

PRIVACY POLICY

By using the services and viewing this site (the “Site”) provided by ModalView, LLC (the “ModalView”), you are acknowledging that you have reviewed and consent and agree to the terms of this Privacy Policy, and related Terms of Use available at www.modalview.com/privacy.

This Privacy Policy is designed to explain what personal information is collected, and how it is used or shared, from users of this Site and users of ModalView’s services. This personal information includes data collected: (i) from your use of this Site; (ii) offline, including related to any services provided by or work for ModalView; (iii) from relevant third parties; or (iv) from mobile applications. We will follow this Privacy Policy in accordance with applicable law.

If you are a resident of certain states, including California, you may have additional rights pursuant to that state’s laws. Those rights are described later in this Privacy Policy and shall apply to you solely to the extent required by applicable law.

1. COLLECTION OF PERSONAL INFORMATION

ModalView may collect, maintain, process, and use certain personal information about you from sources identified in this Privacy Policy. For the purposes of this Privacy Policy, “personal information” may be considered any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with you or your household. Personal information does not include aggregated or de-identified information, or information that is available from public sources. The definition of “personal information” may vary depending on the applicable law.

SOURCES OF COLLECTION

You: ModalView may collect personal information voluntarily provided by you to ModalView either offline or to the ModalView digitally, including through the Site and forms on the Site, mobile application, or other related voluntary provisions of personal information from you to ModalView.

Third Parties: Personal information may also be collected about you and received by ModalView from third party marketing services, social media companies, and platforms designed to transmit personal information relating to employment or contracting to us including but not limited to www.modalview.com where you first provide such platform or service personal information.

Automated and Cookies: ModalView may also receive certain personal information from you related to your use of the Site. We may use technologies, including but not limited to Cookies, that collect and store certain data about the use of the Site by you and other users on an aggregate or anonymous basis, including but not limited to selections you make on the Site, features you use,

preferences you set, general physical location, and other information collected as further described in this Privacy Policy. We may also automatically log information relating to your online activity data including, but not limited to, the date and time of your visit to the Site, information about activity on the Site including specific links clicked or specific webpages of the Site accessed, duration of access, searches on the Site, and other related information. This information may be non-identifying. If information collected regarding your usage of the Site is associated or linked with your Personal Information, we will treat such usage information as Personal Information. You may be able to use your device or certain browser or application settings to disable automated collection.

CATEGORIES OF INFORMATION COLLECTED

The categories described below explain the Personal Information we may have collected over the past twelve (12) months, or may collect in the future, about you, depending on your use of the Site or the ModalView’s services:

NON-SENSITIVE PERSONAL INFORMATION

<u>Category</u>	<u>Examples</u>
Identifiers	Identifiers such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver's license number, passport number, or other similar identifiers.
Communications	Your communications, including e-mails, Site submissions and messages, with us.
Internet Activity	Information relating to your use of the Site, including IP address, cookies, device information, and other related information.
Education Information	Information derived from your resume or otherwise provided by you, including records of education history, student records or transcripts, or other related records.
Professional or Employment-Related Information	Information derived from your resume or otherwise provided by you, including work history, human resources, benefits, insurance, administrative records, recommendations, or other related information.
Audio, electronic, visual, thermal,	Photographs may be voluntarily provided for certain business purposes. Video footage of driver and truck surroundings upon initiation of safety system if you are hired for a business purpose as a driver.

olfactory, or similar information	
Geolocation Data	Any data that is derived from a device and that is used or intended to be used to locate a consumer within a geographic area that is not considered precise geolocation data.

SENSITIVE PERSONAL INFORMATION

<u>Category</u>	<u>Specific Examples</u>
Government Issued Identifiers	Your social security number, driver's license, state identification card, or passport number.
Precise Geolocation	Any data that is derived from a device and that is used or intended to be used to locate a consumer within a geographic area that is equal to or less than the area of a circle with a radius of 1,850 feet, except as prescribed by regulations. For drivers with active Shipments, this includes continuous background location data collected when the Mobile App is running in the background and is not the active foreground application on the driver's device. Drivers are required to enable "Always Allow" (iOS) or "Allow all the time" (Android) location permission as a condition of using the Service as the continuing collection of background location data is necessary for accurate tracking Shipments.
Financial Information	Your account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account.
Health Information	Your medical history and the results of a United States Department of Transportation physical and/or drug test, if you are hired for a business purpose.
Characteristics of Protected Classifications under	Your racial or ethnic origin, religious or philosophical beliefs, or union membership.

