

## INTERNATIONAL PRIVACY POLICY

Paul Hastings respects individual privacy and values the confidence of its employees, clients and business partners. In addition Processing Personal Information in a manner consistent with the laws of the countries in which we do business, we also follow our Client Service Excellence Principles in our business practices. Our International Privacy Policy (the "Policy") sets forth the privacy principles established by Paul Hastings with respect to transfers of Personal Information from the European Economic Area ("EEA") (which includes the twenty-eight member states of the European Union ("EU") plus Iceland, Liechtenstein and Norway) to our non-EEA Paul Hastings offices.

### CONTRACTUAL PROTECTIONS FOR DATA TRANSFER

The Council of the European Union and European Parliament have given the European Commission the power to decide, on the basis of Article 26 (4) of EU Directive 95/46/EC, that certain standard contractual clauses offer sufficient safeguards as required by Article 26 (2) – that is, they provide adequate safeguards with respect to the protection of the privacy and fundamental rights and freedoms of individuals and as regards the exercise of the corresponding rights. The European Commission has issued standard contractual clauses for transfers from data controllers to data controllers established outside the EU/EEA ("controller-to-controller agreements") and for the transfer to processors established outside the EU/EEA ("controller-to-processor agreements").

Consistent with our commitment to protect personal privacy, Paul Hastings has executed data protection agreements between each Paul Hastings EU office and all other non-EU Paul Hastings entities which cover (i) all Paul Hastings' human resources data concerning its current, former and prospective partners, directors, employees, contractors, and other staff members; and (ii) data concerning law firm clients, client employees or other persons associated with clients or third parties whose Personal Information is collected in connection with actual or potential client engagements.

### SCOPE

This International Privacy Policy (the "Policy") applies to all Personal Information received by Paul Hastings from the EEA including electronic, paper or verbal.

### DEFINITIONS

For purposes of this Policy, the following definitions shall apply:

"Agent" means any third party that collects or uses Personal Information under the instructions of, and solely for, Paul Hastings or to which Paul Hastings discloses Personal Information for use on Paul Hastings' behalf.

"Paul Hastings" means Paul Hastings LLP, Paul Hastings (Europe) LLP, Paul Hastings Foreign Law Joint Enterprise, Paul Hastings (Hong Kong), Paul Hastings LLP Foreign Legal Consultant Office (Seoul) and Paul Hastings – Sociedade de Consultores Em Direito Estrangeiro/Direito Norte-Americano, and each of their predecessors, successors and affiliates.

"Personal Information" means any information or set of information that identifies or could be used by or on behalf of Paul Hastings to identify an individual. Personal Information does not include information that is anonymous or encoded, or publicly available information that has not been combined with nonpublic Personal Information.

"Process" or "Processing" means any operation which is performed upon Personal Information, whether or not by automatic means, such as collection, recording, organization, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

"Sensitive Personal Information" consists of data relating to racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data where Processed

to uniquely identify a person, data concerning health or sex life, or information on criminal activity or proceedings. In addition, Paul Hastings will treat as Sensitive Personal Information any information received from a third party where that third party treats and identifies the information as sensitive.

## **PRIVACY PRINCIPLES**

The privacy principles in this Policy have been developed based on Paul Hastings' obligations under its data protection agreements as well as its own commitment to compliance with applicable laws and protection of Personal Information.

**NOTICE:** Paul Hastings is a global law firm, with offices and clients located throughout the world. In order to provide services to its clients, Paul Hastings receives data and information, which may be stored in centralized locations, including in the United States and EEA. For instance, we store contact information and related details about our clients in centralized databases that may be located in the United States or EEA or other locations and which we use for further communications with them regarding client matters and our legal services more generally.

Where Paul Hastings receives Personal Information from other entities in the EEA, it will use and disclose such information in accordance with the notices provided by such entities and the choices made by the individuals to whom such Personal Information relates, as required by and consistent with applicable law.

**CHOICE:** Because Paul Hastings Processes Personal Information at the direction of our clients, we typically have no direct relationship to the individuals whose Personal Information we receive in connection with client engagements. Paul Hastings may disclose Personal Information to non-agent third parties for the purposes of and as directed by the client in connection with which that Personal Information was collected. Paul Hastings will not disclose Personal Information for purposes other than those for which it has been provided without first ensuring that clear and conspicuous notice and, where required by applicable law, right of opt-out is provided. To the extent Personal Information is used for direct marketing, Paul Hastings provides individuals the opportunity to opt-out at any time. For Sensitive Personal Information, where required by applicable law, Paul Hastings will work with the client in connection with which that Sensitive Personal Information was provided to help it give individuals the opportunity to consent (opt-in) to the disclosure of the information to a non-agent third party or to the use of the information for a purpose other than the purpose for which it was originally collected or subsequently authorized by the individual.

**CONSENT TO DATA TRANSFER:** Paul Hastings is a global law firm. As a result, these data in certain cases may be stored in centralized locations or accessed by Paul Hastings attorneys in a number of jurisdictions, including in the United States and elsewhere outside the EEA. In addition to the EEA, we currently have offices in the United States, China, Hong Kong, Japan, South Korea and Brazil, and we may retain service providers in other jurisdictions.

