with us, we may have collected certain information within the following categories of Personal Information from you in the last twelve (12) months. The categories below are those identified in the California Consumer Privacy Act (“CCPA”). Please note that we have not collected every type of Personal Information identified in the examples below, and the categories of Personal Information we collect may vary for each consumer.

Category	Examples	Collected?
Identifiers.	This category may include: name, postal address, unique personal identifiers, online identifiers, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers. Under the CCPA, “unique identifiers” or “unique personal identifier” means a persistent identifier that can be used to recognize a consumer, a family, or a device that is linked to a consumer or family, over time and across different services.	YES
Personal Information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	This category may include: name, signature, Social Security number, physical characteristics, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education or employment information, financial account numbers, medical information, or health insurance information.	YES
Protected classification characteristics under California or federal law.	This category may include: age, race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex and gender information, veteran or military status, or genetic information.	YES
Commercial information.	This category may include: records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
Biometric information.	This category may include: imagery of the iris, retina, fingerprint, face, hand, palm, vein patterns, and voice recordings, from which an identifier template, such as a faceprint, a minutiae template, or a voiceprint, can be extracted, and keystroke patterns or rhythms, gait patterns or rhythms, and sleep, health, or exercise data that contain identifying information.	NO
Internet or other electronic network activity information.	This category may include: browsing history, search history, and information regarding interactions with an Internet Web site, application, or advertisement.	YES
Geolocation data.	This category may include: physical location or movements.	NO
Sensory data.	This category may include: audio, electronic, visual, thermal, olfactory, or similar information.	NO

Professional or employment-related information.	This category may include: current or past job history or performance evaluations.	NO
Non-public education information	This category may include: education records directly related to a student maintained by an educational institution or party acting on its behalf (e.g., grades and transcripts).	NO
Inferences drawn from other Personal Information.	This category may include: inferences drawn from the above information that may reflect your preferences, characteristics, predispositions, behavior, attitudes, or similar behavioral information.	YES

- **Collection of Personal Information You Submit to the Sites**

We may collect Personal Information about you that you provide to us when you use the Site. The information we collect depends on how you interact with the Site. For example, you may provide us with your information when you sign-up to receive newsletters, purchase merchandise and gift cards, apply for a job, or complete our franchise opportunity inquiry form. We may also collect certain demographic information (such as gender or age) and information about your interests and preferences (collectively, “Demographic Information”).

To the extent you provide Del Taco any Personal Information of a third party, you represent that you have provided notice to, and received authorization to provide such information from, that third party.

- **Information Collected From Other Sources**

We may supplement the information we collect about you on the Sites with outside records from third parties for a variety of purposes, including to tailor our content to you and to offer you opportunities to purchase products or services that may be of interest to you. We may combine the information we receive from those sources with information we collect through the Sites. In those cases, we will apply this Privacy Policy to any Personal Information received from third parties, unless we explicitly state otherwise.

- **Usage Information Collected**

We and our third-party service providers, including analytic companies, use technology that automatically or passively collects certain information whenever you visit or interact with the Sites or one of our advertisements on another website (“Usage Information”). This Usage Information may include your browser type, the URL that referred you to our Sites, and areas within our Sites that you visit, among other information. We may use Usage Information for many purposes, including to enhance our Sites. We collect your IP address or other unique identifier for your Device used to access the Sites (“Device Identifier”). A Device Identifier is a number that is automatically assigned to your Device used to access the Sites, and our computers identify your Device by its Device Identifier. When we associate Usage Information or a Device Identifier with you, we will treat it as Personal Information. We may use the following methods, among others, to collect Usage Information:

- **Cookies** are data files placed on a Device when the Device is used to visit the Sites. A Flash cookie is a data file placed on a Device via the Adobe Flash plugin that may be built-in to or downloaded by you to your Device. Cookies and Flash

cookies may be used for many purposes, including, without limitation, remembering you and your preferences and tracking your visits to our web pages. At your option, you may block or delete cookies from your Device. If you choose to disable cookies or Flash cookies on your Device, some features of the Sites may not function properly. For more information about cookies, including links to web browser instructions for disabling and managing such tracking devices, follow this [link](#).

