



HEAPHY
SMITH
HARBACH &
WINDOM, LLP

WEBSITE PRIVACY POLICY



PRIVACY POLICY

HEAPHY, SMITH, HARBACH & WINDOM LLP

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Heaphy, Smith, Harbach & Windom LLP and our affiliates (“we,” “us,” or “our”) respects your privacy and is committed to protecting the personal information you provide to us. This Privacy Policy describes how we process personal information that we collect through our digital or online properties or services that link to this Privacy Policy (including as applicable, our website at www.hshw.com and other websites and resources made available to our clients and third parties, social media pages, and online data rooms that we operate), as well as through our marketing activities, services we provide to our corporate, institutional and nonprofit clients, live events, any offline business interactions you may have with us, and other activities described in this Privacy Policy (collectively, the “**Service**”).

1. Scope of This Policy

This Privacy Policy applies to personal information collected online and offline, including through our website, communications, events, and legal services. This policy does not apply to information protected by the attorney-client privilege or the attorney work product doctrine.



2. Personal Information We Collect

Information Collected Directly From You. We may collect the following categories of personal information directly from you:

- **Contact Information**, such as first and last name, salutation or title, billing address, mailing addresses, phone number, professional title, and company name.
- **Demographic information**, such as your city, state, country, and zip code.
- **Payment and transaction data**, including payment card information or bank account numbers used to bill for our services and your billing and payment history.
- **Communications data** based on our exchanges with you, including when you contact us through our website, social media, or otherwise.
- **Online identifiers and account information**, such as your username or passwords for any of our websites.
- **Marketing data**, such as your preferences for receiving our marketing communications and details about your engagement with them.
- **Internet Activity**, such as IP address, browser type, and browsing behavior on our site.
- **Audio, electronic, and visual information**, such as photographs, video and voice recordings of conversations with you as permitted by law, and security camera recordings of your activity in our offices.
- **Professional or employment-related information**, such as your job title, employer information, work history and education information, such as the schools you attended.
- **Other data not specifically listed here**, which we will use as described in this Privacy Policy or as otherwise disclosed at the time of collection.
- **Information Collected Automatically.** We may automatically log information about you, your computer or mobile device, and your interactions over time with our services, such as:
 - **Device data**, such as your computer or mobile device's operating system type and version, manufacturer and model, browser type, screen resolution, RAM or disk size, CPU usage, device type (e.g., phone, tablet), IP address, unique identifiers (including identifiers used for advertising purposes), language settings, mobile device carrier, radio/network information (e.g., Wi-Fi, LTE, 3G), and general location information such as city, state or geographic area.
 - **Internet activity or electronic network activity information**, such as how you interacted with our websites, emails, and other online content, including the pages you viewed, emails you opened, and links you clicked.
 - **General location data** is provided when you authorize us to access your device's location.
 - **Communication interaction data**, such as your interactions with our email, chat messages, voicemail, text or other communications (e.g., whether you open and/or forward emails) – we may do this through use of pixel tags (which are also known as clear GIFs), which may be embedded invisibly in our emails.



3. How We Use Your Personal Information

We use your personal information for the following purposes or as otherwise described at the time of collection:

- **Service delivery.** We may use personal information to provide and operate the Service.
- **Firm operations.** We may use personal information for the day-to-day operations of the firm, including security, facilities access, firm systems, compliance, and database use.
- **Client services.** We may use personal information to perform legal services to our clients, administer their files and bill for and collect payments for those client services.
- **Hosting and events.** If you register for our events, we may use your personal information to fulfill your registration requests, communicate with you about the events, and to host you at the events.
- **Facility access and security.** If you visit our offices, we may use your use personal information to register and host you, as well as to ensure the security of our physical offices.
- **Research and development.** We may use your personal information for research and development, including to improve our services and develop new offerings. As part of this, we may create aggregated, de-identified, or anonymized data by removing personal identifiers. We may use and share such data with third parties for lawful business purposes and will not attempt to reidentify it.
- **Communication.** We may use personal information to communicate with you, including to provide support for the Service and to respond to your requests, questions and feedback.
- **Compliance.** We may use your personal information to comply with applicable laws, legal obligations, and lawful requests, including responding to subpoenas, investigations, or inquiries from government authorities.
- **Protection.** We may use your information to protect our rights, your rights, and the rights, privacy, safety, or property of others, including in connection with legal claims. Additionally, we may use personal information to audit our internal processes for compliance with legal, contractual, or policy requirements; to enforce the terms and conditions governing the Service; and to prevent, detect, investigate, and deter fraudulent, unauthorized, harmful, unethical, or illegal activity, such as cyberattacks and identity theft.
- **Marketing.** We, along with our service providers and event co-sponsors, may collect and use your personal information to send you direct marketing communications, which may be tailored to your interests and preferences. You can opt out of these communications by following the instructions in the “Opt-Out of Communications” section below.
- **Service Improvement and Analytics.** We may use your personal information to analyze how you interact with the Service, including which pages are visited and how users navigate the site, as well as engagement with our emails. This helps us



improve the Service, enhance our broader business operations, and develop new products and features.

