



## **DAVE & BUSTER'S ENTERTAINMENT, INC. WHISTLEBLOWER POLICY AND PROCEDURES**

**(Updated April 3, 2025)**

### **I. Overview**

Dave & Buster's Entertainment, Inc., together with its subsidiaries and entities controlled by it (the "Company") is committed to honest, ethical and lawful conduct, full, fair, accurate, timely and transparent disclosure, and compliance with applicable laws, rules and regulations. In furtherance of these commitments, you are strongly encouraged to disclose to and seek guidance from an appropriate authority if you believe any director, officer, employee or other person associated or doing business with the Company has engaged, is engaging, or may engage in any illegal or unethical behavior or has violated, or may violate any law, rule, regulation, the Company's Code of Business Conduct and Ethics (the "Code") or any of the Company's other compliance policies or procedures.

This Whistleblower Policy and Procedures (this "Policy") establishes guidelines and procedures for confidential, anonymous reporting and review of concerns regarding potential, suspected or known instances of questionable accounting, internal accounting controls or auditing matters (an "Accounting Concern"), compliance with any legal or regulatory requirements, the Code or any of the Company's other compliance policies or procedures, or any other matter that could cause serious damage to the Company's reputation (together with any Accounting Concern, "Concerns"). As employees and representatives of the Company, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. By appropriately responding to Concerns we can better support an environment where compliance is valued and ensure that the Company is meeting its ethical and legal obligations.

This Policy applies to all officers, directors and employees of the Company (collectively referred to as "you").

### **II. Supervisor and Manager Responsibilities**

Supervisors and managers at all levels are responsible for continually emphasizing integrity as a standard of performance for all employees. Supervisors and managers and all persons receiving reports of Concerns should contact the Chief Legal Officer promptly so that an appropriate investigation can be conducted in accordance with this Policy.

### **III. No Retaliation Against Whistleblowers**

It is the Company's policy to protect those who communicate Concerns in good faith under this Policy from any retaliation for such reporting. Consistent with the Company's policies

and applicable law, no one who in good faith reports a Concern or provides assistance or information to the Chief Legal Officer, management, the Audit Committee of the Board of Directors or any other person or group, including any governmental, regulatory or law enforcement body, investigating or otherwise helping to resolve any Concern shall be subjected to any adverse employment action, harassment or retaliation. Making a report in “good faith” means that you have provided all the information you have and you reasonably believe there has been a possible violation of applicable law, regulation, rule or standard, the Company’s Code of Business Conduct and Ethics or any other Company policy, even if your report turns out to be unsubstantiated. “Retaliation” includes any unfavorable job action (such as termination, demotion, suspension, discipline, reduced hours, transfer or adverse compensation action), threat, harassment or other discrimination in the terms and conditions of employment. If, in the course of an investigation of a Concern, the Company segregates information from an employee or reallocates an employee’s duties in good faith in order to further such investigation, such segregation or reallocations shall not be considered retaliation under this Policy, to the extent permitted by applicable law.

Retaliation is a violation of this Policy and the Company’s Code of Business Conduct and Ethics and may also violate the law. Any person who retaliates against someone because that person has, in good faith, reported a Concern is subject to discipline up to and including termination of employment. Retaliation should be reported in accordance with this Policy.

*All Concerns will be taken seriously and promptly reviewed as described below.*

#### **IV. How to Raise a Concern**

Concerns may be submitted either in writing or orally by any employee, officer or director, or any other interested party, such as a shareholder or person associated or doing business with the Company. No form is required to submit a Concern; however, if it is your intent to submit a Concern and you do so orally, you should either follow up in writing (by letter or email) or request a written acknowledgement that you have submitted a Concern. You are encouraged to provide as much information and detail as possible so that the Concern can be properly investigated, including names, dates, places, a description of the events that took place and your perception of why the incident(s) may be a violation. While Concerns may be submitted at any time, it is recommended that a Concern be made as soon as reasonably possible after you become aware of the matter.

