

# Nelson Mullins Privacy Policy

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*Effective Date: June 15, 2020*

Nelson, Mullins, Riley & Scarborough LLP and its affiliates (collectively, “Nelson Mullins” or “We”) are concerned about privacy issues and want you to be familiar with how we collect, use and share information. This Privacy Policy informs you, the user of this website, of our practices in connection with information that we collect through our websites and any mobile sites or applications that display or link to this Privacy Policy (collectively, “Sites”).

This Privacy Policy applies only to our collection of information in connection with the Sites, except as outlined for California residents below. This Privacy Policy does not apply to information which you may provide to us in attorney-client relationships or that is protected by confidentiality, the attorney-client privilege, the attorney work product doctrine or any other applicable protection. While we do commonly process personal information during our legal representation of a client, such processing is performed on behalf of and at the direction of our client, subject to our client agreements and professional responsibilities, and is not covered by this Notice.

If you have any questions or comments about the Privacy Policy or our privacy practices, please contact us at [info@nelsonmullins.com](mailto:info@nelsonmullins.com).

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## **Agreement and Changes to the Privacy Policy**

“Personal Information,” as contemplated by this Privacy Policy, means any information that identifies, relates to, describes, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household. It does not include any deidentified or anonymized information.

By using the Sites or submitting your Personal Information to us, you agree to the collection and use of your Personal Information as described within the Privacy Policy. If you do not agree with this Privacy Policy, please discontinue any use of the Sites and please do not provide any Personal Information via the Sites.

We may change this Privacy Policy at any time. Please review the effective date listed above to see when this Privacy Policy was last revised. Your continued use of the Sites following any update to this Privacy Policy signifies that you accept the revised Privacy Policy. If there are

material changes to the Privacy Policy, we will prominently post and/or communicate such changes. We will ask for your consent to material changes to the Privacy Policy if required by applicable law.

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## Collection of Personal Information

We may collect Personal Information about you through our Sites when you:

- Sign up to receive articles, announcements or other communications;
  - Register for an event;
  - Apply for a job with Nelson Mullins;
  - Submit a message through the Sites; or
  - Ask to be contacted by Nelson Mullins.
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## The Types of Information We Collect

The categories of Personal Information that we collect about you depends on the scope of our interaction with you and may include:

- **Identifiers** such as your first and last name, telephone number, email address, and other information you submit through the Sites;
- **Information Related to Protected Classifications** such as your age, gender, race, or national origin;
- **Geolocation Data** if we interact with you in a way that provides us your location;
- Information regarding your interaction with our Sites (**Internet or Network Activity Information**), or
- **Audio, Electronic, Visual, or Similar Information** if you communicate with us via a voicemail recording or attend an in-person event that is recorded or photographed.

If you apply for a job through our Sites, we may gather additional information about you, such as your non-public **Education Information, or Professional and Employment-Related Information**.

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## Our Use of Cookies

The cookies and any other similar tracking technologies (“Cookies”) in use by our Sites and any of our service providers are used to improve functionality and performance of our Sites and to provide you with the best possible browsing experience. These cookies collect information from or store information on your device. There are various types of cookies including those that are necessary for website operation as well as those that do not collect any personal information but are used for anonymous analytics purposes. Those cookies could be performance related (such as Google Analytics, which allows us to see which browsers are in use, which pages are most-visited, etc., and adjust resources appropriately), functionality related, or targeting/advertising cookies.

Your information may be accessed by third party service providers who will process that information solely for our benefit and in accordance with our instructions. However, we will not provide your Personal Information to or share it with any third party for their own marketing purposes except in connection with requests you make that clearly involve third parties (such as sharing content from the Sites on social networking sites or other channels, which is facilitated by a third party cookie from a company called AddThis that has its own Privacy Policy).

