

Privacy Policy

Effective Date: November 20, 2014

Welcome to the American Born Moonshine website (this "Site"). This policy describes the Privacy Policy (this "Policy") for this Site and describes how Windy Hill Spirits, Inc. ("Company") collects, protects, uses and discloses information we receive from visitors to and users of our Site. Company has created this Policy in order to demonstrate and inform you of our firm commitment to privacy. This Policy also applies to information collected by the Company through social media sites, including but not limited to Facebook, Twitter, Tumblr, Pinterest and Instagram (collectively, the "Social Media Platforms" (together with the Site, the "Properties")). This Policy, together with the Terms of Use for this Site (which are hereby incorporated by this reference) sets forth the general rules and policies governing your use of the Properties.

PLEASE READ THIS POLICY CAREFULLY BEFORE USING THE SITE. THIS POLICY APPLIES ONLY TO INFORMATION COLLECTED THROUGH THIS SITE AND NOT TO INFORMATION COLLECTED OFFLINE OR THROUGH ANY OTHER WEBSITES (EVEN IF AFFILIATED WITH COMPANY).

BY ACCEPTING THIS POLICY AND USING THE SITE, YOU AGREE TO AND ARE BOUND BY THE TERMS, CONDITIONS, POLICIES AND NOTICES CONTAINED IN THIS AGREEMENT, INCLUDING WITHOUT LIMITATION, CONDUCTING THIS TRANSACTION ELECTRONICALLY AND A CHOICE OF TENNESSEE LAW.

COMPANY MAY MODIFY THIS POLICY AT ANY TIME, AT ITS DISCRETION, AND MODIFICATIONS ARE EFFECTIVE UPON BEING POSTED ON THIS SITE. YOU ARE RESPONSIBLE FOR REVIEWING THIS POLICY PERIODICALLY TO ENSURE THAT YOU ARE AWARE OF ANY CHANGES TO IT BECAUSE YOUR CONTINUED USE OF THIS SITE WILL MEAN THAT YOU ACCEPT SUCH CHANGES. IF YOU DO NOT AGREE WITH THIS POLICY, OR ANY SUBSEQUENT MODIFICATIONS TO THIS POLICY, YOU MUST NOT ACCESS OR USE THIS SITE OR DISCLOSE ANY PERSONAL INFORMATION THROUGH THIS SITE.

THE INFORMATION WE COLLECT

We collect personal and other information from you when you provide information to us or whenever you interact with us via the Properties. There are two kinds of information websites and interactive applications can obtain about you: (A) Anonymous Information and (B) Personally Identifiable Information. This section details what types of Anonymous Information and Personally Identifiable Information we collect from you when you access or use our Properties.

(1) *Anonymous Information*: "Anonymous Information" is data that does not contain information that identifies an individual that websites use to administer their sites and provide their products and services. Anonymous information can include certain personally identifiable information that has been de-identified; that is, information that has been rendered anonymous. It may include such information as your browser type, your Internet Protocol (IP) address or information related to your use of the Properties, such as the page served, time of request, preceding page viewed and other similar information. Company may from time to time retain third parties to help us collect and aggregate anonymous information about visitors' use of the Properties. In particular, we may collect the following types of Anonymous Information:

IP Addresses. An IP address is a unique string of numbers that is assigned to your computer by your Internet Service Provider. Web servers automatically identify your computer by its IP address. We use your IP address to help diagnose problems with our server, to administer our Properties, avoid hacking attacks on the Properties' server(s), and may use it and aggregate it to gather broad demographic, geographic, and industry information. We do not link IP addresses to any personally identifiable information, even if such information is voluntarily provided by a user. The Properties may also gather anonymous "traffic data" that does not personally identify you, but that may be helpful for marketing purposes or for improving the products and services we offer.

Cookie Information. As is the case with many websites and web-based applications, our Properties use a technology called "cookies", which are small data files that are downloaded onto your computer or mobile device. The use of cookies is standard on the Internet, and allows us to tailor your visits to our Properties to your individual preferences. When you visit our Properties, a web beacon allows us to capture certain additional types of information about your activities and use of the Properties over time, such as which web pages you choose to visit and details about any items that you purchase. We also may contract with third party service providers who assign cookies and/or web beacons to conduct site tracking for us and collect information about your visits to the Properties over time as well as your visits to other websites in order to provide marketing analytics about goods and services of interest to you, your preferences, how you share information about our products and services with others, and to improve our marketing efforts. We may combine such information about your visits to and use of the Properties as well as your visits to other websites with Personally Identifiable Information (as defined below) that we or our third-party providers collect about you, such as your user ID, name, email address and mailing address.

