

# California Consumer Privacy Act Privacy Notice

## **Introduction**

The purpose of this Privacy Notice is to provide you with information on our use of Personal Information (as defined below) in accordance with the California Consumer Privacy Act as amended and expanded by the California Privacy Rights Act (together, the “CCPA”).

In this Privacy Notice, “we”, “us” and “our” refers collectively to Strategic Value Partners, LLC and its affiliates and/or delegates (together, “SVP”) and investment funds and accounts managed, advised or administered by SVP (each, a “Fund” and collectively, the “Funds”).

This Privacy Notice applies to all California residents who are our investors, employees, job applicants, part-time and temporary workers, contractors, business contacts, website users or others (including current, future and former categories of these types of persons) with whom our course of conduct does not occur wholly outside the state of California.

## **Personal Information**

“Personal Information” means personal information that reasonably can be used to identify any individual person and may include personal information on investors that investors provide to us, as well as the personal information of individuals connected with investors (for example directors, trustees, employees, representatives, shareholders, investors, clients, beneficial owners or agents).

In our use of Personal Information, we are characterized as a “business” under the CCPA.

If you are a natural person, this will affect you directly. If you are a corporate investor (including, for these purposes, legal arrangements such as trusts or exempted limited partnerships) that provides us with Personal Information of individuals connected to you for any reason in relation to your investment with us, this will be relevant for those individuals, and the content of this Privacy Notice applies to and should be provided to such individuals also unless otherwise exempted pursuant to the CCPA.

## **What Type of Personal Information Do We Collect and How?**

We may collect the following forms of Personal Information:

- Identifiers such as your name, postal and residential address, email address, contact details, corporate contact information, tax identification number and passport number.
- Information classified as personal or protected information by state or federal law, including your nationality, place and date of birth and correspondence records.
- Commercial information, including tax information, credit history, bank account details, source of funds details and details related to your investment activity.
- Internet or other electronic network activity information, including, but not limited to, browsing history, search history and information regarding a consumer's interaction with an internet website, application or advertisement.
- Visual information, including your signature.
- Professional or employment-related information, including your employment, employer's name and income.
- Education information, including your level of education.
- Sensitive Personal Information, such as your Social Security number or other government identifiers, health information, race and ethnicity data and account log-in information.
- Inferences that we draw from your Personal Information to create a profile about your preferences.

We may collect this Personal Information in various ways, including:

- **Directly from you:** You provide us with Personal Information through various interactions, including, but not limited to, investment in the Fund, subscription to services (whether past, present or future), a resume submitted through our website, interactions by a recruiter, an interview or other interactions.
- **Indirectly from other sources:** We may also obtain Personal Information from Fund investors with which you are associated and public sources.

*Do-Not-Track and Opt-Out Preference Signals.* Our website does not respond to Do Not Track Signals. Additionally, because we do not currently sell Personal Information or share Personal Information for cross-context behavioral advertising, our website is not currently configured to respond to Global Privacy Control signals. We will evaluate these settings further if we update our website to use tracking technologies.

## **How and On What Basis Do We Use Personal Information?**

We use Personal Information for a variety of reasonable and legitimate business purposes, including, but not limited to, the following:

- Where necessary for the performance of a contract, including:
  - administering or managing each Fund;
  - processing your subscription and investment in each Fund;
  - sending you statements relating to your investment;
  - in furtherance of our employment relationship;
  - facilitating the continuation or termination of the contractual relationship between you and each Fund; and
  - facilitating the transfer of funds, and administering and facilitating any other transaction, between you and each Fund (including any third party acting on behalf of such Fund, such as a service provider).
- Where necessary for compliance with applicable legal or regulatory obligations, including:
  - undertaking investor due diligence, including conducting anti-money laundering and counter-terrorist financing checks and verifying the identity and addresses of our investors (and, where applicable, their beneficial owners);
  - sanctions screening and complying with applicable sanctions and embargo legislation;
  - complying with requests from regulatory, governmental, tax and law enforcement authorities;
  - surveillance and investigation activities;
  - carrying out audit checks, and instructing our auditors;
  - maintaining statutory registers; and
  - preventing and detecting fraud.
- Other business purposes, including:
  - complying with a legal, tax, accounting or regulatory obligation to which we or the third party are subject;
  - assessing and processing requests you make;
  - sending updates, information and notices or otherwise corresponding with you in connection with your investment in each Fund;
  - investigating any complaints, or pursuing or defending any claims, proceedings or disputes;
  - providing you with, and informing you about, investment products and services;
  - managing our risk and operations;
  - complying with audit requirements;
  - ensuring internal compliance with our policies and procedures;

- protecting each Fund against fraud, breach of confidence or theft of proprietary materials;
- seeking professional advice, including legal advice;
- facilitating business asset transactions involving each Fund or related entities;
- monitoring communications to/from us (where permitted by law); and
- protecting the security and integrity of our IT systems.

