

# **Apto Payments, Inc. E-Sign Agreement**

## **I. Apto Payments, Inc. E-Sign Consent**

Apto Payments, Inc. and its affiliates and third-party service providers (“Apto Payments”) may provide you with certain communications, notices, agreements, billing statements, or disclosures in writing (“Communications”) regarding our Services as defined in the Apto Terms of Service. Your agreement to this Apto Payments, Inc. E-Sign Agreement (the “E-Sign Consent”) confirms your ability and consent to receive Communications electronically from Apto Payments, its affiliates, and its third-party service providers, rather than in paper form, and to the use of electronic signatures in our relationship with you (“Consent”). If you choose not to agree to this Consent or you withdraw your consent, you may be restricted from using the Services.

## **II. Electronic Delivery of Communications and Use of Electronic Signatures**

Under this Consent, Apto Payments may provide all Communications electronically by email or text message to the mobile phone number you provide as part of your application for the Services, or by making them accessible via an Apto Payments powered mobile application (the “Apto App”). In addition to the above referenced Communication under paragraph I, Communications may also include, but are not limited to, (1) agreements and policies required to use the Apto App and Services (e.g. this E-Sign Consent, the Apto Payments Privacy Notice, the Evolve Bank & Trust Customer Account and Cardholder Agreement, Evolve Bank & Trust Electronic Communication Consent and Evolve Bank & Trust Privacy Policy), (2) any oral or written communications related to your account and any card issued in connection with your account, including, balances and transaction history, account statements, (3) required federal and state documents. We may also use electronic signatures and obtain them from you.

## **III. System Requirements**

To access and retain the electronic Communications, you will need the following:

- a) A mobile device with Internet or mobile connectivity.
- b) A recent device operating system that supports text messaging, email, downloading, and applications from the Apple App Store or Google Play store.
- c) The most recent versions of Apple Safari or Google Chrome on iOS or Google Chrome for Android OS.
- d) The Apto Payments powered mobile application.

## **IV. Withdrawal of Consent to Electronic Communications**

You may withdraw your consent to receive electronic Communications at any time, by sending an email to [cardsupport@aptopayments.com](mailto:cardsupport@aptopayments.com). However, withdrawal of your consent to receive electronic Communications may result in termination of your access to Services. Any withdrawal of your consent will be effective after a reasonable period of time for processing your request.

## **V. Updating Your Access Device or Contact Information**

Obligation regarding change of Access Device , Mobile Phone Number, or Email

An Access Device may include, but not limited to your computer, mobile and tablet. If you change your Access Device at any point during your use of the Apto App, the Services or anytime during our relationship with you, it is your responsibility to ensure that the new Access Device meets the hardware and software requirements listed above and that you are still able to access and retain Communications using the new Access Device. By continuing to access your Communications electronically, you reaffirm your agreement to this E-Sign Consent.

If you change your mobile phone number at any point during your use of the Apto App, Services or anytime during our relationships with you, it is your responsibility to ensure we have the most current mobile phone number.

If you change your email at any point during your use of the Apto App, Services or anytime during our relationships with you, it is your responsibility to ensure we have the most current email. You can change your mobile phone number or email by emailing [cardsupport@aptopayments.com](mailto:cardsupport@aptopayments.com).

## **VI. Right to Have a Paper Version of Your Documents**

We are required to give you certain Documents “in writing,” which means you are entitled to receive a paper version of the Documents. However, in order to use the Apto App or the Services, you must provide consent for us to provide these Documents to you electronically. If you do not provide your consent and agree to this E-Sign Consent, you will not be able to use the Apto App or Services.

If you provide consent under this E-Sign Consent, your Documents will be delivered electronically so that you can access the Documents and retain them for future access. If you want to ensure that you continue to have access to these Documents, you must save them onto an Access Device or external storage device.

In addition, we may, at any time, in our sole discretion, provide you with or require you to use a paper version of the Documents, even if you have provided your consent under this E-Sign Consent.