



Effective Date: 12/7/2021

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This Privacy Notice (“**Privacy Notice**” or “**Notice**”) explains how First Watch Restaurants, Inc. (“**First Watch**,” “**we**,” or “**us**”) collects, uses, shares, and protects personal information provided by users on the First Watch website located at <https://www.firstwatch.com/> (the “**Site**”) or the First Watch Mobile Application (“**App**”), or that we collect through our social media channels and offline activities such as phone calls, emails, or in person. This Notice does not apply to workforce-related personal information collected from California-based employees, job applicants, contractors, or similar individuals (for further information please see our [Workforce Privacy Policy](#)).

We are committed to protecting your privacy. Accordingly, any personal information you provide to us shall be used in accordance with this Notice. However, this Notice does not protect information you post to public areas or third-party websites, except as may be expressly set forth herein. This Notice imposes no duties on us not imposed by state, federal, or other applicable law.

We reserve the right to modify or amend this Notice at any time to reflect changes in our personal information practices or applicable law. Should it be necessary to do so, will notify you and/or request your express consent, if required, of any material changes to this Notice by posting such changes at the Site or by other acceptable means. Your continued use of the Site after changes have been posted constitutes your acceptance of the Notice as amended for personal information collected going forward, unless additional consent is required under applicable law. If you do not agree to the terms of our Notice, please do not use the Site or provide us your personal information.

This Notice is incorporated by reference into the [Terms of Use Agreement](https://firstwatch.com/terms-of-use), located at <https://firstwatch.com/terms-of-use>, to which you agreed upon entering the Site and/or downloading the App. By using the Site or App, you understand and area accepting the practices described in this Notice and accept its terms. You also give your express permission for us to process personal information in accordance with this Notice.

If you wish to download and print a copy of this Privacy Notice, please click [here](#).

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THE INFORMATION WE COLLECT

We collect most of the personal information about you directly from you – in person, by email, and/or via our Site or App. We collect information relating to you and your use of the Site and/or App to provide services and features that are responsive to your needs.

Information We Collect

We collect personal information in the following ways:

- Directly from you. We collect information from you when you register an account with us, request information, send us an email, send us postal mail, speak to us on the telephone, visit us, or otherwise interact with us.
- From our App. We may collect information from your mobile device when our App is installed on your mobile device, or you provide your information to us via the App.
- Automatically as you navigate the Site and/or App. Information collected automatically may include usage details and information collected through cookies and other tracking technologies, described in more detail in the Information We and Our Third-Party Service Providers Automatically Collect section below.
- From other third-party sources. We may receive information about you from our third-party service providers who help us to provide services to you, including our Site and social media providers.
- From our franchisees. We may receive information about you from our franchisees, including information that you provide onsite at our franchisee restaurants. Please note we may also collect information about you from or on behalf of our franchisees and licensees when we provide certain services for them. For the information we collect in this capacity, we access and process such information to provide relevant services to our franchisees and licensees, for example, to manage mobile orders and other services like third-party delivery service order fulfillment on behalf of franchisees and licensees or at your direction.
- From our third-party affiliates. We may receive information from third party affiliates such as contest or sweepstakes partners.
- From your orders and purchases. You may provide payment information to us, such as credit and debit card numbers, expiration date, CVV, and mailing address, through orders, purchases, or other payment services.
- From you when you share stories, content suggestions, or submit requests for information. We collect information when you share stories, content, experiences, suggestions, preferences or other input (e.g., expressing your preferences, comments, complaints, etc.), or submit requests for information from us. This includes information you share when you access or interact with the Site or App, or First Watch's accounts on any third-party social media platforms such as Facebook, Twitter, Instagram, or LinkedIn or contact us by email or phone or in-person. This may also include recordings of telephone conversations you may have with our customer support personnel.
- eClub: We may collect personal information from you if you choose to register for the eClub, order products, make requests, or post content. Accordingly, depending on the process, you may be asked to provide certain types of personal information, such as first and last name, postal address and/or zip code, email address, phone number, month and day of birth, gender, external social network, App, and Site log-in credentials, demographic information, dining preferences, who you

dine with, when you visit our restaurants, how often you visit our restaurants, feedback and/or guest relations data, and location information including geolocation.

You have no obligation to provide the information requested on any First Watch form, but the failure to do so can impact our ability to respond to your inquiry, problem, request, or other communication, and may result in the denial of such request. Any personal information you do provide is voluntary or is necessary for the identified purposes for which it is to be used.

