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**THE PRIVACY POLICY IMMEDIATELY FOLLOWING WILL GO INTO EFFECT ON APRIL 20, 2021. FOR THE PRIVACY POLICY IN EFFECT PRIOR TO APRIL 20, 2021, PLEASE CONTINUE TO SCROLL DOWN.**

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## **Prophecy Games® Privacy Policy**

*Effective as of April 20, 2021.*

Prophecy Games, Inc. (“Prophecy Games,” the “Company,” “we,” or “us”) respects the privacy of its users and recognizes the importance of protecting the information collected about you. We are committed to safeguarding and handling your Personal Information in a responsible and secure manner.

We have adopted a companywide Privacy Policy (the “Policy”) that guides how we process your Personal Information in connection with your access or use of the Site (as defined below) or any Prophecy Games game(s) or subscription service(s) offered through the Site (the “Service”). When we collect, access, use, or do anything with your Personal Information on our website or through our Services, we are “processing” your Personal Information. This Privacy Policy also applies to information or data that may be collected by Prophecy Games offline as described in this Privacy Policy below. This Privacy Policy applies to your use of any video game developed and/or published by Prophecy Games, and the following websites operated by Prophecy Games and any such other websites established by Prophecy Games or its subsidiaries from time to time which reference this Privacy Policy, including without limitation (collectively, the “Site”).

This Privacy Policy is incorporated into and made a part of Prophecy Games’ Terms of Service and Use Agreement.

In addition, Prophecy Games owns several other domain names that link or point to the websites listed above, and we will from time to time add new games and new websites that may or may not be listed above. Please note that this Privacy Policy applies only to the websites maintained by Prophecy Games, and not to websites maintained by third parties to which the websites listed above may link.

**By using the Site or any of our Services, you signify your consent to this Policy. If you do not agree to this Policy, please do not use the site or any other Prophecy Games Services. Note that this Policy may change from time to time, so please check back regularly to stay informed of any changes. Material Changes to this Policy may be posted on the site. Your continued use of the Site of the Service, or accessing your Account, following any such changes, constitutes acceptance of such changes.**

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### 1. INFORMATION WE COLLECT THROUGH YOUR USE OF THE SERVICES

“Personal Information” includes any information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual. We may collect several different types of Personal Information when you are accessing or using our Services, including.

*(a) Information You Provide to Us.*

Personal Information collected will vary depending upon the activity and may include, but is not limited to, your name, e-mail address, phone number, home address, birth date, created username and password, age, and gender. Such Personal information may be collected through:

- **Account Information:** Information you provide about yourself to use our software or online services (including, without limitation, when you register for an account with Prophecy Games), so that we may communicate with you and provide you with the Service;
- **Self-Reported Information:** Information you provide about yourself, as well as records and copies of such correspondence, when you purchase goods or services through the Site or Service, register for warranties, register for games or special game-specific event participation, or further contact us.
- **Voluntary Information:** Information you provide to us voluntarily by filing out marketing surveys, email campaigns, participating in message boards, newsletters, and contests, or subscribing to other offerings on the Site. We may also ask you for Personal Information if you report a problem with the Site or Service. We do not require this information to gain access to the Site; however, you may not use certain features,

products, or services (including, without limitation, the Service) that require registration, or receive materials (e.g., newsletters), unless such information is provided. Additionally, your participation in tournaments or other online game events is conditional upon your agreement to us collecting, using, storing, transmitting, and publicly displaying performance and statistical data (e.g., your scores, rankings, and achievements) generated through your participation in the foregoing. Prize winners may also be required to provide Social Security or Social Identification Numbers for tax purposes.

• **User Contributions:** You may choose to disclose information about yourself in our online message boards, chat rooms, forums, or in creating user “profiles” when you play games on our Site or utilizing the Service. User Contributions that you disclose in message boards, chat rooms, forums, or in “profile” information is public information, and there is no expectation of privacy or confidentiality. We cannot control the actions of other users or third parties with whom you may choose to share your User Contributions. Please see our Terms of Service and Use Agreement on this point and for other guidelines about posting content on our websites.

