

CD/VA Enterprises, LLC
d.b.a. Colonial Downs
Internet Privacy Policy and Terms

Welcome CD/VA Enterprises, LLC and affiliated property online privacy policy (the "Policy") for this website, www.ColonialDowns.com ("Site"). As used in this Policy, the terms "you," "your," and "yours" refers to you the user of this Site or any other guest, person or entity who accesses or uses this Site or services from the Site; and the terms "we," "us," "our," or "ours" refers to CD/VA Enterprises, LLC and affiliated properties.

We value all guests and take the privacy of all of your personal information very seriously. During the course of providing our guests with products and services, we may collect information that may be considered private and confidential. This information may be collected from signing up for a Players Club Card, conducting a financial transaction at an ATM or outlet at the property, or other forms of information derived from your activity on the property. We are therefore providing our privacy policy to explain our practices for collecting, sharing and using this information.

We have strong safeguards in place to protect guest information including contractually requiring any individual or organization that provides services to guests on our behalf to take similar safeguards to protect confidentiality.

Our Privacy Principles:

- We only allow authorized team members, consultants, and contractors access to Personal Information
- We abide by strict standards of security and confidentiality when it comes to our guests' information
- We require any group or individual that has access to our guests' personal data to protect the confidentiality of the information
- We maintain physical, electronic and organizational safeguards to protect this information
- We afford former customers the same protections as existing customers with respect to the use and sharing of their information

I. Information Collected

Personal Information

"Personal Information" is information through which you can be identified. We collect Personal Information that you provide voluntarily using our websites and at our locations. We also collect Personal Information that you provide voluntarily by e-mail, postal mail, telephone, and other means. Personal Information that we may collect through our websites includes your name, date

of birth, postal address, e-mail address, telephone number, fax number, gender, credit card information and your purchase and reservation information. In addition to the Personal Information listed above, Personal Information that we may collect at our properties include driver's license number and state, social security number, passport information and naturalization information. When you complete a check cashing application, front money account application, and other similar applications at our properties, we may also collect the name of your firm, your firm's address and telephone number, your position with the firm, and banking information (including the name and address of your primary and secondary banks along with your account numbers). Some Personal Information described above is considered "Confidential Personal Information." Confidential Personal Information includes your name associated with one or more of the following: date of birth, credit card information, driver's license number, state ID card, social security number, passport information and naturalization information.

We may combine Personal Information with other generally or publicly available information to help us identify your preferences or interests. Your Personal Information may also be merged with Personal Information available from other sources, including (1) e-mail address or postal address append services; (2) credit card verification and credit services; and/or (3) other properties that are affiliated with our company.

Non-Personal Information

"Non-Personal Information" is information about you or your activities through which you cannot be personally identified. When you use the Internet, your web browser or client software may transmit certain information to the servers that host the websites you visit. The information may include the unique number assigned to your server or Internet connection, your geographic location, and your movement within and interaction with our websites, including what pages you look at and what information you download. When you visit our websites, our servers collect such Non-Personal Information. We use this Non-Personal Information for a variety of purposes including to generate aggregate statistics about visitors to our websites. In situations where it is possible to do so, Non-Personal Information may be linked to Personal Information.

Cookies and Interest-Based Advertising

We work with third parties to track your activity on our website, as well as to serve you with relevant advertisements from Colonial Downs and other advertisers on unrelated websites. These advertising services use pixel tags (aka; web beacons), cookies and other tracking technologies to collect and store non-personal information about your visit to our website. Should you visit our website using your mobile device, an advertising service may also collect your device's unique identifier, or location, and attempt to synchronize your mobile

website visit with other website visits. When a relevant advertisement is served to you on another website that uses data collected from this website, it's referred to as an 'Interest-Based' Ad and the advertisement should include a blue 'Adchoices' icon in the upper-right hand corner. If you click on the Adchoices icon, you can learn more about the facilitating advertising service, and your opportunity to opt-out of Interest-Based ads from that service. We do not have access to, nor control over, these advertising services use of cookies when Interest-Based ads are served to you. However, you may choose to optout of the use of this information by clicking here; www.aboutads.info/choices/ Please note that by opting out, you will continue to see ads, but they may not be as relevant based on your travel interests.

