

# **OCEANS ELEVEN CASINO'S CPRA CALIFORNIA PRIVACY POLICY FOR CONSUMERS AND B2B CUSTOMERS**

## **PURPOSE AND INTENT**

Oceans Eleven Casino and its operating groups, parent(s), subsidiaries and affiliates (collectively, “the Company”) are committed to protecting the privacy and security of your personal information. This California privacy policy describes how we collect, use, retain, secure and disclose personal information about you (our “Information Practices”). This privacy policy is in addition to our main Privacy Policy located at: [\[LINK\]](#) and is intended to comply with the California Consumer Privacy Act, California Privacy Rights Act (“CPRA”), and applicable regulations (together the “CPRA”).

It is important that you understand this California privacy policy, together with any other privacy notices we may provide on specific occasions when we are collecting or processing personal information about you, so that you are aware of how and why we are using such information. If you have any questions about this privacy policy or our Information Practices, please contact us at: (760) 439-9916.

If you wish to access this California privacy policy in an alternate format or require an accommodation to access this privacy policy, please contact us at: [Rachel@oceans11.com](mailto:Rachel@oceans11.com)

## **DATA PROTECTION PRINCIPLES**

We collect, use, retain, and share your personal information in accordance with certain data privacy and data protection principles. Specifically, the personal information we collect about you is:

- used lawfully, fairly and in a transparent way;
- collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- reasonably necessary and proportionate to achieve these purposes;
- accurate and kept up to date;
- kept only as long as necessary for these purposes; and
- kept securely.

If we intend to collect, use, retain, or share your personal information for any purpose that is incompatible with the purposes for which your personal information was collected, we will obtain your consent to do so.

For the purposes of this privacy policy, “personal information” means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household.

“Sensitive personal information” is a subcategory of personal information and means personal information that reveals: (a) an individual’s social security, driver’s license, state identification card, or passport number; (b) an individual’s account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; (c) an individual’s precise geolocation; (d) an individual’s racial or ethnic origin, religious or philosophical beliefs, or union membership; (e) the contents of an individual’s mail, email, and text messages unless the Company is the intended recipient of the communication; (f) an individual’s genetic data; (g) an individual’s biometric information used to uniquely identify the individual; (h) personal information collected and analyzed regarding an individual’s health; and (i) personal information collected and analyzed regarding an individual’s sex life or sexual orientation.

## **PERSONAL INFORMATION WE COLLECT AND HOW WE COLLECT IT, USE IT, AND RETAIN IT**

We collect, receive, use and retain personal information for the following purposes. **However, we do not:**

- **sell your personal information;**
- **share or disclose your personal information to third parties other than the entities or service providers listed below;**
- **share or disclose your sensitive information to third parties for purposes other than those listed below or otherwise permitted by the CPRA;**
- **sell or share the personal information of consumers under 16 years of age; or**
- **permit third parties to collect your personal information on our behalf other than our service providers listed below.**

The categories of Personal Information we have collected during the previous twelve months include:

| Categories of Personal Information Collected  | Sources of the Personal Information | Purposes for Collecting the Personal Information  | Retention Period for the Personal Information  |
|---|-------------------------------------|---|--|
| <u>Identifiers:</u><br><br>Name, aliases, nick names, and other legal names used; postal address, phone number, cell phone number, birthdate, photo, and driver’s | Collected from you.                 | Provide our products and services; manage our business relationship and provide customer service; maintain and service your account; improve, upgrade and enhance our | As long as necessary to fulfill the purposes for the collection. Generally, personal information is retained for the duration of our relationship with you, plus any legally |