*(b) Usage Information Automatically Collected.*

When you play our games, visit our Site, or use our Services, we automatically collect information about the Services you use and how you use them (“Usage Information”), as described below:

• **Service Data:** When you play our games, we may retrieve information about your hardware system, gameplay and how our games are used, including, without limitation, your Internet Protocol Address, your gameplay characteristics and patterns, information about your computer, hardware, software, platform, media, information about online activity (e.g., feature usage), gameplay statistics and scores, user rankings, and click paths and other data that you may provide in surveys or online profiles. We use this information to enable you to play our game(s) over the Internet. We may also combine such information with other demographic information to better understand the behavior and preferences of our customers so that we can improve our Services and for marketing and advertising purposes.

• **Cookies and Similar Tracking Technologies:** We may use various tracking technologies to collect and store information about your use of our Services. We use these tools to ensure that you receive a personalized experience, to provide you with certain functions on our Services, to keep your account safe, and to improve and optimize our Services, and to inform our marketing efforts. Please refer to our Prophecy Games Cookie Policy for more information, available at [www.prophecygames.com/legal](http://www.prophecygames.com/legal).

*(c) Information We Receive from Third Parties*

We may receive information about you from other sources, including third parties, business partners, our affiliates, or publicly available sources. Further, if you log into your user account through social media sign-in services (e.g., Google Connect), you provide Prophecy Games with permission to collect, store, and use any and all information in the same manner and to the same extent that you agreed the social network or third party platform could collect, store, or use the information. Once the Personal Information has been transferred to the Site from a third party, you may or may not be able to rescind or remove the information.

We obtain contact details and other Personal Information regarding media contacts and social media influencers from a variety of sources including AppsFlyer. If you wish to know more about how such information is collected and used, please refer to AppsFlyer's privacy policy at <https://www.appsflyer.com/privacy-policy>.

## **2. HOW WE USE YOUR INFORMATION**

Your Personal Information may be used for various purposes, including:

### *(a) To Communicate with You*

The Personal Information you provide will allow us to alert you to new products, features, enhancements, special offers, upgrade opportunities, contests, and events of interest. While we may send emails that may contain information regarding third party products or services, this does not mean that we have provided or traded your Personal Information to any party. Additionally, we may use survey information in our voluntary marketing surveys to select and direct advertising that is more likely to be of interest to a particular user of an account with Prophecy Games. This information may be transmitted to an ad server owned by an advertising company to match account holders with ads that they are more likely to be interested in. You can manage your email preferences and opt out of certain communications. However, Service-related communications, as well as security and legal notices, are necessary for us to continue to provide our Services to you.

### *(b) Marketing and Advertising*

We may process your Personal Information in order to create, deliver, monitor, and/or assess the success of our advertising and marketing efforts. We may show you interest-based advertisements or send you marketing communications based on information we've collected about you. Please see Section 4: Your Choices below for more information about how to opt-out of certain marketing communications.

### *(c) For Research and Development*

We may share aggregate consumer data (which does not contain Personal Information) with the advertising companies or with any other third party, and we may use such information for any legitimate business purpose at our sole discretion. Additionally, we may utilize your Personal

Information for internal marketing and demographic studies, so we can consistently improve our websites to better meet our visitors' and users' needs.

*(d) To Enforce our Terms, Agreements, or Policies.*

To maintain a safe, secure, and trusted environment for you when you use the Services, we use your Personal Information to make sure our terms, policies, and agreements with you and any third parties are enforced. We actively monitor, investigate, prevent, and mitigate any suspected or actual prohibited activities on our Services. We are required to process your Personal Information for this purpose to provide our Services.

*(e) To Comply with Applicable Laws.*

We may be required to process your Personal Information under certain laws and regulations, such as tax laws. We will also process any and all information to law enforcement agencies or others if required to do so by law or in the good faith belief that such preservation or disclosure is reasonably necessary to: (a) comply with legal or regulatory process (such as a judicial proceeding, court order, or government inquiry) or obligations that we may owe pursuant to ethical and other professional rules, laws, and regulations; (b) enforce the Company's Terms of Service and other policies; (c) respond to claims that any content violates the rights of third parties; or (d) protect the rights, property, or personal safety of the Company, its employees, its users, its clients, and the public. We cannot provide the Services to you without such processing.

