

## Privacy Statement and Cookie Policy

It is the policy of Bleichmar Fonti & Auld LLP to handle your personal information responsibly and in accordance with the requirements of applicable data protection laws, including the European Union's General Data Protection Regulation (GDPR) and the California Consumer Privacy Protection Act. This notice explains how we do that.

In this notice, "BFA" refers to Bleichmar Fonti & Auld LLP and its affiliated partnerships. BFA is a limited liability partnership registered under the laws of the State of New York.

Nothing stated in this notice is intended to, nor will it, establish a client-attorney relationship with persons reading it. Information provided to us in the course of any attorney-client relationship enjoys a special status and may be protected by confidentiality, the attorney-client privilege, the attorney work product doctrine and other similar protections (whether in the United States or elsewhere). Nothing in this notice detracts from any of the protections that attach to such information.

### **The personal information we collect**

We may collect personal information from you in the course of our business, including through your use of our website, when you contact or request information from us, when you engage us to provide legal services or as a result of your relationship with any member of our personnel or our clients.

We may collect personal information about you—such as your name, address, telephone number, fax number, e-mail address, etc.—directly from you. For example, personal information may be collected when you fill out a 'Contact Us' form, sign up for our mailing lists, register for events we host or sponsor, submit information online or otherwise provide us information through our website or otherwise. Generally, the information we collect includes your:

- Basic identifying information, such as your name, your preferred form of address, the company you work for, and your job title or position
- Contact information, such as your postal and email addresses, and phone and fax number(s)
- Financial information, such as bank account information needed to process payments
- Technical information, such as information from your visits to our website or in relation to electronic communications we send to you
- Information you provide to us in connection with meetings and events we organize, including access and dietary requirements

- Identification and background information, we collect as part of our client acceptance procedures (which may be provided by third parties)
- Personal information provided to us by or on behalf of our clients or generated by us in the course of providing legal services to them

The personal information we collect may include special categories of data.

## **How we collect information**

### Automatically-collected information

We use cookies, log files, pixel tags, local storage objects and other tracking technologies to automatically collect information when users access or use the services or visit our Site, such as an IP address, general location information, domain name, page views, a date/time stamp, browser type, device type, device ID, Internet service provider ("ISP"), referring/exit URLs, operating system, language, clickstream data, and other information about the links clicked, features used, size of files uploaded, streamed or deleted, and similar device and usage information. For more information, see the "Cookies and similar devices" section below.

- We collect information as necessary in the course of providing legal services
- We collect information from monitoring use of our website
- We collect information from monitoring email communications we send and receive
- We receive personal information provided to us directly, for example through our website, when you speak on the telephone with any of our personnel or you register to receive communications from us
- We may collect or receive information about you from other sources. For example we may use publicly available sources to allow us to maintain the accuracy of contact details we hold for you
- We collect information as part of our due diligence procedures when entering into contracts with suppliers or vendors

## **Our use of personal information**

We use the personal information you provide to respond to your request or inquiry and in the ordinary course of conducting our business. Generally, we use the information (including personal information) that we collect online as follows:

### Providing support and services

To provide and operate our website, communicate with you about your use of our website, provide troubleshooting and technical support, respond to your inquiries, fulfill

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your orders and requests, process your payments, communicate with you, and for similar service and support purposes.

#### Responding to your requests

To respond to your inquiries, fulfill your orders and requests, and consider your request or application (eg, if you have submitted a resume or other application information online or by email, we will use it as part of the application review process).

#### Personalization

To tailor content we may send or display on the website, including to offer location customization and personalized help and instructions, and to otherwise personalize your experiences.

#### Newsletters, mailing lists and direct marketing

For direct marketing purposes, including to send you newsletters, client alerts and information we think may interest you. If you are located in a jurisdiction that requires opt-in consent to receive electronic marketing messages, we will only send you such messages if you opt-in to receive them.

#### Analytics and improvement

To better understand how users access and use the Sites, and our other products and offerings, and for other research and analytical purposes, such as to evaluate and improve our services and business operations and to develop services and features.

#### Protect our legal rights and prevent misuse

To protect our website and our business operations; to prevent and detect fraud, unauthorized activities and access, and other misuse; where we believe necessary to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the safety or legal rights of any person or third party, or violations of our this Privacy Policy.

#### Comply with legal obligations

To comply with the law or legal proceedings. For example, we may disclose information in response to subpoenas, court orders, and/or other lawful requests by regulators and/or law enforcement, including responding to national security or law enforcement disclosure requirements.

### General business operations

Where necessary, for the administration of our general business, accounting, recordkeeping and legal functions.

### Anonymous and de-identified information

We create and use anonymous and de-identified information to assess, improve and develop our business, products and services, and for similar research and analytics purposes.