California or federal law	
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2. USE OF INFORMATION

We may use the personal information collected from you for the following purposes:

- **Hiring, Employment, and Administrative Purposes**
 - For employees and/or independent contractors, we may collect personal information relating to the business purposes of employment, payroll, contracting and related application and continuing work purposes, including processing payroll, administering benefits, running background checks, issuing insurance policies, and conducting interviews on your behalf.
 - We may use your personal information to comply with applicable laws and regulations, including but not limited to the collection of EEOC demographic data.
- **Improve Site and Service Quality**
 - For users of our services, we may collect personal information to operate and manage the services to be provided.
 - We may use your personal information to improve the quality of services provided, including data analytics, tracking, reviewing, and grading work performance and improving workforce efficiencies.
 - We may collect information relating to your use of this Site to improve the Site, and for research and analytics purposes.
- **Services, Business Transactions and Operations**
 - We collect precise geolocation data from drivers to comply with best practices, laws, and regulations, contracts, and to provide tracking services for delivered goods. Specifically, when a driver has an active Shipment, ModalView collects continuous, precise location data from the driver’s mobile device, including when the Mobile App is running in the background and is not the active foreground application on the driver’s device (“Background Location”). Background Location access is required to provide uninterrupted shipment tracking and real-time visibility to Carriers and IMC customers throughout the duration of a Shipment. Drivers are required to grant “Always Allow” location permission (iOS) or “Allow

all the time” location permission (Android) as a condition of using the Service and accepting Shipments, as set forth in the Driver Terms and Conditions. Failure to maintain this permission level will result in interruption of location tracking and may result in suspension of access to the Service.

- We may collect financial information to process business transactions.
 - We may collect other personal information to process business transactions or otherwise provide services.
 - Other business-related purposes not expressly listed herein which are related to the business purposes of your relationship with ModalView and are reasonably necessary and proportional for achieving the purpose of your business with ModalView.
- **Legal Compliance**
 - Compliance with applicable laws.
 - Compliance with subpoenas, litigation hold memorandums, or prospective litigation.

3. SALE, SHARING, OR DISCLOSURE OF PERSONAL INFORMATION

ModalView does not knowingly or intentionally sell your personal information. However, ModalView may disclose or share certain personal information to certain third parties to facilitate business purposes noted in Section 2.

ModalView may have shared or disclosed in the last 12 months, or may share and disclose, the foregoing categories of personal information to the following parties for a business purpose, and not for cross-contextual behavior advertising:

- Business partners, such as board member companies (anonymized board-level information) and shipment-related information with customers and carriers.
- If required, ModalView may disclose your personal information pursuant to Court Order or a subpoena.

4. DATA RETENTION POLICY

ModalView will retain your personal information, including sensitive personal information for no longer than is reasonably necessary for the purposes stated in this Privacy Policy including for legitimate business purposes unless otherwise required or permitted by law.

If you are involved in any litigation related to ModalView, then ModalView reserves the right to preserve your information. After the time dictated by law or when the business purpose is fulfilled, the data will be deleted, unless otherwise required to be retained for legal, compliance, or operational reasons. Historical data will be archived according to the timelines set forth by federal law and used for historical report, analysis, and compliance purposes after which it will be deleted in accordance with our data destruction policy.

5. PROTECTION AND SECURITY

We have implemented commercially reasonable measures designed to secure your Personal Information from accidental loss and from unauthorized access, use, alteration, and disclosure. No business, including ModalView, can guarantee the security of your information. You should take all measures to protect your own personal information, including keeping your passwords and login information secure.

6. CHILDREN NOT INTENDED USERS OF SITE OR SERVICES

Our Site and related services are intended for adults. If you are under the age of sixteen, disconnect from the Site immediately and cease use of the services. We do not knowingly collect personally identifiable information from children. If you are a parent or legal guardian and think your child under sixteen has given us information, please email us at the e-mail address listed at the end of this Privacy Policy. Please mark your inquiries “COPPA Information Request.” To the extent that ModalView receives any information for children under the age of sixteen, ModalView shall follow all applicable laws and will not sell such data.

