



CAPITOLA PRIVACY POLICY

Last modified: 4/11/2022

Introduction

Capitola Insurance Services LLC and its affiliates and subsidiaries (“**Capitola**”, “**Us**”, “**We**” or “**Our**”) respects your (“**You**” or “**Your**”) privacy and is committed to protecting it as set forth in this Privacy Policy (the “**Policy**”), which includes to the extent applicable the California Privacy Policy at Section X below.

This Policy describes Our practices regarding the collection, use, protection and disclosure of information We receive when You use the Capitola Platform (the “**Platform**”) and the Capitola website www.capitola-ins.com, and any other website that we operate (collectively, the “**Capitola Sites**”, and collectively, with Platform, the “**Services**”).

This Policy applies to information we collect:

- Through the Platform; and
- Through the Capitola Sites.

It does not apply to information collected by:

- Us offline or through any other means, including on any other website operated by Capitola; or
- Any third party, including through any application or content (including advertising) that may link to or be accessible from or through the Platform or Capitola Sites.

It is important that You read the Policy along with the Capitola Terms of Use <https://www.capitola-ins.com/docs/terms-of-use> because both apply to Your use of Our Services.

This Policy may be revised to keep pace with changes in Our products and services and laws applicable to Capitola and You. Capitola reserves the right, at its sole discretion, to update this Policy at any time. If We make material changes to this Policy, then We will notify You by email to the primary email address specified in your account or through a notice on Our Website home page. The date this Policy was last revised is identified at the top of the page. You are responsible for ensuring We have an up-to-date active and deliverable email address for You, and for periodically visiting Capitola Sites and this Policy for any changes. If You do not wish Your information to be subject to the revised Policy, You must stop using the Platform and Capitola Sites and request us to close Your account. This Policy can be accessed from [the Portal and Capitola Sites.] Your use of the Platform and Capitola Sites thereafter constitutes Your agreement to and acceptance of the Policy and its revisions or updates. If You do not agree to be bound by the terms of this Policy and its revisions or updates, You should not use or access our Services. You should also periodically read the Policy to learn of any revisions or updates.

I. INFORMATION WE COLLECT ABOUT YOU

We may collect several types of information from and about You, including information:

- By which You may be personally identified, such as name, postal address, e-mail address, telephone number, company and title;
- That is about You but individually does not identify You; and/or
- About Your internet connection, the equipment You use to access Our Services, and usage details.

We may collect this information:

- Directly from You when You provide it to Us;
- Automatically as You navigate through the site. Information collected automatically may include usage details, IP addresses, and information collected through cookies or web beacons; and/or
- From third parties, for example, our business partners.

Information You Provide to Us

The information we collect may include:

- Information that You provide by filling in forms through the Platform and/or Capitola Sites;
- Records and copies of Your correspondence (including email addresses); and/or
- Details of transactions You carry out through the Platform and Capitola Sites.

Information We Collect Through Automatic Data Collection Technologies

As You navigate through and interact with Our Services, We may use automatic data collection technologies to collect certain information about Your equipment, browsing actions, and patterns, including:

- Details of Your visits to Our Platform and/or Capitola Sites, including traffic data, location data, logs; and/or
- Information about Your computer and internet connection, including Your IP address, operating system, and browser type.

The technologies we use for this automatic data collection may include:

- **Web Server Logs:** When You visit the Platform or Capitola Sites, Capitola may track information about Your visit and store that information in web server logs, which are records of the activities on the Platform and Capitola Sites. The servers automatically capture and save the information electronically. The information we collect helps us administer the Services, analyze its usage, protect our Services and its content from inappropriate use and improve the user's experience.
- **Cookies:** A cookie is a small file placed on the hard drive of Your computer. You may refuse to accept browser cookies by activating the appropriate setting on Your browser. However, if You select this setting You may be unable to access certain parts of Our Website. Unless You have adjusted Your browser setting so that it will refuse cookies, Our system will issue cookies when You direct Your browser to Our Platform and/or Capitola Sites.
- **Flash Cookies:** Certain features of the Capitola Sites may use local stored objects (or Flash cookies) to collect and store information about Your preferences and navigation to, from, and on

the Platform and/or Capitola Sites. Flash cookies are not managed by the same browser settings as are used for browser cookies.