Although most web browsers automatically accept cookies, you can change your browser to prevent cookies or notify you whenever you are sent a cookie. However, if you disable or block cookies on your browser, the features on our Properties may not work correctly. In addition, if you disable or block cookies, you will not be able to make a purchase using the Properties.

Third-Party Social Media Information. If you choose to access, visit and/or use any of our pages on Social Media Platforms, we may receive aggregate information and analysis about visitors' usage of our pages on Social Media Platforms.

(2) **Personally Identifiable Information:** "Personally Identifiable Information" is any information that personally identifies you, such as your name, email address, billing address, shipping address, credit card information or your telephone number. As a general policy, we do not automatically collect your personally identifiable information when you visit our Properties. In certain circumstances, we may request, allow or otherwise provide you an opportunity to submit your personally identifiable information in connection with a feature, program, promotion or some other aspect of our Properties. Sometimes this personal information is needed when you order merchandise, create an account or register with our Properties, submit a comment, suggestion or make a request for certain features or materials related to our products and services, or when you contact us, or we may ask you to provide us with personal information on a voluntary basis in certain areas of our Properties. Certain information may not be personally identifiable when standing alone (e.g., your age), but may become so when combined with other information (e.g., your age and name). Whether or not you provide this information is your choice; however, in many instances this type of information is required to participate in the particular activity, realize a benefit

we may offer or gain access to certain content on our Properties. In particular, you may be asked to provide the following information:

Services and Registration. Company may obtain your personal information, including name, email and physical address, if you: register for a promotion, contest, sweepstakes, or other offers; fill out a survey; or otherwise provide registration information to Company for any product, service, or offer on or through the Properties. Company will also use your information to communicate with you and update you on services and benefits and to personalize the services and Properties to you.

Making a Purchase. When you request to make any purchase through the Site, at checkout we request information from you on our order form. In connection with purchases via the Site, you are required to provide contact information (including shipping address, email address and your first and last name) and financial information (including billing address, credit card number and expiration date). This information is used for billing purposes, order fulfillment and age verification. In the event an issue arises in connection with an order, we may also use this information to contact you regarding such order. Information about your purchase (such as what you buy, where you buy, how frequently you buy and rewards you earn) will become part of your account and profile as maintained by the Company.

Email Correspondence. We offer visitors to the Properties the opportunity to sign up to receive email notices, promotions and other communications from us. In order to sign up for these communications, we ask for your contact information, such as name, email address and zip code. We may also offer the opportunity for you to receive other communications that we think may be of interest to you.

Correspondence; Feedback. Scattered throughout the Site are links or forms that can be used to contact Company so you can comment, provide feedback, make a complaint, make suggestions and ask questions. Company may also use your information to solicit feedback regarding the Properties or services. Your contact information, such as name, address, and email address may be required on these forms so we can address our answer in a mannerly way. Company may put such information on file, but does not currently share, sell, license or transmit this information with third parties without express authorization from you.

Third-Party Social Media Sites. You may choose to provide Personally Identifiable Information through Social Media Platforms, including without limitation your name, phone number or address when you communicate with us or other participants on the Social Media Platforms, post suggestions or comments for us, or enter a sweepstakes or contest through the Social Media Platforms. For example, if you post a comment on the Company's Facebook page or send us a message on Twitter, we may collect that information as described in this Privacy Policy and may link information about such interactions with other publicly available information included in your profile on such Social Media Platforms, such as your name, user ID, geolocation, purchase history, likes, networks, list of friends, and birthday. This information will also become part of your profile or account as maintained by the Company. However, please note that this Policy does not cover the privacy and security practices of the social media sites on which the Company has pages, including without limitation Facebook, Twitter and Pinterest. **Please carefully review the privacy policies and terms of service on such third-party social media sites before using, visiting or interacting with others on such Social Media Platforms. Please remember that any information you share on our pages or in**

general on Social Media Platforms becomes public information and you should exercise caution when deciding whether to disclose your personal information in such a manner. In addition, when you interact with our Site by connecting to our Site through Social Media Platforms or third-party social media applications, sharing products or content through Social Media Platforms by sharing or liking such products or content, our third-party providers may combine information concerning such activities with other information about you such as your user name, gender, referring website, geographic location and other information obtained through other third-party websites you visit as well as your public profile(s) on such Social Media Platforms. Such information will also become part of your profile or account as maintained by the Company.

