

## California Consumer Privacy Statement

August 8, 2023

This California Privacy Statement supplements our Privacy Notice. It applies solely to California residents regarding personal information we collect online and offline. This California Privacy Statement does not apply to Finn Dixon & Herling LLP personnel. The CCPA (as hereinafter defined) disclosures do not reflect our collection, use or disclosure of the personal information of California residents where an exception under the CCPA, applies.

Certain terms used herein have the meanings set forth in the California Consumer Privacy Act of 2018 (as amended by the California Privacy Rights Act of 2020) and its implementing regulations (collectively, the “CCPA”).

### 1. Notice of Collection of Personal Information

We may collect (and may have collected during the preceding 12-month period) the following categories of personal information about you:

- **Identifiers:** identifiers such as a real name, alias, postal address, unique personal identifier (such as a device identifier; cookies, beacons, pixel tags, mobile ad identifiers and similar technology; customer number, unique pseudonym, or user alias; telephone number and other forms of persistent identifiers), online identifier, internet protocol address, email address, account name, Social Security number, driver’s license number, passport number, and other similar identifiers;
- **Additional Data Subject to Cal. Civ. Code § 1798.80:** signature, physical characteristics or description, state identification card number, insurance policy number, education, bank account number, credit card number, debit card number, and other financial information, medical information, and health insurance information;
- **Protected Classifications:** characteristics of protected classifications under California or federal law, such as race, color, national origin, religion, age, sex, gender, gender identity, gender expression, sexual orientation, marital status, medical condition, ancestry, genetic information, disability, citizenship status, and military and veteran status;
- **Commercial Information:** commercial information, including records of personal property, products or services purchased, obtained, or considered, and other purchasing or consuming histories or tendencies;
- **Online Activity:** internet and other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding

your interaction with websites, applications or advertisements;

- **Sensory Information:** audio, electronic, audio-visual and similar information;
- **Employment Information:** professional or employment-related information, such as résumé information, occupation details, education details, certifications and professional associations, historical compensation details, previous employment details, emergency contact information, and pre-employment screening and background check information, including criminal records information;
- **Education Information:** education information that is not publicly available personally identifiable information as defined in the Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99).

## 2. Notice of Use of Personal Information

We may use (and may have used during the preceding 12-month period) the above categories of personal information for the following purposes, including the following business purposes specified in the CCPA:

- **Providing legal services and related internal operations** in connection with engagement by our clients. Such services include maintaining or servicing client accounts, providing client services, administration of client and vendor relationships, processing or fulfilling orders and transactions, verifying and updating client information and records, responding to client inquiries and feedback, complying with legal and regulatory requirements and governmental requests, complying with record-keeping and audit requirements, processing payments, providing financing, providing analytic services, providing storage, or providing similar services. These services may also involve providing some of the above information to third parties, such as expert witnesses and other professional advisors in order to represent you effectively. This processing is necessary for us to perform our contractual engagements for legal services.
- **Providing advertising and marketing services.**
- **Auditing internet usage data and analytics** related to maintaining and improving our website.
- **Detecting security incidents**, protecting against malicious, deceptive, fraudulent, or illegal activity, and prosecuting those responsible for that activity.
- **Helping to manage and protect the security and integrity** of our systems and data.
- **Undertaking internal research** for improving our client service and related firm operations.
- **Managing our recruitment and hiring process**, our personnel and human resources

services, and managing our relationships with current or prospective clients, vendors and other business partner personnel.

We do not use or disclose (and have not used or disclosed during the preceding 12-month period) “sensitive personal information”<sup>1</sup> (as defined under the CCPA) for any purpose other than those expressly permitted under the CCPA. To the extent we process de-identified information, we will maintain and use the information in de-identified form and will not attempt to re-identify the information unless permitted by applicable law.

### **3. Retention of Personal Information**

We will retain your personal information for the time period reasonably necessary to achieve the purposes described in the Privacy Notice and this California Privacy Statement, or any other notice provided at the time of collection, taking into account applicable statutes of limitation and records retention requirements under Firm policy and applicable law.

