

ADESA Privacy Policy

Updated January 11, 2018

At ADESA, Inc. (“ADESA”), privacy is one of our most important values. This Privacy Policy explains our practices for collecting and handling information. We believe that our commitment to privacy should provide you with confidence that we will limit the collection and use of information to what is necessary to administer our business, provide you with quality service, and offer you information of interest.

Scope of Policy

ADESA is the company that owns and operates the website www.ADESA.com (and any successor to it) and related services, content and functionality available through the website and mobile applications (collectively, the “**ADESA Services**”). ADESA’s affiliated company, OPENLANE, Inc., owns and operates private label vehicle remarketing services, websites and mobile applications (collectively, the “**OPENLANE Services**”). ADESA and OPENLANE, Inc. shall together be referred to herein as “**Company**,” “**we**” or “**us**” (with the word “**our**” also referring to us). The ADESA Services and the OPENLANE Services, together with our profiles, pages, advertisements and other presences on the various social networking platforms that we use shall together be referred to herein as the “**Service**.”

By submitting any personal information to Company, by conducting business with Company or by using any Service, you agree to the terms of this Privacy Policy and expressly consent to the collection, processing, use, disclosure and storage of your personal information and other information relating to you and your use of the Service for the purposes set out in this Privacy Policy.

The information provided in this Privacy Policy covers your interactions via the Service, including the features, applications, emails, content, downloads, products and services offered through the Service. Certain portions of the Service may only be accessible to registered users and such access may be subject to additional terms and conditions.

The Service is intended for use by an adult general audience. The Service is not directed to children under the age of 13 and Company does not knowingly solicit personal information from or market to children under the age of 13. If we learn that anyone under the age of 13 has provided any personal information through the Service, we will use commercially reasonable efforts to promptly delete it.

This Privacy Policy does not apply to other companies’ websites or services or links that you may access via the Service, except that this Privacy Policy does apply to our use of information you provide through, and information regarding, your interactions with our profiles, pages, advertisements and other presences on social networking platforms and our social networking platform integrations. Information collected or received by these third parties is subject to third party privacy policies. If you are located outside the United States, please note that personal information collected via the Service may be transferred to the United States and other countries which might not provide an equivalent level of protection as the data protection laws in your own country.

ADESA Privacy Policy

Updated January 11, 2018

Information Collection, Usage and Disclosure

Collection of Data. Company collects and maintains certain information about you and your business when you register with Company and also through the Service. The information you provide can identify you and your business and includes, but is not limited to, information such as name, driver's license number, birth date, dealer registration number, vehicle purchases and sales (e.g., type of vehicle, quantity, price, vehicle identification number, odometer reading, year, make, model, date of purchase and/or sale, purchase and/or sale patterns), contact information (e.g., name, telephone number, email address and mailing address), banking information, and financial and tax information.

Data Analytics. The information collected through the Service may also include cookies, IP addresses, device usage, browser information, user behavior, page navigation, referring sites, countries of origin and other statistics (“**Analytics**”). Some of the information collected by Company may be personal information. The collection of personal information is limited to that which is necessary for the purposes identified by Company in this policy. Information is collected by fair and lawful means.

Device Settings. We may request and collect mobile location information (if you have activated a mobile application with us and permitted your mobile device to transmit location data), and financial account information. Company mobile applications may also request certain permissions for certain device functions (such as permission to access your device's camera to record audio, to read your device's contact list, etc.) and collect information regarding certain device settings (e.g., the permissions you have set on your device, such as CAMERA, RECORD_AUDIO, READ_PHONE_STATE, GET_ACCOUNTS and READ_CONTACTS, for example), which Company may also use and disclose for the purposes described in this Privacy Policy. The information we collect is used to improve the content and quality of the Service.

Cookie Technology. Company employs “cookie” technology to help visitors move faster through the Service. When you sign on to Company's website(s), Company passes a cookie to your computer. A cookie is a string of information that is sent by a website and stored on the hard drive or temporarily in your computer's memory. This leads to quicker navigation and a generally more positive experience searching for the information you desire. By using our website(s), you consent to our use of cookies as described above. We may, from time to time, use similar technologies, including web beacons, pixel tags, flash objects, location tracking and/or third party widgets for purposes of enhancing your web or mobile experience and/or for purposes of allowing you to share information on another platform, such as a social media platform.