Information We and Our Third-Party Service Providers Automatically Collect

When you use our Site, we and our third-party service providers automatically collect information about how you access and use the Site and information about the device you use to access the Site. We typically collect this information through a variety of tools including cookies, web beacons, pixels, social media widgets, other tools to enable data recording and indexing, and similar technology (“**tracking technologies**”).

Automatically as You Navigate the Site and/or App. We and our third-party service providers automatically collect technical information about your visit to our App or Site, which may include, without limitation, IP or MAC addresses, browser type, operating system or platform, name of ISP, device type (including unique device identifier), location information, and information collected through cookies and other tracking technologies. The App may also automatically collect the following:

- **Location Data:** With your consent, the App may collect precise or approximate geolocation data to provide location-based services (e.g., finding nearby restaurants, joining a waitlist, or receiving location-specific offers). You may opt out of location data collection at any time by adjusting your device settings.
- **Push Notifications:** With your consent, the App may send you push notifications about orders, promotions, or updates. You can manage your notification preferences in your device settings.
- **Contacts and Other Device Permissions:** The App will request access to your contacts or other device features only if necessary for specific functionalities, and only with your explicit consent.

Cookies and Other Technologies. A cookie is a small file containing a string of characters that may be sent to your web browser when you visit a website. Cookies might be used for the following purposes: (1) to enable certain functions; (2) to provide analytics; (3) to store your preferences; and (4) to enable ad delivery and behavioral advertising.

Cookies can either be session cookies or persistent cookies. A session cookie expires automatically when you close your browser. A persistent cookie will remain until it expires or you delete your cookies. Expiration dates are set in the cookies themselves, some may expire after a few minutes while others may expire at a later time. Cookies placed by the website you are visiting are sometimes called “first-party cookies,” while cookies placed by other companies are sometimes called “third-party cookies.”

The Site uses cookies that are sent by us or our third-party services. The use of cookies and other technology, described below, allows us to make our Site more responsive to your needs by delivering a better and more personalized experience to you. We use these cookies to identify you as a valid user, to ensure that no one else can sign on simultaneously with your account from another computer and to help

us serve you better based on your registration preferences. We may also use cookies to help us facilitate any promotions or surveys that we provide. You can reset your browser to refuse cookies or to indicate when a cookie is being sent. By changing your preferences, you can accept all cookies, you can be notified when a cookie is set, or you can reject all cookies. Please note, if you disable cookies, you may be required to re-enter your information more often and certain features, or the entirety, of our Site may be unavailable.

The following information may automatically be received and/or collected from you through the Site: IP address, browser type, browser language, internet service provider (ISP), resource requested, date and time of resource request, and HTTP referring resource (if provided by the browser), operating system, and/or clickstream data. We aggregate this data, and may combine this data with other information we collect about you to better understand how visitors use our site, improving user experience, and to help manage, maintain, and report on use of our Site. We also store IP addresses for fraud detection and prevention purposes.

Pixels. Pixels (also known as web beacons) are code embedded within a service. There are various types of pixels, including image pixels (which are one-pixel transparent images) and JavaScript pixels (which contain JavaScript code). Pixels are often associated with cookies and are used for similar purposes. When you access a service that contains a pixel, the pixel may permit us or a third party to drop or read cookies on your browser, or collect other information about your browser or device. Pixels may collect and send IP addresses, URLs, and other information from an advertisement that you click associated with your visit to our Site to third parties.

Third-Party Service Providers: We sometimes utilize third-party service providers to help us track the activity within the Site and to receive information about you for marketing purposes. These third parties may use cookies and other tracking technologies. Our third-party service providers may include, but are not limited to, the following:

- Adobe (<https://www.adobe.com/privacy/policy.html>)
- AdRoll (<https://www.nextroll.com/privacy>)
- AdTheorent (<https://adtheorent.com/privacy-policy>)
- Alphabet, Inc. (<https://policies.google.com/privacy>)
- Bombora (<https://bombora.com/privacy-policy/>)
- Centro (<https://privacy.basis.com/index.html>)
- Cloudflare (<https://www.cloudflare.com/privacypolicy/>)
- Collective Roll (<https://www.stackadapt.com/legal-document-centre/platform-and-services-privacy-policy>)
- Datonics (<https://www.datonics.com/privacy/technology-privacy-policy>)
- Dstillery (<https://dstillery.com/privacy-policy/>)
- Google Analytics (see below)
- Hotjar (<https://www.hotjar.com/privacy/>)
- Index Exchange (<https://www.indexexchange.com/privacy/>)
- IPONWEB GmbH (<https://www.iponweb.com/policies-legal/>)

