## LUBY'S MAC & CHEESE FEST VIP GIFT CARD PROMOTION OFFICIAL PROMOTION RULES AND REGULATIONS

NO PURCHASE IS NECESSARY TO ENTER OR WIN. A PURCHASE WILL NOT INCREASE YOUR CHANCES OF WINNING. ALL FEDERAL, STATE, LOCAL, AND MUNICIPAL LAWS AND REGULATIONS APPLY. VOID WHERE PROHIBITED BY LAW.

**1. Promotion Period:** The "Luby's Mac & Cheese Fest VIP Gift Card Giveaway" (the "Promotion") at the San Antonio Mac & Cheese Festival (the "Fest") begins at 11:00 a.m. CST on April 30, 2022 and ends at 2:00pm CST on April 30, 2022 (the "Promotion Period"). Sponsor's (defined below) computer is the official clock for the Promotion.

2. To Enter: Use your smart phone or other web-enabled device with data plan to scan the Promotion quick response ("QR") code featured on promotional materials provided in connection with the Festival with the QR reader application already installed on your phone. You will be directed to a mobile Web page at https://lubys.attn.tv/p/YxF/landing-page ("Website") where you may complete and submit an entry. Proof of scanning QR codes does not constitute proof of completion or submission of an entry. To scan a QR code, participants must have a smart phone or other web-enabled device with a camera feature and QR scanner application and may incur message or data charges from their wireless service provider for each message sent and received. If you do not have a QR reader already installed on your phone, type "QR reader" in your mobile device's application store search field to find available QR readers for your smart phone or other web-enabled device. You will receive a response which will contain a link to download a QR reader for your specific device. Check with your wireless service provider for details on these and other applicable charges. Participants are solely responsible for any such wireless charges. Not all wireless carriers participate. To be valid, all entries for the Promotion must be made by holders of either a VIP Admission ticket or a General Admission ticket to the Fest. All entries must be received by Attentive Mobile, Inc. ("Attentive Mobile") no later than April 30, 2022 at 1:59 p.m., CDT, to be considered for entry. Attentive Mobile is not responsible for late, undelivered, misaddressed, ineligible, misdirected, illegible, incomplete, or incorrect entries. Attentive Mobile has sole discretion on determining ineligible entries. For a copy of these "Official Rules," send a self-addressed stamped envelope to "Luby's Mac & Cheese Fest VIP Gift Card Giveaway," ATTN: Marketing, 13111 Northwest Freeway, Suite 600, Houston, TX 77040. Sponsor reserves the right to cancel, suspend and/or modify the promotion at any time.

**3. Eligibility**: This Promotion is only open to legal residents of the United States and the District of Columbia, excluding Rhode Island, New York, Florida, Puerto Rico, all U.S. territories and possessions, and all overseas military installations, who hold either a valid VIP Admission ticket or a General Admission ticket to the Fest and have reached the age of twenty-one (21). Employees (including, without limitation, part-time or temporary employees) of Sponsor and its parent entities, subsidiaries, affiliated companies and advertising and promotion agencies and the immediate family (i.e., current and ex- spouses, parents, grandparents, children, grandchildren, and siblings and in-laws and steps in any of the foregoing categories) and other household members (i.e., roommates, housemates, significant others, and partners of each legally residing at the same address) whether or not related, are not eligible to enter or win. All federal, state, and local laws apply.

**4.** Limits: There is a limit of one (1) entry per person for the entire Promotion Period. All entries become the property of Sponsor and will not be acknowledged or returned.

**5. Restrictions and Limitations of Liability:** By entering the Promotion, entrants agree (a) to abide by and be bound by these "Official Rules" and the decisions of Sponsor, which shall be final and binding; (b) to the use of their names and/or likenesses for advertising and publicity purposes without additional compensation, unless prohibited by law; and (c) to release Sponsor, and other participating sponsors, including without limitation, Attentive Mobile, Inc., their parent companies, franchisees/licensees, affiliates, subsidiaries, agents, award supplier, and officers, directors, employees, agents, and representatives from any and all liability in connection with any prize received in this Promotion or from participating in this Promotion any prize-related activities. Entrants waive the right to assert, as a cost of receiving prize, any and all costs of redemption. Any disputes relating to this promotion shall be governed by the laws of the state of Texas and venue for any such dispute shall be Harris County, Texas.