- **Web Beacons:** Our Services may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit Capitola, for example, to count users who have visited those pages and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

II. Information About You That We Receive From Other Sources

Capitola may receive information about You from other individuals, from businesses or third parties acting at Your direction, from Our partners who work with Us to provide Our products and services and assist Us in security and fraud prevention, and from other lawful sources. For example, You may direct other individuals or third parties to share data with Capitola. We may also validate the information You provide, for example, when creating an account, via a third party for security and for fraud-prevention purposes.

III. How We Use Your Information

We take Your privacy very seriously and will only use and disclose this information for the business and commercial purposes described in this Policy. How We use Your information will vary depending on the type of data. We will use Your information:

- to present the Services and its contents to You;
- to address customer inquiries or respond to administrative requests;
- to improve the functionality of our Services;
- to send You marketing or advertisement communications that We believe may be of interest to You;
- to carry out Our obligations and enforce our rights arising from any contracts entered into between You and Us;
- to notify You about changes to Our Services or any other products or services We offer or provide;
- to take any action in any case of dispute or legal proceeding;
- to prevent and remediate fraud, misappropriation, infringements, identity theft, cyber-attacks, and other illegal activities and misuse of Our Services;
- to enforce our Terms of Use;
- to comply with any requests and orders of law enforcement agencies and authorities;
- to fulfill any other purpose for which You provide it;

- for our business purposes;
- for any other purpose with Your consent; and/or
- as required by applicable law.

Except as disclosed in this Policy, We will not use Your information for any purpose that You have not expressly authorized.

IV. How We Share Your information

Your information is not sold, rented or shared with other organizations for unrelated commercial purposes or in ways different than what is disclosed in this Policy. We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

We may disclose information that we collect or you provide as described in this Policy:

- To Our subsidiaries and affiliates;
- To contractors, service providers, and other third parties We use to support Our business;
- To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Capitola's assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which information held by Capitola is among the assets transferred;
- To fulfill the purpose for which You provide it;
- For any other purpose disclosed by Us when You provide the information;
- To enforce or apply Our Terms of Use; and/or
- With Your consent.

We may also disclose your personal information:

- To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
- To enforce or apply our Terms of Use <https://www.capitola-ins.com/docs/terms-of-use> and other agreements, including for billing and collection purposes.
- If We believe disclosure is necessary or appropriate to protect the rights, property, or safety of Capitola, Our customers, or others. This includes exchanging information with other companies and organizations for the purposes of fraud protection and credit risk reduction.

V. Choices About How We Use and Disclose Your Information

We have created mechanisms to provide You with the following control over Your information:

- Email Opt-Outs: You may opt out of receiving promotional communications from Us by using the unsubscribe link within each email. Although opt-out requests are usually processed immediately, please allow [ten (10) business days] for a removal request to be processed. Even after You opt out from receiving promotional messages from Us, You will continue to receive

transactional and product-related messages from Us regarding Our Services. You can optout of some of these notification messages in Your account settings.

- **Tracking Technologies and Advertising:** You can set your browser to refuse all or some browser cookies, or to alert You when cookies are being sent. To learn how You can manage your Flash cookie settings, visit the Flash player settings page on Adobe's website. If You disable or refuse cookies, please note that some parts of Our Services may then be inaccessible or not function properly.

VI. Protection of Your Information

We have implemented measures designed to secure Your information from accidental loss and from unauthorized access, use, alteration, and disclosure.

Unfortunately, the transmission of information via the internet is not completely secure. Although We do Our best to protect Your information, we cannot guarantee the security of Your personal information transmitted to the Platform, Capitola Sites or third-party servers. Any transmission of personal information is at Your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Platform or Capitola Sites.

VII. Access and Correcting Your Information

You can review Your information by accessing your account. Should You need to change Your information, You can do so by contacting Us at hello@capitola-ins.com

VIII. Children Under the Age of 18

Our Services are not intended for child under eighteen (18) years old. No one under age eighteen (18) may provide any information to or on the Platform or Capitola Sites. We do not knowingly collect information from children under eighteen (18). If You are under eighteen (18), do not provide any information to Us. If We learn We have collected or received information from a child under eighteen (18) without verification of parental consent, We will delete that information. If You believe that we have any information from or about a child under eighteen (18), please contact us at: hello@capitola-ins.com.

IX. CONTACT INFORMATION

To ask questions or comment about this privacy policy and our privacy practices, contact us at:

hello@capitola-ins.com

or via our toll-free number:

(800) 449-0135

To register a complaint or concern, please contact us at hello@capitola-ins.com.

