

## **Del Taco® Privacy Policy**

This Privacy Policy was last updated and is effective as of October 21, 2024.

To print this Privacy Policy, click [here](#). To print our Terms of Use, click [here](#).

Your privacy is important to 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 (the “Privacy Policy”) applies to information we collect on Del Taco’s websites (including [www.deltaco.com](http://www.deltaco.com), [www.deltacofranchise.com](http://www.deltacofranchise.com), [www.deltacowebstore.com](http://www.deltacowebstore.com), [www.order.deltaco.com](http://www.order.deltaco.com) and [www.deltacogiftcards.com](http://www.deltacogiftcards.com)), interactive features and mobile sites that post a link to this Privacy Policy (collectively, “Sites”), the Del Taco Mobile Application or other mobile applications that directly reference or link to this Privacy Policy (collectively, the “Del App”), and our services made available through the Services and/or Del App (collectively, our “Services”) whether accessed via personal computers, mobile devices, tablets or otherwise (collectively, “Device”). It does not apply to any information collected at any other websites 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 Services.

Please read this Privacy Policy carefully and review the Terms of Use, which governs your use of and access to the Services.

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 Services available worldwide are located in the United States (U.S.). All matters relating to the Services are governed by the laws of the State of California. The Services 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 Services or providing us your Personal Information, you authorize this transfer.

By using the Services 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 Services or provide any Personal Information.

### **1. Collection of Your Personal Information**

When you interact with our Services, we may collect information about you, which includes Personal Information. “Personal Information” means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably linked, directly or indirectly, with a particular consumer, household or device or as defined under applicable law. Personal Information does not include anonymous or non-Personal Information (i.e., information that cannot be associated with or tracked back to a specific consumer, household or device). We collect Personal Information:

- Directly from you when you provide it to us;
- Automatically from you and/or your device; and
- From other third-party sources.

### *Information You Provide to Us*

We collect Personal Information that you provide to us when you download, register with, or use the Services, which may include:

- Personal identifiers, such as your full name, email address, mailing and/or billing address, date of birth, photo or government-issued identification, and other similar identifiers;
- Demographic information, such as your age and/or gender;
- Geolocation data;
- Commercial information, such as a credit or debit card number, bank account information, or other financial and/or billing information;
- User account information, such as your username and password;
- Information regarding the products or services purchased, obtained, or considered;
- Information you voluntarily provide when you interact with the Services, such as through your communications with us when you request customer support or interactions with us via social networking sites; and
- Inferences drawn from the categories described above in order to create a profile about you to reflect your preferences, characteristics, behavior and attitude.

We collect Personal Information directly from you through our Services when, for example, you: fill in forms through the Services; use the chat function on our Services; participate in surveys; sign-up to receive newsletters; purchase merchandise and gift cards; complete our franchise opportunity inquiry form; participate in our rewards programs; provide feedback or otherwise contact us; or otherwise interact with the Services.

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 We Collect Automatically*

When you download, install, register with, or use the Services, we receive and store Personal Information about you and information about your electronic devices (e.g., mobile phone, laptop computer, tablet, etc.) using technologies that automatically collect such data. Depending on your device's operating system, we automatically collect the following categories of Personal Information:

- Device information, such as the electronic device’s unique device identifier, operating systems and versions, phone model, serial number, Internet Protocol (“IP”) address(es), domain from which you accessed the Services, and other similar information;
- Usage information, such as information about your interactions with the Services, including the dates and times you use the Services, how often you use the Services, in-game actions and achievements, the content you access or view through or in our Services, whether you view advertisements shown through the Services, and, if so, how many times you view the advertisements, and similar information;
- Location data, such as precise geolocation and/or location information we derive from your IP address or other device settings, which we collect to ensure you reside in a jurisdiction in which you are eligible to use our Services, to comply with relevant laws, and for fraud prevention purposes;
- Device event information, such as information about errors you encounter, including crash reports, request and referral URLs, and other details about whether you encountered an error playing the Services or lost connections to the internet; and
- Cookies, tracking, and ad serving technologies, such as information about your interactions with the Services, including, for example, any advertising content a third-party displayed to you and whether you engaged with it, links you have visited from the Services, and your device information. Such information may be collected through our and our third-party vendors’ use of cookies and similar tracking technologies, as discussed further in Section 2 (see “**Automatic Information Collection and Tracking Technologies**”) below.

