

PRIVACY POLICY (for Bill Presentment, Bill Payment, and Zelle® Personal Payments Services)

Last updated June 9, 2012

1. **Introduction.** The following privacy disclosures are provided by Atlantic Capital Bank, N.A. (hereinafter "we" or "us") in connection with the Bill Payment, Bill Presentment and Zelle® Personal Payments Services (the "Services") offered through our online banking site (the "Site"), and describe the types of "Personal Information" (information that is identifiable to a particular person) that we (directly or through our service providers) collect in connection with the Services, and how we use, share and protect that Personal Information. These disclosures supplement the disclosures that you have already been provided in connection with our Site and the other services offered through the Site. Some of this information is required by U.S. federal law or other law. Please read this policy carefully to understand what we do.

2. **Eligibility.** The Site and the Services are offered only to individual residents of the United States and its permitted territories who can form legally binding contracts under applicable law; without limiting the foregoing, the Site and Services are not offered to minors. Other restrictions and eligibility requirements for certain Services may apply as described in the Terms and Conditions or other disclosures on the Site. We do not knowingly offer the Services to nor collect any Personal Information from or about individuals under 18 years of age. Please do not submit such information to us, and as a parent or legal guardian, please do not allow your children to submit personal information without your permission. By using the Site and/or the Services, you represent that you meet these requirements and that you agree to the terms of this Privacy Policy.

3. **Scope.** This Privacy Policy applies only to the Services as offered on this Site. For more details on what your rights and obligations are when using the Services, please also refer to the Terms of Use and other notices and disclosures regarding the Services.

4. **Cookies, Browser Information and Related Issues.**
 - a. When you use the Services, we may receive certain standard information that your browser sends to every website you visit, such as the originating IP address, browser type and language, access times and referring website addresses, and other such information. This data may be used, among other uses, to improve the operation of the Services and to

improve the security of the Services by assisting in "authenticating" who you are when you access the Services, particularly if you register for a Service and are issued or create a username and password.

- b. We may also receive additional information about your visit to the portion of the Site that hosts the Services, including the pages you view, the links you click and other actions you take. This data may be used among other uses to improve the operation of the Services and the portion of the Site that hosts the Services.
- c. Like most websites, the portion of the Site that hosts the Services uses "cookies," which are small text files placed on your computer by the web server when you visit. Most such cookies are "session" cookies that are only used for a specific period during which you are using the Services in order to maintain the session, but a few are "persistent" cookies that stay on your hard drive and are read by the web server when you return. The portion of the Site that hosts the Services uses cookies to store your preferences and other information on your computer in order to recognize the computer through which you accessed the Site for security purposes and to save you time by eliminating the need to repeatedly enter the same information and to display your personalized content on your later visits. These cookies are linked to Personal Information about you, such as your email address. Cookies cannot and will not be used to deliver or run programs on your computer. Most web browsers automatically accept cookies, but you can modify your browser setting to decline cookies if you prefer. However, if you choose to decline cookies, you may not be able to sign in (or you may need to take additional steps to sign in) or you may not be able to use other interactive features of the Services that depend on cookies.

5. **What Types of Personal Information We May Collect.** In addition to the types of information described in section 4 above, we may also collect Personal Information about you. This information may include:

- a. Social Security number, date of birth, name, postal address, email address, telephone number, and other information that we can use to contact you, verify your identity, and manage risks, such as information maintained about you by identity verification services and consumer reporting agencies, including credit bureaus;
- b. names of billers for bills that you would like to view and/or pay online, contact information for those billers, and billing account information, including billing account numbers;
- c. name, email address and telephone number that you provide us for other persons to whom you would like to send payments;
- d. bank account information (including account numbers) for accounts that you designate for funding or receiving payments, fees, debits and credits for the Services;

- e. credit card account information (including credit card number, expiration date and billing address for the credit card), if you decide to make payments from those accounts through the Services;
- f. username, password, secret questions and secret answers for resetting passwords, and other authentication credentialing used to verify that only authorized users access the Services; and
- g. payment and other transaction information, payment information and other transaction history for payments and other transactions in which you participate through the Services.