X. CAPITOLA PRIVACY POLICY FOR CALIFORNIA RESIDENTS

Last modified: [DATE]



If You are a California resident, California law may provide You with additional rights regarding Our use of Your personal information. To learn more about Your California privacy rights, visit <https://oag.ca.gov/privacy/ccpa>.

California's "Shine the Light" law (Civil Code Section § 1798.83) permits users of Our Web Application that are California residents to request certain information regarding our disclosure of personal information to third parties for their direct marketing purposes. To make such a request, please send an email to hello@capitola-ins.com.

1. Introduction

We respect Your privacy and We are committed to protecting it as set forth in this privacy policy for California Residents (the "**CA Privacy Policy**")

We provide this CA Policy to inform You, as a resident of the state of California, of Our practices regarding the collection, use and disclosure of information We receive when You use the Platform and all the Capitola Sites, and how We use that information. It is important that You read the CA Privacy Policy along with the Capitola Terms of Use <https://www.capitola-ins.com/docs/terms-of-use> and the Policy because both apply to Your use of the Platform and Capitola Sites.

This CA Privacy Policy applies to information we collect:

- Through the Platform; and/or
- Through the Capitola Sites.

It does not apply to information collected by:

- Us offline or through any other means, including on any other website operated by Capitola; or
- Any third party, including through any application or content (including advertising) that may link to or be accessible from or through the Platform or Capitola Sites.

This CA Privacy Policy may be revised to keep pace with changes in Our products and services and laws applicable to Capitola and You. Capitola reserves the right, at its sole discretion, to update this CA Privacy Policy at any time. If We make material changes to this CA Privacy Policy, then We will notify You by email to the primary email address specified in Your account or through a notice on Our Website home page. The date this CA Privacy Policy was last revised is identified at the top of Section X. You are responsible for ensuring We have an up-to-date active and deliverable email address for You, and for periodically visiting Capitola Sites and this CA Privacy Policy for any changes. If You do not wish Your information to be subject to the revised CA Privacy Policy, You must stop using the Platform and Capitola Sites and request that We close Your account. This CA Privacy Policy can be accessed from the Portal and Capitola Sites. Your use of the Platform and Capitola Sites thereafter constitutes Your agreement to and acceptance of the CA Privacy Policy and its revisions or updates. If You do not agree to be bound by the terms of this CA Privacy Policy and its revisions or updates, You should not use or access our Services. You should also periodically read the CA Privacy Policy to learn of any revisions or updates.

A. California Privacy Rights



This CA Privacy Policy applies to California residents and is provided as part of Our efforts to comply with the California Consumer Privacy Act of 2018 (“CCPA”). Information concerning the CCPA may be found here: <https://oag.ca.gov/privacy/ccpa>.

Please note that the CCPA does not currently apply in all respects to Personal Information (as that term is defined in the CCPA) that We collect from a person in the course of the person acting as a job applicant, employee, owner, director, officer, or contractor of Capitola to the extent that the person’s personal information is collected and used by Us solely within the context of the person’s role, or former role, as a job applicant, employee, owner, director, officer, or a contractor of Capitola. The CCPA also does not apply to Personal Information that We collect that constitutes emergency contact information of a person acting in any of the aforementioned roles to the extent that the personal information is collected and used solely within the context of having an emergency contact on file. Lastly, the CCPA does not apply to Personal Information that is necessary for Us to retain in order to administer benefits relating to a person’s capacity in any of the aforementioned roles to the extent that the Personal Information is collected and used by Capitola solely within the context of administering those benefits.

Please also note that the CCPA provides a business-to-business exemption covering verbal or written communications with a consumer who is acting as an employee, owner, director, officer, or contractor of a company where Personal Information is provided in the context of (i) Your conducting due diligence regarding our products or services, (ii) Our providing a product or service, or (iii) Your receiving a product or service. This means that Our obligations under the CCPA are limited when it comes to Personal Information We have collected as they relate to Our business-to-business communications.

B. Collection of Personal Information

Certain categories of the information identified in Section 1.A above constitute “Personal Information” as defined in the CCPA. The disclosures and explanations of Your rights in this Section 1.B apply only to the Personal Information that We collect about You now or that We may collect about You in the future.

Please note that the categories of information including any Personal Information that We collect may vary by individual.

