

## **Privacy Policy**

This website **www.theArboretum.com** (the “Site”), is owned and operated by Washington Prime Group, L.P. and/or one or more of its affiliates (collectively “WPGLP,” “we,” “us,” or “our”). This Privacy Policy (the “Policy”) has been instituted to explain to Site users and visitors how we collect, use, disclose and protect the Personal Information submitted by users and visitors to the Site. The term “Personal Information” as used in this Policy refers to information that identifies you personally, alone or in combination with other information available to us. Examples of Personal Information include, but are limited to, your name, home address, e-mail address, mobile phone number, and credit card information. This Policy applies only to the use and collection of data or information collected by the Site and does not apply to any other data or information collected by us online or offline. Users and visitors to the Site are subject to the terms, conditions, and provisions stated in this Policy and any other relevant terms, conditions, policies, or notices posted or included on the Site. By visiting or using the Site, you agree to the terms of this Policy and, if you provide us your Personal Information, you consent to the collection, use and disclosure of your information as described in this Policy. If you do not agree with this Policy, please do not provide us any Personal Information and do not use the Site.

### **This Policy is Part of Our Terms of Use**

This Policy is part of the Terms of Use that govern your use of this Site. A link to our Website Terms of Use and Legal Restrictions is provided at the bottom of each page of this Site.

### **Privacy Notices**

This Policy may be supplemented or amended from time to time by “Privacy Notices” posted on this Site. These Privacy Notices provide a level of detail that we cannot provide in this more general description of our privacy practices. For example, certain pages of this Site may contain Privacy Notices providing details about the Personal Information we collect on those pages, why we need that information, and choices you may have about the ways we use that information.

### **Do Not Track Signals**

Certain browsers may allow you to request that websites not track your activities over time and across third party websites or other online services by sending “do not track” signals to commercial websites like the Site. We do follow the “do not track” directions provided by your browser. This Privacy Policy provides the details regarding the types of tracking mechanisms in place on the Site, the types of information collected by such tracking mechanisms, whether you have the option to control how and when such tracking mechanisms are used, whether and how third parties use tracking mechanisms on the Site, and whether those third party tracking mechanisms are activated before or after you leave the Site.

### **Types of Information We Collect**

*Information You Volunteer.* WPGLP collects the Personal Information you and others knowingly and voluntarily provide when you use this Site. For example, we collect the Personal Information

you submit when you sign up for our news alerts, submit an application, or contact us with questions. In addition, you may provide Personal Information in order to use, or participate in, certain optional features of the Site. The manner in which we will use this Personal Information, if any, will be disclosed on the page through which you sign up for, or otherwise provide information to use, or participate in, the applicable feature. For the avoidance of doubt, we will not share or use your mobile number for any other purpose than to send you mobile SMS alerts, in accordance with carrier and Mobile Marketing Association (MMA) guidelines.

When you complete forms online or otherwise provide us Personal Information in connection with a program, you agree to provide accurate, complete and true information. You agree not to use a false or misleading name or a name that you are not authorized to use. If we, in our sole discretion, believe that any such information is untrue, inaccurate or incomplete, we may prohibit you from further participation in the applicable program and pursue any appropriate legal remedies.

Except as expressly set out in this Privacy Policy, or as disclosed when you sign up for, or otherwise provide Personal Information to use, or participate in, an optional feature on the Site, we will not disclose any Personal Information to a third party without your express prior authorization, nor will we use that information for any purpose other than to provide the applicable feature. However, we reserve the right at all times to disclose any information as necessary to satisfy any law, regulation or governmental request, to avoid liability, or to protect our rights or property.

*Information Sent to Us by Your Web Browser.* We collect information that is sent to us automatically by your web browser. This information typically includes, but is not limited to, your internet protocol (“IP”) address, the identity of your Internet service provider (ISP), the name and version of your operating system, the name and version of your browser, the date and time of your visit, and the pages you visit. Please check your browser if you want to learn what information your browser sends or how to change your settings.