You may use any of the following methods to submit a Concern:

- **Report to a Supervisor, Manager or your Human Resources representative.** The most direct way to voice any Concern is to a supervisor, manager or your Human Resources representative. You can speak to a Human Resources representative from Monday to Friday, between 8:00 a.m. and 5:00 p.m. Central Time, by calling 1-888-300-1515. They, in turn, will forward the Concern to the Chief Legal Officer for review as described below.
- **Use the Human Resources Hotline and/or the Anonymous Hotline.** Concerns may also be raised, 24 hours a day, by using the Company’s Human

Resources Hotline at 1-800-362-2515 and/or the Anonymous Hotline at 1-888-400-4445 or <https://daveandbusters.alertline.com>. The Anonymous Hotline is operated by an outside, independent service provider. All Concerns (and all information provided by the whistleblower) made through the Human Resources Hotline or the Anonymous Hotline will be promptly reported in writing to the Chief Legal Officer for preliminary review as described below. Concerns made using the Anonymous Hotline may be anonymous if the whistleblower prefers.

- **Report to the Chief Legal Officer.** Concerns may be reported directly to the Chief Legal Officer through telephone, fax, email or regular mail as follows:

Legal Department  
c/o Chief Legal  
Officer  
Dave & Buster's Entertainment, Inc.  
1221 Beltline Rd., Suite 500  
Coppell, Texas 75019  
Phone: 214-500-0104  
Fax: 214-357-1536  
Email: rudy.rodriguez@daveandbusters.com

A written Concern may be anonymous if the whistleblower prefers.

- **Accounting Concerns.** In addition, written Accounting Concerns may be made to the Chairman of the Audit Committee, addressed as follows:

Audit Committee Chairman  
Dave & Buster's Entertainment, Inc.  
c/o Chief Legal Officer  
1221 Beltline Rd., Suite 500  
Coppell, Texas 75019.

Any correspondence to the Chairman of the Audit Committee shall be clearly marked as an urgent matter for consideration by the Audit Committee. A written Concern may be anonymous if the whistleblower prefers.

If you are uncertain about whether your Concern is an Accounting Concern, you may report your Concern using any of the methods described above.

***While the Company encourages internal reporting to the Company of Concerns, nothing in this Policy restricts or limits your ability to (i) report Concerns directly to or testify before any governmental or regulatory agency or entity, including but not limited to (A) the U.S. Department of Justice, the U.S. Securities and Exchange Commission, the U.S. Congress, and any U.S. agency Inspector General, or (B) similar competent authorities in any non-U.S. jurisdiction, to the extent that any such authority has specific power under applicable law to receive or request relevant information, (ii) make other***

*disclosures that are protected under the whistleblower provisions of federal, state or local law or regulation, or (iii) disclose information about wages or working conditions that is not proprietary Company information. You do not need the Company's prior authorization to make any such reports or disclosures and are not required to notify the Company that you have made such reports or disclosures.*

## **V. Records of Concerns and Investigations**

The Chief Legal Officer will maintain a written docket (the “Docket”) of all Concerns summarizing in reasonable detail for each Concern: (i) the nature of the Concern (including any specific allegations made and the persons involved), (ii) the date of receipt of the Concern, (iii) the current status of any investigation into the Concern and (iv) any final resolution of the Concern. The Chief Legal Officer will distribute an update of the Docket, highlighting recent developments in reasonable detail, to the head of the Company’s Internal Audit department and to the Chairman of the Audit Committee (and, if the Chairman of the Audit Committee so directs, to the full Audit Committee) in advance of each regularly scheduled Audit Committee meeting or more frequently as circumstances require or the Chairman of the Audit Committee may request.

Company personnel who have raised a Concern shall be kept reasonably apprised of the status of their Concern where appropriate.

## **VI. Procedures for Receiving and Reviewing Concerns**

1. Any person receiving a Concern should contact the Chief Legal Officer, who will coordinate further action.

2. Promptly upon the receipt of any Concern, the Chief Legal Officer will evaluate whether the Concern constitutes an Accounting Concern. If the Chief Legal Officer determines that the Concern is an Accounting Concern, he or she will promptly forward such Concern to the head of the Company’s Internal Audit department and to the Audit Committee, and when possible, acknowledge receipt of the Accounting Concern to the sender.