- Liveramp (<https://liveramp.com/privacy/>)
- Lotame Solutions (<https://www.lotame.com/privacy/>)
- Magnite (<https://www.magnite.com/legal/advertising-platform-privacy-policy/>)
- Meta (<https://www.facebook.com/privacy/policy>)
- Microsoft (<https://privacy.microsoft.com/en-us/data-privacy-notice>)
- Mountain Digital (<https://mountain.com/privacy-policy/>)
- NeuStar
(<https://www.transunion.com/privacy/neustar?atvy=%7B%22264995%22%3A%22Experience+B%22%7D>)
- The Nielsen Company (<https://www.nielsen.com/legal/privacy-principles/digital-measurement-privacy-statement/>)
- Pinterest (<https://policy.pinterest.com/en/privacy-policy>)
- PubMatic (<https://pubmatic.com/legal/privacy-policy/>)
- OneTrust (<https://www.onetrust.com/privacy-notice/>)
- OpenX (<https://www.openx.com/privacy-center/ad-exchange-privacy-policy/>)
- Oracle (<https://www.oracle.com/legal/privacy/privacy-policy/?er=221886>)
- Snap (<https://values.snap.com/privacy/privacy-policy>)
- Segment (<https://www.twilio.com/en-us/legal/privacy>)
- Tapad (<https://www.tapad.com/global-privacy-notice>)
- TowerData (<https://atdata.com/privacy-policy/>)
- The Trade Desk (<https://www.thetradedesk.com/us/privacy>)
- WordPress (<https://wordpress.org/about/privacy/>)

Analytics: We partner with certain third parties to collect information to engage in analytics, auditing, research, and reporting. These third parties may use server logs, web beacons, tags, pixels, mobile advertising IDs (such as Apple's IDFA or Google's Advertising ID), and similar technologies, and they may set and access cookies on your computer or other device. In particular, our Site uses Google Analytics to help collect and analyze certain information for the purposes discussed above. When you visit sites or use apps that use Google Analytics, you may choose to enable Google to link information about your activity from one site or app with activity from other sites or apps. To learn more about how Google uses data, visit Google's Privacy Policy <http://www.google.com/policies/privacy> and Google's page on how Google uses partner site data <http://www.google.com/policies/privacy/partners>. To learn more about Google Analytics cookies, visit <https://developers.google.com/analytics/devguides/collection/analyticsjs/cookie-usage>. You can also obtain additional information on Google Analytics' data privacy and security at the following links:

- <https://policies.google.com/technologies/partner-sites>
- <https://support.google.com/analytics/topic/2919631>

To change your preferences with respect to certain online ads or obtain more information about ad networks and online behavioral advertising, visit the National Advertising Initiative Consumer Opt-Out Page <http://www.networkadvertising.org/choices> or the Digital Advertising Alliance Self-Regulatory Program <http://www.aboutads.info/>. Changing your settings with individual browsers or ad networks will not necessarily carry over to other browsers or ad networks. As a result, depending on the opt-outs you

request, you may still see our ads. Opting out of targeted advertising does not opt you out of all ads, just those targeted to you.

More Information. You may learn more about cookies and how to opt out of them by visiting the following third-party website: <http://www.allaboutcookies.org/>.

USE OF PERSONAL INFORMATION

We use personal information for many purposes, based on how you interact with us, the purchases you make, and the services you request. We process personal information to provide services to you and additional services you request, as well as to respond to communications from you. We may combine personal information collected offline (e.g. from our restaurants, information you mail in to us), online (e.g. signing up for our eClub), or through our App (e.g. when you join a waitlist or place an order) into a customer database.