- **New or additional purposes.** We may use your personal information for reasons not described in this Privacy Policy where permitted by law and when the reason is compatible with the purpose for which we originally collected it. In some cases, we may specifically ask you for your consent to collect, use or share your personal information, such as where required by law.

4. Who We Share Your Personal Information With

We do not “sell” personal information. We may, however, share your information with the following categories of third parties for the specific purpose of providing our services to you:

- **Our Affiliates.**
- **Service providers,** including third parties that perform services on our behalf or assist in the operation of our services or our business, such as providers of IT and software solutions, mailing and marketing services, event management, and cyber and physical security. This also includes vendors that support our legal work—such as e-discovery providers, deposition and litigation support services—as well as other professionals, consultants, and experts who assist us in representing our clients.
- **Third parties authorized by you,** such as third parties that you have directed us to connect with on your behalf.
- **Clients and related parties,** such as potential clients, and other individuals or entities involved in our client matters or interactions, including their representatives, vendors, and advisors.
- **Event co-sponsors,** such as third parties with whom we partner to organize or co-sponsor events.
- **Professional advisors,** such as legal, financial, insurance, and auditing professionals who provide services to us in the course of their professional engagements.
- **Regulatory and legal authorities,** such as law enforcement, government agencies, or private parties, when we believe such disclosure is necessary or appropriate to comply with the law or to protect legal rights, safety, or property.



- **Business successors or acquirers,** such as third parties involved in actual or potential business transactions, such as mergers, reorganizations, or acquisitions. This may include sharing personal information with potential counterparties and their advisors or transferring information as part of a business asset in the event of a merger, bankruptcy, or dissolution.

5. Your Choices

This section outlines the rights and choices available to all users. If you reside in a state that grants additional privacy rights (such as California or Virginia), please refer to the State Privacy Rights Notice section below for more information specific to your jurisdiction.

- **Opt-out of communications.** You may opt-out of marketing-related emails by following the opt-out or unsubscribe instructions at the bottom of the email, or emailing us at info@hshw.com, or calling us at: (202) 739-8450. Please note that if you choose to opt-out of marketing-related emails, you may continue to receive service-related and other non-marketing emails.
- **Do Not Track.** Some Internet browsers may be configured to send “Do Not Track” signals to the online services that you visit. We currently do not respond to “Do Not Track” signals. To find out more about “Do Not Track,” please visit <http://www.allaboutdnt.com>.
- **Declining to provide information.** We need to collect personal information to provide certain services. If you do not provide the information we identify as required or mandatory, we may not be able to provide those services.

6. Other Sites and Services

Our website may include links to third-party websites, mobile apps, and online services, and our content may appear on sites or services that are not affiliated with us. These links and integrations do not imply our endorsement or any association with those third parties. We do not control, and are not responsible for, the content or practices of any third-party websites, apps, or services. We recommend reviewing the privacy policies of any third-party platforms you visit or use.

7. Data Security

We maintain reasonable administrative, technical, and physical safeguards to protect your personal information from unauthorized access or disclosure. However,

no method of transmission over the internet or method of electronic storage is completely secure, and we cannot guarantee the absolute security of your personal information.

8. Data Retention

We retain personal information as long as necessary for the purposes described in this policy, or as required by law or professional obligations.

9. Children's Privacy

This website is not intended for individuals under the age of 18. If you are a parent or guardian and believe we have collected personal information from a child in a way that violates the law, please contact us immediately. If we become aware that we have collected personal information from a child without the necessary parental or guardian consent, we will take appropriate steps to delete the information in accordance with applicable legal requirements.

10. Changes to This Policy

We may update this Privacy Policy at any time. If we make significant changes, we will notify you by updating the effective date and posting the revised notice on our website or through other appropriate means. Changes will take effect when the updated Privacy Policy is posted (or as otherwise specified at the time). By continuing to use our website and services after the effective date, you acknowledge that the updated Privacy Policy applies to your use of the Service and your interactions with us.

11. Contact Us

If you have any questions or concerns about this Privacy Policy or our data practices, please contact us at:

- **Email:** info@hshw.com
- **Phone:** (202) 739-8450

12. State Privacy Rights Notice

This section provides additional information for residents of U.S. states that have enacted privacy laws granting specific rights to individuals, including, but not limited



to, the California Consumer Privacy Act (“CCPA”), the Virginia Consumer Data Protection Act (“VCDPA”), the Colorado Privacy Act (“CPA”), and the Connecticut Data Privacy Act (“CTDPA”) (collectively, the “State Privacy Laws”).