- **Web Beacons.** Web beacons are small graphic images or other programming code (also known as "1x1 GIFS" or "clear GIFs"). We may include web beacons in our web pages and e-mail messages. Web beacons may be invisible to you, but any electronic image or other web programming code inserted into a web page or e-mail can act as a web beacon. Web beacons may be used for a number of purposes, including to count visitors to the Sites, to monitor how users navigate the Sites, and to count how many e-mails that were sent were actually opened.
- **Embedded Scripts.** An embedded script is programming code that is designed to collect information about your interactions with the Sites, such as the links on which you click. The code is temporarily downloaded onto your Device from our web server or a third party service provider, is active only while you are connected to the Sites, and is deactivated or deleted thereafter.
- **Analytics.** Del Taco may use tools, including analytics tools, to collect non-Personal Information regarding your use of the Sites. These analytics tools may collect information such as how often users visit the Sites, what pages they visit when they do so, and what other sites they visit prior to or after coming to the Sites. The data collected through these tools is not tied to any Personal Information about you. You may prevent the use of analytics by disabling cookies as described above.

- **California Do Not Track Disclosures**

Del Taco does not respond to Do Not Track signals. Because a "Do Not Track" protocol has not yet been finalized, the information collection and disclosure practices of the Sites will continue to operate as described in this Privacy Policy, whether or not a Do Not Track signal is received.

2. Use and Disclosure of Information

Del Taco may use information collected through the Sites, including Personal Information to: (i) provide you with information or services that you have requested or agreed to receive; (ii) process transactions made on the Sites; (iii) enable you to participate in a variety of the Sites' features; (iv) tailor the content you see when you visit the Sites; (v) process your registration with the Sites, including verifying your e-mail address; (vi) respond to your questions or other requests; (vii) improve the Sites or for other internal business purposes; (viii) contact you with regard to your use of the Sites and, in our discretion, changes to the Sites and/or policies; (viii) send you marketing messages to your mobile phone or device as explained in our Terms of Use; and (ix) for purposes disclosed at the time you provide your information or as otherwise set forth in this Privacy Policy or with your consent.

Del Taco may share non-personally identifying information, such as aggregated user statistics, with third parties. We do not share your Personal Information with third parties for those third

parties' marketing purposes unless you consent to such sharing at the time you provide your Personal Information. We may share the information we have collected about you, including Personal Information, as disclosed at the time you provide your information, as described in this Privacy Policy and in the following circumstances:

- a. **Third Parties Providing Services On Our Behalf.** We may use third parties to perform certain services on behalf of the Sites, such as hosting the Sites, designing and/or operating the Sites' features, tracking Sites' analytics, advertising, and enabling Del Taco to send you e-mail newsletters or performing other administrative services. We may provide these companies with access to user information, including Personal Information, to carry out the services they are performing for you or for Del Taco. While we may use third-party analytics service providers to evaluate and provide us with information about the use of the Site and viewing of our content, we do not share Personal Information with these analytics service providers. However, analytic service providers may set and access their own cookies, web beacons and embedded scripts on your Device and they may otherwise collect or have access to information about you, including Usage Information.
- b. **Sweepstakes, Contests and Promotions.** We may offer sweepstakes, contests, and other promotions (each, a "Promotion") through the Sites that may require registration. By participating in a Promotion, you agree to the terms, conditions and/or official rules that govern that Promotion. If you choose to enter a Promotion, Personal Information may be disclosed to third parties or the public in connection with the administration of such Promotion, including, without limitation, in connection with winner selection, prize fulfillment, and as required by law or permitted by the Promotion's official rules, such as on a winners' list.
- c. **When You Agree To Receive Information From Third Parties.** You may be presented with opportunities to receive offers or information directly from third parties. If you agree to have us share your Personal Information, we will disclose your Personal Information to such third parties and the information you disclose will be subject to those third parties' privacy policies and practices. We are not responsible for the privacy policies and practices of such third parties. If you decide that you no longer want to receive communication from a third party, you agree to contact that third party directly.
- d. **Administrative and Legal Reasons.** We may transfer and disclose your information, including Personal Information, to third parties: (i) to respond to subpoenas or other legal process or if in our opinion such disclosure is required by law; (ii) at the request of governmental authorities conducting an investigation; (iii) to protect and/or defend the Sites' Terms of Use or other policies applicable to the Sites; or (iv) to protect the personal safety, rights, property or security of any individual. We may also use IP address or other Device Identifiers 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.