We use personal information we collect from you and information that we collect automatically to manage and improve our Site and our business. We take steps to ensure your personal information and rights are safeguarded. For example, we may use, sell, or disclose the personal information we collect for one or more of the following purposes:

- To provide services to you.
- To provide our Site and App and their functionalities to you.
- To fulfill the reason you provided the information. For example, if you share your name and contact information to ask a question about our food or to join a waitlist via our App, we will use that personal information to respond.
- To provide, support, personalize, and develop our Site, App, products, and services.
- To create, maintain, customize, and secure your account with us, if you choose to create one. This will require creation of a username and password, and will enable certain additional features on our Site or in the App.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud. We may also save your personal information to facilitate new orders or process returns.
- To offer entry to and fulfill the prizes of a contest or sweepstakes, or to conduct a survey.
- To provide you with support, including to investigate and address any concerns you may have and monitor and improve our responses.
- To personalize your Site and App experience and to deliver content and product and service offerings relevant to your interests, including targeted offers through our Site and App, third-party sites, or via email or text message (with your consent or where required or permitted by law).
- To help maintain the safety, security, and integrity of our Site and App, products and services, databases and other technology assets, and business.
- For testing, research, analysis, and product development, including to develop and improve our Site, App, products, and services.
- To analyze trends, administer the site, track user movement, and compile broad aggregate demographic information for reporting and sponsorship purposes.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- To provide you with location-specific services.
- To market our own services to you.
- To maintain our records.
- To conduct internal monitoring and training.

- To operate and improve our business.
- For other purposes for which you provide your consent, are disclosed to you at the time your information is collected, and/or for purposes which can be inferred from or are obvious given the circumstances of collection.
- To comply with our legal and regulatory obligations. We will use your personal information as necessary to enforce the terms of our Site and services to comply with all applicable laws and regulations.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Sometimes we may de-identify information by removing identifiers that can be used to associate the information with you. De-identified information helps us develop reports and analyses about how our customers use our Site and for other purposes such as research regarding behavioral inferences.

SHARING OF PERSONAL INFORMATION

We may share your personal information by disclosing it to a third party for a business purpose (“**Service Provider**”). We make these business purpose disclosures under written contracts that describe the purposes, require the recipient to keep the personal information confidential, prohibit selling or sharing the personal information, and prohibit using the disclosed personal information for any purpose except performing the contract. In the event the Site or any services require or permit you to interface with a Service Provider, you may be subject to that Service Provider’s separate terms of use and privacy policy.

We share your personal information in the circumstances described below:

- The public and other companies. We may share de-identified information via reports and analyses publicly and with other companies.
- Our affiliates. We may share your personal information with our affiliates to serve you, including for the activities listed above.
- Our franchisees. We may share your personal information with First Watch franchisees.
- Third-party service providers. We may disclose your personal information to our vendors and other third-party service providers, such as credit card processors and website hosts, that help us provide services, support features on our Site or in franchise restaurants, or otherwise market our brands. We may also disclose aggregated, de-identified information and analyses and reports derived from such information, to service providers, advertisers, merchants, consumer and market research companies, and other organizations. These service providers are responsible for their own compliance with data protection laws.
- Legal requirements and business transfers. We may disclose personal information: (i) if we are required to do so by law, legal process, statute, rule, regulation, or professional standard, or to respond to a subpoena, search warrant, or other government official requests; (ii) when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss; (iii) in connection with an investigation of a complaint, security threat, or suspected or actual illegal activity; (iv) in connection with an internal audit; or (v) in the event that First Watch is subject to mergers, acquisitions, joint ventures, sales of assets, reorganizations, divestitures, dissolutions, bankruptcies, liquidations, or other types of business transactions. In these types of transactions, personal information may be shared, sold, or transferred, and it may be used subsequently by a third party.

All the above categories exclude text messaging originator opt-in data and consent; this information will not be shared with any third parties.

We will not share your opt-in to an SMS campaign with any third party for purposes unrelated to providing you with the services of that campaign. We may share your Personal Data, including your SMS opt-in or consent status, with third parties that help us provide our messaging services, including but not limited to platform providers, phone companies, and any other vendors who assist us in the delivery of text messages.

While we never sell personal information for monetary consideration, we may share personal information with third parties in a way that may be considered a sale of personal information under the applicable state consumer data privacy laws. These “sales” are subject to your right to opt-out, and do not include information about individuals we know are under age 16. For more information, please review the chart concerning disclosure of information in the California – Additional Privacy Rights section below.

YOUR RIGHTS AND CHOICES

We offer certain choices about how we communicate with you and what personal information we obtain about you and share with others.