### **4. Categories of Sources of Personal Information**

During the prior 12- month period, we may have obtained personal information about you from the following categories of sources:

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<sup>1</sup> “Sensitive personal information” means:

(1) Personal information that reveals:

- (A) A consumer’s social security, driver’s license, state identification card, or passport number.
- (B) A consumer’s account login, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account.
- (C) A consumer’s precise geolocation.
- (D) A consumer’s racial or ethnic origin, religious or philosophical beliefs, or union membership.
- (E) The contents of a consumer’s mail, email, and text messages unless the business is the intended recipient of the communication.
- (F) A consumer’s genetic data.

(2) (A) The processing of biometric information for the purpose of uniquely identifying a consumer.

- (B) Personal information collected and analyzed concerning a consumer’s health.
- (C) Personal information collected and analyzed concerning a consumer’s sex life or sexual orientation.

- Directly from you or your devices, such as when you visit our websites or register for an event we sponsor;
- Your business colleagues, such as when they provide us with your contact information so we can send information that may interest you;
- Our document management and e-discovery solutions providers;
- Service providers, contractors and other vendors who provide services on our behalf
- Internet service providers (“ISPs”);
- Operating systems and platforms;
- For job applicants: recruiting and talent agencies, your job references, data brokers (such as public databases), credit bureaus, credit reporting and/or background check services;
- Professional services organizations (such as PR firms, other law firms, and pro bono organizations);
- Business partners (such as those with whom we may cohost events);
- Social networks;
- Government entities and other sources of lawfully-public information.

## 5. Categories of Personal Information We May Disclose, and Third Parties to Whom We May Disclose

During the 12-month period prior to the issuance of this California Privacy Statement, we may have disclosed the following categories of personal information about you for a business purpose to the following categories of third parties:

Categories of Personal Information	Categories of Third Parties
Identifiers	<ul style="list-style-type: none"> <li>• Service providers, contractors, other vendors and agents who provide services on our behalf (such as our document management and e-discovery solutions providers)</li> <li>• Professional services organizations (such as auditors, other law firms, and pro bono organizations)</li> <li>• Business partners (such as those with whom we may cohost events)</li> <li>• Data analytics providers</li> </ul>

	<ul style="list-style-type: none"> <li>• Recruiting and talent agencies</li> <li>• Job references, such as your employers or teachers</li> <li>• Data brokers, such as public databases, credit bureaus, credit reporting service providers and background check services</li> <li>• Government entities, such as courts and regulatory agencies</li> </ul>
Additional Data Subject to Cal. Civ. Code § 1798.80	<ul style="list-style-type: none"> <li>• Service providers, contractors, other vendors and agents who provide services on our behalf (such as our document management and e-discovery solutions providers)</li> <li>• Professional services organizations (such as auditors, other law firms, and pro bono organizations)</li> <li>• Government entities, such as courts and regulatory agencies</li> </ul>
Protected Classifications	<ul style="list-style-type: none"> <li>• Service providers, contractors, other vendors and agents who provide services on our behalf (such as our document management and e-discovery solutions providers)</li> <li>• Professional services organizations (such as auditors, other law firms, and pro bono organizations)</li> <li>• Business partners (such as those with whom we may cohost events)</li> <li>• Data analytics providers</li> <li>• Government entities, such as courts and regulatory agencies</li> </ul>
Commercial Information	<ul style="list-style-type: none"> <li>• Service providers, contractors, other vendors and agents who provide services on our behalf (such as our document management and e-discovery solutions providers)</li> <li>• Professional services organizations (such as auditors, other law firms, and pro bono organizations)</li> <li>• Business partners (such as those with whom we may cohost events)</li> <li>• Data analytics providers</li> <li>• Government entities, such as courts and regulatory agencies</li> </ul>
Online Activity	<ul style="list-style-type: none"> <li>• Service providers, contractors, other vendors and agents who provide services</li> </ul>