- To manage our business and our commercial relationships with our clients, suppliers and vendors
- To fulfil our legal and regulatory obligations, including establishing, exercising or defending legal claims
- For the purposes of recruitment
- To provide and improve this website, including auditing and monitoring its use
- To provide information requested by you
- The grounds on which we process personal information
- We process personal information on one or more of the following grounds:
- For the legitimate business purposes described above
- On the basis of consent from the relevant individual
- To perform a contract, including a contract to provide legal services
- For the establishment, exercise or defense of legal claims or proceedings
- To comply with legal and regulatory obligations

### **Sharing personal information**

BFA has multiple offices. Personal information that is given to a BFA office may be transferred to one or more other offices in our network (including any office we may open in the future).

We may also share your personal information with third parties in accordance with contractual arrangements in place with them, including:

- other organizations involved in matters for our clients, including local counsel, accountants or auditors, and technology service providers such as data room and case management services
  - suppliers or vendors who provide support services to us, such as translation, photocopying or document review
  - IT service providers
  - organizations who assist us or work alongside us in hosting or organizing events or seminars
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- our own professional advisers and auditors

In some circumstances, we may also pass information to regulatory authorities, courts, tribunals, government agencies and law enforcement agencies. We may be required to disclose your information to comply with legal or regulatory requirements. Where possible, we will use reasonable efforts to notify you before disclosing your information, but we may be legally restricted from doing so.

The information sharing described above may involve a transfer of your information from a location within the European Economic Area (the “EEA”) to outside the EEA, or from outside the EEA to a location within the EEA. The level of information protection in countries outside the EEA may be less than that offered within the EEA. We will implement appropriate measures to ensure that your personal information nevertheless remains protected and secure in accordance with applicable data protection laws. EU standard contractual clauses are in place between all BFA entities that share and process personal data.

### **Protecting personal information**

We use a variety of technical and organizational measures to help protect your personal information from unauthorized access, use, disclosure, alteration or destruction consistent with applicable data protection laws.

### **Individuals’ rights regarding their personal informatio**

The GDPR and other applicable data protection laws provide certain rights for data subjects. Broadly speaking you have, or may have, the right (as more fully provided in applicable data protection laws)

- to request details of the information we hold about you and how we process it
- to have your personal information rectified if it is inaccurate or deleted
- to restrict our processing of your personal information
- to withdraw a previously provided consent to processing of your personal information
- to stop unauthorized transfers of your personal information to a third party
- to have your personal information transferred to another person
- to complain about our processing of your personal information to a local supervisory authority

It is important to be aware that these rights may not be absolute. For example, if you withdraw your consent to our processing of your personal information, we may be able to continue to process your personal information to the extent required or otherwise

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permitted by law, in particular in connection with exercising and defending our legal rights or meeting our legal and regulatory obligations.

### **Keeping personal information**

Your personal information will be retained in accordance with our Data Privacy Policy. We retain personal information of different types, or relating to different categories of people, for different periods, taking into account its business purpose. For example, information about individuals who have applied for employment with us will be retained for a shorter period than information about individuals who have actually worked for us.

The periods for which we retain information are based on the requirements of applicable data protection laws and the purpose for which the information is collected and used. We take into account legal and regulatory provisions which require information to be retained for a minimum period. We also consider the limitation periods for taking legal action and good practice in the legal industry.

If you have any questions on the matters covered in this policy, please contact our Data Protection Officer, Sara Simnowitz.

### **California Consumer Privacy Act**

Bleichmar Fonti & Auld LLP ("BFA" or "we") is committed to protecting the personal information of its employees, former employees, and prospective employees. If you are a California resident, California law provides you with certain rights pursuant to the California Consumer Privacy Act (CCPA) and the California Privacy Rights Act (CPRA). By providing you this notice, BFA outlines the rights of California residents who are employees, former employees, or candidates with regard to personal information that BFA may collect. Any terms defined in the CCPA or CPRA will have the same meaning when used in this notice.

#### **Information We Collect and How We Use Your Personal Information**

In accordance with California law, we collected the following categories of Personal Information within the preceding 12 months:

- **Personal Identifiers and Personal Records:** We collect contact information, including an employee's name, home mailing address, telephone number, personal email address, date of birth, and any other information necessary for BFA's business purposes that employees voluntarily disclose during an application for, and continued employment with, BFA. BFA also collects and uses identifiers including, but not limited to Social Security Income (SSI), Social Security Number

(SSN), paycheck and direct deposit information in order to process and conduct payroll operations.