HOW WE USE GATHERED INFORMATION

In addition to the uses described above, the information you share with us may be used as follows:

(1) *Anonymous Information:* We and our third-party partners may use a variety of technologies, now known or hereafter devised, to collect Anonymous Information. Anonymous Information is used internally for administration of the Properties, troubleshooting and to help improve the quality of the Properties and its design. We may share such aggregated, non-personally identifiable information, such as demographics, with existing and prospective business partners and advertisers.

(2) *Personally Identifiable Information:* Personally Identifiable Information collected by Company may be used for purposes that include, without limitation, administration of the Properties and communications with you. In all cases, however, we will only use your information as permitted by law. In addition, we may from time to time contract with third parties to assist us in maintaining and managing our customer information, taking and fulfilling orders, processing credit card information, conducting promotions, communicating effectively with our customers, and providing analytics regarding your interactions with the Properties. We may also provide this information to subsidiaries, affiliates, strategic partners and other trusted businesses or persons for the purpose of processing information on Company's behalf. Company may also provide to third parties such information about you that does not allow you to be identified or contacted and reserves the right to supply anonymized data to partners for research or commercial purposes. For example, we contract with service providers to serve ads on our behalf across the Internet. They collect information about your visits to and use of our Properties. They also may use information about your visits to our Properties and other websites to target advertisements to you for our products and services. These targeted advertisements to you may appear on our Properties or on other websites that you visit. Please click here to learn more about your choices regarding targeted and behavioral advertising: <http://www.networkadvertising.org/> or <http://www.aboutads.info/>. To opt out, please click [here](http://www.networkadvertising.org/managing/opt_out.asp) http://www.networkadvertising.org/managing/opt_out.asp or <http://www.aboutads.info/choices/>. In all cases, however, we will only use your information as permitted by law.

Some browsers have a "do not track" feature that lets you indicate that you do not wish to have your online activities tracked. These features are not yet uniform, so we do not currently respond to such features or signals. Therefore, if you select or turn on a "do not track" feature in your web browser or block or delete tracking cookies, Company and its third-party providers may continue collecting information about your online activities as described in this Policy.

If you choose to access our Site while you are logged into your account with a Social Media Platform, our third-party providers may collect certain information about your activities and profile on such Social Media Platform, including without limitation your visits to and conversations and comments about specific pages, products and services, shares and referrals you make for specific

pages, products and services, and your purchases of specific products or services. This information may be combined with other information available on your profile on Social Media Platforms, including without limitation your name, profile picture, gender, networks, user ID, list of friends, birthday, likes and preferences, education history, work history, current city, hometown, interests, relationship status and any other information you have made available on the Social Media Platforms and will become part of your profile as maintained by the Company.

(3) *Other Uses:* We also may disclose Personally Identifiable Information or Anonymous Information if we are required to do so by law or we in good faith believe that such action is necessary to (a) comply with the law or with legal process; (b) protect and defend our rights and property; (c) protect against misuse or unauthorized use of the Properties; or (d) protect the personal safety or property of our users or the public. Please note that we may not provide you with notice prior to disclosure in such cases.

OPT-OUT

We support the right of our visitors to choose. You will be given the right to opt-out of receiving any promotional materials about Company and its affiliates and partners whenever you are asked to provide Personally Identifiable Information on the Properties. If you do not opt-out at that time, but later decide that you do not wish to receive future communications of this nature, you can contact us at via the contact information below, indicating that you no longer want to receive information relating to the Properties. Your opt-out request may take up to ten (10) business days to process, and you may receive communications from us or our third-party service providers in the meantime. Please note that if you make subsequent purchases from our Site, we will confirm your order by email, and we may need to contact you by phone or email in order to fulfill your order.

ACCESS AND CORRECTION

You have certain rights to know about the Personally Identifiable Information that Company holds about you and gathered through the Properties, including the right to correct, amend or delete the information that Company has on file if it is incorrect. If you wish to exercise these rights please contact us via the contact information provided below.

SECURITY

The Properties incorporate reasonable safeguards to protect the security, integrity and privacy of the personal information we have collected. Security of information communicated by or to us over the Internet is of utmost concern to us; however, no data transmission over the Internet can be guaranteed to be 100% secure. Please note that your email, like most, if not all, non-encrypted Internet communications, may be accessed and viewed by other Internet users, without your knowledge and permission, while in transit to us. For that reason, to protect your privacy, please do not use email or Social Media Platforms to communicate information to us that you consider confidential.