#### *Information We Collect From Other Sources*

We may supplement the information we collect about you on the Services 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 on our Services or enroll in rewards programs that may be of interest to you. The third-party sources we may collect Personal Information about you from, include:

- Advertising platforms and analytics providers with whom we partner may provide us with information about your interactions with the Services, including, for example, whether and how many times you may have viewed an advertisement, length of time the advertisement was visible, or other information about your interactions with the Services or advertising content.
- Third-party login platforms, such as when you choose to log into our Services using an existing account on a social networking site. We may collect your user ID and/or username associated with that social networking sites, as well as any information you make public using that social networking site or which the social networking site allows us to access. We may also collect information you have authorized the social networking site to share with us on your behalf. This supplemental information allows us to verify information that you have provided through use of the Services and to enhance our ability to provide you with information about our business, products, and services.

## *Combining Personal Information*

We may combine the Personal Information we receive from and about you, including information you provide to us and information we automatically collect through our Services, as well as information collected from other sources to provide you with a better user experience, to improve the quality and value of the Services, and to analyze how the Services are used. In those cases, we will apply this Privacy Policy to any Personal Information received from third parties, unless we explicitly state otherwise.

## **2. Automatic Information Collection and Tracking Technologies**

When you use our Services, we and our third-party partners, including analytic companies, use technology that automatically or passively collects certain information whenever you visit or interact with the Services 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 Services, areas within our Services that you visit and your user behavior (e.g., number of clicks on a page or feature, time spent on a page or feature, bounce rates, etc.) among other information. We may use Usage Information for many purposes, including to enhance our Services. We collect your IP address or other unique identifier for your Device used to access the Services (“Device Identifier”). A Device Identifier is a number that is automatically assigned to your Device used to access the Services, 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.** A cookie is a data file placed on a Device when the Device is used to visit the Services. A Flash cookie is a data file placed on a Device via a third-party 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 Services 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 Services, to monitor how users navigate the Services, 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 Services, 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 Services, and is deactivated or deleted thereafter.

- **Social Media Plug-Ins.** Del Taco may offer social media plug-ins for companies that include Facebook, Twitter, TikTok, YouTube and Instagram. For example, we have Facebook like and share buttons, a tweet button for Twitter, and embedded videos that offer certain interactive features and we and the company track your interactions with these functions. Additionally, even if you do not choose to use these plug-ins, the relevant company may still collect certain tracking information about you and share it with us.
- **Analytics.** Del Taco may use tools, including analytics tools, to collect non-Personal Information regarding your use of the Services. These analytics technologies help us, for example, to measure and analyze events within our Services, improve your user experience, monitor the success of marketing campaigns, or to prevent mobile advertising fraud. 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.

### 3. Use of Your Personal Information

Del Taco may use information collected through the Services, including Personal Information:

- To provide you with information or Services that you have requested or agreed to receive, including information about our rewards programs;
- To process your registration with the Services, including verifying your e-mail address;
- To process transactions made on the Services;
- To administer a contest, promotion, survey or other feature, including fulfillment of a rewards program;
- To send periodic communications regarding new products, content, features and services;
- To better tailor the Services to your interests, to provide you more efficient customer support, and to enhance the Services;
- To serve, facilitate, and measure the effectiveness of advertising by us and third-party partners;
- To authenticate your activity and save your progress and achievements on our Services;
- To provide access to certain functionalities and features of the Services, including any chatbot feature;
- To follow up with you in correspondence;
- To prevent fraudulent or other criminal activity;
- To detect security incidents, protect against malicious, deceptive, or illegal activity;
- To improve the Services or for other internal business purposes;
- To meet legal and regulatory requirements;