This section explains how we collect, use, and share “Personal Information” (as defined below) of residents covered by these laws, as well as the rights they may have. Please note:

- Not all rights described below apply to all users; eligibility depends on your state of residence.
- We may be unable to process requests if we cannot verify your identity or understand the request.
- In some cases, we may provide a separate privacy notice (e.g., for job applicants), which will apply in place of this section.

For purposes of this section, the following definitions apply:

- “Personal Information” refers to data defined as “personal data,” “personal information,” or a similar term under applicable State Privacy Laws, and excludes any exempt information (e.g., publicly available data).
- “Sensitive Personal Information” is defined according to the applicable State Privacy Laws and is subject to specific limitations and protections.

Your Privacy Rights

Depending on your state of residence, you may have some or all of the following rights. These rights are not absolute, and we may deny a request as permitted by law.

Right to Know / Information: You may request confirmation of whether we process your Personal Information and ask for

- The categories of Personal Information we have collected.
- The categories of sources of that information.
- The business or commercial purposes for collecting it.
- The categories of third parties with whom we share it.
- The categories of Personal Information disclosed and to whom.

Right to Access: You may request a copy of the Personal Information we have collected about you.

Right to Correct: You may request correction of inaccurate Personal Information we hold about you.

Right to Delete: You may ask us to delete certain Personal Information we have collected from you.

Right to Appeal: You may have the right to appeal our decision if we deny your request.

Right to Nondiscrimination: You have the right to exercise the above rights without being discriminated against as prohibited under the State Privacy Laws.

How to Exercise Your State Privacy Rights

You may exercise your state privacy rights in the following ways:

- **Submit a Request:** You may submit a request to know, access, appeal, correct, or delete your Personal Information by calling us at (202) 739-8450 (U.S. only) or by emailing us at info@hshw.com.
- **Lodge a Complaint:** Depending on your state privacy law, you may file a complaint with your state's applicable enforcement authority if you are not satisfied with our rejection of your request. Where applicable, in our response rejecting your request, we will provide you with a mechanism through which you may contact the relevant authority.

To exercise your state privacy rights, we may need to verify your identity and confirm your residency before processing your requests. Verification may include providing government-issued identification, a sworn statement, or other information as permitted by law.

Some State Privacy Laws allow you to authorize an agent to submit a request on your behalf. To process such requests, we may need to verify both the agent's identity and their authority to act for you. This may include requesting a copy of a valid power of attorney. If no power of attorney has been provided, we may require additional verification, such as your written and signed permission authorizing the agent, confirmation of your identity, and verification that you have permitted the agent to act on your behalf in connection with your privacy rights.



Personal Information We Collect, Use and Disclose

We have summarized the categories of Personal Information that we collect and may disclose, based on (i) the categories listed in the Personal Information We Collect section and (ii) those defined under the California CCPA. We use this information for the purposes described in the How We Use Your Personal Information section, except for Sensitive Personal Information, which is only used as permitted by law. This section reflects our current practices and those during the 12 months prior to the effective date of this Privacy Notice. Information you voluntarily provide (e.g., in webforms) may include additional categories not listed here. For more details on sources and purposes of collection, please refer to the relevant sections of this Privacy Policy.

Personal Information (PI) we Collect	CCPA Statutory Category	Categories of Third Parties to Whom We “Disclose” PI for a Business Purpose
Contact data	Identifiers Commercial information California customer records	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co-sponsors
Demographic data	Identifiers California customer records	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co-sponsors
Online identifiers and account information	Identifiers	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co-sponsors



Communications data	Identifiers Commercial information California consumer records Internet or Network Information	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co- sponsors
Payment and transactional data	Commercial information California consumer records Financial information	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co- sponsors
Marketing data	Identifiers Commercial information California customer records Internet or Network Information	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co- sponsors
Audio, electronic, and visual information	Sensory Information Identifiers California consumer records	Affiliates Service providers Third parties designated by you Professional advisors Authorities and others Business transferees
Professional or Employment- related data	Identifiers California consumer records	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co- sponsors



Data about others	Identifiers California consumer records	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co-sponsors
Device data	Identifiers Internet or Network Information	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co-sponsors
Online activity data	Identifiers Commercial information Internet or Network Information	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co-sponsors
General location data	Geolocation data	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co-sponsors
Communication interaction data	Identifiers Commercial information California consumer records Internet or Network Information	Affiliates Service providers Third parties designated by you Clients and other parties Professional advisors Authorities and others Business transferees



		Business and marketing co-sponsors
Data derived from the above	Inferences	Affiliates Service providers Clients and other parties Professional advisors Authorities and others Business transferees Business and marketing co-sponsors
Other Sensitive Personal Information <i>We do not require that you provide this information, but it may be revealed in identity data or other information we collect, or as voluntarily disclosed by you.</i>	Protected Classification Characteristics	N/A