- e. **Business Transfer:** We may share Personal Information with our subsidiaries and affiliates for internal reasons. We also reserve the right to disclose and transfer all information related to the Sites, including, without limitation, your Personal Information, Demographic Information and Usage Information: (i) to a subsequent owner, co-owner or operator of the Sites or applicable database; or (ii) in connection with a corporate merger, consolidation, restructuring, the sale of substantially all of Del Taco's stock and/or assets or other corporate change, including, without limitation, during the course of any due diligence process.

Please note that in the preceding twelve (12) months, Del Taco has not sold your Personal Information.

3. Message Boards, Forums, and Communities

The Sites may offer message boards, forums and other public areas (collectively, "Community Forums") where visitors submit photographs, writings, pictures, questions, comments, suggestions or other content, (collectively, "User Content"), which may include Personal Information.

Note that anything you post to a Community Forum is public. Information you choose to post or make available in the Community Forums may be viewed, collected, shared and used by others. *If you choose to voluntarily disclose Personal Information in your User Content, the protections of this Privacy Policy will not cover your disclosure of that Personal Information or other content. User Content may be published online or offline in any media or format (currently existing or hereafter developed). Subject to applicable law, we may also publish your name, voice, likeness and other Personal Information with your User Content, and Del Taco may use the content, or any portion of the content, for advertising, marketing, publicity and promotional activities.* For full terms and conditions regarding User Content you submit, please review our Terms of Use.

4. Links To Third Party Sites and Content from Third Party Sites

The Sites may include links to other websites that are operated and controlled by third parties and not us. These third parties may collect their own Usage Information or solicit and collect Personal Information. Please be aware that this Privacy Policy does not apply to any third party website. Del Taco is not responsible for the privacy practices employed by any of these third parties. Del Taco encourages you to read the privacy statements and terms and conditions of linked or referenced websites you enter. These third-party websites may send their own cookies and other tracking devices to you, log your IP address, or otherwise collect data regarding your use of the Sites or solicit Personal Information. **DEL TACO DOES NOT CONTROL AND IS NOT RESPONSIBLE FOR WHAT THIRD PARTIES DO IN CONNECTION WITH THEIR WEBSITES, OR HOW THEY HANDLE YOUR PERSONAL INFORMATION. PLEASE EXERCISE CAUTION AND CONSULT THE PRIVACY POLICIES POSTED ON EACH THIRD-PARTY WEBSITE FOR FURTHER INFORMATION.**

The Sites allow certain interactions between the Sites and your account on a Third-Party Site

(“Third-Party Site”). The use of this functionality may involve the Third-Party Site providing certain information, including Personal Information, to the Sites. For example, when you register with the Sites, you may choose to use your Facebook or other supported account from a Third-Party Site to facilitate the registration and login process on the Sites. If you choose to use this functionality, the Third-Party Site may send Personal Information about you to the Sites, which we will then treat as Personal Information.

5. Updating Your Information and Your Communication Choices

You are responsible for maintaining the accuracy of any Personal Information or other information that you provide to us on or through the Sites. We may provide web pages or other mechanisms through which you can correct or update some of the Personal Information you have provided to us. Visitors who receive a newsletter or other similar e-mails from us and who wish to remove themselves from the mailing list can do so by following the link provided in an e-mail received. However, please note that we reserve the right to send you certain communications relating to your use of our Sites, service announcements, notices of changes to this Privacy Policy or our Terms of Use or similar administrative or transactional messages, and these transactional account messages may be unaffected if you choose to opt-out from certain marketing e-mails. If you sign up to receive SMS messages from the Sites, you may unsubscribe from any SMS messages received by replying “STOP”.

