

## PRIVACY POLICY AND YOUR CALIFORNIA PRIVACY RIGHTS

Welcome to [www.HOT975Phoenix.com](http://www.HOT975Phoenix.com), (“Site”, “us” or “we”) the official website for radio station KMVA-FM, HOT 97.5, Phoenix, Arizona (“Station”). This Site is owned and operated by Trumper Communications III, LLC and Trumper Communications of Phoenix, LLC (“Owner and Operator”).

Your privacy is very important to us. Because we gather certain types of personally identifiable information (“Personal Information”) from users of our website and for various Station activities, operational and business purposes, we feel you should know how we collect, use, disclose, manage, and store the Personal Information that you may voluntarily provide us and the Personal Information that may be collected passively through the use of cookies or image tags on our website.

This Privacy Policy is incorporated by reference in the Site’s [Terms of Use Agreement](#), which is binding on all Site users. This Policy applies only to the Personal Information collected by this Station and does not govern any such information collected by its corporate parent(s), affiliates, or any other company, unless specifically stated. If you do not agree with this Privacy Policy, please do not participate in the Station’s online or off-line activities and services that require you to provide your Personal Information. (The type of Personal Information collected is listed below.) This Policy provides information regarding your choices to either Opt-out or Opt-in when your Personal Information is used for various promotional and marketing purposes by the Station, Site, our Affiliates, and/or our generous advertisers, sponsors, and promotional partners (collectively, “Advertisers”). For example, for the Station, Site or our Affiliates use of your Personal Information for marketing and promotional purposes, we provide you with the right to Opt-out. However, the choice for sharing your Personal Information with Advertisers may be different. Please see details in the “Disclosure to Advertisers” section below.

The following links have been inserted for your convenience to help you find key points in the policy. If, for some reason, they aren’t working for you, please scroll down.

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## YOUR CALIFORNIA PRIVACY RIGHTS

If you are a California resident and have an established business relationship with us and want to receive information about how to exercise your third party disclosure choices you must send a request to the following address with a preference on how our response to your request should be sent (email or postal mail). You may contact us in two ways. Send email to Privacy Administrator at [paula@HOT975Phoenix.com](mailto:paula@HOT975Phoenix.com). Alternatively, you may contact the Station at:

HOT 97.5/KMVA-FM

4747 N. 7th St. #424

Phoenix, AZ 85014

Attn: Your California Privacy Rights

c/o Privacy Administrator

For requests sent via email, you must put the statement “Your California Privacy Rights” in the subject field of your email. All requests sent via postal mail must be labeled “Your California Privacy Rights” on the envelope or post card and clearly stated on the actual request. For all requests, please include your name, street address, city, state, and zip code. (Your street address is optional if you wish to receive a response to your request via email. Please include your zip code for our own recordkeeping.) We will not accept requests via the telephone or by facsimile. We are not responsible for notices that are not labeled or sent properly, or do not have complete information.

To all other users of this Site, if you have other questions about this Privacy Policy, please contact our Privacy Administrator at the following email address:

[paula@HOT975Phoenix.com](mailto:paula@HOT975Phoenix.com) or:

HOT 97.5

KMVA - FM

4747 N. 7th St. #424

Phoenix, AZ 85014

Attn: Privacy Administrator

We will respond to your inquiry within 30 days

## GENERAL PRIVACY GUIDELINES

Unless specified otherwise on the Site, all users must be at least 18 years of age and a legal resident of the United States to participate in any activity that requires the submission of Personal Information. This Site is designed and targeted to United States (U.S.) audiences and is governed by and operated in accordance with the laws of the United States. We make no representation that this Site is operated in accordance with the laws or governed by other nations. By your participation in our Site activities,

you certify that you are at least 18 years of age and a legal resident in the U.S. If you are located in the European Union or elsewhere outside of the U.S. and you participate in activities on this Site contrary to our policy that only U.S. residents are eligible for certain activities, you do so at your own risk and initiative, and are responsible for compliance with any applicable local laws. Please be aware that any Personal Information you transfer to us will be transferred to the U.S and subject to U.S. law. By using this Site, participating in any Site activities, and/or providing us with your Personal Information, you consent to this transfer of Personal Information to the U.S., and waive any claims that may arise under your own national laws.

