

VII. CALIFORNIA CONSUMER PRIVACY ACT DISCLOSURES

In these California Consumer Privacy Act Disclosures (“CCPA Disclosures”), we, Fogo de Chão, Inc. and/or its affiliates (collectively “Fogo”) disclosure information about our data processing practices as required by the California Consumer Privacy Act of 2018 (“CCPA”) and supplementing the disclosures in any CCPA Notice at Collection issued in addition to the CCPA Notice at Collection Online provided in Section III below. These CCPA Disclosures are effective January 1, 2020. You can download a PDF version here: https://fogodechao.com/wp-content/uploads/2019/12/California_Consumer_Privacy_Act_Disclosures.pdf

I. Who and what information is subject to these CCPA Disclosures?

California residents are protected as “consumers” by the California Consumer Privacy Act of 2018 (“CCPA”) with respect to personal information.

A number of statutory exceptions apply under the CCPA and to these CCPA Disclosures, including the following personal information that:

- (1) reflects a written or verbal communication or a transaction between the business and the consumer, where the consumer is a natural person who is acting as an employee, owner, director, officer, or contractor of a company, partnership, sole proprietorship, non-profit, or government agency and whose communications or transaction with the business occur solely within the context of the business conducting due diligence regarding, or providing or receiving a product or service to or from such company, partnership, sole proprietorship, non-profit, or government agency
- (2) is collected by a business about a natural person in the course of the natural person acting as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor of that business to the extent that the natural person’s personal information is collected and used by the business solely within the context of the natural person’s role or former role as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or a contractor of that business
- (3) is collected by a business that is emergency contact information of the natural person acting as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor of that business to the extent that the personal information is collected and used solely within the context of having an emergency contact on file
- (4) is necessary for the business to retain to administer benefits for another natural person relating to the natural person acting as a job applicant to, an employee of, owner of, director of, officer of, medical staff member of, or contractor of that business to the extent that the personal information is collected and used solely within the context of administering those benefits.

II. How can a consumer with a disability access these CCPA Disclosures?

Consumers who have a visual disability may be able to use a screen reader or other text-to-speech or text-to-Braille tool to review the contents of this notice.

III. CCPA Notice at Collection Online

In this CCPA Notice at Collection Online, we are addressing disclosure requirements under California Civil Code §1798.100(b) and California Attorney General Regulations § 999.305 at or before the point of online collection:

We may collect personal information directly from you, such as information that you provide when you visit or call a Fogo location or our website, which may provide information that is passively or automatically collected from you, such as information collected from your browser or device.

We may also collect information from third party sources and platforms, upon whom we rely to provide our guests' experience. We use both third party service providers, such as reservation services, payment processors, gift card purchases and analytics providers, to perform services on our behalf. Some of these providers may have access to information about you that we may or may not otherwise have (for example, where you sign up directly with that provider) and may share some or all of this information with us. We may use this information to administer and improve our guests' experience and to conduct marketing and advertising campaigns.

See Section IV 3. for a description of prior and current sources of collection of Personal Information. The CCPA Privacy Policy is available immediately [below](#).

IV. CCPA Privacy Policy

Beyond the disclosures in the preceding "Notice At Collection Online" segment and any other Notice at Collection, we are providing additional disclosures about consumer rights and our personal information handling practices in the preceding twelve months, as required by the CCPA and regulations of the California Attorney General, including §999.308 (Privacy Policy).

1. Right to Know About Personal Information Collected, Disclosed, or Sold

This CCPA Privacy Policy describes personal information we generally collect, use, disclose and sell about California residents. You have the right to request that we disclose what personal information we collect, use, disclose and sell about you specifically ("right to know"). To submit a request to exercise the right to know, please call our toll-free phone number (972) 361-6200 or submit an email request to privacy@fogo.com and include "California Request to Know" in the subject line. Please specify in your request the details you would like to know, including any specific pieces of personal information you would like to access.

