

GMS Southeast, Inc.

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Privacy Policy

Your privacy is important to us.

GMS Southeast, Inc. and affiliated companies (“Company” or “we”) aim to respect your privacy. This Privacy Policy sets forth how we collect, use, disclose, and retain personal information we collect, including when you when you visit our websites or otherwise interact with us.

Assistance For The Disabled

Alternative formats of this Privacy Policy are available to individuals with a disability. Please contact privacyinquiries@gms.com for assistance.

Special Policy Regarding Information from Children Under Sixteen

This Web site is not targeted to children under the age of 16, and we do not knowingly request personally identifiable information from any child under the age of 16 without parental consent. When we do receive such information, we delete it as soon as we discover it and do not use it or share it with third parties.

This Privacy Policy explains:

1. Categories of information we collect and the sources from which we collect this personal information
2. Purposes for which we use your personal information
3. How we may disclose your personal information
4. Data retention
5. Information specific to residents of certain states
6. Your choices
7. Security for your personal information
8. Notification of Changes
9. Contact us

“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 individual or household.

Other websites

The Site may contain links to other websites not operated or controlled by us (“Third Party Sites”). The policies and procedures we describe here do not apply to Third Party Sites. The links from the Site do not imply that we endorse or have reviewed the Third Party Sites. We suggest contacting those sites directly for information on their privacy policies.

1. Categories of Personal Information We May Collect And the Sources From Which We Collect This Personal Information

We collect the following categories of personal information about you. The sources of this information are directly from you or from others on your behalf, our service providers, affiliated companies with the GMS family of companies, government reporting agencies, automated technologies, for example, browsing activity collected by automated technologies on the Site, and third parties, for example, lawyers, auditors, and insurers who provide legal, insurance, and accounting services. Note that the categories listed below are defined by state law, including the California Privacy Rights Act. We included all categories of personal information that we have collected, however, depending on the services and products we provide you, we may not collect all of the types of information within that category (e.g., we may collect your name, postal address, and email address for a particular purpose without collecting your social security number, driver’s license number, or other information within the “personal identifiers” category).

Categories of Information we collect	Purposes for which We use Information
Personal Identifiers: your name, alias, postal address, email address, unique personal identifier, online identifier, account name, Internet Protocol address, signature, or other similar identifiers.	<ul style="list-style-type: none">• To provide you with products and services• To establish, manage, and administer your customer account and our business• To invoice and deliver orders• To enable business communication related to orders, such as communications about invoicing, delivery, and payments• To allow you to apply for and, if approved, obtain products and services on credit

	<ul style="list-style-type: none"> • To provide you with products and services • To establish, manage, and administer your customer account and our business • To detect security incidents and protect against malicious, deceptive, fraudulent or illegal activity • For auditing and compliance management, institutional risk management, data analytics and technological development of our systems • For research and development of our products • For quality assurance • In connection with a proposed sale or merger • To comply with legal requirements • To comply with legal investigations and subpoenas • To respond to judicial process or government authorities
<p>Commercial information: records of your personal property, products or services you have purchased or considered, and other histories or tendencies to purchase or consume particular products and services</p>	<ul style="list-style-type: none"> • To provide you with products and services • To establish, manage, and administer your customer account and our business • To invoice and deliver orders • To allow you to apply for and, if approved, obtain products and services on credit • To detect security incidents and protect against malicious, deceptive, fraudulent or illegal activity • For auditing and compliance management, institutional risk management, data analytics and technological development of our systems • For research and development of our products • In connection with a proposed sale or merger • To comply with legal requirements • To comply with legal investigations and subpoenas • To respond to judicial process or government authorities