Also, please note that it is not always possible to completely remove or delete all of your information from our databases and that residual data may remain on backup media or for other reasons. If you have made any public postings on the Sites, such as in Community Forums, these communications cannot generally be removed. In addition, we may maintain information about an individual sales transaction in order to service that transaction and for record keeping.

6. Ad Serving

We use DoubleClick to serve our advertisements across the internet. DoubleClick may set and access their own cookies, web beacons and embedded scripts on your Device and they may otherwise collect or have access to information about you, including Usage Information and they may share that Usage Information with us. For more information about DoubleClick, including information about how to opt out of these technologies, follow this [link](#).

7. Consent to Transfer

The Sites are operated in the United States. If you are located in the European Union or elsewhere outside of the United States, please be aware that any information you provide to us will be transferred to, processed in and stored the United States. By accessing our Sites, you consent to the transfer, processing and storage of your information in the United States, a jurisdiction in which the privacy laws may not be as comprehensive as those in the country where you reside and/or are a citizen.

8. Security

We incorporate commercially reasonable safeguards to help protect and secure your Personal Information. When you place an order for merchandise, your sensitive Personal Information such

as credit card number, is transmitted via Secure Socket Layer (SSL). However, no data transmission over the Internet, wireless transmission or electronic storage of information can be guaranteed to be 100% secure. Please note that we cannot ensure or warrant the security of any information you transmit to us, and you use the Sites and provide us with your information at your own risk. **DEL TACO DISCLAIMS ANY AND ALL LIABILITY FOR UNAUTHORIZED ACCESS OR USE, OR COMPROMISE OF YOUR PERSONAL INFORMATION SUBMITTED THROUGH THE WEBSITE TO THE MAXIMUM EXTENT PERMITTED BY LAW. USERS ARE HEREBY ADVISED THAT THEY SUBMIT SUCH PERSONAL INFORMATION AT THEIR OWN RISK TO THE MAXIMUM EXTENT PERMITTED BY LAW.**

9. A Special Note to Parents

This is a general audience web site. However, we do not knowingly collect Personal Information from children younger than 13 years of age (“Child”). Moreover, a Child should not be engaging with the Sites without adult supervision. If you are a Child, please do not send any information about yourself to us. If we are notified that a Child has submitted Personal Information to us, we will delete that Child’s Personal Information. If you are a parent and you believe that your Child’s Personal Information has been collected, please contact us at Del Taco LLC 25521 Commercentre Drive, Lake Forest, California 92360, Attn: General Counsel; (800) 852-7204.

10. Your California Privacy Rights

If you are an eligible California resident, the CCPA provides you with specific rights with respect to our collection and use of your Personal Information over the past twelve months. This California Privacy Rights Section supplements this Privacy Policy and applies solely to eligible residents of California as of January 1, 2020. Any terms not defined in this section have the same meaning as defined in the CCPA.

• Right to Know About Personal Information Collected, Disclosed, or Sold

You have the right to request that we provide certain information to you about our collection and use of your Personal Information over the past twelve (12) months. Specifically, you have the right to request disclosure of the categories of Personal Information and specific pieces of Personal Information we have collected about you over the last 12 months. Upon the submission of a verifiable consumer requests, we will disclose to you:

- The categories of Personal Information we collected about you;
- The categories of sources from which Personal Information was collected;
- The business or commercial purpose for collecting Personal Information; and
- The Categories of third parties with whom we sold or disclosed the category of Personal Information for a business purpose.

We will also provide the specific pieces of Personal Information we collected about you, subject to certain exceptions under applicable law, if you also requests access to such information.