**DATA INTEGRITY:** To the extent required by applicable law, Paul Hastings will use Personal Information only in ways that are compatible with the purposes for which it was collected or subsequently authorized by the individual. Paul Hastings will retain data for as long as necessary for the purposes for which they are transferred. Paul Hastings will take reasonable steps to ensure that Personal Information is relevant to its intended use, not excessive in relation to the purposes for which it is transferred, accurate, complete, and current.

**TRANSFERS TO AGENTS:** Paul Hastings will obtain assurances from its Agents that they will safeguard Personal Information consistently with this Policy. Where Paul Hastings has knowledge that an Agent is using or disclosing Personal Information in a manner contrary to this Policy, Paul Hastings will take reasonable steps to prevent or stop the use or disclosure.

**ACCESS AND CORRECTION:** Upon request, Paul Hastings will grant or will cause its Agents to grant individuals reasonable access to Personal Information that it or its Agents hold about them in our role as data controller. In addition, Paul Hastings will take reasonable steps to permit individuals to correct, amend, block the Processing of or delete information that is demonstrated to be inaccurate or incomplete.

An individual may also object to the Processing of his Personal Information on compelling legitimate grounds relating to his particular situation. For information that we hold as a data processor, we will direct the individual to the data controller.

**SECURITY:** Paul Hastings will take reasonable and appropriate technical and organizational security measures to protect Personal Information and Sensitive Personal Information in its possession from loss, misuse and unauthorized access, disclosure, alteration and destruction.

**ENFORCEMENT:** Paul Hastings will conduct compliance audits of its relevant privacy practices to verify adherence to this Policy. Any employee that Paul Hastings determines is in violation of this policy will be subject to disciplinary action up to and including termination of employment.

**DISPUTE RESOLUTION – HUMAN RESOURCES DATA:** Any questions or concerns regarding the use or disclosure of Paul Hastings' human resources data should be directed to Paul Hastings Talent Management (Human Resources) at the address given below. Paul Hastings will investigate and attempt to resolve complaints and disputes regarding use and disclosure of Personal Information by reference to the principles contained in this Policy. For unresolved complaints related to Paul Hastings' human resources data, Paul Hastings will cooperate with the European Data Protection Authorities ("DPAs").

**DISPUTE RESOLUTION – CLIENT MATTER-RELATED INFORMATION:** Any questions or concerns regarding the use or disclosure of client-matter-related Personal Information should be directed to the Firm's Client Privacy Officer at the address given below. Paul Hastings will, within a reasonable time, investigate and attempt to resolve complaints and disputes regarding use and disclosure of Personal Information by reference to the principles contained in this Policy. If the parties agree, unresolved complaints related to transfers of client matter-related Personal Information from the EEA will be submitted to the alternative dispute resolution provider JAMS for arbitration.

**MEDIATION AND JURISDICTION:** Notwithstanding the above, to the extent required by its data protection agreements, Paul Hastings agrees to accept the decision of an EU data subject to refer an unresolved dispute: (a) to mediation by an independent person or, where applicable, by a competent supervisory authority; or (b) to the courts in an EU member state in which Paul Hastings is established.

#### **LIMITATION ON APPLICATION OF PRINCIPLES**

Adherence by Paul Hastings to the principles set out in this Policy may be limited (a) to the extent required to respond to a legal or ethical obligation; (b) to the extent necessary to meet national security, public interest or law enforcement obligations; and (c) to the extent expressly permitted by an applicable law, rule or regulation.

#### **INTERNET PRIVACY**

Paul Hastings sees the Internet and the use of other technology as valuable tools to communicate and interact with clients, employees, agents, business partners, and others. Paul Hastings recognizes the importance of maintaining the privacy of information collected online and has created a specific Internet Privacy Policy (the "IPP") governing the treatment of Personal Information collected through web sites that it operates. With respect to Personal Information that is transferred from the EEA to the United States, the IPP is subordinate to this Policy. However, the IPP also reflects additional legal requirements and evolving standards with respect to Internet privacy. Paul Hastings' Internet Privacy Policy can be found at [www.paulhastings.com](http://www.paulhastings.com).

#### **CONTACT INFORMATION**

Questions or comments regarding this Policy should be submitted to the Paul Hastings Privacy Office by mail to:

Paul Hastings Privacy Office [attention Talent Management or Client Privacy Officer, as appropriate]  
Paul Hastings LLP  
515 South Flower Street, 25th Floor Los Angeles, CA 90071

Or by email to [Paul Hastings Talent Management](#) or [Paul Hastings Client Privacy](#).

**CHANGES TO THIS INTERNATIONAL PRIVACY POLICY**

This Policy may be amended from time to time, consistent with the requirements of applicable law. A notice will be posted on the Paul Hastings web page ([www.paulhastings.com](http://www.paulhastings.com)) for 60 days whenever this International Privacy Policy is changed in a material way.