All users of the Site are required to provide true, current, complete and accurate Personal Information when prompted. We will reject and delete any entry that we believe in good faith to be false, fraudulent, or inconsistent with this Privacy Policy.

Your continued participation on this Site indicates your acceptance of this Privacy Policy and of the collection, use, disclosure, management and storage of your Personal Information as described below. We may from time to time transfer or merge any Personal Information collected off-line to our online databases or store off-line information in an electronic format. We may also combine Personal Information we collect online with information available from other sources, including information received from our corporate affiliates, advertisers, or marketing companies.

This Privacy Policy covers all such Personal Information and will remain in full force and effect as long as you are a user of the Site or a participant in Station activities. We reserve the right to revise this policy at any time by updating this posting without advance notice to you. If you are a registered user or member of the Site, we will notify you via e-mail of material changes (you are responsible for keeping your e-mail address up to date). We will also post a notice on the homepage of the Site notifying all users of any other revisions to the Privacy Policy. Such revisions shall be effective to you immediately upon posting. Your continued use of this Site upon posting and notification will indicate that you have affirmatively agreed to any such changes in the Privacy Policy. Therefore, we encourage you to check this Privacy Policy often.

We use your Personal Information to provide you with the features, services, or goods you request and to respond to questions related to the Station or Site. We will also use your Personal Information to notify you about updates, new features, programming and activities on behalf of the Station, Site, our Advertisers or our Affiliates that may be of interest to you. (We explain below in the next section what our policy is for the collection, use and disclosure of Personal Information to Advertisers).

We may also use your information for hiring, operational and business purposes, to find out how we can improve our Station and Site via surveys or online tracking mechanisms, and to develop new services and features that may be of interest to you. We use aggregate Personal Information to help us to evaluate and modify existing services and features.

1.

We will share your Personal Information with our Affiliates primarily for business and operational purposes. On occasion, we will share your Personal Information with our parents and other Affiliates for promotional and marketing purposes. We will inform you when we conduct cross-promotional events between our Affiliates and you will have the right to opt-out of such use.

It is also necessary that we share your Personal Information and Sensitive Personal Information with our operational service providers, the specialists that provide internal support to Station operations and activities and/or for Site design, development, hosting and operations including maintenance, management, storage and/or fulfillment of our membership and e-mail clubs, various contests, sweepstakes, services, events and online stores. We use operational service providers to efficiently provide the full range of content, activities and membership services we bring to you and we request that our operational service providers also protect your privacy and not disclose your Personal Information or Sensitive Personal Information to third party marketers that are not associated with the Station or Site. Additionally, such providers are not to use your Personal Information or Sensitive Personal Information for their own marketing or promotional purposes.

In the event that the assets or stock of the Station, its corporate licensee or parent company(s) are sold or transferred, merged with a different company or entity, restructured, or subject to other fundamental corporate changes, we reserve the right to disclose any and all databases compiled from Personal Information or Sensitive Personal Information collected by the Station to such successor.

We reserve the right to collect Personal Information using any new technology yet to be developed and to use such technology to provide new services and features to you, as well as for marketing and promotional purposes. Specific information regarding your choice to Opt-in or to Opt-out to such use, or for sharing your Personal Information with advertisers, will be provided once the new technology, service, or feature is introduced.

WEBSITE COLLECTION, USE, AND DISCLOSURE OF PERSONAL INFORMATION

Generally, you may browse this Site, and listen to our Station's Internet stream, without providing any Personal Information. For certain activities (which may include, but is not limited to, contest and sweepstakes registrations, membership, awards points, loyal listener clubs, music sampling, surveys and news/sports/weather alerts or registrations for chat rooms, message boards and blogs) the Personal Information you voluntarily provide may include your first/middle and last name, home address, business address, email address, telephone number, mobile phone/text messaging device number, birth date, gender, employer or personal preferences, depending on the activity.