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| <p>license number; information stated on a W-9 form, account numbers, Social Security number, emergency contact information, spouse's name, cell phone number, work phone number, home address, gender, information concerning your employment, including address and telephone number of your employer, your position and compensation; monthly income; name of relatives not residing with you; bank account information, including the name of the bank, address and telephone number, account information, and purpose for the account; real property owned, including the address, type of property, the property value, and mortgage information; race and ethnicity; gender; height, weight, hair and eye color; any form of identification including state identification or passport number; other distinguishing characteristics such as balding, beard, scar, and tattoos.</p> |  | <p>products and services; conduct auditing and due diligence; perform accounting, billing reconciliation and other internal business functions; detect security incidents and protect against malicious, deceptive, fraudulent, or illegal activity; comply with applicable laws; exercise and defend our legal rights; and other short-term transient use.</p> | <p>required record or data retention period and/or any period of time necessary to exercise our legal rights</p> |
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| <u>Protected categories:</u><br><br>Information stated on a W-9 form; gender, race and ethnicity.   | Collected from you. | Provide our products and services; manage our business relationship and provide customer service; maintain and service your account; improve, upgrade and enhance our products and services; conduct auditing and due diligence; perform accounting, billing reconciliation and other internal business functions; detect security incidents and protect against malicious, deceptive, fraudulent, or illegal activity; comply with applicable laws; exercise and defend our legal rights; and other short-term transient use. | As long as necessary to fulfill the purposes for the collection. Generally, personal information is retained for the duration of our relationship with you, plus any legally required record or data retention period and/or any period of time necessary to exercise our legal rights |
| <u>Sensitive Personal Information:</u><br><br>Birthdate, driver's license number; information stated on a W-9 form, account numbers, Social Security number; gender; bank account information, including the name of the bank, address and telephone number, account information, and purpose for the account; and any form of identification | Collected from you. | Provide our products and services; manage our business relationship and provide customer service; maintain and service your account; improve, upgrade and enhance our products and services; conduct auditing and due diligence; perform accounting, billing reconciliation and other internal business functions; detect security   | As long as necessary to fulfill the purposes for the collection. Generally, personal information is retained for the duration of our relationship with you, plus any legally required record or data retention period and/or any period of time necessary to exercise our legal rights |

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| including state identification or passport number.  |                                | incidents and protect against malicious, deceptive, fraudulent, or illegal activity; comply with applicable laws; exercise and defend our legal rights; and other short-term transient use.  |  |
| <u>Biometric Information</u><br><br>NOT COLLECTED   | N/A                            | N/A  | N/A  |
| <u>Internet or other electronic network activity information:</u><br><br>We track and retain cookies when you contact our website | Your contact with our website. | Provide our products and services; manage our business relationship and provide customer service; maintain and service your account; improve, upgrade and enhance our products and services; conduct auditing and due diligence; perform accounting, billing reconciliation and other internal business functions; detect security incidents and protect against malicious, deceptive, fraudulent, or illegal activity; comply with applicable laws; exercise and defend our legal rights; and other short-term transient use. | As long as necessary to fulfill the purposes for the collection. Generally, personal information is retained for the duration of our relationship with you, plus any legally required record or data retention period and/or any period of time necessary to exercise our legal rights |
| <u>Geolocation information</u>  | N/A                            | N/A  | N/A  |

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| NOT COLLECTED   |                      |   |   |
| <p><u>Audio, electronic, visual, thermal, or similar information</u></p> <p>We have surveillance cameras and we retain the footage from those cameras.</p>  | Surveillance cameras | <p>Provide our products and services; manage our business relationship and provide customer service; maintain and service your account; improve, upgrade and enhance our products and services; conduct auditing and due diligence; perform accounting, billing reconciliation and other internal business functions; detect security incidents and protect against malicious, deceptive, fraudulent, or illegal activity; comply with applicable laws; exercise and defend our legal rights; and other short-term transient use.</p> | <p>As long as necessary to fulfill the purposes for the collection. Generally, personal information is retained for the duration of our relationship with you, plus any legally required record or data retention period and/or any period of time necessary to exercise our legal rights</p> |
| <p><u>Professional or employment-related information:</u></p> <p>Information concerning your employment, including address and telephone number of your employer, your position and compensation.</p> | Collected from you.  | <p>Provide our products and services; manage our business relationship and provide customer service; maintain and service your account; improve, upgrade and enhance our products and services; conduct auditing and due diligence; perform accounting, billing reconciliation and other internal business functions;</p>   | <p>As long as necessary to fulfill the purposes for the collection. Generally, personal information is retained for the duration of our relationship with you, plus any legally required record or data retention period and/or any period of time necessary to exercise our legal rights</p> |