**6. Personal Data and Privacy:** By entering the Promotion, entrants consent (a) to receive ongoing promotional communications and to the handling of their information as described in the Sponsor's Privacy Policy, which can be found at: <u>http://www.luby's.com/privacy</u>, and (b) to share their personal entry information with Sponsor. Sponsor cannot control the privacy practices of other companies, and encourage entrants to review Sponsor's privacy policy before entering the Promotion. Entrants may request to have his or her name removed from the mailing list by sending an email to <u>guestrelations@lubys.com</u> or sending a request by mail to 13111 Northwest Freeway, Suite 600, Houston, TX 77040.

**7. Drawing and Notification:** Two (2) potential winners will be randomly selected in a drawing from among all eligible entries. Drawings will take place at on April 30, 2022 at 12:00 p.m. (12:00 noon) and at 2:15 p.m. CST, and shall be conducted by Attentive Mobile. The potential winners will be notified by phone and/or email on the drawing date, and must be present at the at the Fest (located at 1174 E Commerce St., San Antonio, TX) to win. If any potential winner cannot be reached after a reasonable effort has been exerted, if he/she is found to be ineligible, or if he/she cannot or does not comply with these Official Rules, such potential winner will be disqualified and an alternate potential winner will be selected at sole discretion of Attentive Mobile. Prizes must be claimed by April 30, 2022 by 3:00 p.m. CST. Unclaimed prizes will not be awarded. Attentive Mobile's decisions on matters relating to this Promotion are final. Failure to comply with these rules may result in disqualification and an alternate winner may be selected.

8. Odds: The odds of winning depend upon the number of eligible entries received.

**9. Prize Details:** A One Hundred Dollar (\$100) Luby's Gift Card for each winner. No prize substitution or cash redemption allowed by winner. Attentive Mobile reserves the right to substitute prizes of equal or greater value as necessary. All prizes are non-transferable. All taxes on prizes are the sole responsibility of winner.

**10. Conditions of Entry:** By submitting an entry, entrants agree to the "Official Rules" of the Promotion. Entry materials that have been tampered with or altered are void. If, in the Sponsor's opinion, there is any suspected or actual evidence of electronic or non-electronic tampering with any portion of the Promotion, or if computer virus, bugs, unauthorized intervention, fraud, or technical difficulties or failures compromise or corrupt or affect the administration, integrity, security, fairness, or proper conduct of the Promotion, the judges reserve the right at their sole discretion to disqualify any individual who tampers with the entry process and void any entries submitted fraudulently, to modify or suspend the Promotion, or to terminate the Promotion and conduct a random drawing to award the prize using all eligible, non-suspect entries received as of the termination date. CAUTION: ANY ATTEMPT BY YOU

TO DELIBERATELY DAMAGE THE WEBSITE OR UNDERMINE THE LEGITIMATE OPERATION OF THE PROMOTION MAY BE IN VIOLATION OF CRIMINAL AND CIVIL LAWS AND SHOULD SUCH AN ATTEMPT BE MADE, SPONSOR RESERVES THE RIGHT TO SEEK REMEDIES AND DAMAGES (INCLUDING ATTORNEY'S FEES) FROM YOU TO THE FULLEST EXTENT OF THE LAW, INCLUDING CRIMINAL PROSECUTION.

**11. Who Won**: To receive the name of the Grand Prize Winner, send a stamped self-addressed envelope to: "Luby's Mac & Cheese Fest VIP Gift Card Giveaway, " ATTN: Marketing, 13111 Northwest Freeway, Suite 600, Houston, TX 77040 within sixty (60) days of expiration of the Promotion Period.

**12. Sponsor:** Luby's Restaurant Corporation, 13111 Northwest Freeway, Suite 600, Houston, TX 77040.

**13. Miscellaneous:** The invalidity or unenforceability of any provision of these Official Rules will not affect the validity or enforceability of any other provision. In the event that any provision of the Official Rules is determined to be invalid or otherwise unenforceable or illegal, the other provisions will remain in effect and will be construed in accordance with their terms as if the invalid or illegal provision were not contained herein. Sponsor's failure to enforce any term of these Official Rules will not constitute a waiver of that provision. When terms such as "may" are used in these Official Rules, Sponsor has sole and absolute discretion. Entrants agree to waive any rights to claim ambiguity of these Official Rules. Headings are solely for convenience of reference and will not be deemed to affect in any manner the meaning or intent of the documents or any provision hereof. In the event there is a discrepancy or inconsistency between disclosures or other statements contained in any Promotion-related materials, privacy policy, or terms of use on Sponsor's Website and/or the terms and conditions of the Official Rules, the Official Rules shall prevail, govern, and control, and the discrepancy will be resolved in Sponsor's sole and absolute discretion.