*More About IP Addresses.* An “IP address” is a unique number that is automatically assigned to your computer when you connect to the Internet. It is used to identify your computer’s “location” in cyberspace, so that the information you request can be delivered to you. IP addresses do not include your name, e-mail address, or other information that identifies you personally, but in some cases, they can be used to identify you. For example, if you have registered with this Site, we may link your IP address to account information that identifies you personally. We may also provide your IP address to our third-party service providers who can use it to identify your state and zip code. In addition, if, we suspect inappropriate or criminal activity or a threat to the security of this Site, we may share our server logs—which contain users’ IP addresses—with the appropriate investigative authorities, who could use that information to trace and identify individuals.

*Cookies and Similar Technologies.* We use “cookies” and other web technologies to collect information and support certain features of this Site. For example, we may use these

technologies to: • collect information about the ways visitors use this Site—which pages they visit, which links they use, and how long they stay on each page; • to support the features and functionality of this Site—for example, to reduce the time it takes users to re-entering information already in our database or to prompt the settings you established on previous visits; and • to personalize your experience when you use this Site.

Generally, the information we collect using these web technologies does not identify you personally. If, however, you have created a user identity, for example, by registering on this Site, we may link the information we collect using these Web technologies to other information that identifies you personally.

Generally, if you do not wish to receive cookies, you may set your browser to reject cookies or to alert you when a cookie is placed on your computer. Although you are not required to accept cookies when you visit this Site, if you choose to have your browser refuse cookies, it is possible that some areas of the Site will not function properly when you view them, and you may have to enter Personal Information every time you use the Site in order to access certain parts of the Site and obtain certain information stored on the Site.

*Information from your mobile device.* If you access the mobile version of this Site, we may automatically collect certain information from or about your mobile device. The types of information we may collect include the type of device you use, your device's unique identification number, the IP address of your device, your device's operating system, the type of mobile Internet browser(s) you use, and information about the way you use our mobile application(s) on this Site.

*Children's Personal Information.* This Site is not directed to children under the age of 13 and we do NOT knowingly collect Personal Information from children under the age of 13 as part of the Site, nor do we knowingly distribute such information to third parties. We screen users who wish to provide Personal Information in order to prevent users under the age of 13 from providing such Personal Information. If we become aware that we have inadvertently received Personal Information from a user under the age of 13, we will take the appropriate steps to delete such information from our records. We do NOT knowingly allow children under the age of 13 to publicly post or otherwise distribute Personal Information through the Site.

### **Third-Party Cookies**

In addition to the cookies WPGLP delivers to your computer through this Site, certain third parties may deliver cookies to your computer for a variety of reasons. WPGLP does not have access to, nor control over, the cookies of third-party service providers or advertisers.

## **How We Use Personal Information Collected Through This Site**

Generally, we use the Personal Information we collect through this Site: • to provide the information and services you request; • to better understand your needs and interests; • to provide you with a personalized experience when you use this Site; • to provide you with effective customer service; • to improve the content, functionality and usability of this Site; • to contact you with information and notices related to your use of this Site; • to contact you with special offers and other information we believe will be of interest to you; • to invite you to participate in surveys and provide feedback to us (with “feedback” meaning the content you post on or through this Site that is specifically about how we can improve this Site and the products and services we make available through this Site); • to improve our services; • to improve our marketing and promotional efforts; • for security, credit, or fraud prevention purposes; and • for any other purpose identified in any other notice or agreement between you and us.

We may occasionally use third – party advertising companies and advertising networks to serve advertisements to you on our behalf when you visit the Site. These companies may use non Personal Information about your visits to the Site and other web sites in order to provide advertisements about goods and services that may be of interest to you. If you would like more information about this practice and how to opt-out of receiving communications from these third-party advertising companies, visit <http://www.networkadvertising.org/choices>.

We can and will use IP addresses and/or MAC addresses to identify a user when we feel it is necessary to enforce compliance with our Terms of Use or to protect the Site, users, or other individuals. We also reserve the right to use or disclose non Personal Information in any manner we see fit in order to improve the Site.

Please see below for information about the choices you have about the ways we use your Personal Information.