Aggregate Data and Tracking. From time to time, we may analyze *browsing information and aggregate data* for quality assurance, contextual advertising and other similar activities. We may also collect (and allow authorized third parties to collect) “targeted” cookies (persistent identifiers tracking users over time across different sites and services) for marketing purposes. Information about your online activities on this and other websites (e.g., pages viewed), may be used by Company and third parties such as advertising networks to select an advertisement to display on the Service or other websites for a product, service, or offer that matches your interests. In other words, we may engage in online behavioral or interest-based

ADESA Privacy Policy

Updated January 11, 2018

advertising. We do allow you to exercise choice regarding the collection and use of information by third parties for online behavioral advertising purposes by going to these sites to **opt-out: Network Advertising Initiative** (<http://optout.networkadvertising.org/#>) or **Digital Advertising Alliance** (<http://youradchoices.ca/choices>). Opting out means you will still receive online advertising but the advertising will not be tailored by the listed third-parties based on your online behavior or usage. In addition, we do not currently respond to “Do Not Track (DNT)” browser signals.

Purpose of Collection and Disclosure. Company collects, uses and discloses personal information for the following purposes:

- i. to process your applications and related documents required to become a registered Company dealer and to make a decision regarding the acceptance or rejection of your applications;
- ii. to ensure that Company's auction facilities are used by registered dealers and authorized sellers only;
- iii. to verify the information that you provide to Company;
- iv. to verify, evaluate and/or monitor your creditworthiness;
- v. to assist with the collection of any amounts owing by you to Company;
- vi. to contact you in response to any purchases, requests, complaints or comments you may have;
- vii. to contact you to provide you with information regarding Company's business and sales, including, for example, marketing communications and information about Company's rewards, loyalty or other programs or promotions including any joint marketing activities;
- viii. to help Company to develop, evaluate and improve its sales and marketing strategies and techniques;
- ix. to provide third parties with information necessary to permit that third party to conduct business with Company and/or effectively provide services;
- x. to assist Company and third parties in evaluating the vehicle remarketing industry;
- xi. to operate and improve the Service; and
- xii. to respond to reasonable inquiries from regulatory and/or investigative authorities; and to maintain and update Company's banned dealer list.

Sharing Information with Others. Company collects, uses and discloses aggregated and individual sales data including sale location, pricing, odometer reading, vehicle condition, vehicle description and vehicle identification number information to assist us and third parties in evaluating market trends, to prepare data analyses, and to prepare market report and valuation products. Company may also provide law enforcement and regulatory agencies with buyer or seller names and other information, some of which may be personal information. Company may

ADESA Privacy Policy

Updated January 11, 2018

provide its banned dealer list (which includes the name and address of the affected business, names of all individual representatives of the affected business whose privileges have been suspended, and the reasons for the suspension) to third parties including third party auctions. Company may share personal and/or aggregated information that you have provided with other business divisions within the KAR Auction Services, Inc. group of companies. Company shares credit information concerning dealer with its sister companies. Company uses analytics tools and other third party technologies, such as DoubleClick Cookies and AdWords, to collect non-personal information in the form of usage/user metrics with your access to the Service. These tools collect and analyze various types of information, including, for example, Analytics. Company may share information with agents and contractors in order to help operate the Service.

Company may share information as necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of Terms of Service, or as otherwise required by law, regulation or governmental request. We may share and/or transfer information in the event of a potential or actual acquisition of Company or its merger with another company.