<p>Internet or other electronic network activity information: browsing history, search history, and information about your interaction with a Web site, online application and advertisements</p>	<ul style="list-style-type: none"> • To provide you with products and services • To establish, manage, and administer your customer account and our business • To detect security incidents and protect against malicious, deceptive, fraudulent or illegal activity • For auditing and compliance management, institutional risk management, data analytics and technological development of our systems • For research and development of our products • For quality assurance • To comply with legal requirements • To comply with legal investigations and subpoenas • To respond to judicial process or government authorities
<p>Geolocation data</p>	<ul style="list-style-type: none"> • To provide you with products and services • For auditing and compliance management, institutional risk management, data analytics and technological development of our systems • For research and development of our products • To comply with legal requirements • To comply with legal investigations and subpoenas • To respond to judicial process or government authorities
<p>Sensory information: Audio, electronic, visual, and recorded calls</p>	<ul style="list-style-type: none"> • To provide you with products and services • For research and development of our products • To comply with legal requirements • To comply with legal investigations and subpoenas • To detect security incidents and protect against malicious, deceptive, fraudulent or illegal activity • To respond to judicial process or government authorities

<p>Professional or employment-related information: such as your job title and employer</p>	<ul style="list-style-type: none"> • To allow you to apply for and, if approved, obtain products and services on credit
<p>Financial information: such as payment card details, billing address, and shipping address</p>	<ul style="list-style-type: none"> • To allow you to order and purchase products
<p>Communications data: such as during our communications with you, we collect the content of these communications as well as metadata about the communications, <i>i.e.</i>, date and time of the call or text (SMS or MMS) message and phone numbers.</p>	<ul style="list-style-type: none"> • To provide you with products and services • For research and development of our products • For quality assurance

Cookies

What are cookies?

When you visit our website, we place a so-called “cookie” in a file on your browser so that our website is more user-friendly, effective, and secure. By using a cookie, your browser can remember specific information about you across several pages or between visits to our website. In addition to cookies, we use scripting, which is code run on the website to collect information such as actions you’ve completed on our website or items you click on. We also collect information through “referrers”, which are small pieces of data your web browser passes to us indicating which website linked you to our website. For example, if you click on a link on a Google search result page that takes you to our website, we will receive a referrer that tells us you were linked to our page from Google. For the purposes of this Policy, we refer to these technologies as “cookies.”

We do not store any sensitive personal information within the cookies we place on your device. Our website does not read any information stored in cookies placed on your browser by other websites.

Why do we use cookies?

We use cookies to offer you a better experience on our website. Most of the cookies we use are “session cookies” which are automatically deleted as soon as you leave our website. Other cookies, so-called “persistent cookies,” remain on your computer until

you delete them. Using these cookies allow us to enhance your experience when you interact with our website, such as by helping recognize your browser the next time you visit.

The cookies we use fall into three different categories:

Strictly Necessary Cookies

These cookies are necessary for the website to function. They are usually only set in response to actions taken by you which amount to a request for services, such as logging in or filling in forms. You can set your browser to block or alert you about these cookies, but some parts of the site will not work if you do block these cookies. These cookies do not store any personally identifiable information.

Performance Cookies

These cookies collect browsing information in order to improve your overall experience. We use this information to track website usage and compile statistics. This helps us to count visits and traffic sources so we can measure and improve the performance of our site. They help us to know which pages are the most and least popular and see how visitors move around the site. All information these cookies collect is aggregated and therefore anonymous.

Functional Cookies

These cookies enable the website to provide enhanced functionality and personalization.

Third-Party Cookies

We may allow third-party advertising cookies to be placed on your computer or mobile device when you visit our website. Third-party cookies, including social media plugins, belong to and are managed by other parties, such as Google or other online advertisers. These kinds of persistent cookies remember the websites you visit, and that information is shared with other parties, such as advertisers. Although we do not use cookies to create a profile of your browsing behavior on third-party sites or applications, we may use third-party advertising networks to help us deliver tailored online ads to you.

How can I control cookies?

You can set your browser to notify you when you receive a cookie, giving you the chance to decide whether to accept it. Browsers may also be set up to display a warning when a cookie is used. You may even disable your browser from accepting cookies. Disabling cookies is unique to each browser and device you use. Disabling cookies on one device will restrict the ability to tie that device to other devices you use. Parts of our website may not function properly if you disable cookies. To provide you with the best possible experience while visiting our website, please enable cookies within your browser.

