

MILLER CANFIELD PRIVACY POLICY

I. INTRODUCTION

Miller Canfield Paddock and Stone P.L.C. (“Miller Canfield” or the “Firm”) respects your privacy and is committed to protecting your Personal Data (as defined herein). This Privacy Policy provides you with information about your privacy rights, how the law protects you, and how we look after your Personal Data (including but not limited to when you visit our Website regardless of where you visit it from).

II. THE PURPOSE OF THIS PRIVACY POLICY

- A. This Privacy Policy aims to give you information on how Miller Canfield collects and processes your Personal Data through services it provides and through your use of the Firm’s Website, including any data you may provide through the Website www.millercanfield.com (“Website”) when you use it or agree to receive our newsletter or other information from the Firm.
- B. This Privacy Policy is issued on behalf of Miller Canfield, and thus when we mention Miller Canfield, the “Firm,” “we,” “us” or “our” in this Privacy Policy, we are referring to the part or portion of Miller Canfield responsible for processing your data. Miller Canfield is the controller of your data and is also responsible for its Website.
- C. The Firm’s Website is not intended for children under 17 years of age. No one under age 17 may provide any information, whether Personal Data or otherwise, to or on the Website. We do not knowingly collect Personal Data from children under 17. If you are under 17, do not use or provide any information on the Firm’s Website or on or through any of its features on the Website, use any of the interactive or public comment features of this Website or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received Personal Data from a child under 17 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under the age of 17, please contact the Miller Canfield Data Privacy Manager using the contact information below.

III. TERMS USED IN THIS POLICY

- A. “Personal Data” means any information relating to an identified or identifiable individual; the latter meaning an individual who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, identification number, location data, an online identifier, etc.
- B. “Cookie(s)” means a small piece of software that may be placed on a visitor’s machine during the use of Websites.
- C. “Data subjects” refers to Miller Canfield clients, Website visitors, business contacts, speakers and sponsors of events attended or organized by Miller Canfield and its lawyers and staff, and other people Miller Canfield has a relationship with or may need to contact.
- D. “Data Privacy Manager” - We have appointed a data privacy manager (“Miller Canfield Data Privacy Manager”) who is responsible for overseeing questions in relation to this Privacy Policy. If you have any questions about this Privacy Policy, please contact the Miller Canfield Data Privacy Manager using the details set out below.
 - i. Our Full Contact Details:
 - a. Full name of legal entity: Miller, Canfield, Paddock and Stone, P.L.C.
 - b. Email address: dataprivacymanager@millercanfield.com
 - c. Postal address: 150 W. Jefferson, Suite 2500, Detroit MI 48226
 - d. Telephone number: +1.313.963.6420
- E. “Third-party links” refers to links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data

Miller Canfield Paddock and Stone, P.L.C. – Privacy Policy

about you. We do not control these third-party websites and are not responsible for their privacy statements. We encourage you to read the applicable privacy policy when you leave our Website or link to a third-party website, plug-in, or application.

IV. PERSONAL DATA WE COLLECT ABOUT YOU

- A. Except for data collection activities that we may perform as a part of handling a dispute on behalf of one or more of our clients (which are governed by a separate engagement letter), we may collect, use, store and transfer different kinds of Personal Data about you which we have grouped together as follows:
- i. **Identity Data**, which may include first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.
 - ii. **Contact Data** includes billing address, delivery address, email address and telephone numbers.
 - iii. **Financial Data** includes bank account and payment card details.
 - iv. **Transaction Data** includes details about payments to and from you and other details of products and services you have purchased from us.
 - v. **Usage Data** includes information about how you use our Website, products and services.
 - vi. **Marketing and Communications Data** includes your preferences in receiving marketing from us and our third parties and your communication preferences.
- B. We also collect, use and share **Aggregated Data** such as statistical or demographic data for any purpose. Aggregated Data may be derived from your Personal Data but is not considered personal data in law as this data does not directly or indirectly reveal your identity. For example, we may aggregate your Usage Data to calculate the percentage of users accessing a specific Website feature. However, if we combine or connect Aggregated Data with your Personal Data so that it can directly or indirectly identify you, we treat the combined data as Personal Data which will be used in accordance with this Privacy Policy.
- C. Unless relevant in connection with a matter we are handling for you as a client, we do not collect any **Special Categories of Personal Data** about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data).
- D. If you fail to provide Personal Data**
- i. Where we need to collect Personal Data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with goods or services). In this case, we may have to cancel a product or service you have with us but we will notify you if this is the case at the time.

V. HOW IS YOUR PERSONAL DATA COLLECTED?

We use different methods to collect data from and about you including through:

- A. **Direct interactions** - You may provide your identity, contact and financial data by filling in forms or by corresponding with us by post, phone, email or otherwise. This includes Personal Data you provide when you:
- a. apply for or engage with us to provide you with our products or services
 - b. apply for employment
 - c. subscribe to our service or publications
 - d. request marketing to be sent to you
- B. **Automated technologies or interactions** - As you interact with our Website, we may automatically collect Technical Data about your equipment, browsing actions and patterns.