### **3. HOW WE SHARE YOUR INFORMATION**

In addition to the specific situations discussed elsewhere in this Policy, we disclose Personal Information in the following situations:

- **Affiliates and Acquisitions.** We may share your Personal Information with our corporate affiliates (e.g., parent company, sister companies, subsidiaries, joint ventures, or other companies under common control). In the event of a merger, acquisition, asset sale, or in the unlikely event of bankruptcy, visitor and user information (including, without limitation, Personal Information) maintained by Prophecy Games may be transferred to its successors or assigns.

- **Service Providers.** We may share your Personal Information with service providers we use in connection with the Service. Among other things service providers may help us to administer our website, conduct surveys, provide technical support, assist in the fulfillment of orders, aid in auditing practices, process payments on the Site, and for other legitimate purposes permitted by applicable law. Such service providers may have access to your Personal Information as reasonably necessary to perform these tasks on our behalf and are obligated not to disclose nor use such information for other purposes.

- **Google Analytics.** Prophecy Games uses the Google Analytics Demographics and Interest Reporting features of Google Analytics for Display Advertising. You may opt-out of Google Analytics for Display Advertising and customize Google Display Network ads by visiting the Google Ads Preference Manager, which is available at <http://www.google.com/settings/ads>.

Google Analytics is an analytics service provider. Learn more about how Google collects and uses data at <https://policies.google.com/technologies/partner-sites>. To opt out of Google Analytics Advertising Features please use Google Ad Settings at <https://adssettings.google.com/>. To opt out of Google Analytics entirely please use <https://tools.google.com/dlpage/gaoptout>.

- **Other Disclosures with Your Consent.** We may ask if you would like us to share your Personal Information with other unaffiliated third parties who are not described elsewhere in this Policy.

- **Other Disclosures without Your Consent.** We may disclose Personal Information in response to subpoenas, warrants, or court orders, in connection with any legal process, or to comply with relevant laws. We may also share your Personal Information in order to establish or exercise our rights, to defend against a legal claim, to investigate, prevent, or take action regarding possible illegal activities, suspected fraud, safety of person or property, or a violation of our policies, or for any other proper purpose to law enforcement, or the appropriate judicial or civil authorities.

- **Partner Promotion.** Users who register for an account with Prophecy Games may register for other third party partners from our Site, or link a Prophecy Games account to an account with such third party partners, from time to time. If you opt-in to any of these services, we may collect additional information including, without limitation, information requested by a third party, and pass this information, together with all other Personal Information, to that third party partner. Use of your Personal Information by a third party partner will be governed by that third party provider's privacy policy and terms of service. We may also retain any additional information collected for use in accordance with the terms of this Policy. Participation in these other related services is optional and is not required to access our Site, though some functionality may depend upon it.

#### 4. YOUR CHOICES

For Personal Information that you have provided or that we have collected, you have the following choices:

(a) *Your Account Information*

You may edit some of your Personal Information through your account or ask us to change, update, or fix your Personal Information in certain cases, including if it's inaccurate. When you update your account information, we may keep a copy of your previous account details for our records and to prevent fraud or other activities that violate our terms, policies, and agreements. Additionally, please note that by removing some of your data, your ability to use certain functionality of the Website may be limited. Further, if you do not provide us with certain Personal Information, we will no longer be able to provide you with access to certain Services.

*(b) Communication Preferences.*

If you choose to have your account removed from our mailing list, you can do so by clicking the unsubscribe link within the email you received from us. You will not be able to unsubscribe from Service-related communications as they are necessary for us to continue offering you the Services.

To make these or any other requests with respect to your Personal Information, you may contact us at [info@prophecygames.com](mailto:info@prophecygames.com). We ask that you describe, in reasonable detail, identify yourself and identify the information requested to be accessed, corrected, or removed. We will then review, update, or remove information as appropriate within a commercially reasonable time frame after receiving such notice from you. We may decline to process requests if we cannot verify the requestor's identity, if we believe the change would violate any law or legal requirement or cause the information to be incorrect, or for a similar purpose. In any case, where we provide information access, deletion, or correction, we perform this service free of charge, except if doing so would require a disproportionate effort.