- To enforce the Terms of Use;
- To contact users for administrative purposes, including, but not limited to, notifying you of changes to the Privacy Policy;
- To collect your location information including your geolocation records, for purposes of verifying whether you are eligible to participate in our Services and comply with our legal obligations, protect our legal rights, and address existing or anticipated disputes;
- To monitor and track the total number of users of the Services; and
- For any other purpose disclosed to you at the time you provide Personal Information or with your consent.

Del Taco may make anonymous and/or aggregate Personal Information for commercial, marketing, and/or business purposes, such as reporting and conducting research and development in order to enhance our existing Services and/or develop new products and Services. Anonymous or aggregated information does not identify you, and we may use or disclose such information in a number of ways, including research, internal analysis, analytics, and any other legally permissible manners. We may share this information internally and/or with third parties for our or their purposes in an anonymous or aggregated form that is designed to prevent anyone from identifying you.

#### **4. Disclosure of Your Personal Information**

We may disclose 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:

- **Service Providers:** We may use third parties to perform certain services on behalf of the Services, such as provide you the Services we offer; conduct quality assurance testing; operate our chat platform; facilitate the creation of accounts; provide technical and customer support; geolocate users; personalize, customize, and improve your use and experience of the Services; process payments to you and other financial transactions; send email and push notifications; enable security support and technical maintenance; send you newsletters, surveys, messages, and promotional materials related the to the Services or on behalf of other companies; prevent harmful or unlawful uses of our Services, including fraud; and improve and optimize the performance of our 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.
- **Advertisers and Advertising Networks:** We engage certain third-party advertising partners that require the data to select and serve relevant advertisements to you and others. For instance, we use Google Marketing Platform to serve our advertisements across the internet. Google Marketing Platform 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 Google Marketing Platform, including information about how to opt out of these technologies, follow this [link](#). We may provide Google Marketing Platform, in addition to other third-party advertising partners we use, with anonymized and/or aggregated information about our users, including, but not limited to, the following purposes:

- To help advertisers reach a particular demographic; and
  - To enable us to comply with our advertisers' wishes by displaying their advertisement to that target audience.
- **Analytics and Search Engine Providers:** We may engage certain third parties that assist us in the improvement and optimization of the Services.
- **Promotional and Corporate Providers:** From time to time, we may offer sweepstakes, contests, and other promotions (each, a "Promotion") through the Services 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. Please be advised that the third party's own privacy policy may apply to its use of your Personal Information.
- **Rewards Programs Providers:** From time to time, we may offer rewards programs (each, a "Rewards Program") that provide eligible members with promotional awards and special benefits. By participating in a Del Taco Rewards Program, you agree to the terms, conditions, and/or official rules that govern that Rewards Program. If selected to become a member to a Rewards Program, Personal Information may be disclosed to third parties in connection with the administration of the Rewards Program, including, without limitation, tracking and redemption of rewards and as required by law. Please be advised that the third party's own privacy policy may apply to its use of your Personal Information.
- **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. Please be advised that the third party's own privacy policy may apply to its use of your Personal Information. If you decide that you no longer want to receive communication from a third party, you agree to contact that third party directly.
- **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 Services' Terms of Use or other policies applicable to the Services; 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.

- **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 Services, including, without limitation, your Personal Information and Usage Information: (i) to a subsequent owner, co-owner or operator of the Services 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.
- **Professional Financial and Legal Advisors:** We may need to share Personal Information with our professional advisors, which includes lawyers, auditors, bankers, or other professional consultants for business purposes.