• Right to Request Deletion of Personal Information

If you are a California resident, you also have the right to request that we delete any of your Personal Information that we collect or maintain about you, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will conduct a reasonable search of

our records in order to locate any Personal Information we have collected about you that is eligible for deletion, and delete such Personal Information. To the extent we have shared any Personal Information collected about you with service providers that is eligible for deletion, we will direct those service providers to delete that Personal Information as well. Del Taco may not be able to comply entirely with your request to delete all of your Personal Information as set forth under the CCPA. Specifically, we are not required to delete any Personal Information we have collected about you that is necessary for us and our service provider(s) to:

- Complete the transaction for which the Personal Information was collected, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, provide a good or service requested by you, or reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform a contract between Del Taco and you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity.
- Debug to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act pursuant to Chapter 3.6 (commencing with Section 1546) of Title 12 of Part 2 of the Penal Code.
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when our deletion of the information is likely to render impossible or seriously impair the achievement of such research, if you have provided informed consent.
- Enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us.
- Comply with a legal obligation, such as retaining records for a period of time as set out in local, state, or federal laws.
- Otherwise use your Personal Information, internally, in a lawful manner that is compatible with the context in which you provided your information.

Following a deletion request, any Personal Information about you that was not deleted from our systems due to the above exceptions will only be used for the purposes provided for by the applicable exceptions. Thus, all Personal Information about you that is not subject to a deletion exception will either be (1) permanently deleted on our existing systems (with the exception of archived or back-up systems maintained for emergency disaster recovery and business continuity purposes); (2) de-identified; or (3) aggregated so as to not be personal to you.

- **Right to Non-Discrimination for the Exercise of a Consumer's Privacy Rights**

We will not discriminate against you for exercising any of your privacy rights. Unless permitted by applicable law, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.

- Suggest that you may receive a different price or rate for goods or services or a different level of quality of goods and services.

- **Exercising Your California Privacy Rights**

To exercise your CCPA rights described above, please submit a verifiable consumer request to us by either:

- **Toll free number: 800-628-1368, ext. 6116**
- **[Consumer request portal](#)**

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your Personal Information. You may, however, make a verifiable consumer request on behalf of your minor child if necessary. Additionally, you may only make a verifiable consumer request for access twice within a 12-month period.

Your verifiable consumer request must provide sufficient information that allows us to reasonably verify that you are the person about whom we collected Personal Information or an authorized representative. We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you. We will only use Personal Information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request. Making a verifiable consumer request does not require you to create an account with us. However, we would consider requests made through your password protected account sufficiently verified if the request relates to Personal Information associated with that specific account.

- **Response Timing and Format**

We will make our best effort to respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. Within ten (10) days of receiving the request, we will confirm receipt and provide information about its verification and processing of the request. We will maintain records of consumer requests made pursuant to the CCPA as well as our response to said requests for a period of at least twenty-four (24) months.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option. Any disclosures we provide will only cover the 12-month period preceding the receipt of your request. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your Personal Information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

- **Your Rights Under “Shine the Light”**

In addition to your rights under the CCPA, California Civil Code Section 1798.83 permits California residents to request information regarding our disclosure, if any, of their Personal Information to third parties for their direct marketing purposes. If this applies, you may obtain the categories of Personal Information shared and the names and addresses of all third parties that received Personal Information for their direct marketing purposes during the immediately prior calendar year (e.g., requests made in 2020 will receive information about 2019 sharing activities). To make such a request, please provide sufficient information for us to determine if this applies to you, attest to the fact that you are a California resident and provide a current California address for our response.

11. Privacy Policy Revisions

We reserve the right to change this Privacy Policy at any time. Any changes will be effective immediately upon the posting of the update Privacy Policy, or such later date as may be specified in the updated Privacy Policy. Under certain circumstances we may elect to notify you of changes or updates to our Privacy Policy, however please review the contents of the Privacy Policy frequently, as it is your responsibility to monitor and review any updates to the Privacy Policy. Your continued use of the Sites, or online services provided by Del Taco, after such posting will be deemed your acknowledgement of these changes to the Privacy Policy. However, unless you consent, we will not use your Personal Information in a manner materially different than what was stated at the time it was collected. We will attempt, where commercially feasible, to highlight material changes to our Privacy Policy.

12. Questions? Contact Us

If you have any questions about our Privacy Policy, you can contact customer service at Del Taco LLC 25521 Commercentre Drive, Lake Forest, California 92360; (800) 852-7204.