- Profile. If you have created a profile or account on our Site or App, you can update your contact information after you log into your account.
- Email. If you no longer wish to receive promotional or informational emails from us, you may opt-out from receiving future emails from us by following the instructions for unsubscribing in the promotional or informational emails we send you or by contacting us at the email address or phone number included in this Notice.
- Rewards programs and marketing campaigns. Your participation in our eClub or other rewards programs and other marketing campaigns is completely up to you, and if at any point you no longer wish to be a member or participate in these programs, you may opt out according to the instructions provided in the communication or by contacting us at privacy@firstwatch.com.
- Do Not Track Signals and Global Privacy Controls. Because there is not currently an industry or legal standard for recognizing or honoring Do Not Track (“DNT”) signals, we do not respond to them at this time. However, we treat Global Privacy Control signals as requests to opt out of sale and opt out of interest-based or targeted advertising under applicable state law.
- Location Data. You may opt out of having your location data collected by First Watch at any time by editing the appropriate setting on your device (which is usually located in the settings of your device).

NOTICE TO RESIDENTS OF CERTAIN JURISDICTIONS

If you reside in the United States, you may have specific rights based on your state of residence. Residents of California, Colorado, Connecticut, Delaware, Indiana, Iowa, Kentucky, Maryland, Minnesota, Montana, Nebraska, New Hampshire, New Jersey, Oregon, Rhode Island, Tennessee, Texas, Utah and Virginia may have specific rights regarding their personal information. Other jurisdictions may also provide similar rights. This section addresses these specific state laws, and any other similar state laws that may be passed.

Depending upon your state of residency, you may have the following rights under applicable state privacy laws:

Right	Description of the Right
Right to Know and Request Disclosure (California residents only).	<p>The right to request that we disclose certain information to you about our collection and use of your personal information, including:</p> <ul style="list-style-type: none"> • The categories of personal information we have collected about you; • The categories of sources from which your personal information is collected; • Our business or commercial purpose for collecting or selling your personal information; • The categories of third parties to whom we disclose your personal information; and • The specific pieces of personal information we have collected about you. <p>In connection with any personal information we may sell, share, or otherwise disclose to a third party for a business purpose, you have the right to know:</p> <ul style="list-style-type: none"> • The categories of personal information about you that we sold or shared and the categories of third parties to whom the personal information was sold or shared; and • The categories of personal information we disclosed about you and the categories of third parties to whom the personal information was disclosed.
Right to Confirm.	The right to confirm whether or not we are processing your personal information.
Right to Access.	The right to access your personal information, subject to exceptions set out in the applicable state law.
Right to Delete.	The right to request that we delete any of your personal information that we collected from or about you and retained, subject to certain exceptions set out in the applicable state law.
Right of Correction.	The right to request that we correct any of your personal information that is inaccurate.
Right to Obtain a Copy.	The right to obtain a copy of or otherwise receive the personal information that you have provided to us in a portable, readily usable format that can be easily transferred to third parties.
Right to Opt Out.	<p>The right to opt out of the following uses of your personal information:</p> <ul style="list-style-type: none"> • Sale; • Sharing for targeted behavioral advertising; and • Profiling.



Right to Limit Use of Sensitive Personal Information.	<p>The right to:</p> <ul style="list-style-type: none">• Direct us to limit the use of sensitive personal information, as defined under applicable state law, that we may collect about you; and• Know if your sensitive personal information is used or disclosed to a third party, for additional, specified purposes. <p>Please note that we use sensitive personal information only as necessary to provide requested services and as otherwise permitted under applicable state law.</p>
Right to Non-Discrimination.	<p>The right to not be retaliated or discriminated against because you have exercised your data privacy rights.</p>

Exercising Your Rights and Our Response

To exercise your rights described above, please submit a request by either:

- Calling us at 1-888-270-1095.
- Emailing us at privacy@firstwatch.com.
- Submitting a request [here](#).

Only you, or someone legally authorized to act on your behalf, may make a request to know or delete related to your personal information. Once you make an opt-out request, we will wait at least 12 months before asking you to reauthorize personal information sales. However, you may change your mind and opt back in to personal information sales at any time by emailing us at privacy@firstwatch.com.

You do not need to create an account with us to exercise your opt-out rights. We will only use personal information provided in an opt-out request to review and comply with the request.

Verifiable Consumer Requests

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. You do not need to create an account with us to submit a request to know or delete. However, we do consider requests made through your password protected account sufficiently verified when the request relates to personal information associated with that specific account. We will only use personal information provided in the request to verify the requestor's identity or authority to make it.