## 5. Third-Party Platforms

The Services 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 Services 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.**

## 6. Your Communication Choices

You may control certain communications with us via the following mechanisms:

- **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. If you disable or refuse cookies, please note that some parts of our Services may then be inaccessible or may not function properly.
- **Opt-Out Tools.** You can also learn more about the options available to you to limit third party advertisers that use tracking or targeting tools in connection with our Website:
  - Opt Out of Interest Based Advertising (National Advertising Initiative);
  - Your Ad Choices (Digital Advertising Alliance);
  - Your Online Choices (European Interactive Digital Advertising Alliance); and



- For mobile add users, check out participating members of the Digital Advertising Alliance by installing the AppChoices mobile app and selecting the user's choices.
- **Google Analytics.** You can opt out by visiting Google Analytics Opt-out Browser Add-on.
- **Push Notifications.** You can opt not to receive push notifications from our Services by following the instructions in your mobile application or device settings.
- **Do Not Track.** Do Not Track is a privacy preference that you can set in your web browsers. When you turn on the Do Not Track signal, the browser sends a message to websites requesting them not to track the user. At this time, we do not respond to Do Not Track browser settings or signals. For information about Do Not Track, please visit: <https://allaboutdnt.com/>.
- **Promotional Offers from us.** If you do not wish to receive marketing emails, you can click "unsubscribe" in the bottom of the email. You can also always exercise your right to ask us not to process your Personal Information for marketing purposes by contacting us at the address below (see "**Contact Us**"). However, please note that we reserve the right to send you certain communications relating to your use of our Services, service announcements, informational and promotional messages and/or offers regarding our rewards programs, 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.
- **Text Messages and SMS.** To opt out of text messages, reply STOP to the message you received.

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 Services, 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.

## **7. International Hosting of Information and Consent to Transfer**

The Services are operated in the U.S. and are intended for and directed to users in the U.S. If you are a user accessing the Services from the European Union or elsewhere outside of the U.S. with laws or regulations governing Personal Information collection, use and disclosure that differ from U.S. laws, please be advised that you do so on your own initiative and are responsible for compliance with U.S. federal, state and local laws. Through your continued use of the Services, which are governed by U.S. law, this Privacy Policy and our Terms of Use, you consent to the transfer, processing and storage of your information in the U.S.

## **8. Security**

We incorporate commercially reasonable safeguards to help protect and secure your Personal Information. 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 Services 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 SERVICES 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.**

If you have any questions about the security of our Services, you can contact us using the communication methods identified in Section 14 (“**Contact Us**”), below.

## **9. A Special Note to Parents**

This is a general audience website. 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 Services 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 endeavor to 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. Additional Information for California Residents**

If you are a resident of California, the California Consumer Privacy Act (“CCPA”), as amended by the California Privacy Rights Act (“CPRA”) (Civil Code Section 1798.100, et seq.) (collectively, “California Privacy Law”) and “Shine the Light” laws provide you with additional rights regarding your Personal Information. This Section on Additional Information for California Residents supplements this Privacy Policy and applies solely to eligible residents of the State of California (“consumers” or “you”) as of January 1, 2023.

### *California Privacy Law Privacy Rights*

Any terms defined in California Privacy Law have the same meaning when used in this Section. This Section takes precedence over the Privacy Policy with respect to your Personal Information for California residents if there is a conflict between the two.

## **Information We Collect**

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 Privacy Law. Please note that the categories of Personal Information we collect may vary for each consumer.

The categories of Personal Information we may have collected from you include:

<b>Category</b>	<b>Examples</b>
Identifiers.	This category may include: name, postal address, unique personal identifiers, online identifiers, email address, account name, or other similar identifiers. Under California Privacy Law, “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.
Personal Information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	This category may include: name, address, telephone number, and financial account numbers.
Protected classification characteristics under California or federal law.	This category may include: age, race, sex and gender information.
Commercial information.	This category may include: records of products or Services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
Internet or other electronic network activity information.	This category may include: browsing history, search history, and information regarding interactions with an Internet website, application, or advertisement.
Geolocation data.	This category may include: physical location or movements.
Sensitive Personal Information.	This category may include: precise geolocation.
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.