Separate from our website(s), some third-party websites may enable cookies to be placed or accessed on your device by third party advertising networks. These kinds of persistent cookies remember the websites you visit including ours, and that information is shared with other parties, such as advertisers. We do not enable third-party cookies to be placed or accessed on your device through our website. To learn more about opting-out of this type of interest-based advertising, please visit the [Network Advertising Alliance \(NAI\) Consumer opt-out website](#).

Google Analytics

We use cookies provided by Google Analytics to collect information about use of our Site. These cookies collect data tied to a user's IP address, such as the length of time a user spends on a page, the page a user visits, and the websites a user visits before and after visiting the Site. Based on this information, Google Analytics compiles aggregate data about Site traffic and Site interactions, which we use to offer better website experiences and tools in the future. For more information on Google Analytics, visit <https://support.google.com/analytics>. You can opt out of Google Analytics without affecting your visit to our Site. For more information on opting out of Google Analytics tracking, visit this [Google page](#).

Tracking Across Time and Different Sites

The Site does not track your online activities over time and across websites or online services on an individually identifiable basis. We do not allow third parties to use our Site to track your activities over time or across other websites.

Do Not Track Signals

We have implemented a cookie "door" to ensure your cookie preferences are honored. We also have tools in place to better detect and honor requests made using the Global Privacy Control ("GPC") signal indicating your privacy preferences. We endeavor to honor these requests with respect to any personal information connected to the GPC. Note that we may not be able to tie a GPC request to all personal information we have about you. If you wish to exercise your rights under applicable state privacy laws, we recommend submitting your preferences via our cookie "door".

2. Purposes For Which We Use Your Personal Information

We may use information about you for the following business or commercial purposes:

- To provide you with products and services
- To establish, manage, and administer your customer account and our business

- To invoice and deliver orders
- To enable business communication related to orders, such as communications about invoicing, delivery, and payments
- To allow you to apply for and, if approved, obtain products and services on credit
- To detect security incidents, protect against malicious, deceptive, fraudulent or illegal activity
- For auditing and compliance management, institutional risk management, data analytics and technological development of our systems
- For research and development of our products
- For quality assurance
- In connection with a proposed sale or merger
- To comply with legal requirements
- To comply with legal investigations and subpoenas
- To respond to judicial process or government authorities
- For customer support
- To respond to any requests, queries, suggestions, feedback, or comments you may have
- To inform you of any changes to the services, your account (if applicable), this Privacy Policy, or any other policies or terms in relation thereto
- To store, host, or backup (whether for disaster recovery or otherwise) our services or any data contained therein
- To protect the rights, property, or safety of Company, you, or others
- To administer and protect our business and our Site (including troubleshooting, analysis, testing, system maintenance, support, reporting and hosting of data, and preventing fraud and abuse).
- In connection with a corporate transaction, sale, or assignment of assets, merger, divestiture, or other changes of control or financial status of Company and any of its subsidiaries or affiliates.
- To exercise Company's rights under applicable law and to support any claim, defense, or declaration in a case or before a jurisdictional and/or administrative authority, arbitration, or mediation panel.
- To ensure compliance with applicable laws and regulatory obligations.
- Any incidental purposes related to, or in connection with, the above

3. How We May Disclose Your Personal Information

Company discloses personal information as necessary for the purposes described in Section 2 above to the following categories of external recipients:

- **Service providers and contractors:** Company discloses your personal information to service providers and contractors for the purposes above to assist us in meeting our business needs and contractual and legal obligations.
- **Affiliated companies:** Other companies within the GMS family of companies, for example, to provide you with our products and services.
- **Public:** Company may disclose personal information to the public as part of a press release, for example, to announce the winner of a sweepstakes if required by state law.
- **Required Disclosures:** We may be required to disclose personal information in a court proceeding, in response to a court order, subpoena, civil discovery request, other legal process, or as otherwise required by law.
- **Legal Compliance and Protections:** We may disclose personal information when we believe disclosure is necessary to comply with the law or to protect the rights, property, or safety of Company, our users, or others.
- **Corporate Transactions:** We reserve the right to disclose and transfer your personal information, including your personal information to a subsequent owner or co-owner, or in connection with a merger, consolidation, bankruptcy, the sale of substantially all of our membership interests and/or assets or other corporate change, including to any prospective purchasers.