## **5. THIRD PARTY WEBSITES**

You may find links to third party websites, payment applications, and widgets on our Site or Services, that we do not own nor control. When you interact with such links or applications, you may leave the Prophecy Games Site you are visiting and go to the website you selected. For example, you may be required to establish a STEAM account with Valve Corporation to use our game(s), and you may be required to provide credit card and other information to Valve Corporation and our other third party payment processors when you purchase products or services from our Site or through our Service. We are not responsible for the privacy practices of other sites and encourage you to read their privacy statements. Once you leave our Service or are redirected to a third-party website or application, you are no longer governed by this Privacy Policy or our Site's Terms of Service.

The Site may also offer you the ability to share your Personal Information through a social networking site (e.g., Facebook, Twitter, LinkedIn), using such social networking site's integrated tools (e.g., Facebook "Like" button, or Twitter "Tweet" button). The use of such integrated tools enables you to share Personal Information about yourself with other individuals or the public, depending on the settings that you have established with such social networking sites. Additionally, by making Personal Information available on the Site, you "opt in" to allow

Prophecy Games to provide such Personal Information to a social networking site without your further consent. For more information about the purpose and scope of data collection and use in connection with such social networking sites or a site's integrated tools, please visit the privacy policies of the entities that provide these social networking sites.

## **6. CHILDREN'S PRIVACY**

Prophecy Games does not permit access to the Site or Services by children under the age of 13. If you are under 13 years of age, you should not access, or attempt to obtain access to, the Site or Services. The Site does not collect Personal Information from any person we actually know is under the age of 13. If your child is under 13 and you believe they are accessing the Site and Services, please contact us at [info@prophecygames.com](mailto:info@prophecygames.com). Teenagers age thirteen or older, but who are under the age of eighteen must have their parents or guardians review this Policy and should encourage them to contact us if they would like to raise any concerns. For more information, we encourage you to review our Parent Information page, available at [www.prophecygames.com/parents](http://www.prophecygames.com/parents).

## **7. TRANSFER OF YOUR PERSONAL INFORMATION**

Prophecy Games maintains and stores your Personal Information on servers located within the United States. This may not apply to Prophecy Games's third party providers (including, without limitation, Valve Corporation and our third party payment processors). In the event that Prophecy Games becomes a global organization, some of the computer systems on which Prophecy Games collects, stores, and uses the information it collects or receives may be based outside the United States. Therefore, your Personal Information may be transferred to, used, processed, or held by Prophecy Games in the United States and in other countries, including, without limitation, countries both in and outside the European Union, and used for the purposes set out in this Policy. You hereby consent to such use, storage and transfer of your Personal Information.

## **8. RETENTION**

Prophecy Games retains your Personal Information: (a) for so long as your account is active or as needed to provide you with Services or to fulfill our contractual obligations; (b) as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements; and (c) for so long as is necessary for the purposes for which we collected such Personal Information.

## **9. SAFEGUARDING YOUR PERSONAL INFORMATION**

We will only collect and use Personal Information in accordance with this Policy to the extent deemed reasonably necessary to serve our legitimate business purposes, and we will use reasonable safeguards to preserve the security, integrity, accuracy, and privacy of the information you have provided. In addition, we will take reasonable steps to ensure that third parties to whom we transfer any Personal Information will provide commercially reasonable protection of that information. We cannot, however, ensure or warrant the security of any

information you transmit to Prophecy Games, and you do so at your own risk. However, please note that this is not a guarantee that such information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, managerial, or other safeguards.

If Prophecy Games learns of a security systems breach, then we may attempt to notify you electronically so that you can take appropriate protective steps. Prophecy Games may post a notice on its Site if a security breach occurs.

## 10. NOTICE TO CALIFORNIA RESIDENTS

Shine the Light: Under California law, California residents who have an established business relationship with Prophecy Games or its Affiliates may choose to opt out of Prophecy Games' disclosure of Personal Information about them to third parties for direct marketing purposes. As detailed in this Policy, our policy is not to disclose Personal Information collected online to a third party for direct marketing purposes without your approval. If you choose to opt-out at any time after granting approval, contact our support desk at or email [info@prophecygames.com](mailto:info@prophecygames.com) or write to: Account Management, Prophecy Games, Inc., 3925 Brookside Parkway, Suite 400 Alpharetta, Georgia 30022.