## **Use of Aggregated and De-Identified Information**

We may use information gathered through this Site to create a compiled, aggregate view of its audience and visitors’ usage patterns. We use aggregated and/or de-identified information to operate our services and to better understand our audience as we develop new services and compile information for your use. We may also share aggregated and/or de-identified information with our third-party service providers and/or investors. Aggregate and de-identified information is not personally identifiable, but in some cases it can be used to identify you as provided elsewhere in this Privacy Policy.

## **Your Choices**

*In General.* We respect your right to make choices about the ways we collect, use, and disclose your Personal Information. Discussed above are choices you have about delivery of cookies through this Site and about our collection of location information. In addition, we may ask you to indicate certain choices at the time we collect your Personal Information. For example, at the time you give us your contact information, we may provide to you an opportunity to choose (via “opt out” or “opt in”) whether you receive certain communications from our business partners.

*Previously Expressed Preferences.* You may change previously expressed preferences regarding how we use your Personal Information. If you have registered with this Site, you may be able to change certain privacy preferences through your account settings. Otherwise, if at any time you wish to be taken off our mailing lists, please contact us using the information provided above. Once we have the information we need, we will remove you from our mailing lists as you have requested. Please give us a reasonable amount of time to honor your request.

## **How to Access, Update or Correct Your Personal Information**

If you wish to access, update, or correct your Personal Information, please contact us using the information provided in this Policy. We will respond to you within a reasonable time and, in any case, within the time limits established by applicable law. We may ask you for additional information to verify your identity. In most cases, we will provide access and correct or delete any inaccurate information you discover. In some cases, however, we may limit or deny your request if the law permits or requires us to do so or if we are unable to verify your identity.

## **Steps We Take to Safeguard your Personal Information**

We maintain reasonable administrative, physical, and technological measures to protect the confidentiality and security of Personal Information you submit on or through this Site. Unfortunately, no Web site, server or database is completely secure or “hacker proof.” We therefore cannot guarantee that your Personal Information will not be disclosed, misused or lost by accident or by the unauthorized acts of others. In addition, WPGLP may use a third party service provider or providers to process credit card transactions and fulfill online orders, which service provider(s) may share information and credit card numbers with a ticket agent, a credit card processing company, an issuing bank, the card network issuer and/or a shipping/fulfillment company in order to complete an order. We urge you to take every precaution to protect your Personal Information when you are on the internet. If a password is used to help protect that information, it is your responsibility to keep your password confidential. If you are sharing a computer with anyone, we suggest you log out before leaving a site or service in order to protect subsequent users from gaining access to your information and decline to have your Internet browser remember your password. Due to the fact that no physical or electronic security is impenetrable, by using the Site, you agree to assume all risk in connection with your Personal Information.

## **How We Share Your Personal Information With Others**

*Third-Party Vendors.* We may share Personal Information collected through this Site with other third-party vendors who act for or on behalf of WPGLP. For example, we may share Personal Information with companies that provide web hosting or email services for our newsletters. These third-party vendors may need information about you to perform their functions.

*User-Generated Content.* We may offer you the ability to submit User-Generated Content on or through this Site. “User-Generated Content” refers to all of the content that you post on or through this Site using the social networking tools we make available to you and that does not constitute feedback. One way that User-Generated Content differs from other information you provide to us is that, once submitted, User-Generated Content is made available instantaneously to others. Examples of User-Generated Content include comments posted to discussion boards. User-Generated Content is available to others who visit this Site. In addition, we may repurpose User-Generated Content you submit on or through this Site for use in advertising campaigns and other promotions. We may or may not use your name in connection with such use, and we may or may not seek your further consent before using User-Generated Content for such purposes. Therefore, you should have no expectation of privacy with respect to User-Generated Content you submit on or through this Site. You should not submit any User-Generated Content you do not wish to make available to the general public, and you must take special care to make sure your submissions comply with our Terms of Use and Legal Restrictions (the “Terms of Use”). In particular, your submissions must not violate the privacy or other rights of others.