We will respond to your request within 45 days of receiving it. If we require more time we will inform you of the reason and extension period. If we cannot fulfill your request, we will provide you an explanation for it. Any disclosures we provide will only cover the 12-month period preceding our receipt of the verifiable consumer request. 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 without hindrance. If applicable, you may have the right to appeal our decision if we deny your consumer request. If we deny your consumer request, you can send an email to privacy@firstwatch.com requesting an appeal of the denial. Within 45 days of receipt of your appeal, we will inform you of the



action we took or did not take in response to your appeal. If your appeal is denied, we will provide you with an online mechanism to contact the Attorney General to submit a complaint in your respective state.

For Designated Agents or Parents/Guardians

To designate an authorized agent or to submit a request to know or delete on behalf of your child, submit the form found **here** and, if applicable, include the required documents described below. Your request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected PI or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

CALIFORNIA – ADDITIONAL PRIVACY RIGHTS

1. The Personal Information We Collect.

We may collect the following categories of personal information that identify, relate to, describe, are reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household:

Category	Examples	Collected
Identifiers.	A name, alias, postal address, unique personal identifier, online identifier, IP address, telephone number, email address, account name, social security number, driver's license number, passport number, or other similar identifiers.	Name, email address, telephone number, account number, account name, IP address, or other similar identifiers.
Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)) ("Personal Records").	A 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. <i>Some personal information included in this category may overlap with other categories.</i>	Name, telephone number, credit card number, debit card number, or any other financial information, telephone number, education, employment, employment history.



Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	Products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	Information on a consumer's interaction with the Site and Internet connection/browser type.
Geolocation data.	Physical location or movements.	Physical location or movements.
Professional or employment-related information.	Current or past job history or performance evaluations.	Information regarding employment history or current employment for both current and prospective employees. (For CA workforce-related personal information, click here .)
Sensitive data.	Social security number, driver's license number, state identification card, or passport number; account log-ins, financial accounts, debit or credit card numbers in combination with a security or access code, password, or other credentials; precise geo-location; racial or ethnic origin, religious or philosophical beliefs, or union membership; contents of mail, email or text messages; genetic or biometric data; mental or physical health diagnosis, sexual orientation; or personal information from a known child.	Precise geo-location, contents of mail, email or text messages sent to or from First Watch.

2. How We Disclose, Share, And Sell Personal Information.

We disclose personal information as shown below.

The following chart shows the categories of personal information we disclose to our service providers and contractors for business or commercial purposes over the last 12 months. Some of the ways in which we disclose personal information may be considered "sharing" under certain state privacy laws.

Disclosures for a Business or Commercial Purpose		
Category of Personal Information	Categories of Recipients	Purposes for Disclosure

Identifiers.	Service providers and affiliates to provide services on our behalf.	<p>To comply with our legal and regulatory obligations.</p> <p>To provide you with information or access to the Site or App when requested.</p> <p>To provide you with functionality of the Site or App.</p> <p>To provide customer service related to our Site or App.</p> <p>To conduct research and perform analyses to measure, maintain, protect, develop, and improve our Site, App, and services.</p> <p>To make communications necessary to notify you regarding the Site or App, requests, security, privacy, or administrative issues.</p> <p>To ensure our business policies are adhered to.</p> <p>To prevent unauthorized access and modifications to systems.</p>
Personal Records.	Service providers and affiliates to provide services on our behalf.	<p>To comply with our legal and regulatory obligations.</p> <p>To provide you with information or access to the Site or App when requested.</p> <p>To provide you with functionality of the Site or App.</p> <p>To provide customer service related to our Site or App.</p> <p>To conduct research and perform analyses to measure, maintain, protect, develop, and improve our Site, App, and services.</p> <p>To make communications necessary to notify you regarding the Site or App, requests, security, privacy, or administrative issues.</p> <p>To ensure our business policies are adhered to.</p> <p>To prevent unauthorized access and modifications to systems.</p>
Commercial information.	Service providers and affiliates to provide services on our behalf.	<p>To provide you with functionality of the Site or App.</p> <p>To provide customer service related to our Site or App.</p> <p>To conduct research and perform analyses to measure, maintain, protect, develop, and improve our Site, App, and services.</p> <p>To comply with our legal and regulatory obligations.</p> <p>To prevent unauthorized access and modifications to systems.</p>