Limiting Use, Disclosure and Retention. Personal information may not be used or disclosed for purposes other than those for which it was collected, except with your consent or as required by law or regulation. Personal information shall be retained only as long as necessary for the fulfillment of those purposes or as required by law or regulation. We may permit certain third party companies to help us deliver customized advertising that we feel would be of interest to you based on your use of the Service. If you do not wish to have this information used for the purpose of delivering targeted ads, you may **opt-out**. You have to opt-out using each of your web browsing applications and devices separately. To opt- out of the DoubleClick cookie, visit the [Google advertising opt-out page](#). You can also control your [individual advertising settings](#), Google offers additional information about its [Remarketing Privacy Guidelines and Restrictions](#). See <https://support.google.com/adwords/answer/2549063>. Please note that this action does not opt you out from all advertising - you will still see ads on the Internet, and we may still suggest offerings to you on our Service based on your history at our Service.

Social Networking. Company uses several social networking and blogging platforms to communicate with our customers, some of which are operated by third parties, such as Facebook and Twitter. This Privacy Policy applies to our use of information you submit to us there, but it does not apply to what those third party platforms do with your information. Those platforms have their own privacy policies, and we encourage you to read them. The Service may include features and functionalities that allow you to share information with us that you have already provided to a third party social networking platform. If you do so, then personal information or other data that you have provided to that third party will be made available to us, pursuant to the third party's terms and conditions, and you consent to our use of that information in accordance with this Privacy Policy. The information we receive from that third party may depend on the privacy settings you have on the third party site. We may also include tools on the Service that allow you to share and/or publicly post content or information from the Service to your profile on a third party social network.

ADESA Privacy Policy

Updated January 11, 2018

“Linked-To” Websites. The Service may contain links, banners, widgets or advertisements that lead to other websites. We are not responsible for these other sites, and so their posted privacy policies (not this Privacy Policy) will govern the collection and use of your information on them. We encourage you to read the privacy statements of each website visited after leaving the Service to learn about how your information is treated by others.

Opt-In and Opt-Out. You may have the right to opt in or opt out of certain of our uses and disclosures of your information. For example, when you are asked to provide information via the ADESA Services or OPENLANE Services, you may have the opportunity to elect to, or not to, receive messages from us by e-mail or text message. You may tell us that you do not want to receive promotional messages by contacting customerconnection@adesa.com. You can also opt-out of our promotional emails by clicking on the opt-out link within the e-mail you receive. To opt out of our SMS messages, text STOP to ADESA (23372). Please understand that it may take us a few days to process any opt out request and that even if you opt out of receiving promotional correspondence from us, we may still contact you in connection with your relationship, activities, transactions and communications with us.

Mobile Messaging Service

ADESA ALERTS

You may elect to receive special text offers, promotions, event news and more from ADESA through your mobile device (collectively, “**Mobile Messages**”).

We may publish or provide you with one or more keywords and associated short code numbers (for example, **ADESA (23372)** or **89800**) from time to time.

Text the keyword provided to you to the applicable short code number to sign up to receive from that short code ADESA text messages relating to the program the keyword is for.

By texting a keyword to the applicable short code, you agree that you are providing ADESA with prior express written consent to send you up to 8 promotional text messages per month relating to the program that keyword is for at the number you provided, through any mechanism, including, for example, using an automatic telephone dialing system. If you sign up for Mobile Messages using multiple keywords, please note that you may receive up to 8 promotional text messages per month for each of those keywords.

Message and data rates may apply. Consent to receive marketing text messages is not required as a condition of purchasing any goods or services.

After sign-up, we will send a confirmation text message to your mobile device. Be sure to reply “YES” to confirm your subscription.

You represent that you are over the age of 13, legally competent and have legal authority to form a contract and provide this consent with regard to the phone number you provide and that you

ADESA Privacy Policy

Updated January 11, 2018

reside in the United States. You may not consent on behalf of someone else or provide someone else's phone number.

You agree to enter into, sign and receive this consent to receive text messages electronically. Mobile Internet access is required. Print this page using your Internet-connected computer or device and web browser to retain a copy of your consent. You can withdraw your consent to receive this consent electronically. Mail us at ADESA, Inc., 13085 Hamilton Crossing Blvd., Carmel, Indiana 46032 (ATTN: Customer Connection) to request a free copy of your consent, update your contact information or for other customer service.