3. Other than as described in Article VI, Section 5 below for Accounting Concerns, the Chief Legal Officer is responsible for directing all aspects of the investigation of any Concern. The Chief Legal Officer is authorized in his/her discretion to engage outside auditors, counsel or other experts to assist in the investigation and in the analysis of results, and the Company will pay all fees of such auditors, counsel and experts. The Chief Legal Officer may delegate investigatory responsibility to one or more persons, including persons who are not employees of the Company, such as outside auditors, counsel or other experts. The Chief Legal Officer or his/her designee may, if he or she deems it reasonably necessary, require the assistance of the Controller or Chief People Officer, any of their staffs, or any other employees of the Company in investigating and resolving any Concern. All investigations will be conducted in a confidential manner, so that information will be disclosed only as needed to facilitate review of the investigation materials or otherwise as required by law. The parameters of any investigation will be determined by

the Chief Legal Officer or his/her designee in his or her discretion and the Company and its employees will cooperate as necessary in connection with any such investigation.

4. In the event a Concern involves or implicates the Chief Legal Officer, the Chief Legal Officer will promptly recuse himself or herself from the investigation and inform the Audit Committee in writing. The Audit Committee may investigate such Concern or appoint impartial attorneys to investigate the Concern.

5. The Audit Committee may, in its discretion, return any Concern, received either directly from a complainant or from the Chief Legal Officer, to the Chief Legal Officer for docketing and investigation in accordance with the procedures described above, or retain the matter for investigation by the Audit Committee (with notice to the Chief Legal Officer). Ordinarily the practice of the Audit Committee will be to return Concerns to the Chief Legal Officer for investigation in accordance with Article VI, Section 3, in which case the Chief Legal Officer will act under the authority of the Audit Committee. At any time, however, the Audit Committee may, in its discretion, determine that it, and not the Chief Legal Officer, should initiate and/or assume the investigation of any Accounting Concern. In this case, the Audit Committee will promptly determine what professional assistance, if any, it needs in order to conduct the investigation. The Audit Committee will be free in its discretion to engage outside auditors, counsel or other experts to assist in the investigation of any Accounting Concern and in the analysis of results, and the Company will pay all fees of such auditors, counsel and experts. In determining that it, and not the Chief Legal Officer, should investigate any Accounting Concern, the Audit Committee may consider such matters as the identity of the alleged wrongdoer, the severity and scope of the alleged wrongdoing, the credibility of the allegations made, whether the allegations are mirrored in press or analyst Concerns, and any other factors that are appropriate under the circumstances. Nothing in this section shall require the Chief Legal Officer to delay the commencement of an investigation into an Accounting Concern until the next scheduled meeting of the Audit Committee.

6. Promptly after the completion of any investigation, the Chief Legal Officer will prepare an investigation report. The investigation report will be in addition to the information provided on the Docket (described above). The investigation reports will describe the Concern, the steps taken in the investigation, any factual findings, and the recommendations for corrective action, if any. The investigation report will be delivered by the Chief Legal Officer to the Audit Committee.

7. The Audit Committee will review the Docket and any investigation reports submitted by the Chief Legal Officer. The Audit Committee will have the authority to direct that the appropriate corrective action be taken by the Company in response to any particular Concern and shall monitor the completion of any such recommended corrective action. The Audit Committee may, in its discretion, consult with any member of the Company's management who may have appropriate expertise to assist in the evaluation of the Concern, any results of an investigation into a Concern or implementation of corrective action. The Audit Committee will be free in its discretion to engage outside auditors, counsel or other

experts to assist in the evaluation of any results of any investigation into any Concern, and the Company will pay all fees of such auditors, counsel and experts.

## **VII. Confidentiality**

All Concerns received from employees will be treated confidentially or anonymously, as applicable, to the extent reasonable and practicable under the circumstances.

Investigations shall be treated as confidential to the extent possible and only discussed with those outside the investigation team on a need-to-know basis. You are required to keep confidential any information that you receive as part of an investigation, including the existence of the investigation, the persons involved and the factual, legal and ethical issues.

## **VIII. Records; Attorney-Client Privilege**

The Chief Legal Officer shall retain on a strictly confidential basis for a period of seven years (or otherwise as required under the Company's record retention policies in effect from time to time) all records relating to any Concern and to any investigation and resolution thereof. All such records are confidential to the Company and are protected by attorney-client privilege and/or the attorney work product doctrine, to the extent permitted by law. Such records, including any investigation report, shall be considered privileged and confidential.

## **IX. Publication of Policy**

The Company will cause this Policy to be communicated to all officers, directors and employees.

## **X. Policy Review**

The Audit Committee shall review this Policy periodically.