- Protected Classification Characteristics: Some protected and sensitive categories of information may be collected such as sex, marital status, veteran status, age, race and disability as required for various employment law requirements.
- Professional or Employment-Related Information / Non-Public Education Information: Information collected during the interview and hiring process including contact information, certificates, degrees, professional background, and information from background checks. BFA also collects and uses information for employee benefits such information, forms and applications for, or changes to, employee health and welfare, disability, healthcare, beneficiary and emergency contact information.

We do not sell data. We may share each of these categories of personal information with our service providers to the extent necessary to perform administrative services for BFA. Third parties will only process an employee's personal information on BFA's instructions and where they have agreed to treat the personal information confidentially and to keep it secure. All such third parties are required to sign a contract including data protection clauses. In addition, personal information may be disclosed to authorities where required by applicable law, such as Regulatory Authorities and IRS/Tax Authorities. In such cases, BFA will endeavor to not disclose more personal information than is required under the circumstances.

### **Retention of Data**

We will only retain your personal data for as long as reasonably necessary to fulfill the purposes we collected it for, including for the purposes of satisfying any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a complaint or if we reasonably believe there is a prospect of litigation in respect to our relationship with you.

### **Security Standards**

The information you provide to BFA is securely processed, stored, and maintained, and BFA maintains appropriate technical and organizational measures to ensure a level of security appropriate to the risks represented by the processing and the nature of the personal data to be protected.

### **Access to Information**

Only authorized BFA personnel have access to your information, and those individuals are only allowed to use that information as part of the hiring process and/or in connection

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with your employment. Any BFA employee who knowingly violates these policies is subject to disciplinary action, including the possibility of termination. BFA does not sell any customer information to third-party marketing companies. We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

## **California Data Subject Rights**

The CCPA and CPRA provide California residents with specific rights regarding their personal information. This section describes your rights and explains how to exercise those rights.

### **The Right to Know or Correct**

You have the right to request that BFA disclose certain information to you about our collection and use of your personal information over the past 12 months, which may include the following:

- the categories or specific pieces of personal information we collected about you;
- the categories of sources for the personal information we collected about you;
- our business purpose for collecting that personal information;
- the categories of third parties with whom we share that personal information;
- if we disclosed your personal information, information concerning disclosures of personal information for a business purpose, identifying the personal information categories that each category of recipient obtained.

You also have the right to request that we correct any personal information about you.

### **The Right to Delete**

Subject to certain exceptions, you have the right to request that BFA delete your personal information that we collected from you and retained. Once we receive and confirm your request for deletion, we will delete (and direct our service providers to delete) your personal information from our records unless an exception applies. Notably, we will not be able to delete information required to facilitate employment, payroll records, tax records, or similar documents.

### **The Right to Opt Out**

Subject to certain exceptions, you have the right to opt out of BFA's processing of your sensitive personal information. Once we receive and confirm your request to opt out, we will cease the use and sharing of your personal information unless an exception applies.



Notably, you will not be able to opt out of our using information required to facilitate employment, payroll records, tax records, or similar documents.

### **Exercising Your Rights**

To exercise your rights described above, please submit a request to us by [bfahr@bfalaw.com](mailto:bfahr@bfalaw.com)

You may only make a Right to Know or Right to Delete request twice within a 12-month period. Only you or an authorized representative may make a request related to your personal information.

### **Response Timing and Format**

We endeavor to respond to a request within 45 days of its receipt. If we require more time, we will inform you of the reason and the length of the extension in writing.

### **Contact Information**

The controller of the personal information described in this Privacy Notice is:

Bleichmar Fonti & Auld LLP  
7 Times Square, 27th Floor  
New York, NY 10036

Questions, concerns, requests, or complaints regarding this Privacy Notice and the processing of personal information should be directed to [bfahr@bfalaw.com](mailto:bfahr@bfalaw.com).

### **California "Shine the Light" Disclosures**

As noted above in we may disclose Personal Information to affiliates of BFA which may use this information for all purposes outlined in this Privacy Policy. Because separate legal entities are considered "third parties" for purposes of California Civil Code Section 1798.83, and certain communications from our affiliates might be viewed as promoting their legal services. If you would like to learn more about this or to make a request to discontinue this type of sharing, please email us at [compliance@bfalaw.com](mailto:compliance@bfalaw.com) or by mail at the following address:

Bleichmar Fonti & Auld Human Resources – Data Privacy  
7 Times Square  
New York, New York 10028

We will provide a list of the categories of Personal Information disclosed to third parties (i.e., our affiliates) for their direct marketing purposes during the immediately preceding

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calendar year, along with the names and addresses of these third parties. This request may be made no more than once per calendar year. We will respond to your request in accordance with applicable law and we reserve our right not to respond to requests submitted other than to the email or mailing addresses specified in this section.