	on our behalf (such as our document management and e-discovery solutions providers) <ul style="list-style-type: none"> <li>• Professional services organizations (such as auditors, other law firms, and pro bono organizations)</li> <li>• Data analytics providers</li> <li>• Government entities, such as courts and regulatory agencies</li> </ul>
Sensory Information	<ul style="list-style-type: none"> <li>• Service providers, contractors, other vendors and agents who provide services on our behalf (such as our document management and e-discovery solutions providers)</li> <li>• Professional services organizations (such as auditors, other law firms, and pro bono organizations)</li> <li>• Data analytics providers</li> <li>• Government entities, such as courts and regulatory agencies</li> </ul>
Employment Information	<ul style="list-style-type: none"> <li>• Service providers, contractors and other vendors who provide services on our behalf (such as our document management and e-discovery solutions providers)</li> <li>• Professional services organizations (such as auditors, other law firms, and pro bono organizations)</li> <li>• Government entities, such as courts and regulatory agencies</li> </ul>

In addition to the categories of third parties identified above, during the prior 12-month period, we may have disclosed personal information about you to government entities and third parties in connection with corporate transactions, such as mergers, acquisitions or divestitures.

## 6. No Sale of Personal Information

We do not sell or share for cross-context behavioral purposes personal information (including sensitive personal information) and have not sold or shared for cross-context behavioral purposes personal information (including sensitive personal information) during the prior 12-month period. We do not have actual knowledge that we sell or share the personal information of minors under 16 years of age.

## 7. Consumer Rights Under the CCPA

If you are a California resident, you have the following rights, subject to certain exceptions as set forth in the CCPA:

- **Right to access Personal Information.** You have the right to receive the specific pieces of your Personal Information we have collected about you in the 12 months preceding your request.
- **Right to data portability.** You have the right to receive a copy of your electronic personal information in a readily-usable format.
- **Right to Know.** You have the right to receive information from us regarding the categories of personal information we collected, the sources from which we collect personal information, the purposes for which we collected and shared personal information, the categories of any personal information we sold as well as the categories of third parties to whom such personal information was sold, and the categories of personal information that we disclosed for a business purpose in the 12 months preceding your "right to know" request.
- **Right to Request Deletion.** You have the right to request the deletion of the personal information that you provided to us. Please note that in certain instances we may not be able to process your request, such as (i) due to the existence of a legal obligation, (ii) to detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities, or (iii) in order to complete a transaction for which your personal information was collected.
- **Right to Non-Discrimination.** You have the right to be free from discrimination by us as a result of you exercising your rights under the CCPA.

## 8. How to Submit a Request

To submit an access, correction or deletion request, ([Click here](#)) or call us at (203) 325-5057. To submit a request as an authorized agent on behalf of a California resident, please contact our general counsel at [acalamari@fdh.com](mailto:acalamari@fdh.com).

Verifying Requests. To help protect your privacy and maintain security, we will take steps to verify your identity before granting you access to your personal information or complying with your request. If you request access to or correction or deletion of your personal information, we may require you to provide certain information, including: (a) name, (b) postal address, (c) email address and (d) telephone number. In addition, if you ask us to provide you with specific pieces of personal information, we will require you to sign a declaration under penalty of perjury that you are the California resident whose personal information is the subject of the request. If you designate an authorized agent to make an access or deletion request on your behalf (a) we may require you to provide the authorized agent written permission to do so, and (b) for access and deletion requests, we may require you to verify your own identity directly with us.

## 9. Additional Information

If you choose to exercise any of your rights under the CCPA, you have the right to not receive discriminatory treatment by us. To the extent permitted by applicable law, we may charge a reasonable fee to comply with your request. This California Privacy Statement is available in alternative formats upon request. Consumers who have a visual disability may be able to use a screen reader or other text-to-speech or text-to-Braille tool to review this notice. Please contact [acalamari@fdh.com](mailto:acalamari@fdh.com) or call (203) 325-5057 to request this California Privacy Statement in an alternative format.

## **10. Contacts for Additional Information**

E-mail address: [acalamari@fdh.com](mailto:acalamari@fdh.com)

Phone: (203) 325-5057

Postal address: 6 Landmark Square, Stamford CT 06825