We will ask that you provide certain information to verify your identity, such as a code sent to an email address we may have on file for you. If you have a password-protected account with us, we may verify your identity through our existing authentication practices for your account. The information that we ask you to provide to verify your identity will depend on your prior interactions with us and the sensitivity of the personal information at issue. We will respond to your request in accordance with the CCPA. If we deny your request, we will explain why.

2. Our Personal Information Handling Practices in 2019

We have set out below categories of personal information we have collected about California residents in the preceding 12 months and, for each category of personal information collected, the categories of sources from which that information was collected, the business or commercial purposes for which the information was collected, and the categories of third parties with whom we shared the personal information.

Category of personal information	We collected such personal information to use for the following business or commercial purposes
<p>Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver’s license number, passport number, or other similar identifiers.</p>	<p>Marketing (including advertising, customer traffic generation, performance media, event organization, web traffic analytics, brand promotion and analytics, surveys and consumer research, campaigns, management of influencer and other partner relationships, social media content distribution and analytics, contest administration, and customer engagement and analytics)</p> <p>Operational purposes (including order processing, payment, gift card, voucher and coupon processing, receipt processing, anti-fraud, sales data reporting, and delivery coordination)</p> <p>Employment and recruiting (including employment eligibility verification, for interview purposes, payroll administration and employee timekeeping, benefit administration, creation of tax forms, office administration, business expense processing, industry benchmarking, and internal communications)</p> <p>Development and real estate for the purpose of expanding Fogo’s business</p> <p>Business relationship management</p> <p>Customer service</p>
<p>Any categories of personal information described in subdivision (e) of Section 1798.80: “Personal information” means any information that identifies, relates to, describes, or is capable of being associated with, a particular individual, including, but not limited to, his or her name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. “Personal information” does not include publicly available information that is lawfully made available to the general public from federal, state, or local government records.”</p>	<p>Marketing (including surveys and consumer research, and management of influencer and other partner relationships)</p> <p>Operational purposes (including order processing, payment, gift card, voucher and coupon processing, receipt processing, anti-fraud, sales data reporting and analytics)</p> <p>Employment and recruiting (including payroll administration and benefit administration)</p> <p>Development and real estate investment for the purpose of expanding Fogo’s business</p>
<p>Demographic information including characteristics of protected classifications under California or federal</p>	<p>Marketing (including surveys and consumer research, and social media content distribution and analytics)</p>

law.	<p>Employment and recruiting (including employment eligibility verification, payroll administration, and benefit administration)</p> <p>Operational purposes</p>
Commercial information, including records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	<p>Marketing (including surveys, consumer research, and communications)</p> <p>Operational purposes (including order processing and oversight, payment, gift card, voucher and coupon processing, receipt processing, anti-fraud, sales data reporting and analysis, delivery coordination, inventory management, and financial auditing)</p> <p>Customer service</p> <p>Development and real estate purposes</p>
Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an Internet Web site, application, or advertisement.	<p>Marketing (including customer traffic generation, audience segmentation, web traffic and search engine analytics, brand promotion and analytics, surveys and consumer research, campaigns, management of influencer relationships, social media content analytics, communications, contest administration, and customer engagement and analytics)</p> <p>Operational purposes (including anti-fraud and analytics)</p> <p>Employment and recruiting</p> <p>Customer service</p>
Geolocation data.	<p>Marketing (including social media content distribution and providing mobile store locator services)</p> <p>Operational purposes (including anti-fraud)</p> <p>Development and real estate purposes</p>
Audio, electronic, visual, thermal, olfactory, or similar information.	<p>Marketing (including advertising)</p> <p>Customer and employee safety</p> <p>Customer service and quality assurance</p> <p>Detecting security incidents</p>
Professional or employment-related information.	<p>Marketing (including lead generation and management of influencer and other partner relationships)</p> <p>Operational purposes (including delivery coordination, order processing and oversight)</p>