Internet or similar network activity.	Service providers and affiliates to provide services on our behalf.	<p>To provide you with functionality of the Site or App.</p> <p>To provide customer service related to our Site or App.</p> <p>To conduct research and perform analyses to measure, maintain, protect, develop, and improve our Site, App, and services.</p> <p>To comply with our legal and regulatory obligations.</p> <p>To prevent unauthorized access and modifications to systems.</p>
Geolocation data.	Service providers and affiliates to provide services on our behalf.	<p>To provide you with information or access to the Site or App when requested.</p> <p>To provide you with functionality of the Site or App.</p> <p>To provide customer service related to our Site or App.</p> <p>To conduct research and perform analyses to measure, maintain, protect, develop, and improve our Site, App, and services.</p>
Professional or employment-related information.	Service providers and affiliates to provide services on our behalf.	<p>To provide you with information or access to the Site or App when requested.</p> <p>To provide customer service related to our Site or App.</p> <p>To conduct research and perform analyses to measure, maintain, protect, develop, and improve our Site, App, and services.</p> <p>To make communications necessary to notify you regarding the Site, requests, or security, privacy, or administrative issues.</p> <p>To comply with our legal and regulatory obligations.</p> <p>To ensure our business policies are adhered to.</p> <p>To prevent unauthorized access and modifications to systems.</p> <p>(For CA workforce-related personal information, click here.)</p>
Sensitive data.	Service providers and affiliates to provide services on our behalf.	<p>To comply with our legal and regulatory obligations.</p> <p>To provide you with information or access to the Site or App when requested.</p> <p>To provide you with functionality of the Site or App.</p> <p>To provide customer service related to our Site or App.</p> <p>To conduct research and perform analyses to measure, maintain, protect, develop, and improve our Site, App, and services.</p>

		<p>To personalize our Site or App contents and experiences for you, such as by using the appropriate language and displaying your name on your dashboard.</p> <p>To make communications necessary to notify you regarding the Site or App, requests, security, privacy, or administrative issues.</p> <p>To ensure our business policies are adhered to.</p> <p>To prevent unauthorized access and modifications to systems.</p>
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3. *Shine the Light Law.*

California's "Shine the Light" law, Civil Code Section 1798.83, allows California residents who are First Watch customers to request certain information regarding our disclosure of personal information to third parties for direct marketing purposes. Please contact us privacy@firstwatch.com to request information as permitted by California law. When contacting us, please indicate your name, address, email address, and details regarding your specific request, such as the personal information you do not want us to share with suppliers, affiliates, or third parties. The request should be sent to us at privacy@firstwatch.com or to our mailing address set forth herein, Attn: Privacy, and labeled "California Customer Choice Notice." Please allow 30 days for a response. Also, please note that there is no charge for controlling the sharing of your personal information or requesting this notice.

NOTICE OF FINANCIAL INCENTIVES AND NON-DISCRIMINATION

We will not discriminate against you for exercising any of your rights. Unless permitted by law, we will not:

- Deny you goods or services.
- Charge you different prices for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you with a different level or quality of goods or services.
- Suggest that you may receive a different price for goods or services or a different level or quality of goods or services.

We may offer you certain financial incentives permitted under applicable law that can result in different prices, rates, or quality levels. Any financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt-in consent, which you may revoke at any time. We currently provide the following financial incentives:

- Discount offers to individuals upon signing up for the First Watch marketing email list.
- Discount or merchandise offers to individuals who are members of First Watch's eClub.

AGGREGATE AND NON-IDENTIFIABLE DATA

From time to time, we may use non-identifiable aggregate information to better design our Site and to share with select advertising partners, sponsors, and/or affiliates.

We may use and share your data in individual format, so long as it does not identify you, or in the aggregate for the analytics purposes as described herein. Our third-party suppliers may use various tracking tools, such as web logs or pixel tags, cookies, or other technology on your device or browser, as discussed above.

DATA SECURITY

While no method of data transmission is guaranteed against unlawful third-party interception or other misuse (for example, e-mail sent to or from our Site may not be secure), First Watch uses commercially reasonable administrative, technical, and physical efforts to ensure protection of your personal information from unauthorized access, disclosure, alteration, and destruction.

LOCATION OF OUR SITE

Our Site is hosted and operated in the United States. However, we and our service providers may store information about individuals in the United States, or we may transfer it to, and store it within, other countries.