6. **How We May Collect Personal Information About You.** We may collect Personal Information about you from the following sources:

- a. Enrollment applications, survey responses, and other electronic or paper forms that you fill out in connection with the Services;
- b. Your use of the Services (such as when you send a payment), and your interactions with customer care, including information you enter or speak, and information transmitted by your computer, cell phones and other devices you use to connect to the Services; and
- c. We also collect Personal Information about you from others, as permitted by law, such as credit bureaus, Affiliates or other companies (such as identity verification services and consumer reporting agencies, and companies (such as your billers) that provide content (such as electronic bills) to the Services).

7. **How We May Share Personal Information About You.** We share Personal Information about you only as permitted by law. For Personal Information that is nonpublic and that we collect in connection with a financial service, U.S. federal law permits us to share the information only:

- a. for our everyday business purposes - such as to process your transactions, maintain your accounts, respond to court orders and legal investigations, and report to credit bureaus;
- b. for our marketing purposes - to offer our products and services to you;
- c. for Joint Marketing with other financial companies;
- d. for our Affiliates' everyday business purposes (information about your transactions and experiences);
- e. for our Affiliates' everyday business purposes (information about your creditworthiness);
- f. for our Affiliates to market to you; and
- g. for Nonaffiliates to market to you.

Before we can lawfully share such Personal Information as described in (e), (f) or (g), we would be required to offer you an opportunity to opt out, and we will do so if we ever intend to do that. For California residents, and for residents of any other states where it is required, we will obtain your consent prior to sharing Personal Information as described in (g) unless otherwise required or permitted by law. We may lawfully share such Personal Information as described in (a), (b), (c) and (d) without offering an opt-out, and we may do so. For example, to process your payments (an "everyday business purpose" for the Zelle® Personal Payments Service), we need to share Personal Information about you with the person that you are paying or that is paying you, such as your name, the payment amount, and the email address or mobile phone number from which you initiated the payment, but we will do so responsibly and will not share the payment sender's financial account information with the payment receiver or vice versa.

8. **How We May Use Personal Information About You.** We use Personal Information about you only as permitted by law, including but not limited to the following purposes:
- a. To complete transactions and render services authorized by you;
 - b. Other everyday business purposes of ourselves and our Affiliates, such as to maintain your accounts, to authenticate you when you log in, to send you information about the Services that you have subscribed to and other Services offered on the Site, to perform fraud screening, to verify your identity, to determine your credit history, to report to credit bureaus, to perform collections, to comply with laws, regulations, court orders and lawful instructions from government agencies, to protect the personal safety of subscribers or the public, to defend claims, to resolve disputes, to troubleshoot problems, to enforce our Terms of Use, to protect our rights and property, and to customize, measure, and improve the Services and the content and layout of the Site; and
 - c. for marketing purposes - to offer products and services to you.
9. **Definitions.**
- a. **Affiliates:** Companies related by common ownership or control. They can be financial or nonfinancial companies.
 - b. **Nonaffiliates:** Companies not related by common ownership or control. They can be financial or nonfinancial companies.
 - c. **Joint Marketing:** A formal agreement between nonaffiliated financial companies that together market financial products or services to you.

10. **Access to Information About You.** You may review and update the Personal Information maintained about you in the Atlantic Capital Bank, N.A. section of the Site at any time to ensure that it is accurate and up-to-date.

11. **How We Protect Personal Information About You.** To protect Personal Information about you from unauthorized access and use, we maintain physical, electronic, and procedural safeguards, including but not limited to security measures that comply with applicable federal law. We also require our service providers and business partners to whom we disclose the information to do the same.

12. **Protection for Former Customers.** When you are no longer our customer, we continue to protect, use, and share Personal Information about you as described in this notice and as required by law.

13. **Keeping Up to Date with Our Privacy Policy.** We may amend this Policy at any time by posting a revised version on the Site, which will be effective at the time it is posted unless a delayed effective date is expressly stated in the revision. You may (in our discretion) also be provided with an email notification of such amendments. You may (in our discretion) be required to affirmatively acknowledge or accept the revised Privacy Policy in order to continue using the Services. Any use of the Services after a notice of change (whether by Site posting, email, or express acknowledgment or acceptance) will constitute your express agreement to such changes.

14. **Contacting Us.** If you have any questions about this Privacy Policy, you may contact us at the postal address, email address or telephone number below:

In writing: CheckFree Services Corporation
ATTN: Privacy Management
2900 Westside Parkway
Alpharetta, GA 30004
E-mail: privacy@customercenter.net
Telephone number: 1-877-238-7277