Registration to enjoy the streaming of select Station programming may require the submission of your email address, zip code, date of birth and whether you listen to the Station from work, home, or school. Optional personal information requested may be your full name, postal address, gender, industry you work in, occupation/role, household income, preferred news source, and favorite gadgets, to name a few. You will also have the ability to opt-in to additional subscription services, such as email news alerts, streaming radio updates, and promotional and marketing information to be received directly from our generous Advertisers.

1. We will attempt to notify you if we will need new contact information.

For specific purposes (such as the purchase of goods and services and/or contest prize fulfillment) we may request a type of confidential personally identifiable information which shall be called "Sensitive Personal Information" and is defined as any individual's: (1) social security number; (2) driver's license number or state identification card number; (3) employee identification number; (4) account number, credit or debit card number, with or without any required security code, access code or password that would permit access to an individual's financial account; (5) mother's maiden name; (6) passport number; or (7) electronic or digitized signature. Sensitive Personal Information will only be used for verification of your identity, federal or state tax reporting requirements, and/or to implement the specific activity or event it was submitted for. We will not share your Sensitive Personal Information with advertisers. However, more general Personal Information will be used to implement the specific activity or event and will also be used for the marketing of additional events, services and merchandising for this Site and the Station.

## DISCLOSURE TO ADVERTISERS

Advertising support allows us to offer, free of charge, many great activities and services to our users such as contests, sweepstakes and special events. However, we do not currently share Personal Information with our advertisers. However, depending on the activity, we may in the future do so and you will receive notice on the Site and/or in the

rules of participation (“Rules of Participation”) for the event or activity, or via an email notice. Please be informed that our advertisers may not have the same privacy policies that we do. Therefore, you will need to tell us if you do not want to receive marketing information directly from our advertisers. You will need to check the “Opt-out” click boxes that may be included in the registration area for the particular event, in an email, or alternatively, notify the Site’s Privacy Administrator at [paula@HOT975Phoenix.com](mailto:paula@HOT975Phoenix.com). You will also need to tell us if you do not wish to receive marketing or promotional materials from the Site and/or Station in the same manner.

We also provide you with an option to “Opt-out” of receiving advertising and promotional email from us in compliance with federal law by installing an Opt-out mechanism with all such email messages. You must use the designated method in the email message to notify us of your Opt-out request, as we cannot guarantee that other methods of notification will be effective or timely. Please be aware that we may continue to contact you via email for administrative or informational purposes, including follow-up messages regarding contests you have entered or other transactions you have undertaken. By law, such messages are not considered to be commercial email. We are not responsible for removing your Personal Information from third party lists or entities which you have previously authorized us to share your information. You will need to contact those entities directly.

## COOKIES AND IMAGE TAGS

The use of cookies is an industry standard and they are currently used on most websites, including this Site. Cookies are a small text file containing a unique identification number that is transferred from a website server either to your browser or temporary storage of a your computer so that the website administrator or a third party operational service provider may identify the computer and passively track your activities on the Site. Image tags work in conjunction with cookies and are small image files that may be located on select pages of our Site, or with-in web-based email newsletters that we may send. (Image tags are also called web beacons, web bugs, clear GIFs or single-pixel GIFs.) Tracking is important because we can better understand what parts of our website are used the most, when to launch new services and how to enhance current offerings. We may share the information we receive from cookies and image tags with third-parties and our Advertisers in aggregate form, which means that such information generally does not contain specific Personal Information or Sensitive Personal Information about any one visitor. In short, cookies and image tags collect a user’s Internet protocols and server information. Such data files allow our Site to remember your web browser when you visit our Site and are necessary tools for

quick and efficient access to membership clubs, awards programs and contests. A cookie will not allow the Site to learn any Personal Information (such as your real name and email address) or Sensitive Personal Information that you have not otherwise disclosed. Cookies and image tags allow the Site to remember important information that will make the Site easier for you to use and helpful in our administration of various activities. We do not use cookies or image tags to collect other Personal Information or Sensitive Personal Information unless you give us permission to do so.

