

Additional American Express Card Acceptance Requirements

High CV Merchant. In the event MERCHANT's American Express annual charge volume exceeds \$1,000,000 in a rolling twelve month period or is greater than \$100,000 in any three consecutive months, MERCHANT will be considered a High CV Merchant by American Express and will be required to enter into a direct merchant card acceptance agreement with American Express. Upon any conversion to a direct agreement with American Express, MERCHANT will be bound by American Express' then current Card Acceptance Agreement and to any pricing and fees set by American Express.

Marketing and Communications. Upon agreement by MERCHANT to accept American Express transactions, MERCHANT consents to receive commercial marketing communications from American Express. After account setup, MERCHANT may contact Bank directly and request to opt-out of future marketing communications from American Express. This will not preclude MERCHANT from acceptance of important transactional or relationship communications from American Express. After a request to opt-out is received, MERCHANT may continue to receive marketing communications while Bank and American Express updates its records to reflect MERCHANT's request.

Rights and Obligations. MERCHANT agrees that American Express shall have third-party beneficiary rights to enforce this Agreement, but shall hold no obligations to the MERCHANT.

***Please visit www.americanexpress.com/merchantopguide for a full copy of the American Express Merchant Operating Guide.**