



Data Privacy Statement

The Birch Racquet and Lawn Club (“The Birch”) has created this privacy statement in order to demonstrate our commitment to customer privacy. Because we gather important information from our visitors and customers, we have established this privacy statement as a means to communicate our information gathering and dissemination practices.

We want to give you the comfort and confidence you need to fully participate in our online offerings so that we can better serve your needs. To demonstrate our commitment to fair information practices, we have adopted leading communication industry privacy guidelines.

Information Collection and Use

The Birch, using our software Club Automation (“CA”), collects Individual Identifying Information. The Birch will not sell or rent your Individual Identifying Information to anyone. The Birch, through CA, automatically receives and records information on our server logs from your browser including your IP address (Internet location), CA cookie information, and the page you requested. The Birch uses information for three general purposes: to fulfill your requests for certain products and services, and to contact you about our products and services.

Information Sharing and Disclosure

The Birch will not sell or rent your Individual Identifying Information to anyone. The Birch will send Individual Identifying Information about you to other companies or people when:

- We have your consent to share the information (we will explicitly ask you for this permission);
- We need to share your information to provide the product or service you have requested;
- We need to send the information to companies who work on behalf of The Birch to provide a product or service to you. (Unless we tell you differently, these companies do not have any right to use the Individual



Identifying Information we provide to them beyond what is necessary to assist us);

- We respond to subpoenas, court orders, or legal process; or
- We find that your actions on our websites violate the CA Terms of Service, or any of our usage guidelines for specific products or services.

The Birch Customer Account Maintenance

The Birch customers have the ability to edit CA customer account information at any time. You can edit your customer account information by logging into the system using your unique username and password and then changing your information within the system.

The Birch Communications Opt Out

The Birch periodically sends prospective and current customers communications. The Birch / CA gives you the ability with a web link at the bottom of our communications to indicate if you would prefer not to receive messages from us in the future. The Birch / CA respects your privacy and will not sell or rent your personal information.

Security

CA websites have security measures in place to help protect against the loss, misuse, and alteration of the data under our control. When our website is accessed we use both server authentication and data encryption to help ensure that data is safe, secure, and available only to you. CA also implements an advanced security method based on dynamic data and encoded session identifications, and hosts the websites in a secure server environment that uses a firewall and other advanced technology to prevent interference or access from outside intruders. Finally, CA provides unique usernames and passwords that must be entered each time a customer logs on. These safeguards help prevent unauthorized access, maintain data accuracy, and ensure the appropriate use of data.

Changes to this Privacy Policy

If we change any of our privacy policies or practices, we'll post those changes to this privacy statement at least 30 days before they take effect. In limited cases, we may be required to disclose certain information to comply with a legal process, such as a court order, subpoena or search warrant.

Questions or Suggestions



If you have questions or suggestions, please contact us.

IP Information Collection and Use Practices

CA receives IP addresses (Internet location) from all users because this information is automatically reported by your browser each time you view a webpage.

When a CA webpage is requested and viewed, that request is logged on our servers with information including the IP address of the computer that requested the page.

IP addresses are used to diagnose service or technology problems reported by our users or engineers that are associated with the IP addresses controlled by a specific web company or ISP.

Cookies

A cookie is a small amount of data, which often includes an anonymous unique identifier that is sent to your browser from a website's computers and stored on your computer's hard drive. Each website can send its own cookie to your browser if your browser's preferences allow it, but (to protect your privacy) your browser only permits a website to access the cookies it has already sent to you, not the cookies sent to you by other sites.

Choices about Cookies

You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is set. Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.

If you reject all cookies, you will not be able to use The Birch CA's products or services that require you to "log in" and you may not be able to take full advantage of all offerings.

Practices Regarding Cookies

The Birch CA uses its own cookies for a number of purposes, including to:

- Access your information when you "log in" so that we can provide you with customized content.
- Require you to re-enter your CA password after a certain period of time has elapsed to protect you against others accidentally accessing your account contents.
- Keep track of preferences you specify while you are using CA's services.



- Estimate and report our total user size and traffic.

Data Storage

The CA computers (called “servers”) that send your webpages process and store an enormous amount of information every day. These computer records are called “log files.” Log files are used for analysis, research, and auditing.

Contact Us

If you have any questions about this privacy statement, the practices of this website, or your dealings with this website, please contact us.



Privacy Notice and Disclosure for California Residents

Effective Date: Nov 1, 2024

Last Revised on: Nov 1, 2024

Last Reviewed on: Nov 1, 2024

The Birch respects your privacy and are committed to providing a transparent notice of our Privacy Notice and Disclosure for California Residents. This Privacy Notice and Disclosure for California Residents applies solely to those who reside in the State of California (“consumers” or “you”).

The purpose of this privacy notice and disclosure is to inform California residents, at or before the time we collect your personal information, how we use your personal information and what your rights are with respect to your personal information:

- Your “Right to Know” about personal information collected, used, and disclosed including:
 - What categories of personal information we collect from you and the purpose for its collection,
 - How we use those categories personal information,
 - How we share the personal information you entrust to us,
 - Transparency about personal information that we sell [or our commitment not to sell your data now or in the future], [and your right to opt-out of the sale of your personal information].
- Your “Right to Delete” personal information
- How to submit a verified consumer request for your Right to Know or Right to Delete
- How to use an authorized agent to submit a verified consumer request
- Your “Right to Non-Discrimination” for the exercise of a privacy right
- Other California privacy rights
- Changes to our privacy notice
- Our contact information kmilton@thebirch.com