*Business Negotiations.* We may contemplate, for strategic or other reasons, selling, buying, merging, or otherwise reorganizing one or more of our businesses. In negotiating with a third party about entering into such an arrangement, we may need to disclose your Personal Information. In such cases, we will take reasonable measures to protect the Personal Information we disclose, for example, by requiring a prospective purchaser to sign a non-disclosure agreement limiting the use and protecting the confidentiality of the Personal Information.

*Business Transfers.* Your Personal Information may be transferred to successor organization if, for example, we transfer the ownership or operation of this Site to another organization or if we merge with another organization. If such a transfer occurs, the successor organization’s use of your Personal Information will still be subject to this Policy and the privacy preferences you have expressed to us.

*Compliance with Laws and Protection of Our Rights and the Rights of Others.* We may disclose your Personal Information when we, in good faith, believe disclosure is appropriate to comply with the law, a court order, or a subpoena. We may also disclose your Personal Information to

prevent or investigate a possible crime, such as fraud or identity theft; to protect the security of this Site; to enforce or apply our online Terms of Use or other agreements; or to protect our own rights or property or the rights, property or safety of our users or others. These disclosures may also include exchanging information with other companies and organizations for fraud protection and credit risk reduction, to report any suspected illegal activity to law enforcement for investigation or prosecution and/or in connection with legal action against someone who may be causing injury to or interference with (either intentionally or unintentionally) rights or property of WPGLP and/or the rights or property of any third party. We reserve the right to release information concerning any user of the Site when that user is in violation of our Terms of Use or other published guidelines or partakes (or is reasonably suspected of partaking) in any illegal activity.

*As Described in a Privacy Notice.* We reserve the right to disclose your Personal Information as described in any Privacy Notice posted on the Web page where you provide that information. By providing your personal information on that Web page you will be consenting to the disclosure of your personal information as described in that Privacy Notice.

### **Children Under the Age of Thirteen**

This Site is not intended for children or minors under the age of thirteen years without the permission of a parent or guardian. If you believe that a child has submitted Personal Information on or through this Site without the consent and supervision of a parent or guardian, please contact us using the information provided below. The use of this Site in any way which is not in compliance with this provision constitutes a violation of our Terms of Use.

### **Your California Privacy Rights**

Pursuant to Section 1798.83 (or such successor provision) of the California Civil Code, as amended and supplemented, residents of California have the right to request from a business with whom the California resident has an established business relationship certain information with respect to the types of Personal Information the business shares with third parties for those third parties' direct marketing purposes and the identities of the third parties with whom the business has shared such information during the immediately preceding calendar year. To exercise your rights, you may make one such request each year by e-mailing us at [Arboretum@WPGlimcher.com](mailto:Arboretum@WPGlimcher.com) or calling us at 614-621-9000.

### **Links to Other Sites**

This Site may contain links to websites operated by other organizations, including websites operated by our third-party service providers and other third parties. This Policy does not apply to Personal Information collected on any of these third-party websites. When you access third-party websites through a link on this Site, please take a few minutes to review the privacy policy posted on that site.

## **This Policy May Change**

This Policy describes WPGLP's current policies and practices with regard to the Personal Information we collect through this Site. We are continually improving and adding to the features and functionality of this Site and the services we offer through this Site. As a result of these changes (or changes in the law), we may need to update or revise this Policy. Accordingly, we reserve the right to update or modify this Policy at any time, without prior notice, by posting the revised version of this Policy behind the link marked "Privacy Policy" at the bottom of each page of this Site. Your continued use of this Site after we have posted the revised Policy constitutes your agreement to be bound by the revised Policy. For your convenience, whenever this Policy is changed, we will alert you by posting a notice on our home page. We will also update the "effective date" at the bottom of this Policy. If we have your email address, we may also attempt to email you with notice that the Policy has changed. You may access the current version of this Policy at any time by clicking the link marked "Privacy Policy" at the bottom of each page of this Site.

## **To Contact Us**

If you have any questions about this Policy or our privacy practices in general then please contact us by electronic mail at [Arboretum@WPGlimcher.com](mailto:Arboretum@WPGlimcher.com) or by calling at 614-621-9000.

Effective Date of this Policy: March, 2016