Cookies and other Technologies from our Website

We use cookies and other technologies on our Sites. Cookies are small text files offered to your computer by servers in order to keep track of your browser as you navigate the Site. Cookies may be stored on your hard drive in which case they remain on your hard drive until deleted, or in temporary memory in which case they are deleted when you shut down your browser or turn off your computer. We may use cookies and similar technologies to identify who you are and may use them when you visit our Site, click on our ads, or open our emails. Cookies also enable us to remember your user preferences for our Site. In addition, if you choose to provide us with Personal Information, we may store some items of your Personal Information and use it with the Traffic Data to better personalize your experience on our Site. Cookies and other technologies may also be used for site maintenance and analysis, performing network communications, authenticating users, serving contextual advertisements, and protecting against fraud and theft. You can block or remove cookies using your Internet browser's settings. If you block or remove cookies, your ability to perform certain transactions, use certain functionality, and access certain content on our Site may be affected. Please consult the "Help" section of your browser for instructions on how to do so correctly. Also please note, that Flash cookies do not operate the same way as browser cookies, therefore, the cookies management tools which are available in most of the web browsers may not enable removal of such flash cookies. If you wish to learn more about management of flash cookies you can check at www.adobe.com and make changes at the privacy settings panel. If you disable cookies, you may lose some of the features and functionality of playing our games, as cookies are necessary to track and enhance some of our game activities.

Third-party advertising companies that work with us may also use cookies and other similar technologies to collect Non-Personal Information to provide you with advertisements that are likely to be of interest to you.

External Website Links

The Web Site may contain hyperlinks to other websites that may have information policies and practices that are different from ours. The fact that we have provided a link to a site is NOT an endorsement, authorization, sponsorship, or affiliation by us with respect to such site, its owners, or its providers. Links to other websites are provided only as a convenience to you. We are not responsible for the information collection or privacy practices of other web sites, including web sites operated by our business partners or other third parties. You should review and understand the privacy policies posted on any linked sites you visit before using those sites or providing any Personal Information.

II. Information Collected from Third Parties

We may obtain personal information from carefully selected business partners and other entities that direct you to, or are located at, Colonial Downs or affiliate properties (collectively, "Third Parties"). We may use Personal Information obtained from these Third Parties in accordance with the terms of this Privacy Policy. We generally have no control over how these Third Parties use Personal Information they collect from or about you. Therefore, if you provide Personal Information, including Confidential Personal Information, to other Third Parties, we encourage you to consult the Third Parties' privacy policies for more information about their privacy protection practices.

III. Use of Personal Information

Marketing Purposes

We may use Personal Information and Non-Personal Information for our own marketing purposes, including notifying you of special promotions, offers and events via postal mail, e-mail, telephone, text messaging, and other means. We will not permit Confidential Personal Information to be used for marketing purposes. If you do not want us to use your Personal Information for marketing purposes, you may opt-out of such uses by notifying us (see below).

Non-Marketing Purposes

Except for Confidential Personal Information, we may share your Personal Information with our business partners related to specific marketing efforts and purposes. We will never share confidential information, such as social security number, credit or debit card number, credit account number, driver's license number, state identification card number, passport number, or naturalization number.

When we provide Personal Information to our third party business partners, we require them to exercise reasonable care to protect your personal information and restrict the use of your Personal Information to the purposes for which it was provided to them. If you do not want us to share your personal information with

third parties for marketing purposes, you may opt-out of such sharing by notifying us in accordance with the "Opt-Out" section located below.

Although you may request to opt-out of sharing Personal Information for marketing purposes, we reserve the right to disclose Personal Information, including Confidential Personal Information, to our Partners and other third parties for the following purposes: (1) validating your identity; (2) recording racing or gaming related activity (3) conducting statistical or demographic analysis; (4) processing, fulfilling, and tracking reservations, purchases, or other transactions; (5) complying with legal and regulatory requirements; (6) customizing your experience at our website; (7) to protect and defend CD/VA Enterprises, LLC, its subsidiaries and affiliates, and all of their officers, directors, team members, attorneys and agents in connection with any legal action, claim or dispute; (8) preventing fraud; (9) debt collection; (10) satisfying contractual obligations; and (11) to satisfy any contractual obligation to indemnify its contractors, partners or other third parties in connection with any legal action, claim or dispute; and (12) in the event of a transfer to a third party of all or substantially all of the assets of the CD/VA Enterprises, LLC and/or any Colonial Downs or affiliated Web Site; and (13) to prevent imminent physical harm or threats to public safety; and (14) to third party vendors that we may use to perform functions on behalf of our properties, such as companies that process credit card transactions.

