

**Member Merchant Agreement**  
**Additional Terms**

1. Banc Card of America (“Company”) is a registered Merchant Service Provider/ISO that, in cooperation with one or more third-party bankcard processors (each a “bankcard processor”), provides credit and debit card payment processing and related services to merchants. In connection with signing Company’s Member/Merchant Agreement, Merchant will be required to complete an application and enter into a separate processing agreement with a bankcard processor. That processing agreement is an independent agreement between Merchant and the bankcard processor, and in the event of any dispute arising out of or relating to such agreement, Merchant agrees to look solely to the bankcard processor for any resolution.
2. Merchant agrees to indemnify and hold harmless Company from any and all loss, damages or expenses assigned to Company by any third party (including without limitation bankcard processor) arising out of or related to this agreement.
3. Requests for any research older than 90 days from date of transaction will result in research fees. Cost may vary depending on research required. Cost will be disclosed at time of research request.
4. This agreement will be governed by the laws of the State of Tennessee, without reference to its conflicts of law provisions.