Visitors from jurisdictions outside the United States visit us at their own choice and risk. If you are not a resident of the United States, you acknowledge and agree that we may collect and use your personal information outside your home jurisdiction and that we may store your personal information in the United States or elsewhere. Please note that the level of legal protection provided in the United States from which you may access our Site may not be as stringent as that under privacy standards or the privacy laws of other countries, possibly including your home jurisdiction.

CHILDREN'S INFORMATION

Our Site and App are not intended for children under 13 years of age. No one under age 13 may provide any information to or on the Site or App. If you are under 13, do not use or provide any information on the Site or App or on or through any of its features, including your name, address, telephone number, e-mail address, or any username you may use. If we learn we have collected or received personal information from a child under 13 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 13, please contact us at privacy@firstwatch.com.

SCOPE AND THIRD-PARTY WEBSITES

Although this Notice applies to personal information we collect or that's collected by a Service Provider on our behalf, it does not apply to entities that are not owned or controlled by us. This Site contains links to other third-party websites. Please be aware that we are not responsible for the privacy practices of these third-party sites. We encourage you to be aware when you leave our site and to take reasonable precautions when sharing your personal information on third-party sites.

SOCIAL MEDIA

We are active on social media including, but not limited to, Facebook, Instagram, and LinkedIn (“**Social Media**”). Anything you post on Social Media is public information and will not be treated confidentially. We may post (or re-post) on the Site and our Social Media pages any comments or content that you post on our Social Media pages.

Our Site allows you to connect and share data with Social Media platforms. These features may require us to use cookies, plug-ins, and APIs provided by such Social Media platforms to facilitate these communications and features. Our Site may use advertising networks and services offered by Social Media platforms to deliver advertising content. Use of these services requires Social Media platforms to implement cookies or pixel tags to deliver ads to you while you access the Site.

DATA RETENTION

We will retain personal information for as long as the information has value as part of services we provide, or as long as is necessary to comply with our legal obligations, resolve disputes, and enforce our agreements, whichever is longer. If you wish to request that we no longer use your personal information, see the section entitled Exercising Your Rights and Our Response.

FRANCHISES

Franchise Operator of Licensee Online Services: First Watch franchise operators and licensees are independent third parties and may own, operate, and maintain their own website, social media page or other online service or communication channels (“Franchised Operator or Licensee Online Services”). This Privacy Notice does not apply to the privacy practices of any franchise operators and licensees. Questions or concerns regarding any Franchised Operator or Licensee Online Services should be directed to the applicable franchise operator(s) and licensee(s).

First Watch is not responsible or liable for any Franchised Operator or Licensee Online Services, even if it is linked to our Site, or for any franchise operator’s or licensee’s online conduct and privacy practices.

First Watch provides various services to our franchise operators and licensees, including the provision of technologies that support our franchise operator’s and licensee’s business operations, such as payment processing, order fulfillment, talent management, marketing and advertising, and business analytics. When we provide these services to our franchise operators and licensees, we process your information on behalf of our franchise operators and licensees and subject to the privacy practices of the applicable franchise operators and licensees.

Collection and Use of Personal Information of Prospective First Watch Franchise Operators: If you complete an application for a franchise opportunity First Watch, or express interest or otherwise request information about franchise opportunities, we collect personal information that you provide in connection with your request for information and/or to evaluate your application for a franchise restaurant business opportunity. We may also collect personal information about you from third parties to supplement, update, or verify your information, and/or to process your application for consideration as a franchise operator. Applicable law may require that you authorize a third party to disclose your personal information to us before we can acquire it. Failure to provide any requested information may negatively impact consideration of your application to become a franchise operator. By expressing interest in becoming



and/or applying to become a franchise operator, you consent to our collection, use, and disclosure of your personal information in this manner, to the extent permitted by applicable law. If you are a California resident, you may have additional privacy rights in your California Personal Information that we collect in connection with your application for a franchise opportunity.

UPDATES

It is our policy to post any changes we make to our Privacy Notice on this page. The date the Privacy Notice was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you and for periodically visiting our Site and this Privacy Notice to check for any changes.

CONTACT US

For any questions, or to request further information regarding this Privacy Notice, please contact us at privacy@firstwatch.com. You may also call 1-888-270-1095 or contact us via the postal address below.

First Watch Restaurants, Inc.
Attn: Privacy
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