Privacy Rights: California residents have certain rights under the California Consumer Privacy Act ("CCPA"). Please see below for our CCPA Privacy Notice:

We have collected the following categories (as defined by the CCPA) of Personal Information regarding California residents within the last 12 months from the sources listed below:

CATEGORY OF PERSONAL INFORMATION COLLECTED	SOURCES OF PERSONAL INFORMATION
<b>Identifiers</b> , such as your name, address, phone number, email address, date of birth or other similar identifiers.	You, our service providers and agents who perform services on our behalf ("Vendors"), and Social Networks.
<b>Protected Classification Characteristics</b> , such as age and gender.	You and Social Networks.
<b>Commercial Information</b> , such as shopping and purchase history.	You and your browser or device.
<b>Internet/Network Information</b> , such as device information, logs and analytics data.	Your browser or device.
<b>Geolocation Data</b> , such as precise location information from your device or generated based on IP address.	Your browser or device.

<p><b>Sensory Information</b>, such as audio recordings of phone calls with us, where permitted by law.</p> <p><b>Inferences from Personal Information Collected</b>, such as your preferences and your likelihood of interest in certain of our games.</p>	<p>You.</p> <p>You, your browser or device, and Vendors.</p>
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As described in the “How We Share Your Information” section above, we share Personal Information with third parties for business purposes such as:

- Audits and reporting relating to particular transactions and interactions, including online interactions, you may have with us or others on our behalf;
- Detecting and protecting against security incidents, and malicious, deceptive, fraudulent or illegal activity, and prosecuting the same;
- Debugging to identify and repair errors in our systems; • Short-term, transient use including contextual customization of ads;
- Providing services on our behalf or on behalf of another, including maintaining or servicing accounts, providing customer service, fulfilling transactions, verifying identity information, processing payments, and other services;
- Conducting internal research to develop and demonstrate technology;
- Conducting activity to verify, enhance, and maintain the quality or safety of services or devices which we may own, control, or provide; and
- Other business purposes described in the “Use or Sharing of Personal Information” Section. If you are a California resident, you have certain rights related to your Personal Information, including:
  - The right to request that we disclose to you:
    - the specific pieces of Personal Information we have collected;
    - the categories of Personal Information we have collected about you;
    - the categories of sources from which the Personal Information is collected;
    - our business or commercial purpose for collecting or selling Personal Information;
    - the categories of third parties with whom we share Personal Information; and
    - a list of the categories of Personal Information, such as name, address, e-mail address, and the type of services provided to the customer, that we have disclosed to third parties (including independent affiliates that are separate legal

entities) during the immediately preceding calendar year for the third parties' direct marketing purposes.

- The right to request that we delete the Personal Information we hold about you, unless the Personal Information is necessary for the us or our service providers to:
  - complete a transaction for which the Personal Information was collected, provide a good or service requested by the individual or otherwise perform a contract between us and the consumer;
  - detect security incidents;
  - protect against malicious, deceptive, fraudulent or illegal activity (or prosecute those responsible);
  - debug to identify and repair functionality errors;
  - exercise or ensure the right of another to exercise free speech or another legal right;
  - comply with the California Electronic Communications Privacy Act, which compels the production of or access to electronic communication information or electronic device information with a search warrant;
  - engage in research in the public interest (if the consumer has provided informed consent); or to enable solely internal uses aligned with the consumer's expectations given their relationship with us;
  - comply with a legal obligation;
  - otherwise use the information internally in a lawful manner compatible with the context in which the consumer provided it.

- The right to opt-out of the sale of your Personal Information. We do not sell and, within the last 12 months, we have not sold Personal Information. However, we may use advertising and tracking technology, which may be considered a sale under the CCPA. For more information, please review our Prophecy Games Cookie Policy, available at [www.prophecygames.com/legal](http://www.prophecygames.com/legal) .

You may request to exercise these rights by contacting us at the addresses listed in the "Communications" section below.