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|  |   | detect security incidents and protect against malicious, deceptive, fraudulent, or illegal activity; comply with applicable laws; exercise and defend our legal rights; and other short-term transient use.   |   |
| <p>Commercial information:</p> <p>Monthly income; name of relatives not residing with you; bank account information, including the name of the bank, address and telephone number, account information, and purpose for the account; real property owned, including the address, type of property, the property value, and mortgage information.</p> | <p>You, analytics tools, social networks, advertising networks, and third party sources such as resellers, distributors, banks, credit agencies, risk management service providers, couriers, identify verification, and other third parties that sell, service or support our products and services.</p> | <p>Provide our products and services; manage our business relationship and provide customer service; maintain and service your account; improve, upgrade and enhance our products and services; conduct auditing and due diligence; perform accounting, billing reconciliation and other internal business functions; detect security incidents and protect against malicious, deceptive, fraudulent, or illegal activity; comply with applicable laws; exercise and defend our legal rights; and other short-term transient use.</p> | <p>As long as necessary to fulfill the purposes for the collection. Generally, personal information is retained for the duration of our relationship with you, plus any legally required record or data retention period and/or any period of time necessary to exercise our legal rights</p> |

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| <u>Inferences drawn from the personal information collected</u> | Personal information collected | Provide our products and services; manage our business relationship and provide customer service; maintain and service your account; improve, upgrade and enhance our products and services; conduct auditing and due diligence; perform accounting, billing reconciliation and other internal business functions; detect security incidents and protect against malicious, deceptive, fraudulent, or illegal activity; comply with applicable laws; exercise and defend our legal rights; and other short-term transient use. | As long as necessary to fulfill the purposes for the collection. Generally, personal information is retained for the duration of our relationship with you, plus any legally required record or data retention period and/or any period of time necessary to exercise our legal rights |
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[IF THE COMPAY SELLS/SHARES PERSONAL INFORMATION: The categories of Personal Information we have sold or shared collected to third parties during the preceding twelve months include the following. **However, we have not sold or shared Personal Information of consumers under the age of 16.**

| Categories of Personal Information Sold or Shared | Categories of Entities with whom We have sold or shared Personal Information  | Purposes for the Sale or Sharing   |
|---|---|--|
| Identifiers, such as contact information          | Our third-party business partners, third-party sites or platforms such as social networking sites, and other third party marketing companies. | To deliver contextual advertising, conduct cross-device tracking to serve you first-party ads directly, or for non-interest based advertising purposes, such as attribution and analytics. |
| Protected Categories, such as demographic         | Our third-party business partners, third-party sites or platforms such as   | To deliver contextual advertising, conduct cross-  |



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| information like gender and age),  | social networking sites, and other third party marketing companies.   | device tracking to serve you first-party ads directly, or for non-interest based advertising purposes, such as attribution and analytics.  |
| Sensitive Information, such as demographic information like gender and age), | Our third-party business partners and service providers, third-party sites or platforms such as social networking sites, and other third party marketing companies. | To deliver contextual advertising, conduct cross-device tracking to serve you first-party ads directly, or for non-interest based advertising purposes, such as attribution and analytics. |
| <u>Internet or other electronic network activity information,</u>            | Our third-party business partners and service providers, third-party sites or platforms such as social networking sites, and other third party marketing companies. | To deliver contextual advertising, conduct cross-device tracking to serve you first-party ads directly, or for non-interest based advertising purposes, such as attribution and analytics. |
| Commercial Information such as payment card information associated with you  | Our third-party business partners and service providers, third-party sites or platforms such as social networking sites, and other third party marketing companies. | To deliver contextual advertising, conduct cross-device tracking to serve you first-party ads directly, or for non-interest based advertising purposes, such as attribution and analytics. |
| Geolocation data   | Our third-party business partners and service providers, third-party sites or platforms such as social networking sites, and other third party marketing companies. | To deliver contextual advertising, conduct cross-device tracking to serve you first-party ads directly, or for non-interest based advertising purposes, such as attribution and analytics. |
| Audio, electronic, visual or similar information                             | Our third-party business partners and service providers, third-party sites or platforms such as social networking sites, and other third party marketing companies. | To deliver contextual advertising, conduct cross-device tracking to serve you first-party ads directly, or for non-interest based advertising purposes, such as attribution and analytics. |
| <u>Inferences drawn from the personal information collected</u>              | Our third-party business partners and service providers, third-party sites or platforms such as social networking sites, and other third party marketing companies. | To deliver contextual advertising, conduct cross-device tracking to serve you first-party ads directly, or for non-interest based advertising  |