Personal Information does not include publicly available information from government records or any deidentified or aggregated consumer information. In addition, California Privacy Law excludes the following from its scope: health or medical information covered by the Health

Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data; and Personal Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

We collect this information directly from you when you provide it to us, automatically as you navigate through the Services, and from third-party sources (e.g., our clients, business partners, and state and local governments, as required, to provide the service). For more information, see the **"Collection of Your Personal Information"** Section above.

### **Use of Personal Information**

We may use the Personal Information we collect for the purposes described in the Sections titled **"Collection of Your Personal Information"** and **"Use of Your Personal Information."**

### **Disclosures of Your Personal Information**

We may disclose your Personal Information to a third party for a business purpose, which is described in more detail in the Section above titled **"Disclosure of Your Personal Information."** We only make these business purpose disclosures under written contracts that describe the purposes, require the recipient to keep the Personal Information confidential, and prohibit using the disclosed information for any purpose except performing the contract. In the preceding twelve (12) months, we have disclosed Personal Information for a business purpose to the categories of third parties indicated in the chart below.

<b>Personal Information Category</b>	<b>Category of Third-Party Recipients for Business Purpose Disclosures</b>
Identifiers.	Our affiliates; services providers; third parties to whom you or your agents authorize us to disclose your Personal Information in connection with products or services we provide to you
California Customer Records Personal Information categories.	Our affiliates; services providers; third parties to whom you or your agents authorize us to disclose your Personal Information in connection with products or services we provide to you
Commercial information.	Our affiliates; services providers; third parties to whom you or your agents authorize us to disclose your Personal Information in connection with products or services we provide to you
Internet/Network Providers.	Our affiliates; services providers; third parties to whom you or your agents authorize us to disclose your Personal Information in connection with products or services we provide to you

Geolocation Data.	Our affiliates; services providers; third parties to whom you or your agents authorize us to disclose your Personal Information in connection with products or services we provide to you
Sensitive Personal Information.	Our affiliates; services providers; third parties to whom you or your agents authorize us to disclose your Personal Information in connection with products or services we provide to you
Inferences Drawn From Other Personal Information.	Our affiliates; services providers; third parties to whom you or your agents authorize us to disclose your Personal Information in connection with products or services we provide to you

### Sales and Sharing of Your Personal Information

We do not sell your Personal Information for direct, monetary profit. However, we do engage in certain information disclosure activities as described in the Section above titled “**Disclosure of Your Personal Information**” that may be considered “sales” or “sharing” under California Privacy Law. Like many organizations, Del Taco engages third parties to help us deliver targeted internet-based advertisements to you and may make use of third-party tracking technologies or other online marketing services. In doing so, we may make available or transfer your Personal Information. In the previous twelve (12) months, we have shared or sold the following Personal Information:

Category	Business or Commercial Purpose	Categories of Third Parties to Whom Personal Information was Disclosed That May be Considered a “Sale/Sharing” Under California Privacy Law
Identifiers.	<ul style="list-style-type: none"> <li>To provide you with personal advertising and content</li> </ul>	<ul style="list-style-type: none"> <li>Advertisers and advertising networks</li> </ul>
Geolocation Data	<ul style="list-style-type: none"> <li>To provide you with personal advertising and content</li> </ul>	<ul style="list-style-type: none"> <li>Advertisers and advertising networks</li> </ul>
Internet or other similar network activity.	<ul style="list-style-type: none"> <li>To provide you with personal advertising and content</li> </ul>	<ul style="list-style-type: none"> <li>Advertisers and advertising networks</li> </ul>

We do not knowingly sell or share Personal Information of consumers under 16 years of age.

Please see the “**Your Communication Choices**” Section for more information on how you can adjust your preferences.