What personal information do we collect, use and share?		
We Collect/Use	<input checked="" type="checkbox"/>	A. Identifiers: For example, a real name, alias, postal address, unique personal identifier, images, online identifier, Internet Protocol address, email address, account name, social security number, driver's license number, passport number, or other similar identifiers
We Have Collected/Used in the Past 12 Months	<input checked="" type="checkbox"/>	
This category of personal information is collected and used for the following purposes:	What are the categories of sources from which the personal information was collected?	This category of personal information has been disclosed in the preceding 12 months to the following third parties for a business purpose:
<ul style="list-style-type: none"> To fulfill or meet the reason for which the information is provided For our internal operation purposes For auditing relating to consumer transactions including ad impressions and compliance with regulations Fraud and security detection Debugging to identify and repair errors Short-term data use for the current interaction that is not used to build a profile Servicing transactions and accounts (e.g., customer service, maintaining and servicing accounts, customer verification, payment processing) and providing services on behalf of business or service provider (e.g., financing, advertising or marketing, analytics) To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of a bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred. Undertaking internal research for technological development and demonstration To share the personal information with service providers to carry out other business purposes. 	<ul style="list-style-type: none"> Information from you that you actively provide: We collect this information from sources including from online forms, e-mail, and via telephone. Information from you that you provide passively from your use of your sites and services: We collect this information from sources including from a web browser, e-mail, app, or smartphone. Third Parties (information we collect about you from third party sources): We collect this from sources including [partners, lead generators, CRAs, and Consumer Data Resellers] 	<ul style="list-style-type: none"> Cloud storage providers Payment processors Web analytics providers Web hosting service providers Help Desk service providers Financial and accounting service providers Cybersecurity service providers Logistics and planning tool providers
We Collect/Use	<input checked="" type="checkbox"/>	F. Internet or Other Similar Network Activity: For example, browsing history, search history, and information regarding a consumer's interaction with an Internet Web site, application, or advertisement
We Have Collected/Used in the Past 12 Months	<input checked="" type="checkbox"/>	
This category of personal information is collected and used for the following purposes:	What are the categories of sources from which the personal information was collected?	This category of personal information has been disclosed in the preceding 12 months to the following third parties for a business purpose:
We utilize Google Ads for our marketing, In this context, Google is the entity collecting browsing history through cookies on our website). Daxko does not independently store browser data.	Browsing History.	No, other than through the provider, Google
We Collect/Use	<input checked="" type="checkbox"/>	G. Geolocation Data: For example, information that can be used to determine a device's physical location
We Have Collected/Used in the Past 12 Months	<input checked="" type="checkbox"/>	
This category of personal information is collected and used for the following purposes:	What are the categories of sources from which the personal information was collected?	This category of personal information has been disclosed in the preceding 12 months to the following third parties for a business purpose:
• Our third-party provider, HubSpot collects location of IP addresses.		This is used for ad targeting.



Your Right to Know

Please note that Personal Information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
 - 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;
 - personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (CalFIPA), and the Driver's Privacy Protection Act of 1994.

We will not collect additional categories of personal information or use the personal information for any other undisclosed purpose without providing you advance notice.

Company does not and will not sell your personal information.

Your Right to Request Deletion of Your Personal Information

You have the right to request that Company delete any of your personal information collected or maintained by Company subject to certain exceptions. You can do this through a verified consumer request. That process is described below in the section, "Submitting a Verified Consumer Request."

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

- Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.



- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Submitting a Verified Consumer Request

You have the right to submit verified consumer requests to know information or for deletion. The request to know can be for any or all of the following about you:

- Specific pieces of personal information that The Birch / CA has;
- Categories of personal information The Birch / CA has collected;
- Categories of sources from which the personal information is collected;
- Categories of personal information that The Birch / CA sold or disclosed for a business purpose;
- Categories of third parties to whom the personal information was sold or disclosed for a business purpose; and
- The business or commercial purpose for collecting or selling personal information.

The request to delete is to delete any of your personal information collected or maintained by Company, subject to certain exceptions. You may only make a verifiable consumer request to know information twice within a 12-month period. 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 that 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.



Once we receive your verifiable consumer request, we will send you an acknowledgement letter within 10 days which will describe our verification process. We will respond to your request within 45 days, if we are able to verify your identity. Requests for deletion will require a separate confirmation that you want your information deleted.

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. Please note that, in responding to your request, we are not permitted to disclose or provide you with your Social Security Number, Driver's License Number, or other government issued identification number, financial account number, any health insurance or medical identification number, an account password, or security questions and answers.

Using an Authorized Agent to Submit a Request

Only you, a person registered with the California Secretary of State, or a person you authorize to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. If you use an authorized agent, you may provide a power of attorney executed pursuant to California Probate Code sections 4000 to 4465. If a power of attorney that meets those provisions is not submitted, you will be required to verify your identity directly by submitting a verified consumer request according to the procedures in the section "Submitting a Verified Consumer Request." If anyone purporting to be an authorized agent for a consumer contacts us, we will require proof that the authorized agent has been authorized to act on the consumer's behalf.

Your Right to Non-Discrimination for the Exercise of a Privacy Right

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, 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.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Changes to Our Privacy Notice



Company reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on the Website and update the notice's effective date. Your continued use of our Website following the posting of changes constitutes your acceptance of such changes.

Contact for More Information

If you have any questions or comments about this notice, the ways in which Company collects and uses your information, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: 817-431-2000

Website: www.thebirch.com

Email: KMilton@thebirch.com

Postal Address:

The Birch

Attn: Kevin Milton

660 Keller Smithfield Road, Keller, TX, 76248