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|  |  | purposes, such as attribution and analytics. |
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## HOW WE SHARE PERSONAL INFORMATION

We may disclose your personal information to the following categories of recipients, including for the business purposes described above:

- Our affiliate companies;
- Our trusted third-party services providers and partners who assist us in providing our products and services and operating our business;
- Competent law enforcement agencies, courts, and government agencies to comply with our legal obligations and exercise our legal rights;
- Appropriate entities in connection with any proposed purchase, merger, or acquisition; and
- Other persons and entities with your consent to the disclosure.

## YOUR PRIVACY RIGHTS

As a California resident, you have the following privacy rights regarding your personal information:

- The right to know and right to access the personal information we have collected about you, including the categories of personal information; the categories of sources from which the personal information is collected; the business or commercial purpose for collecting, selling, or sharing personal information; the categories of third parties to whom the business discloses personal information; and the specific pieces of personal information the business has collected about the consumer;
- The right to delete personal information that we have collected from you, subject to certain exceptions;
- The right to correct inaccurate personal information that we maintain about you;
- The right of portability, or right to have us transfer your personal information to other persons or entities upon your request;
- The right to limit the use of your sensitive information;
- The right to opt-out of the sale or sharing of your personal information to third parties; and

- The right not to be discriminated against for exercising your of privacy rights.

You can exercise your right to know, delete, or correct your Personal Information by submitting a request to us by using the webform by clicking this [“Right to Know, Delete or Correct”](#) link; emailing us at: [EMAIL ADDRESS] or calling us at: [TOLL-FREE NUMBER]. To protect the security of your personal information, we will require you to verify your identity by providing us with identifying information such as your personal email address, personal telephone number, home address, and/or other information that we can match with the personal information we have already collected about you to verify your identity.

You may use an authorized agent to exercise your right to know, delete, or correct your Personal Information. We will require your authorized agent to provide us with either (1) a power of attorney authorizing the authorized agent to act on your behalf or (2) your written authorization permitting the authorized agent to request access to your personal information on your behalf. Further, we will require you or your authorized agent to provide us with identifying information to verify your identity. We may also require you to either verify your own identity directly with us or directly confirm with us that you provided the authorized agent permission to submit the request.

You can exercise your right to opt-out of the sale or sharing of your information by clicking the [“Do Not Sell or Share My Personal Information”](#) link here or on our website’s homepage and completing the interactive online form; or by emailing us at: [EMAIL ADDRESS]; or by calling us at: [TOLL-FREE NUMBER]; or by asking us to provide you with a hardcopy “Consumer Access Request” form at any of our physical locations that you visit; or by using an opt-out preference signal that meets the following requirements:

- The signal is in a format commonly used and recognized by businesses. An example would be an HTTP header field or JavaScript object.
- The platform, technology, or mechanism that sends the opt-out preference signal makes it clear to the consumer, whether in its configuration or in disclosures to the public, that the use of the signal is meant to have the effect of opting the consumer out of the sale and sharing of their personal information.