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Cookies will also be used by certain Advertisers and other entities featured on the Site to monitor and track your usage of the Site, number of visits, or the number of times that you have reviewed an ad or other features, so that we may customize your visit based on your personal interests. However, this use of cookies does not collect any Personal Information such as your name or email address.

## CHILDREN'S PRIVACY POLICY

Although persons of all ages may visit our Site and participate in activities that do not require the collection of Personal Information or Sensitive Personal Information, we do not knowingly or intentionally collect Personal Information or Sensitive Personal Information from children under the age of 13 except as required by law. Except for the limited circumstances listed below, we will automatically reject and delete the registration or entry of any person we believe in good faith to be underage. Any false or fraudulent registration or entry from a minor will be deemed to be ineligible and will disqualify the minor from the receipt of a prize, benefit, or other participation.

1. This policy is consistent with the Children's Online Privacy Protection Act of 1998 ("COPPA:") which governs the online collection of Personal Information from children under the age of 13.

## EMAIL

Any communications or materials sent to the Station or Site by any user via email or otherwise, including any comments, data, questions, suggestions or the like, will be treated as non-confidential and non-proprietary. You agree that any use of such material does not violate any rights including, but not limited to, privacy rights, proprietary or other property rights, publicity rights, rights to credit for material or ideas, including the right to approve the way the Station uses such material. Any material submitted to us or the Site may be adapted, broadcast, changed, copied, disclosed, licensed, performed, posted, published, sold or transmitted by the Station anywhere in the world, through any medium now known or later devised.



We do not generally keep email correspondence, except for those emails that relate to the on-air programs or operations of the Station. As required by the FCC, if any part of your email correspondence relates to Station programming or operations, we must place such correspondence in the Station's FCC Public Inspection File, or make the correspondence available via electronic file access at the Station to anyone that requests such information. Therefore, be informed that your Personal Information or Sensitive Personal Information contained in certain emails, including Personal Information knowingly received from a child under the age of thirteen, will be disclosed to the general public. (Please see our Children's Privacy Policy section for details). We request that you not place any Sensitive Personal Information in your email correspondence to the Station that pertains to station programming or operations. You understand and agree that we are not responsible for Sensitive Personal Information that is improperly disclosed in emails that are made available to the general public in compliance with FCC regulations.

## SHOPPING & E-COMMERCE

If this Site sells goods and/or services or provides auction services we will request Sensitive Personal Information that includes your credit card, debit card or other payment information. Alternatively, the Site may use a third party operational service provider to conduct the financial transaction in a secured manner; the third party payment will be accessible via a hyperlink from the Site and will be solely responsible for all financial transactions and the collection, use, and storage of your Personal Information and Sensitive Personal Information. We may request additional Personal Information such as full name, billing and shipping address, email address and telephone number and any such information that is required to fulfill your order and to communicate with you regarding your order. Sensitive Personal Information will be encrypted or collected through a secured Internet connection generally via SSL or S-HTTP protocols. Such Sensitive Personal Information will also be stored in a commercially reasonable secure manner. We may use your Personal Information, (but not your credit card or debit card number) to contact you about future products, services and discounts from the Station or to provide such information indirectly from our Advertisers, unless you tell us otherwise ("Opt-out"). We will only use your credit card and debit card number to complete the specific transaction you requested.

## CHAT ROOMS, MESSAGE BOARDS AND PUBLIC AREAS

For your enjoyment and entertainment, this Site may choose to offer user interactive activities such as chat rooms, message boards, and/or public forums ("Public Areas"). If you are required to register to use any interactive area, we will not share any Personal

Information or Sensitive Personal Information that is entered into the Public Area registration section on the Site with advertisers. However, any such information that is posted in Public Areas is available to anyone using the Site.

We reserve the right, at our sole discretion, to save and archive any content of any nature posted to the Site and that we may, without liability to any user: 1) disclose such content if required to do so by law or to comply with legal processes; 2) to respond to claims that any of the content violates the property, privacy, publicity or other rights of others; or 3) to protect the rights, property or safety of the Site, the Station, its employees, users and members of the public.