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## Collection of Non-Personal Information

We also collect information that is not Personal Information (“Non-Personal Information”) such as certain information we collect automatically when you visit our Sites. This Non-Personal Information may include, among other things, URL tracking information, information about your browser, or pages that you visit on the Site and the length of time you spend reviewing certain features. We may collect and store information locally on your device using mechanisms such as browser web storage and application data caches. We also may collect information from your mobile device, such as your hardware model, operating system version, and mobile network information. We may track the total number of visitors to our Sites, the number of visitors to each page of our Sites, whether visitors share our Sites with others, and the domain names of our visitors’ Internet service providers. We also may collect aggregated information regarding the effectiveness of our email or other communications, such as whether you open an email we send to you.

We may collect Non-Personal Information through the use of cookies, clear .gifs, web beacons, local shared objects, Flash cookies or other tags, or other technologies as they may become available or change over time. We use AddThis so you can share content from our website across social networks. For information about AddThis’s privacy practices, please visit <http://www.addthis.com/privacy/privacy-policy>. Please note that third party ad networks and service providers may receive Non-Personal Information and use and disclose such Non-Personal Information for their own purposes, subject to their own privacy policies. You can opt out of delivery of targeted advertising to you by multiple ad networks by visiting <http://www.aboutads.info/choices/>. Our Sites also use Google Analytics to analyze your website activity. You can opt out of Google Analytics by visiting <https://tools.google.com/dlpage/gaoptout>.

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## Use of Personal Information Collected Through the Sites

We use Personal Information we collect through our Sites in the following circumstances:

- To contact you and to respond to your inquiries and your requests;
- To troubleshoot items associated with the Sites;
- To send you legal updates and mailings, in accordance with applicable law;
- To keep a record of your contact information and correspondence and to use this information in corresponding with you;
- To perform an action you have requested (such as to register for an event or to evaluate a job application);

- To enhance or improve the Sites, or for security purposes; or
- To operate our business.

We will retain your Personal Information and other information for the period reasonably necessary to fulfill the purposes outlined in this Privacy Policy unless a longer retention period is required by ethical obligations or allowed by law or a contractual arrangement with you.

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## **Sharing of Personal Information**

We may share Personal Information among our affiliates business partners, and vendors, for any of the purposes described in this Privacy Policy. We also may share Personal Information with the following categories of third parties:

- Third party service providers that provide us with services in connection with our provision of Services or that are otherwise acting on our behalf (these service providers are not authorized to use or disclose the information except as necessary to provide services to us).
- Law Enforcement, Government Entities, or at the direction of court or administrative documents where we are required to share your Personal Information by law or pursuant to legal process or in response to a request from law enforcement authorities or other government officials.
- To relevant parties in connection with any merger, acquisition, sale of our assets, or insolvency, bankruptcy or receivership.
- When we believe disclosure is necessary or appropriate to prevent harm or fraud or theft, or in connection with an investigation of suspected or actual illegal activity.
- To any others at your direction or with your consent.

Nelson Mullins does not and will not sell your personal information.

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## **Security**

We are committed to maintaining the security of the Personal Information you provide to us. We maintain administrative, technical and physical safeguards for the Sites designed to protect against loss, misuse or unauthorized access, disclosure, alteration or destruction of the Personal Information we collect through our Sites. The use of the Internet creates inherent information security risks, and we are not able to guarantee the security of our Sites.

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## **Notice for California Users – Your California Privacy Rights**

This section is applicable to residents of California. If you are a resident of California, you have certain rights described below. The following do not apply to individuals who do not live in California on a permanent basis.

- RIGHTS PROVIDED BY CALIFORNIA CIVIL CODE SECTION 1798.83

A California resident who has provided personal data to a business with whom he/she has established a business relationship for personal, family, or household purposes (a “California Customer”) may request information about whether the business has disclosed personal information to any third parties for the third parties’ direct marketing purposes. In general, if the business has made such a disclosure of personal data, upon receipt of a request by a California Customer, the business is required to provide a list of all third parties to whom personal data was disclosed in the preceding calendar year, as well as a list of the categories of personal data that were disclosed. California Customers may request further information about our compliance with this law by mailing us at 1320 Main Street, Columbia, SC 29201 or emailing us at [info@nelsonmullins.com](mailto:info@nelsonmullins.com). Please note that we are only required to respond to two requests per California Customer each year under Code Section 1798.83.