If we already have information about you when we receive your opt-out preference signal, we will honor your request to opt-out of the sale or sharing of your personal information for all of the personal information we have collected about you both online and offline. If we do not already have information about you when we receive your opt-out preference signal, we will honor your request to opt-out of the sale or sharing of your personal information for all of the personal information we have collected about you from the platform or device that sent the opt-out preference signal. Further, we may ask you for additional information necessary to complete your request. Further information regarding opt-out preference signals and how you can use opt-out preference signals can be found at: <https://globalprivacycontrols.org>

You can exercise your right to limit the use and disclosure of your sensitive personal information by clicking the “[Limit the Use of My Sensitive Personal Information](#)” link here or on our website’s homepage and completing the interactive online form; or by emailing us at: [EMAIL ADDRESS]; or by calling us at: [TOLL-FREE NUMBER]; or by asking us to provide you with a hardcopy Consumer Access Request form at any of our physical locations that you visit;

In addition to the privacy rights above, individual California residents have the right under the California Online Privacy Protection Act (CalOPPA) to request information about our disclosures of certain categories of personal information to our affiliates or third parties for their direct marketing purposes. We will provide a list of the categories of personal information disclosed to third parties or our affiliates for their direct marketing purposes during the immediately preceding calendar year, along with the names and addresses of these third parties or affiliates. This request may be made no more than once per calendar year. Individual California Users must submit their requests to us either by email at: [EMAIL ADDRESS] or write us at the mailing address in the Changes and Contact section below. We reserve our right not to respond to requests submitted other than to the email or mailing addresses specified in this section.

## **NOTICE OF FINANCIAL INCENTIVE**

[INCLUDE THE FOLLOWING INFORMATION IN THIS SECTION:

- A succinct summary of the financial incentive or price or service difference offered;
- A description of the material terms of the financial incentive or price or service difference, including the categories of personal information that are implicated by the financial incentive or price or service difference and the value of the consumer’s data;
- How the consumer can opt-in to the financial incentive or price or service difference;  
(4) A statement of the consumer’s right to withdraw from the financial incentive at any time and how the consumer may exercise that right; and
- An explanation of how the price or service difference is reasonably related to the value of the consumer’s data, including:
  - A good-faith estimate of the value of the consumer’s data that forms the basis for offering the price or service difference; and
  - A description of the method(s) the business used to calculate the value of the consumer’s data.
- To calculate the value of the consumer’s data, use one or more of the following methods:
  - The marginal value to the business of the sale, collection, or deletion of a consumer’s data.

- The average value to the business of the sale, collection, or deletion of a consumer's data.
- The aggregate value to the business of the sale, collection, or deletion of consumers' data divided by the total number of consumers.
- Revenue generated by the business from sale, collection, or retention of consumers' personal information.
- Expenses related to the sale, collection, or retention of consumers' personal information.
- Expenses related to the offer, provision, or imposition of any financial incentive or price or service difference.
- Profit generated by the business from sale, collection, or retention of consumers' personal information.
- Any other practical and reasonably reliable method of calculation used in good faith.
- For the purpose of calculating the value of consumer data, a business may consider the value to the business of the data of all natural persons in the United States and not just consumers.]

## **DATA SECURITY**

While no data security system can fully protect personal information from unauthorized data breaches, we have implemented reasonable safeguards and controls, consistent with its legal obligations under California and other local, state and federal laws. The Company is committed to: (i) seeking to safeguard all personal information that you provide to us; (ii) seeking to ensure that it remains confidential and secure; and (iii) taking all reasonable steps to ensure that personal privacy is respected. All our data is stored in written or electronic form on our servers and computers and in various physical locations. We maintain physical, electronic and procedural safeguards to protect your personal information from misuse, unauthorized access or disclosure and loss or corruption by computer viruses and other sources of harm. We restrict access to personal information to those staff members of the Company and our services providers who need to know that information for the purposes identified in our privacy policy and privacy notices.

We have put in place procedures to deal with any suspected data security breach and will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

## **PERSONAL INFORMATION OF MINORS**

The Company does not collect, sell or share personal information for individuals under the age of 16.

### **CHANGES TO THIS PRIVACY POLICY**

As we strive to improve our practices, we may revise the Company's privacy policy from time to time. This privacy policy is not a contract and we reserve the right to change this policy at any time and to notify you of those changes by posting an updated version of this policy. It is your responsibility to check this policy from time to time for any changes.

This privacy policy was last updated on June 30, 2023.

### **QUESTIONS AND FURTHER INFORMATION**

If you have any questions or would like further information regarding this privacy policy or our privacy practices, please contact us at: [Rachel@oceans11.com](mailto:Rachel@oceans11.com)