Should we wish to use Personal Information for other specific purposes, we will contact you or provide you with other prior notice. We will not use Personal Information for any purposes inconsistent with this Privacy Notice without your permission.

### **To Whom Do We Disclose Personal Information?**

We do not sell any Personal Information to unaffiliated third-parties and have not sold any Personal Information in the past 12 months. We also do not share Personal Information for purposes of cross-context behavioral advertising.

We may disclose Personal Information to carry out and implement any and all purposes and objects of each Fund, including:

- With the Fund's service providers (the "**Delegates**"), such as the Fund's administrator and auditor, which may use Personal Information, for example, to provide its services to the Fund or to discharge the legal or regulatory requirements that apply directly to it or in respect of which the Fund and/or the Fund's general partner or similarly placed entity (the "**General Partner**") relies upon the Delegates. We may disclose Personal Information to Delegates for purposes pertaining to an individual's employment relationship with us. A Delegate will always use Personal Information in a way that is compatible with at least one of the purposes listed above for which we process Personal Information. The Delegates shall not retain, use, sell, share or otherwise disclose Personal Information for any purpose other than the specific business purpose for which we have provided the information to the Delegate.
- With regulatory, administrative, law enforcement agencies, ombudsmen or other oversight bodies in certain circumstances where we and/or our Delegates are legally obliged to share Personal Information and other information with respect to an investor's interest in the Fund with the relevant regulatory authorities such as the Cayman Islands Monetary Authority, the Tax Information Authority or the U.S. Securities and Exchange Commission. They, in turn, may exchange this information with other authorities, including foreign tax authorities.

- With a third party that acquires, or is interested in acquiring, all or a substantial part of our assets or equity interests, or that succeeds a Fund's investment manager or similarly placed entity ("**Investment Manager**") or General Partner in carrying on all or a part of our business.
- As required by law or regulation, including to comply with a subpoena or similar legal process, including when we believe in good faith that disclosure is legally required.
- Where necessary to protect the Investment Manager, the General Partner, or the Fund's rights and property.

### **Retention of Personal Information**

We retain Personal Information for as long as required by us to meet contractual obligations and perform the services or comply with applicable legal or regulatory obligations.

### **Your California Privacy Rights: California Shine the Light Disclosure**

California's "Shine the Light" law permits California residents to annually request and obtain information free of charge about what Personal Information is disclosed to third parties for direct marketing purposes in the preceding calendar year. We do not distribute your personal information to outside parties without your consent for their direct marketing.

### **Rights Under the CCPA**

You may have certain rights under the CCPA. These include the right to: (i) know the categories of Personal Information we collect or maintain about you along with other information or obtain a portable copy of such Personal Information; (ii) request the deletion of your Personal Information that we collect or maintain; (iii) correct the Personal Information we collect or maintain about you; or (iv) opt out of the sale of Personal Information or sharing of Personal Information for cross-context behavioral advertising.

Under the CCPA, you cannot be discriminated against for exercising your rights. The rights described are not absolute, and we reserve all our rights available to us at law in this regard.

### **How to Exercise Your CCPA Rights**

Individuals who submit requests to know, delete or correct Personal Information will be required to verify their identity by answering certain questions. We will not disclose, correct or delete any information until such individual's identity is verified.

If you are making a request to obtain a copy of your Personal Information, we may not be able to provide specific pieces of Personal Information if the disclosure creates a substantial, articulable and unreasonable risk to the security of your Personal Information, your account with us or our systems or networks.

If you are making a request to delete or correct, we will ask that you confirm that you would like us to delete your Personal Information again before your request is submitted. In certain circumstances, we may not erase all Personal Information, as permitted by the CCPA.

You may designate an authorized agent to submit a request on your behalf by providing that agent with your written permission. If an agent makes a request on your behalf, we may still ask that you verify your identity directly with us before we can honor the request.

Agents who make requests on behalf of individuals will be required to verify the request by submitting written authorization signed by the individual. We will not honor any requests from agents until authorization is verified.

### **Complaints**

We take very seriously any complaints we receive about our use of Personal Information. Please contact us using the information below if you have any questions, comments, requests or complaints regarding this Privacy Notice, or if you wish to discuss your data protection rights with us.

### **Contact Information**

To exercise any of your rights or if you would like to discuss any questions or concerns, please contact the General Counsel at [generalcounsel@svpglobal.com](mailto:generalcounsel@svpglobal.com).

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