- RIGHTS UNDER THE CALIFORNIA CONSUMER PRIVACY ACT

This section of our Privacy Policy provides California residents with a comprehensive description of our online and offline practices regarding the collection, use, disclosure, and sale of personal information and the rights of California consumers regarding their personal information under the California Consumer Privacy Act (“CCPA”). This section applies to all California residents (but not including legal entities, such as companies). The section will not apply, however, if we do not collect any personal information about you or if all of the information we collect is exempt from the statute (for example, the CCPA does not protect information that is already protected by certain other privacy laws, and it does not protect information that is already publicly available).

1. You have a Right to Know About Personal Information Collected, Disclosed, or Sold.

California residents have the right to request that we disclose what personal information we collect, use, disclose, and sell. This is called the “Right to Know”. Under the Right to Know, you can request a listing of the types of personal information we have collected about you, the sources of that information, how we use the information (e.g., our business or commercial purposes for collecting or selling personal information), other individuals and business with whom we share personal information, and the specific pieces of personal information that we have collected about you.

If you would like the above information, you may contact us through our webpage or at [info@nelsonmullins.com](mailto:info@nelsonmullins.com). Contact information is at the bottom of this section. When you make a request under your Right to Know, you can expect the following:

- a) We will verify your identity. You will need to provide your full name, email address, and phone number in order for us to verify that you are who you say you are.
- b) We will confirm our receipt of your request within 10 days. If you have not received a response within a few days after that, please let us know by contacting us at the webpage or phone number listed below.

- c) We will respond to your request within 45 days. If necessary, we may need an additional period of time, up to another 45 days, but we will always reply within the first 45-day period and, if we need an extension, we will explain why.
- d) In certain cases, a Request to Know may be denied, for example, if we cannot verify your identity or if providing you the information could create an unreasonable risk to someone's security (for example, we do not want very sensitive information disclosed inappropriately). If we deny your request, we will explain why we denied it. If we deny a request, we will still try to provide you as much of the information as we can, but we will withhold the information subject to denial.

In the last twelve months, the categories of Personal Information we have collected about you are listed above in the section titled: The Types of Information We Collect.

## 2. You have a Right to Request Deletion of Personal Information about You.

California consumers have a right to request the deletion of their personal information collected or maintained by Nelson Mullins. If you would like information about you to be deleted, you may contact us through our webpage or customer service. Contact information is at the bottom of this section. When you make a request for deletion, you can expect the following:

- a) After you request deletion, you will need to confirm that you want your information deleted.
- b) We will verify your identity. You will need to provide your full name, email address, and phone number in order for us to verify that you are who you say you are.
- c) We will confirm our receipt of your request within 10 days. If you have not received a response within a few days after that, please let us know by contacting us at the webpage or phone number listed below.
- d) We will respond to your request within 45 days. If necessary, we may need an additional period of time, up to another 45 days, but we will reply either way within the first 45-day period and, if we need an extension, we will explain why.
- e) In certain cases, a request for deletion may be denied, for example, if we cannot verify your identity, the law or our ethical obligations require that we maintain the information, or if we need the information for internal purposes such as keeping records of any warranties. If we deny your request, we will explain why we denied it, and delete any other information that is not protected from deletion.

## 3. Right to Opt-Out of the Sale of Personal Information

California consumers have a right to opt-out of the sale of their personal information. However, as we do not sell any of your information to anyone for any purpose, we are exempt from these requests.

#### 4. Right to Non-Discrimination for the Exercise of a Consumer's Privacy Rights

You have a right not to receive discriminatory treatment by us for exercising any of your privacy rights conferred by the CCPA. We will not discriminate against any California consumer because such person exercised any of the consumer's rights under CCPA, including, but not limited to:

- Denying services.
- Charging different prices or rates for goods and services, including through the use of discounts or other benefits or imposing penalties.
- Providing a different level or quality of services.
- Suggesting that the consumer will receive a different price or rate for goods or services or a different level or quality of goods or services.