STOP Information

Text **STOP** to the short code to stop receiving Mobile Messages from ADESA from that short code (you will receive a confirmation text). Your opt-out will be effective after we send you a confirmation text.

HELP Information

For additional information, text **HELP** to the short code or contact us at CustomerConnection@adesa.com or call us at 888-526-7326.

Supported carriers are:

AT&T, Sprint, T-Mobile®, Verizon Wireless, Boost, Cricket, MetroPCS, U.S. Cellular, Virgin Mobile, ACS Wireless, Appalachian Wireless, Bluegrass Cellular, Carolina West Wireless, Cellcom, C-Spire Wireless (formerly Cellsouth), Cellular One of East Central Illinois, Cincinnati Bell Wireless, Cross (dba Sprocket), Duet IP, Element Mobile, EpicTouch, GCI Communications, Golden State, Hawkeye (Chat Mobility), Hawkeye (NW Missouri Cellular), Illinois Valley Cellular, Immix (Keystone Wireless / PC Management), Inland Cellular, iWireless, Mobi PCS (Coral Wireless LLC), Mosaic, MTPCS / Cellular One (Cellone Nation), Nex-Tech Wireless, nTelos, Panhandle Telecommunications, Peoples Wireless, Pioneer, Plateau, Revol Wireless, Rina - Custer, Rina - All West, Rina - Cambridge Telecom Coop, Rina - Eagle Valley Comm, Rina - Farmers Mutual Telephone Co, Rina - Nucla Nutria Telephone Co, Rina - Silver Star, Rina - South Central Comm, Rina - Syringa, Rina - UBET, Rina - Manti, South Canaan / CellularOne of NEPA, Thumb Cellular, Union Wireless, United, Viaero Wireless, West Central Wireless, Leaco, Nemont/Sagebrush. T-Mobile is not liable for delayed or undelivered messages.

Accuracy and Corrections

It is your responsibility to keep your personal information on file with the Company as accurate, complete and up-to-date as is necessary for the purposes for which it is to be used. If you would like to update personal information previously submitted to Company, request to have outdated personal information removed, or withdraw consent to the use or disclosure of your personal information, please contact CustomerConnection@adesa.com or call us at 888-526-7326.

ADESA Privacy Policy

Updated January 11, 2018

Security

Company takes commercially reasonable technical, physical and administrative measures to protect the confidentiality, integrity and security of your personally identifiable information. Of course, we cannot guarantee the security of your personally identifiable information on the Internet. The ADESA Services and OPENLANE Services are secured by industry standard encryption. However, it is your responsibility to maintain the confidentiality of your password(s) and other user credentials. You will be automatically logged out of your account after a certain period of time has elapsed to protect you against others accidentally accessing your account.

Ownership

All material contained on the Service is the property of the Company or its licensors, and is protected under the appropriate jurisdiction's copyright laws and international conventions. Except as explicitly provided by Company, you may not transmit, display, reproduce, distribute, modify, create derivative works from, or otherwise exploit any of the materials or content on the Service. You may not use automated means, such as but not limited to scrapers or spiders, to collect and/or index any information contained via the Service. No materials or intellectual property from the Service may be (a) reproduced, (b) stored in significant portion, (c) distributed, (d) framed, or incorporated into another website, without the prior written consent of the Company. All requests for permission should be sent to customerconnection@adesa.com. Company names and logos are registered trademarks of the Company. The names and logos of other products and services contained within the Service may be trademarks of other respective owners. All rights reserved.

Storage

All personally identifiable information you provide to Company is secured on servers with restricted access. We reserve the right to use third party agents and service providers, who are bound by strict confidentiality guidelines, to perform storage and processing functions. We will store your personal information for as long as there is a business need for it in accordance with applicable record retention policies and a range of legal and regulatory recordkeeping requirements.

Amendments to Policy

Company may update this policy. Consequently, you should review the Privacy Policy periodically. We may also notify you about significant changes in the way we treat personal information by sending a notice to the primary email address specified in your primary account holder account or by placing a prominent notice via the Service. You should sign on to your account regularly for these and other important announcements.

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