#### MONITORING AND USE OF AGGREGATE PERSONAL INFORMATION

We reserve the right to monitor and edit any Personal Information about our users, including information about the use of website activities and services, the contents of users' email and messages for internal purposes, and when necessary, to disclose to law enforcement personnel, and/or the employer and/or Internet Service Provider of a user that is not in compliance with the Terms of Use Agreement or Privacy Policy. We will take such measures if we believe it is necessary to protect the security, integrity, and operations of this Site or Station. Without disclosure of Personal Information or Sensitive Personal Information about individual users, we may provide aggregate statistics about our users, traffic patterns and related website information to advertisers, reputable third party vendors or marketing companies.

#### ADVERTISING AND OTHER THIRD PARTY CONTENT AND HYPERLINKS

This Privacy Policy does not cover third party advertising or third party content that may be present on the Site. This Site may provide banner and general advertising, in addition to other content provided by our advertisers or operational service providers. Users may from time to time purchase goods or services offered through, or otherwise participate in or send messages concerning such advertising, promotions or third party content offered through the Site. Such correspondence, transactions and agreements are solely between the user and the Advertiser or the third party content provider and do not involve the Site. Also, advertisers and such third party content providers may not have the same privacy policies that we do and you are encouraged to read their privacy policy first. (Also, see our section called "Cookies and Image Tags").

This Site often provides links to third party websites that could be of interest to our users, including the websites of our advertisers. As stated in our Terms of Use

Agreement, the Station does not own or control these websites and therefore, is not responsible for the content, business practices, or operations of such websites. Third party websites linked or framed on this Site may have different privacy policies and business practices than we do. The presence of a link to a third party website does not constitute or imply our endorsement, recommendation, or sponsorship of the third party content, goods, or services available through, or contained on, the Site. By use of this Site, you have agreed that you will use the hyperlinks to third party sites at your own risk.

## OFF-LINE COLLECTION, USE, AND DISCLOSURE OF PERSONAL INFORMATION

The Station also collects and uses Personal Information by other means, via on-air broadcasts, telephone, direct mail, and direct communications from members of the public. The various uses of such Personal Information may include, but are not limited to, contests & sweepstakes, loyal listener club registration, other special membership only features/events, news tip lines, job applications, listener complaints, and operational and business purposes.

Except for contests & sweepstakes entries, or registrations for a loyal listener or other special membership features/events, we do not ordinarily use your Personal Information collected off-line for promotional or advertising purposes, nor do we share it with third parties for promotional or marketing purposes. If Personal Information collected off-line will be used by the Station, its parent company(s), or corporate affiliates for promotional and marketing purposes, you have the opportunity to Opt-out of such use. If such information will be shared with Advertisers, you will have the same rights as provided for the disclosure of Personal Information collected online (Please see the "Website Collection, Use, and Disclosure of Personal Information" section).

## SECURITY MEASURES

- 1.

## REVIEW, UPDATE, CORRECT, OR DELETE PERSONAL INFORMATION OR SENSITIVE PERSONAL INFORMATION

Generally, you may review, update or delete your Personal Information or Sensitive Personal Information collected by the Site. You may also correct factual inaccuracies. Certain types of Personal Information that are necessary to check eligibility, such as birth date or age, cannot be deleted, but may be modified with sufficient verification of

the new information. Note that we reserve the right to terminate or delete any membership or entry if we believe the Personal Information submitted was knowingly false or fraudulent.

To review, update or delete your Personal Information or Sensitive Personal Information collected by the Site, please email the Site's Privacy Administrator at [paula@HOT975Phoenix.com](mailto:paula@HOT975Phoenix.com). To have access to your Personal Information or Sensitive Personal Information, you must provide proof of identification such as full name, street address, city/state and zip code, user ID and password, and/or information about your recent activity on the website. We reserve the right to deny access to any user if we believe there is a question about your identity. And if the burden or expense of providing access to your Personal Information is disproportionate to the risks to your privacy, or if the legitimate rights of others would be violated, we may decide not to provide access to such information. In such cases, we will provide to you with an explanation of why access cannot be provided and a contact person for further inquiries.

This Privacy Policy was last updated on March 10, 2011 and is effective immediately.

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