While we strive to protect your personal information, Company cannot ensure or warrant the security of any information you transmit to us or through the Properties. Once we receive your transmission, we will use reasonable efforts to ensure its security on our internal systems. Depending on the nature of the inquiry, your communication may be discarded or archived. If you wish, you may contact us instead via telephone at the numbers provided throughout our Properties.

DISCLOSURE OF INFORMATION THROUGH BUSINESS TRANSFERS

As we continue to develop our business, we may buy, merge or partner with other companies or businesses, and in so doing, acquire or share customer information. In such transactions, user

information may be among the transferred or shared assets. Similarly, in the event that a portion or substantially all of Company's assets are sold or transferred to a third party, customer information (including Personally Identifiable Information) would likely be one of the transferred business assets.

OUR COMMITMENT TO CHILDREN'S PRIVACY

Protecting the privacy of children is very important to us. The Children's Online Privacy and Protection Act of 1998 ("COPPA") defines a "Child" as anyone under the age of 13. Company strictly adheres to COPPA. For that reason, we do not collect or maintain information obtained through our Properties from those we actually know are under 13, and no part of our Properties are structured to attract anyone under 13, and we do not knowingly collect or use the personal information of minors for marketing purposes. Please note that if you are under 18, you may purchase products through the Properties only with the involvement and consent of a parent or guardian.

EXTERNAL LINKS

The Properties may provide links to various websites that we do not control. When you click on one of these links, you will be transferred out of our Properties and connected to the website of the organization or company that you selected. We are not responsible for the nature, quality or accuracy of the content or opinions expressed on such websites, and such websites are not investigated, monitored or checked for quality, accuracy or completeness by us. Inclusion of any linked website on the Properties does not imply or express an approval or endorsement of the linked website by us, or of any of the content, opinions, products or services provided on these websites. Even if an affiliation exists between our Properties and a third-party website, we exercise no control over linked sites and have no responsibility for their privacy practices. Each of these linked sites maintains its own independent privacy and data collection policies and procedures. While Company expects its partners and affiliates to respect the privacy of our users, Company cannot be responsible for the actions of third parties. If you visit a website that is linked to from our Properties, we encourage you to consult that website's privacy policy before providing any personal information and whenever interacting with any website.

GOVERNING LAW; LIMITATION ON CLAIMS

The Properties are controlled, operated and administered entirely within the United States. By using the Properties, you signify your agreement to the terms of this Policy. If you do not agree with this Policy, please do not disclose any personal information through the Properties. This Policy and the use of the Properties are governed by Tennessee law. Any claim related to the Properties or this Policy shall be brought in a federal or state court in Nashville, Tennessee, within one year after the claim arises. Users of the Properties consent to the exclusive jurisdiction and venue of such courts as the most convenient and appropriate for the resolution of disputes concerning this Policy. This Policy and the notices outlined herein are not intended to and do not create any contractual or other legal rights in or on behalf of any third party.

SPECIAL NOTICE TO CALIFORNIA RESIDENTS

Under the California Civil Code, residents of the State of California that have provided any Personally Identifiable Information to Company have the right to request a list of all third parties to which Company has disclosed Personally Identifiable Information during the preceding year for direct marketing purposes. Alternatively, the law provides that if Company has a privacy policy that gives either an opt-out or opt-in choice for use of Personally Identifiable Information by third parties (such as advertisers or affiliated companies) for marketing purposes, Company may instead provide you with information on how to exercise your disclosure choice options, free of charge. Company qualifies for the alternative option; it has established this Policy that provides you with

details on how you may either opt-out or opt-in to the use of your Personally Identifiable Information by third parties for direct marketing purposes.

If you are a California resident and request information about how to exercise your third party disclosure choices, please send a request to Company via the contact information below with a preference on how our response to your request should be sent.

ACCOUNT REVISIONS, REVOKING AND DELETING PERSONAL INFORMATION

We welcome your questions, comments and all feedback pertaining to your privacy or any other issue with regard to the Properties.

At any time, you may ask us to cease further use of your email address to send you correspondence, and direct us to delete any Personally Identifiable Information you have supplied. Although it is not always possible to remove or modify such information, we will make reasonable efforts to do so. If you have given us information for one of those third parties we mentioned above and we have already passed it on, we may not be able to delete or change the information.

In the event that you have given us Personally Identifiable Information in the past and then have second thoughts or want to update it, or if you have any other questions regarding this Policy or the Properties, you may contact us at:

Address: Windy Hill Spirits, Inc.
209 10th Avenue South, Suite 400
Nashville, Tennessee 37203
info@windyhillspirits.com



DON'T TREAD
ON ME