4. Data Retention

We retain your personal information for the duration of the customer relationship, if any. We also retain your personal information for 12 months after our last interaction with you. We will retain personal information longer as necessary to comply with legal, administrative, or procedural requirements, for example, a litigation hold.

In some circumstances, we will anonymize your personal information (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely.

5. Information Specific to Residents of Certain States

Scope of this Section:

This Section 5 provides additional information for individuals who reside in U.S. states with comprehensive data protection laws. Specifically, this section only applies to the Company's collection and processing of personal information subject to these laws, such as the California Privacy Rights Act (CPRA), the Texas Data Privacy and Security Act, and similar legislation (collectively, "Applicable State Privacy Laws"), to the extent these laws apply to the Company and that processing is within the scope of this Privacy Policy.

Sales and Targeted Advertising:

We do not sell consumer personal information or use personal information for targeted advertising (or “sharing” for cross-context behavioral advertising), as defined under Applicable State Privacy Laws.


Your Privacy Rights:

Subject to any applicable limitations and exceptions, you have the following rights under Applicable State Privacy Laws:

- **Right to Access/ to Know:** You have the right to information about whether we process your personal information, to have access to such information, and certain details about how we use it. If you are a resident of California, you have the right to information about whether we process your personal information, and our collection, use, and disclosure of categories of your personal information. In addition, in lieu of a right to access, you have the right to submit a verifiable request to know specific pieces of your personal information obtained from or about you.
- **Right to Know Disclosures:** If you are a resident of Maryland or Oregon, you have the right to obtain, at the Company’s option, a list of specific third parties to which we have disclosed either your personal information, or any personal information.
- **Right to Delete:** Except for residents of California and Utah, you have the right to submit a verifiable request to delete personal information that the Company has collected from or about you. If you reside in California or Utah, you have the right to submit a verifiable request to delete personal information that the Company has collected from you.
- **Right to Correct:** You have the right to submit a verifiable request to correct inaccurate personal information that the Company has collected from or about you, taking into account the nature of the personal information and the purposes of processing the personal information.
- **Right to Data Portability:** Except for residents of California, you have the right to obtain from the Company, or to ask the Company to send to a third party, a copy of your personal information in electronic form that you provided to the Company.
- **Non-Discrimination:** The Company will not unlawfully discriminate against you for exercising your privacy rights under Applicable State Privacy Laws.

How To Exercise Your Rights:

We will respond to requests in accordance with applicable law if we can verify the identity of the individual submitting the request. You can exercise your rights in the following ways:

- Call 1-855-275-5787
- Submit a request through our  [webform](#).

Except for residents of California and Utah, you may also have the right to appeal any decision we make in response to a request to exercise privacy rights, by using the webform or by calling us at the telephone number listed above. We will inform you of any action taken in response to an appeal, along with a written explanation of the reasons for our decision(s), in accordance with Applicable State Privacy Laws.

How We Will Verify Your Request:

We will ask you to confirm information we already have on file, or provide other information sufficient for us to determine and confirm your identity before responding to your request. We request this information as a security measure to ensure that your personal information is not disclosed to someone who is not authorized to receive it. For example, we may verify the email address we have on file with the email address from which you are sending a request. We may also ask you to verify certain past orders, or to confirm your last four digits on a card you recently used to place an order. If you have an account with us, we may ask you to verify yourself by logging in. We may also contact you to ask you for further information in relation to your request, in order to speed up our response.

The more risk entailed by the request, the more items of personal information we may request to verify your identity. If we cannot verify your identity to a sufficient level of certainty to respond securely to your request, we will let you know promptly and explain why we cannot verify your identity.