## **Your Rights and Choices**

Under California Privacy Law, California consumers have the following rights, which can be exercised directly or in certain cases, through an authorized agent (as discussed below in the “**How to Exercise Your California Privacy Law Rights**” subsection):

### *Right to Know About and Access Personal Information Collected, Disclosed, Shared or Sold*

You have the right to request that we provide certain information to you about our collection and use of your Personal Information. 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. 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;
- The business or commercial purpose for disclosing, selling or sharing Personal Information; and
- The categories of third parties with whom we sold, shared 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 request 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 collected from you and retained, 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. Del Taco may not be able to comply entirely with your request to delete all of your Personal Information as set forth under the California Privacy Law. 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.

#### *Right to Correct Inaccurate Personal Information*

You have the right to request that we correct any of your Personal Information that we maintain about you.

#### *Right to Opt Out of Sales or Sharing of Personal Information*

If Del Taco sells or shares your Personal Information to third parties, you may have the right to opt out of the sale or sharing of such information.

Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize Personal Information sales or sharing. However, if at a later time, you wish to allow us to share or sell your Personal Information to third parties, you must opt in to such sharing or sales, and may be do so by calling (800) 852-7204. If a transaction requires the sharing or sale or transmission of your Personal Information in order to complete the transaction, we will notify you and provide instructions on how you can opt in.

If you have an opt-out preference signal enabled (e.g., the Global Privacy Control), you will automatically be opted out of the sale or sharing of your information, but we may ask you to confirm your preference if you have previously consented to the sale or sharing of your Personal Information. Please also note that if you have an account with us, but are not logged into your account, we may not be able to associate the browser or device information connected to your opt-out preference signal with you. If you would like for us to make this connection, you may submit additional information to us through the interactive webform linked above and in the “Do Not Sell or Share My Personal Information” link at the bottom of our website.

To download and use a browser supporting the opt-out preference signal, please visit <https://globalprivacycontrol.org/orgs>. If you choose to you the opt-out preference signal, you will need to enable it for each supported browser or browser extension you use.

#### *Right to Limit the Use and Disclosure of Sensitive Personal Information*

Del Taco may use and disclose your Sensitive Personal Information for purposes other than those provided for under California Privacy Law. In such instances, you have the right, subject to certain exceptions, to limit how Del Taco uses and discloses your Sensitive Personal Information.

Once you make a limit request, we will wait at least twelve (12) months before asking you to reauthorize the use or disclosure of your Sensitive Personal Information for purposes other than those for which you exercised your right to limit. However, if at a later time, you wish to allow us to use or disclose your Sensitive Personal Information, you must opt in to such use or disclosure, and may do so by calling (800) 852-7204. If a transaction requires the use or disclosure of your Sensitive Personal Information in order to complete the transaction, we will notify you and provide instructions on how you can reauthorize such use or disclosure.

#### *Right to Non-Discrimination*

We will not discriminate against you for exercising any of your privacy rights. If you exercise certain rights, understand that you may be unable to use or access certain features of the Services. 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; 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.

#### **How to Exercise Your California Privacy Law Rights**

To exercise the rights described above, please submit a request to us by:

- Calling our toll free number: (800) 852-7204
- Sending us a request through our [online request portal](#)

To exercise your right to know, delete, or correct your Personal Information as described above, we need to verify your identity or authority to make the request and confirm the Personal Information relates to you. Only you, your parent, guardian (if you are under 13 years of age),



conservator, a person to whom you have given power of attorney pursuant to California Probate Code sections 4000 to 4465, or an authorized agent 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 to access your Personal Information 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 will 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 for California Privacy Law Requests**

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 California Privacy Law, 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. 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.

### **Shine the Light**

In addition to your rights under California Privacy Law, 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 2023 will receive information about 2022

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.

To make such a request, please contact us at Del Taco LLC, 25521 Commercentre Drive, Lake Forest, California 92360; (800) 852-7204.