7. UPDATES TO PRIVACY POLICY

We may update this Privacy Policy from time to time, and for any reason. We encourage you to regularly visit this Privacy Policy to stay informed regarding any updates or changes to the Privacy Policy. Your continued use of the services and Site indicates your acceptance of the modified Privacy Policy. If you do not accept the Privacy Policy, discontinue use immediately.

This Privacy Policy has last been updated on May 20, 2024.

8. STATE RIGHTS

ModalView may collect certain personal information as defined in the California Consumer Privacy Act of 2018 (the “CCPA”) and amended by the California Privacy Rights Act effective January 1, 2023 (the “CPRA” and referred to interchangeably with the CCPA). This Section 8 details ModalView’s collection of your personal information, and your rights under the CCPA. It may also detail rights provided under equivalent laws in other states. For avoidance of doubt, the rights stated in this Section shall only apply to California residents, or to residents of other states with equivalent rights, and solely to the extent that these rights are applicable.

California residents have the right to make the following requests regarding their rights under the CCPA to covered businesses. Information regarding how you can utilize your rights is contained in Section 9 of this Privacy Policy. These rights include:

- ***Right To Know About Collection, Disclosure or Sale of Personal Information:*** You have the right to know what personal information ModalView has collected about you as further detailed in Sections 1-3 of this Privacy Policy. Specifically, you may request:
 - (1) The categories of personal information we have collected about you.
 - (2) The categories of sources from which the personal information is collected.
 - (3) The business or commercial purpose for collecting, selling, or sharing personal information.
 - (4) The categories of third parties to whom we disclose personal information.
 - (5) The specific pieces of personal information we have collected about you.
- ***Right to Deletion of Personal Information:*** You have the right to request that ModalView delete certain information we have collected from you.
- ***Right to Opt-Out of the Sale or Sharing of Personal Information:*** You have the right to opt out of the sale or sharing of certain personal information. However, ModalView does not knowingly sell your Personal Information or share your Personal Information other than as described in Section 2.
- ***Right to Non-Discrimination:*** You have the right not to receive discriminatory treatment by us for the exercise of privacy rights conferred by the CCPA.
- ***Right to Correct Personal Information:*** You have the right to correct inaccurate information that we maintain about you.
- ***Right to Opt-Out of Automated Decision Making:*** You have the right to opt out of automated decision making under certain circumstances.
- ***Right to Limit Use and/or Disclosure of Sensitive Personal Information:*** Under certain circumstances, you have the right to limit the use or disclosure of sensitive personal information by ModalView. ModalView does not use your sensitive personal information except for defined business purposes.

ModalView does not necessarily take any actions or collect any data from you in a manner that implicates your CCPA rights.

9. EXERCISING YOUR STATE RIGHTS STATED IN SECTION 8

You, or an authorized agent, may submit requests to ModalView by the following method:

- legal@modalview.com
- 1100 E Hector Street, Ste 395
Conshohocken, PA 19428

After confirming receipt of your request, we'll contact you if we need more information to verify it. We will use commercially reasonable efforts to verify any request and will request further information to the extent necessary to verify or investigate a request. Before we can act on a request from your authorized agent, we may require verification of your identity and proof from the authorized agent that they can act on your behalf. We may also require that the relevant consumer directly verify their identity and the authority of the authorized agent.

If we can't verify a request from you or an authorized agent, we may deny it. We will use commercially reasonable efforts to respond to you in the amount of time required by the CCPA.

10. CROSS-BORDER COLLECTION OF PERSONAL INFORMATION

ModalView may transfer outside of the United States the information we collect from or about you. ModalView may transfer certain personal information across geographical borders to ModalView employees or to various third-party providers working on our behalf, or we may receive personal information in the United States or elsewhere transferred from ModalView employees, or an unaffiliated third party. ModalView may also store personal information in a jurisdiction other than where you are based, and such jurisdiction may not provide the same level of protection for your personal information as your home country. By providing your personal information to ModalView, you understand that your personal information may be collected, transferred, and/or stored in a jurisdiction other than your home country. ModalView is required to safeguard personal information in accordance with its contractual obligations and data protection legislation applicable to its provision of services. Your personal information will only be transferred if appropriate or suitable safeguards are in place.