	<p>Employment and recruiting (including for interview purposes, selecting candidates, payroll administration and employee timekeeping, benefit administration, creation of tax forms, office administration, business expense processing, industry benchmarking, and internal communications)</p> <p>Business relationship management</p>
<p>Inferences drawn from any of the information identified in this subdivision to create a profile about a consumer reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.</p>	<p>Marketing (including audience segmentation, campaigns, management of influencer and other partner relationships, social media content distribution and analytics, and customer engagement and analytics)</p> <p>Employment and recruiting</p>

3. Collection of Personal Information

We obtain the categories of Personal Information listed above from one or more of the following sources:

Directly from you: Personal Information provided to us through our eClub sign up forms, business card drops, and online sign up forms on our Reservations, Contact Us, eClub or Group Dining webpages; email, via our website, by telephone, in writing, Guest Wi-Fi in our restaurants, or through other means chosen by you; or employment applications and applicant and employment-related reviews and evaluations.

Indirectly from you: Personal Information provided to us through platforms available to us by our third party service providers for functions such as gift card purchases, online reservations, food ordering or catering, and feedback regarding guest experiences.

Third party services: Personal Information provided to us by our third-party analytics service providers to help us understand and analyze how visitors view us and serve ads on our behalf across the Internet.

4. Disclosures of Personal Information

Over the preceding 12 months, we disclosed certain categories of California residents' Personal Information to third parties, such as companies performing services on our behalf to provide requested food, beverages and services, to process transactions, complete reservations, enter contests and sweepstakes, engage with you on social platforms, market to you, track rewards, conduct surveys, or facilitate requests to send you communications, as well as with third parties with whom we have formal agreements to conduct analysis, engage in customer research, benchmarking, and to improve our guests' experiences. We did not sell California residents' Personal Information over the preceding 12 months.

5. Right to Request Deletion of Personal Information

You have a right to request the deletion of personal information that we collect or maintain about you. To submit a request to delete personal information, please submit an email request to privacy@fogo.com and include "California Request to Delete" in the subject line. Please specify in your request the personal information about you that you would like to have deleted, which can be all of your personal information as required by the CCPA.

We will ask that you provide certain information to verify your identity, such as a code sent to an email address we may have on file for you. If you have a password-protected account with us, we may verify your identity through our existing authentication practices for your account. The information that we ask you to provide to verify your identity will depend on your prior interactions with us and the sensitivity of the personal information at issue. Once we have verified your identity, we will ask you to confirm that you wish to have your personal information deleted. Once confirmed, we will respond to your request in accordance with the CCPA. If we deny your request, we will explain why.

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

You may not be discriminated against because you exercise any of your rights under the CCPA in violation of Cal. Civ. Code §1798.125.

7. Authorized Agent

You can designate an authorized agent to make a request under the CCPA on your behalf if:

- The authorized agent is a natural person or a business entity registered with the Secretary of State of California; and
- You sign a written declaration that you authorize the authorized agent to act on your behalf.

If you use an authorized agent to submit a request to exercise your right to know or your right to request deletion, please have the authorized agent take the following steps in addition to the steps described in Sections 2 and 3 above:

- Mail a certified copy of your written declaration authorizing the authorized agent to act on your behalf to Fogo de Chão, Inc., Attention: Customer Service, 5908 Headquarters Drive, Ste. K200, Plano, TX 75024; and
- Provide any information we request in our response to your email to verify your identity. The information that we ask you to provide to verify your identity will depend on your prior interactions with us and the sensitivity of the personal information at issue.

If you provide an authorized agent with power of attorney pursuant to Probate Code sections 4000 to 4465, it may not be necessary to perform these steps and we will respond to any request from such authorized agent in accordance with the CCPA.

8. Contact for More Information

If you have questions or concerns regarding our privacy policy or practices, you may contact us using the following details:

Email address: privacy@fogo.com

Postal address: Fogo de Chão, Inc., Attention: Customer Service, 5908 Headquarters Drive Ste. K200, Plano, TX 75024

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