We may limit our response to your rights request as permitted under the CCPA. The right to disclosure and right to deletion are not absolute and are subject to certain exceptions. For instance, we cannot disclose specific pieces of Personal Information if the disclosure would create a substantial, articulable, and unreasonable risk to the security of the Personal Information, your account with us or the security of the business's systems or networks.

As required under the CCPA, please note that we will take steps to verify your identity before granting you access to information or acting on your request to exercise your rights. We cannot effectuate your request if we are unable to verify your identity or authority to make the request and confirm that the personal information relates to you. We may require you to provide your email address to verify your identity in response to exercising requests of the above type. You

will, therefore, need access to your email account to receive our communications necessary to process your request. Please make sure to check your spam inbox to ensure these important communications are not missed. We will not use any Personal Information provided to us for verification purposes for any reason other than to verify your identity.

You may designate an authorized agent to make a request on your behalf. You may make such a designation by providing the agent with written permission to act on your behalf. We will require the agent to provide proof of that written permission. As permitted by law, we may require you to verify your own identity in response to a request, even if you choose to use an agent.

We endeavor to respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing.

California Do Not Track: California Business & Professions Code Section 22575(b) (as amended effective January 1, 2014) provides that California residents are entitled to know how we respond to “Do Not Track” browser settings. However, we do not currently take actions to respond to Do Not Track signals because a uniform technological standard has not yet been developed.

## **11. NOTICE TO RESIDENTS OF THE EUROPEAN ECONOMIC AREA AND SWITZERLAND**

This section only applies to individuals using or accessing our Service while located in the European Economic Area, the United Kingdom, or Switzerland (collectively, the “Designated Countries”) at the time of data collection. We may ask you to identify which country you are located in when you use or access some of the Services, or we may rely on your IP address to identify which country you are located in. When we rely on your IP address, we cannot apply the terms of this section to any individual that masks or otherwise hides their location information from us so as not to appear located in the Designated Countries. If any terms in this section conflict with other terms contained in this Policy, the terms in this section shall apply to individuals in the Designated Countries.

### *(a) Our Relationship to You.*

We are a data controller with regard to any Personal Information collected from individuals accessing or using its Services. A “data controller” is an entity that determines the purposes for which and the manner in which any Personal Information is processed.

We use your Personal Information under certain legal bases permitted under the law, including:

- With your consent
- To satisfy legal obligations
- If we need to, to fulfill a contract with you, or to enter into a contract with you
- In the public interest

- In your vital interests
- Based on our legitimate interests

*(b) Marketing*

If you are located in the Designated Countries, we will only contact you by electronic means (including email or SMS) for direct marketing purposes based on your consent. If you do not want us to use your Personal Information in this way, please click the unsubscribe link at the bottom of any of our email messages to you or contact us at [info@prophecygames.com](mailto:info@prophecygames.com). You can object to direct marketing at any time and free of charge.

*(c) Individual Rights*

We provide you with the rights described below when you use our Services. We may limit your individual rights requests: (a) where denial of access is required or authorized by law; (b) when granting access would have a negative impact on other's privacy; (c) to protect our rights and properties; or (d) where the request is frivolous or unrealistic. If you would like to exercise your rights under applicable law, please contact us at [info@prophecygames.com](mailto:info@prophecygames.com).

- You can request access or deletion of your Personal Information.
- You can correct or update your Personal Information, object to processing or your Personal Information, ask us to restrict processing of your Personal Information or request portability of your Personal Information.
- If we collected and processed your Personal Information with your consent, then you can withdraw your consent at any time. Withdrawing your consent will not affect the lawfulness of the processing we conducted prior to your withdrawal, nor will it affect processing of your Personal Information conducted in reliance on lawful processing grounds other than consent.
- You have the right to complain to your local data protection authority about our collection and use of your Personal Information.

## **12. COMMUNICATIONS**

If you have any questions, complaints, or comments regarding our Policy or use of your information, please contact our legal department at [info@prophecygames.com](mailto:info@prophecygames.com).

Prophecy Games  
Attn: Legal Department  
Email: [info@prophecygames.com](mailto:info@prophecygames.com).

Or at:

Legal Department  
Prophecy Games, Inc.,  
3925 Brookside Parkway, Suite 400  
Alpharetta, Georgia 30022