

## **\$10,000 Best Rate Offer Guarantee Terms and Conditions.**

The following terms and conditions apply to our \$10,000 best rate offer. Nerd Merchant Solutions, LLC guarantees to offer the lowest processing rate, or we'll give you \$10,000. This offer applies only to new applications submitted and approved between September 27 and December 21, 2023, with merchants processing transactions starting by December 28, 2023. We may use the terms merchants/businesses interchangeably within this offer.

This offer only applies to businesses/merchants not related to a purchasing associations or agreements, franchises, government agencies, non-profit organizations, those who owners/officers have a relationship with a wealth management firm with the same parent organization as their payment processing (JPMorgan, Citi, Truist, Wells Fargo, Key, Bank of America Etc.), those who have or had a connection to the merchant services industry. A connection to the merchant services industry is defined as any friend or family connection to a merchant services industry and/or any other financial institution. Merchant services industry is defined as an agent or independent sales offices. Financial institutions are defined as state or federally charter bank or credit union within the United States of America. This limitation applies to all owners, officers, and/or employees and their family members of the business applying for merchant services. Before the payout can occur, the merchant must provide a list of all employees working for the merchant.

Merchants must process under \$2 Million annually on credit and debit cards and less than \$1 Million in American Express cards for this guarantee. Merchant must provide 12 months of detailed consecutive processing statements showing all their current fees and rates. These statements must all be with the same processor. If the business entities' (merchants) current processor was acquired, merged, or closed with the previous 12 months then the business entity is disqualified from this offer. The business entity seeking this guarantee must have been formed for at least 24 months prior to September 27, 2023, and in business operating for 24 months prior to September 27, 2023. This offer does not apply to any surcharge pricing programs. If merchant is prohibited from American Express opt blue pricing, then the merchant is excluded from this promotion.

The Merchant must meet credit standards, not a prohibited business type, and must be approved by our underwriting department before a payout can occur. A payout will not occur if you're in prohibited industry or not approved by underwriting, have a processing reserve requirement, or do not meet the other terms and conditions above. Merchant Approval may require audited financials, tax returns, and/or personal guarantees.

This promotion is limited to one officer/owner of a company regardless of the number of entities the owner/officer wishes to submit for this offer on. All beneficial ownership information must be submitted prior to a claim being paid out. All owners/officers must not be on OFAC or Banned Merchants List. If they are on OFAC or Banner Merchants List, then they are prohibited from this offer.

We define the lowest processing rate as the interchange rate set by the card brands plus our nominal markup. This rate does not include card brand dues, assessments, and other markups, transaction fees, statement fees, customer service fees, PCI fees, equipment costs, or any other item that may occur on a credit card processing statement. The \$10,000 best rate is only applicable to the interchange rate with our markup and not towards other merchant costs such as card brand dues, assessments, and other markups, transaction fees, statement fees, customer service fees, PCI fees, equipment costs, etcetera. We strive to offer the lowest overall costs; however, we are limiting this promotion to the interchange rate with our markup as that makes up the largest part of a company's processing costs. We will not offer you a super low interchange rate then add a bunch of fees to make up for it. Furthermore, we will not markup interchange then add our nominal mark-up to the newly inflated interchange rate. If Nerd Merchant Solutions, LLC beats or matches at least one of your lowest interchange rates, then this guaranteed payout will not occur as we've offered you a lower rate. Should the merchant have received a standard pricing from us and then wish to exercise this offer, we Nerd Merchant

Solutions, LLC shall have the right to match or beat your pricing once merchant has provided 12 consecutive months of processing statements prior to a payout being made. However, if merchant was already approved for processing, then this guarantee would not apply. This offer is only for new merchants/businesses. Should Merchant/Business be processing at interchange with a markup of less than two basis points, we shall only be obliged to match the processing rate in which that will be considered meeting the best rate guarantee.

Should we not be able to beat at least one of your interchange rates with our markup, Nerd Merchant Solutions, LLC will give you a \$10,000 gift card to a business of our own choice which maybe an affiliated company in which they may restrict the use of such gift card to certain items or services or pricing programs. This offer is void where prohibited by law. We may end this offer at any time without notice. Nerd Merchant Solutions, LLC may reject a payout under this best rate guarantee should we deem there be fraud or gaming.