When it is possible to do so, we may link Personal Information (such as your name or e-mail address) with Non-Personal Information (such as the unique identifier associated with your computer or mobile device). We may also link Personal Information with other generally or publicly available information to help us identify your preferences or interests. The information we collect may also be merged with information available from other sources such as (1) companies that match e-mail addresses with postal addresses and other information; and (2) credit card verification and credit services.

IV. Telemarketing

Even if you registered your telephone number on a Do-Not-Call list, certain exemptions may allow us to contact you by telephone. However, to ensure our customers' preferences are honored, we also maintain our own internal do-not-call list. If you would like to opt-out of receiving telemarketing sales calls from us by adding your telephone number to our internal do-not-call list, please email us at Info@ColonialDowns.com.

V. Security

Non-Personal Information and Personal Information, including Confidential Personal Information, collected by our web sites and properties is stored on secure servers. The secure servers are protected by firewalls and a multitude of

other industry standard security measures. These security measures are instituted to ensure the protection of these secure servers from unauthorized access. However, no security system is impenetrable, and these systems could become accessible in the event of a security breach. We have controls in place that are designed to detect potential data breaches, contain and minimize the loss of data, and conduct forensic investigations of a breach.

Our staff is required to take reasonable measures to ensure that unauthorized persons cannot view or access your Personal Information. Team members who violate our privacy policies are subject to disciplinary action, up to and including termination, as well as civil and criminal prosecution.

We cannot enforce or control the security of the computers, electronic devices, or electronic communication method that a consumer may utilize to send e-mails and submit information to us over the Internet. You are responsible for ensuring that the computers, electronic devices and electronic communication methods you utilize will provide adequate security for communicating with us. We are not responsible for the disclosure or interception of your information before we receive it.

As a standard security practice, we will take reasonable steps, which are standard in the industry to ensure that the communication methods used to support us do not permit connection or communication by methods that have known security weaknesses or vulnerabilities. As such, if you experience trouble using our Web Sites, it may be an indication that you need to upgrade your Internet browsing tool or application to a newer version that supports more secure communication methods.

VI. Age Policy & Legal Disclaimers

Persons under the age of eighteen (18) are permitted in our facility, however are not permitted to access the designated gaming areas. Virginia state law prohibits them from participating in betting. Any offers we make or any contests we conduct, unless otherwise noted, are not open to persons younger than twenty-one (21) years of age. In accordance with the Children's Online Privacy Protection Act, persons younger than twenty-one (21) years of age are not allowed to use our site, accept offers, or win contests, and we do not knowingly collect information from such persons. If the parent or guardian of a person under twenty-one (21) years of age believes that the person has provided us with Personal Information, the parent or guardian of that person should contact us at Info@ColonilaDowns.com and request that such Personal Information be deleted from our files. If a person under the age of eighteen (18) years of age submits Personal Information, we delete the information as soon as we discover the source of the submission, and we do not use the information for any purpose.

VII. Visitors From Outside Of The United States

Our Site is maintained on servers located in the United States, and Personal Information and Non-Personal Information are stored on computers and servers located in the United States. The United States may not offer a level of privacy protection for Personal Information as great as that offered in other jurisdictions. Therefore, the disclosure of Personal Information pursuant to this Policy is at your own risk. We make no representation that the practices described in this Policy are compliant with laws outside of the United States that apply to the collection, security, use and disclosure of Personal Information Changes to This Policy

This Privacy Policy was posted on May 16, 2018. We reserve the right to change, modify or amend this Privacy Policy at any time without notice. When the Privacy Policy is changed, modified and/or amended, the revised Privacy Policy will be posted on our web site and will be available at the Colonial Downs or affiliate properties. Any revised Privacy Policy will only apply prospectively to personal information collected or modified after the effective date of the revised policy. Customers are responsible for periodically checking the Privacy Policy posted on our web site for changes. If you have any questions regarding this Privacy Policy, please contact us at Info@ColonialDowns.com.

Contact Us, Opt-Out, Or Change Personal Information

If you wish to change your contact information, opt-out from receiving solicitations from us, opt-out of receiving material from other third parties, or to change your privacy preferences you can send an e-mail to Info@ColonialDowns.com.

To opt-out write to:

CD/VA Enterprises, LLC
d.b.a. Colonial Downs
Attention: General Counsel
10515 Colonial Downs Parkway
New Kent, VA 23124