Authorized Agents:

You may also authorize someone to make a request on your behalf. To do so, you must provide the agent with written, signed permission to submit privacy right requests on your behalf, or provide a letter from your attorney. The agent or attorney must provide this authorization at the time of request. Note that we may require you to verify your identity with us directly before we provide any requested information to your approved agent.

Additional Information For California Residents

The CPRA requires the following additional information for California residents. The information below concerning California residents' personal information, as well as the information in other sections of this Privacy Policy, apply to the Company's collection, use, and disclosure of California residents' personal information during the twelve months preceding the last updated date of this Privacy Policy and prospectively.

Notice at Collection:

We collect the personal information identified in Section 1 for the purposes identified in Section 2 and retain it for the period described in Section 4. We do not sell your personal information or disclose it for cross-context behavioral advertising ("sharing"). In addition, we have no actual knowledge that we sell or share the personal information of individuals of any age, including the personal information of children under 16. We also do not collect or process sensitive personal information for the purpose of inferring characteristics about you.

Additional Information about Disclosures of Personal Information:

We may disclose each of the categories of personal information listed in Section 1, above, for the following “business purposes”, as that term is defined under the CPRA, and as a supplement to the disclosure described in Section 3 (How We May Your Disclose Personal Information), above:

- **Service providers:** For the business purpose of performing services on Company’s behalf and, in particular, for the specific purposes described in Section 2, above.
- **Auditors, lawyers, consultants, and accountants engaged by Company:** For the business purpose of auditing compliance with policies and applicable laws, in addition to performing services on Company’s behalf.
- **Affiliated companies:** To other companies within the GMS family of companies for the business purposes of (1) auditing compliance with policies and applicable laws, (2) helping to ensure security and integrity, (3) debugging, (4) short-term transient use, (5) performing services on behalf of Company, (6) internal research, and (7) activities to maintain or improve the quality or safety of a service or device.

Note on Deidentified Information:

At times, the Company converts California residents’ personal information into deidentified information using reasonable measures to ensure that the deidentified information cannot be associated with the individual (“Deidentified Information”). We maintain Deidentified Information in a deidentified form and do not attempt to reidentify it, except that we may attempt to reidentify the information solely for the purpose of determining whether its deidentification processes ensure that the information cannot be associated with the individual. We prohibit vendors, by contract, from attempting to reidentify the Company’s Deidentified Information.

Note on Sensitive Personal Information:

The Company does not infer characteristics from sensitive personal information. We only use sensitive personal information as necessary to perform the services or provide the goods the average person would reasonably expect when requesting those goods or services, to ensure security and integrity, short term transient use, to maintain the quality of our products and services, or for other purposes permitted by the CPRA without the right to opt out.

6. Your Choices

We provide the following choices to all our customers regarding our use of information about you.

- You may set your browser to reject cookies and to erase cookies that have already been placed on your hard drive. However, if you do so, your ability to navigate this site will be limited.
- You may choose not to provide us with any contact information.
- If you would like us to manage your contact status or be removed from any of our on-line mailing lists, click on the unsubscribe link contained in every email. This allows you to unsubscribe from emails.

7. Security For Your Personal Information

We strive to have reasonable security procedures in place to protect against the loss, misuse or alteration of information under our control. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have any questions about the security at our Website, or you have any reason to believe that the security of our Website or your information has been compromised, please contact us at the email address or phone number below.

8. Notification of Changes

If we change our privacy policy, we will post those changes on our Homepage so you will always be aware of what information we collect, how we use it, and under what circumstances we disclose it. We will use information in accordance with the privacy policy under which the information was collected.

9. Contact Us

If you have any questions about this privacy policy or our privacy practices, please call us toll free at 1-855-275-5787 or email us at privacyinquiries@gms.com. You can also contact us at: <https://www.gms.com/contact-us>.

If you are contacting us to complain about an alleged breach of this privacy policy or our privacy obligations at law, please provide us with as much detail as possible in relation to your complaint. We will take any privacy complaint seriously and any complaint will be assessed with the aim of resolving it in a timely and efficient manner. We request that you cooperate with us during this process and provide us with any information that we may need.