Under the CCPA, we may charge a different price or rate, or provide a different level or quality of goods or services, if that difference is related to the value provided to us by your data. Nelson Mullins does not consider the value of data in determining our fees, however.

#### 5. Authorized Agents

If you would like, you may designate an authorized agent to make a request under the CCPA on your behalf. We will deny requests from agents that do not submit proof of authorization from you. To verify that an authorized agent has authority to act for you, we may require a copy of a power of attorney or require that you provide the authorized agent with written permission and verify your own identity with us.

#### 6. Contact Information

To request additional information, or make any of the requests described above, you may call us at 1.800.237.2000 contact us through our website [info@nelsonmullins.com](mailto:info@nelsonmullins.com).

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### Exclusions

#### • **Use of Site by Minors**

The Sites are not intended for use by children. We do not knowingly solicit or collect any Personal Information about children under the age of 13, nor do we market to them. If a child has provided us with Personal Information, a parent or guardian of that child may contact us to have the information deleted from our records. If you believe that we might have any information from a child under age 13, please contact us.

#### • **Linked Sites, Social Media Services or Other Third Party Platforms**

Links to web sites that are not operated by or for Nelson Mullins ("Third Party Platforms") are provided solely as a convenience to you. If you use these links, you will leave the Nelson Mullins

Site. This Privacy Policy does not apply to Third Party Platforms. The inclusion of a link on the Sites does not imply any endorsement of the linked Third Party Platform by Nelson Mullins (including its affiliates).

When you use some applications or post on a social networking service, the Personal Information and content you share is visible to other users and can be read, collected, or used by them. You are responsible for the Personal Information you choose to share or submit in these instances. For a description on how social media services and other Third Party Platforms, plug-ins, integrations or applications handle your information, please refer to their respective privacy policies and terms of use, which may permit you to modify your privacy settings.

- **Third-Party Sponsors**

We may post information about events that are sponsored or co-sponsored by other organizations. If you choose to register for these events, we have no control over the third-party sponsors' use of this information. Please consult the privacy policies of those organizations for more information about how your information may be used and shared.

- **Non-U.S. Residents**

Nelson Mullins Sites are operated on servers located in various jurisdictions, including the United States. The Sites are governed by and operated in accordance with United States law. By using the Sites or submitting your Personal Information to us, you are directly transferring your Personal Information and Non-Personal Information to us in the United States where our central database operates and where we process information. Please be aware that the laws of the United States may not provide the same level of data protection as the laws in the country in which you reside. By submitting personal information through the Sites you consent to the transfer of Personal Information as described in this Privacy Policy.

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## **Your Choices and Rights**

You may unsubscribe from marketing emails received from us by following the unsubscribe link included at the bottom of each such email or by contacting us at [info@nelsonmullins.com](mailto:info@nelsonmullins.com). Please note that you may continue to receive non-promotional communications to the extent permitted by law.

Your browser and your device may enable you to limit the use of cookies and other technologies used to collect information. You should consult documentation for your browser or device for more information about exercising these options. Please note that you may not be able to use all the features of our Sites if you limit the information you share with us. In addition, our Sites are not designed to respond to "do not track" requests from browsers.

To request details of the personal information we hold about you, or to review, correct and update certain Personal Information (such as your name and email address), please contact us at

[info@nelsonmullins.com](mailto:info@nelsonmullins.com) or via mail at the address listed below. We will handle any such request in accordance with applicable law. Please note that we may take reasonable steps to verify your identity before implementing your request.

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## Contact

For questions, comments or inquiries regarding the collection, processing and storage of your Personal Information by us, please contact us via e-mail or phone at:

[info@nelsonmullins.com](mailto:info@nelsonmullins.com)

1.800.237.2000

or in writing to:

James C. Gray, Jr.  
General Counsel  
1320 Main Street, 17th Floor  
Columbia, SC 29201  
United States of America