Miller Canfield Paddock and Stone, P.L.C. – Privacy Policy

We collect this Personal Data by using cookies, and other similar technologies. We may also receive Technical Data about you if you visit other websites employing our cookies. Please see our cookie policy below for further details.

- C. **Third parties or publicly available sources** - We may receive personal data about you from various third parties and public sources as set out below:
- a. Technical Data from the following parties:
 - analytics providers such as Google
 - our Website host
 - b. Contact, Financial and Transaction Data from providers of technical, payment and delivery services such as HighQ and SlimCD.

VI. HOW WE USE YOUR PERSONAL DATA

- A. We will only use your Personal Data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:
- i. Where we need to perform the contract we are about to enter into or have entered into with you.
 - ii. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
 - iii. Where we need to comply with a legal or regulatory obligation.
 - iv. Where you have granted your consent for us to process your Personal Data.
- B. Purposes for which we will use your Personal Data
- i. We have set out below, in a table format, a description of all the ways we plan to use your Personal Data. We have also identified what our legitimate interests are where appropriate.
 - ii. Note that we may process your Personal Data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us info@millercanfield.com if you need details about the specific legal ground we are relying on to process your Personal Data where more than one ground has been set out in the table below.

Miller Canfield Paddock and Stone, P.L.C. – Privacy Policy

Purpose/Activity	Type of data	Lawful basis for processing including basis of legitimate interest
To register you as a new client	(a) Identity (b) Contact	Performance of a contract with you
To process and deliver your services including: (a) Manage payments, fees and charges (b) Collect and recover money owed to us	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and communication	(a) Performance of a contract with you (b) Necessary for our legitimate interests (to recover debts due to us)
To manage our relationship with you which will include: (a) Notifying you about changes to our terms or privacy policy (b) Asking you to leave a review or take a survey	(a) Identity (b) Contact (c) Financial (d) Transaction (e) Marketing and communication	(a) Performance of a contract with you (b) Necessary to comply with a legal obligation (c) Necessary for our legitimate interests (to keep our records updated and to study how customers use our products/services)
To administer and protect our business and the Website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data)	(a) Identity (b) Contact (c) Financial (d) Technical	(a) Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganization or group restructuring exercise) (b) Necessary to comply with legal obligation
To deliver relevant Website content and advertisements to you and measure or understand the effectiveness of the advertising we serve to you	(a) Identity (b) Contact (c) Profile (d) Usage (e) Marketing and communication (f) Technical	
To use data analytics to improve our Website, products, marketing, client relationships and experiences	(a) Technical (b) Usage	Necessary for our legitimate interests (to define types of customers for our services, to keep our Website updated and relevant, to develop our business and to inform our marketing strategy)

iii. Marketing

- a. We strive to provide you with choices regarding certain Personal Data uses, particularly around marketing and advertising.
- b. We do not share your Personal Data with any company outside Miller Canfield for marketing purposes.

iv. Opting Out

- a. You can ask us or third parties to stop sending you marketing messages at any time by logging into the Website and checking or unchecking relevant boxes to adjust your marketing preferences or by following the opt-out links on any marketing message sent to you or by contacting us at dataprivacymanager@millercanfield.com at any time.
- b. Where you opt out of receiving these marketing messages, this will not apply to Personal Data provided to us as a result of an engagement for our services, or other transactions with the Firm.

Miller Canfield Paddock and Stone, P.L.C. – Privacy Policy

- v. Change of Purpose
 - a. We will only use your Personal Data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose, except for direct marketing.
 - b. Please note that we may process your Personal Data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

VII. COOKIE POLICY

- A. Cookies are small files of letters and numbers stored on your browser or device that enable the cookie owner to recognize the device when it visits websites or uses online services. A website you visit may set cookies directly, known as first-party cookies, or may trigger cookies set by other domain names, known as third-party cookies. While we may automatically use some cookies that are strictly necessary to provide the services you request or enable communications, we request your consent for all our other cookie uses.
 - i. Types Of Cookies We May Use
 - a. Strictly necessary cookies. Our Website requires the use of these cookies to properly operate or provide necessary functions relating to the services you request. They include, for example, cookies enabling you to securely log into our Website.
 - b. Analytical/performance cookies. These cookies allow us and our third-party service providers to recognize and count the number of visitors and to see how visitors move around our Website when they are using it. This helps us improve how our Website works by, for example, ensuring that users can easily find what they need on our Website. These cookies generate aggregate statistics that are not associated with an individualized profile.
 - c. Functionality cookies. These cookies enable helpful but non-essential Website functions that improve your Website experience. By recognizing you when you return to our Website, they may, for example, allow us to personalize our content for you, greet you by name, or remember your preferences (for example, your choice of language or region). These cookies also allow us to analyze your Website usage and your selections on the Website (e.g. your login name, language, or region), so we can save these settings and offer you a personalized experience.
 - d. Tracking or targeting cookies. These cookies enable different advertising-related functions. They may allow us to record information about your visit to our Website, such as pages visited, links followed, and videos viewed so we can make our Website and the advertising displayed on it more relevant to your interests.
 - e. Third-party cookies. Our Website may contain helpful but non-essential features or plug-ins enabling third party services that use cookies, such as social network connectors, maps, advertising networks, or web traffic analysis services. These cookies may enable visitor identification across websites and over time. We do not control the third party's use of those cookies. Please review each party's cookie disclosure before consenting to this use category.
 - ii. Cross-Border Data Transfer
 - a. The cookies we use may process, store, or transfer Personal Data in and to a country outside your own, with privacy laws that provide different, possibly lower, protections. You consent to this transfer, storing, or processing when you consent to our cookie use. We are based in the United States. Please review the third-party cookie provider's policy to learn more about its location.
 - iii. Your Cookie Choices
 - a. You consent to our use of cookies when you continue using our site. You may