2. Categories of Personal Information We Collect

We collect the Personal Information set forth in the Policy above at Section I.

3. Sources of the Personal Information We Collect

The sources that We collect Personal Information from are set forth in the Policy above at Sections I and II.

4. Purposes for Which We Collect Personal Information

The purposes for which we collect Personal Information are set forth in the Policy above at Section III.

Please note that we may combine Personal Information and non-personal information that We collect. We also may share Your Personal Information within our corporate family of companies for these purposes, as permitted by law.

5. The Categories of Third Parties with Whom, and Purposes for Which, We Share Personal Information

Categories of Personal Information that We collect may be shared in limited circumstances with third parties for business purposes as set forth in the Policy above at Section IV.

We do not sell Your Personal Information.

6. Access to Personal Information

You have the right to request, in accordance with applicable law, that Capitola disclose and deliver the categories of Personal Information that Capitola has collected about You over the past twelve (12) months, or the specific pieces of Personal Information We have collected about You. To protect Your privacy and Security, and to comply with the CCPA, We will provide You with the requested information only after We receive a verifiable consumer request from You or an authorized agent that has Your written permission. We require You to verify Your identity by logging into Your account with Your username and password before granting Your request to access Your Personal Information. If We cannot verify Your identity, then We shall not disclose any specific pieces of Personal Information in response to an access request.

Please note that the CCPA does not require Us to retain any Personal Information collected for a single, one-time transaction, if that Personal Information is not sold or retained by Us. It also does not require Us to reidentify or otherwise link information that is not maintained in a manner that would be considered Personal Information.

7. Deletion Requests

You have the right, in accordance with applicable law, to request the deletion of Your Personal Information that We collected about You and retained, except where the law allows a business to maintain a consumer's Personal Information, including where the Personal Information is necessary to perform a contract between the business and the consumer. Once You make a verifiable consumer request in accordance with the terms herein, We will delete Your Personal Information from Our records, unless an exception applies in support of Our business need to retain some or all of Your Personal Information.

We may deny deletion request if retaining the Personal Information is necessary for Us or Our service provider(s) to:

- Complete the transaction for which We collected the Personal Information, provide a good or service that You requested, take actions reasonably anticipated within the context of Our ongoing business relationship with You, or otherwise perform Our contract with You;

- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities;
- Debug products to identify and repair errors that impair existing intended functionality;
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law;
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.);
- 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 the Personal Information's deletion may likely render impossible or seriously impair the research's achievement, if You previously provided informed consent;
- Enable solely internal uses that are reasonably aligned with consumer expectations based on Your relationship with Us;
- Comply with a legal obligation; or
- Make other internal and lawful uses of that Personal Information that are compatible with the context in which You provided it.

8. Access, Data Portability, and Deletion Requests

To access, seek data portability, or request that We delete your Personal Information, please submit a verifiable consumer request to us by either:

- Calling Us at (800) 449-0135
- Emailing Us at hello@capitola-ins.com

Only You, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to Your Personal Information. You may also make a verifiable consumer request on behalf of Your minor child.

You may only make a verifiable consumer request for access or data portability twice within a twelve (12) month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify You are the person about whom We collected Personal Information or an authorized representative; and
- Describe Your request with sufficient detail that allows Us to properly understand, evaluate, and respond to it.

After We receive a verifiable consumer request from You, We will take steps to determine whether the request being made is a verifiable consumer request. Given the nature of the Personal Information requested, We will require authentication of Your identity. 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.

Making a verifiable consumer request does not require You to create an account with Us.

We will only use Personal Information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

9. Sale of Personal Information

You have the right to opt-out of the sale of Your Personal Information. However, Capitola does not sell (as We understand that term to be defined by the CCPA) any Personal Information of its users.

10. Non-Discrimination

You have the right to not be discriminated against for exercising any of Your privacy rights in this CA Privacy Policy. 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; or
- Suggest that You may receive a different price or rate for goods or services or a different level or quality of goods or services.

11. California Shine the Light Law

We do not share Your Personal Information with non-affiliated parties for their own marketing use without Your consent. Capitola may however share Your Personal Information with corporate affiliates.

12. Privacy Questions

To ask questions or comment about this CA Privacy Policy and our privacy practices, contact us at: hello@capitola-ins.com

or via our toll-free number:

(800) 449-0135

To register a complaint or concern, please contact us at hello@capitola-ins.com.