### **Data Retention**

We may retain all categories of your Personal Information described above for as long as needed to carry out the purposes described herein or as otherwise required by applicable law. Unless we are required or permitted by law to keep your Personal Information for a longer period of time, when your Personal Information is no longer necessary to carry out the purposes for which we process it, we will delete your Personal Information or keep it in a form that does not permit identifying you. When determining the retention period, we take into account various criteria, such as the nature of the use of our Services, your general relationship with us, the impact on our ability to provide you Services if we delete your Personal Information, mandatory retention periods provided by law and the statute of limitations, and our use of your Personal Information for aggregated market research.

### **Notice of Financial Incentive**

We may offer you various incentives, including special offers, discounts, rewards and coupons pursuant to certain rewards and loyalty programs (each, a “Rewards Program”), throughout the year for providing us with your Personal Information. Categories of Personal Information that may be collected pursuant to a Rewards Program, include, but are not limited to: identifiers such as name, postal address, email address and telephone number; categories of Personal Information described in the California Customer Records statute, and commercial information.

We do not assign a monetary value to the data we collect, but based on a good-faith estimate, we believe the value received from your Personal Information is reasonably equal to the value of the benefit we offer you pursuant to a Rewards Program. This estimate is not specific to any specific individual who participates in a Rewards Program (a “Member”) and may vary by Member. We have calculated such value by taking into consideration, without limitation, relevant factors related to the estimated value of such information to us, as set forth under California Privacy Law.

If eligible, you may opt in to a Rewards Program by following the instructions set forth in a Rewards Program’s terms and conditions and, if applicable, by creating a member account on the Rewards Program’s website. Material terms of participating in a Rewards Program, including all terms and conditions concerning the collection, use and retention of a Member’s Personal Information, the required arbitration of any disputes Members have, and the waiver of Members’ ability to bring claims in class action format, are set forth in the applicable terms and conditions, this Privacy Policy, and/or our Terms of Service and should be carefully reviewed prior to participation in a Rewards Program.

You have the right to cancel your membership and participation in a Rewards Program at any time. To opt out of a Rewards Program, including the receipt of marketing emails provided pursuant to your status as a Member of a Rewards Program, please [click here](#).

## **11. Additional Information for Residents of Other States**

For eligible residents of Colorado, Oregon, Utah and Virginia, you also have rights with respect to the Personal Information, also known as personal data, that we collect about you. This Section supplements this Privacy Policy and applies solely to eligible residents of Colorado, Oregon, Utah and Virginia. Any terms not defined in this Section have the same meaning as defined under applicable Colorado, Oregon, Utah and Virginia privacy law, including the Colorado Privacy Act, Oregon Consumer Privacy Act, Utah Consumer Privacy Act, and Virginia Consumer Data Protection Act. Subject to certain exceptions, if you are an eligible resident of one of these states, you have certain privacy rights which may include, depending on your state of residency:

- **Right to Know/Access.** You have the right to confirm whether we process your Personal Information and access such Personal Information. You also have the right to obtain your Personal Information in a portable, and to the extent reasonably feasible, readily usable format that you can transmit without hindrance. In addition, eligible Oregon residents have the right to confirm the categories of Personal Information we process or have processed, as well as a list of specific third parties to which we have disclosed any Personal Information.
- **Right to Delete.** You have the right to request that we delete the Personal Information you have provided to us or that we have otherwise obtained about you.
- **Right to Correct.** You have the right to request that we correct inaccuracies in your Personal Information, taking into account the nature of the Personal Information and the purposes of the processing of your Personal Information.
- **Right to Opt Out.** You have the right to opt out of the processing of your Personal Information for the purposes of (i) targeted advertising, (ii) the sale of your Personal Information and (iii) profiling in furtherance of decisions that produce legal or similarly significant effects. Please note that we do not engage in profiling in furtherance of such decisions.

You do not need to create an account with us to exercise your Colorado, Oregon, Utah and Virginia privacy law rights. To exercise the rights described in this Section please submit a request to us by:

- Calling our toll free number: (800) 852-7204
- Sending us a request through our [online request portal](#)

## **12. 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 Services, 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.

## **13. 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.