Miller Canfield Paddock and Stone, P.L.C. – Privacy Policy

withdraw your consent for our cookie uses that are not strictly necessary at any time. Most web browsers allow you to directly block all cookies, or just third-party cookies, through your browser settings. Using your browser settings to block all cookies, including strictly necessary ones, may interfere with proper site operation.

- iv. Changes to Our Cookie Use
 - a. We will post any changes to the way we use cookies on this page and indicate on our Website that we updated this cookie notice. If the changes materially alter how we use cookies, we will post a notice on our Website and request your consent for the materially different use. Please check back frequently to see any updates or changes to our cookie use notice.

VIII. INTERNATIONAL TRANSFERS OF PERSONAL DATA

- A. Miller Canfield is located in the United States. Unless necessary and legally permissible, we do not transfer your Personal Data internationally outside the United States.

IX. DATA SECURITY

- A. We have put in place appropriate security measures to prevent your Personal Data from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed. In addition, we limit access to your Personal Data to those employees, agents, contractors and other third parties who have a business need to know. They will only process your Personal Data on our instructions, and they are subject to a duty of confidentiality.
- B. 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.

X. DATA RETENTION

- A. We will only retain your Personal Data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.
- B. To determine the appropriate retention period for Personal Data, we consider the amount, nature, and sensitivity of the Personal Data, the potential risk of harm from unauthorized use or disclosure of your Personal Data, the purposes for which we process your Personal Data and whether we can achieve those purposes through other means, and the applicable legal requirements.
- C. In some circumstances we may anonymize your Personal Data (so that it can no longer be associated with you) for research or statistical purposes in which case we may use this information indefinitely without further notice to you.

XI. PROCESSING PERSONAL DATA ACCORDING TO GDPR AND STATE CONSUMER PRIVACY LAWS

- A. Processing Personal Data According to GDPR and State Consumer Privacy Laws
 - i. Additionally, if the processing of your Personal Data falls within the scope of the Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of Personal Data and on the free movement of such data, known as the General Data Protection Regulation (“**GDPR**”), then such processing shall also be performed in accordance with GDPR requirements. Similarly, several states in the United States have enacted legislation affording consumer certain rights in connection with their Personal Data. Therefore, in addition to the above terms, Miller Canfield provides you with the following information:

Miller Canfield Paddock and Stone, P.L.C. – Privacy Policy

- a. You are entitled to:
- **Request access** to your Personal Data. This enables you to receive a copy of the Personal Data we hold about you and to check that we are lawfully processing it.
 - **Request correction** of the Personal Data that we hold about you. This enables you to have any incomplete or inaccurate Personal Data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
 - **Request erasure** of your Personal Data. This enables you to ask us to delete or remove Personal Data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your Personal Data where you have successfully exercised your right to object to processing, where we may have processed your information unlawfully or where we are required to erase your Personal Data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.
 - **Object to processing** of your Personal Data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your Personal Data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
 - **Request restriction of processing** of your Personal Data. This enables you to ask us to suspend the processing of your Personal Data in the following scenarios:
 - i. if you want us to establish the data's accuracy;
 - ii. where our use of the data is unlawful but you do not want us to erase it;
 - iii. where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims;
 - iv. you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
 - **Request the transfer** of your Personal Data to you or to a third party. We will provide to you, or a third party you have chosen, your Personal Data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you
 - **Withdraw consent at any time** where we are relying on consent to process your Personal Data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.
 - You will not have to pay a fee to access your Personal Data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or

Miller Canfield Paddock and Stone, P.L.C. – Privacy Policy

excessive. Alternatively, we may refuse to comply with your request in these circumstances.

- We may need to request specific information from you to help us confirm your identity and ensure your right to access your Personal Data (or to exercise any of your other rights). This is a security measure to ensure that Personal Data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.
- We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.
- Miller Canfield does not perform automated decision-making, including profiling.
- You may at any time lodge a complaint with a supervisory authority located in the European Union or a specific state in the United States having jurisdiction over processing.

If you wish to exercise any of the rights set out above, please contact the Data Privacy Manager.

XII. CHANGES TO THE PRIVACY POLICY AND YOUR DUTY TO INFORM US OF CHANGES

- A. The Firm may make periodic revisions to this Privacy Policy. Any updated Privacy Policy will be linked to via the Website.
- B. It is important that the Personal Data we hold about you is accurate and current. Please keep us informed if your Personal Data changes during your relationship with us.