

California Privacy Notice

This California Privacy Notice was updated on January 10, 2020

This California Privacy Notice (the "California Privacy Notice") supplements the information contained in the [Privacy Policy](#), located on Clark Hill PLC's ("Clark Hill") Website (the "Site"). Clark Hill refers to Clark Hill PLC and its subsidiaries or affiliates practicing under the "Clark Hill" name in other jurisdictions, including Clark Hill Strasburger PLC, Clark Hill LLP, and Clark Hill Professional Services Ltd, including its subsidiary Clark Hill Solicitors, each of which is a separate legal entity. Clark Hill is sometimes referred to as "we," "us," or "our," depending on the context. We adopt this notice to comply with the California Consumer Privacy Act ("CCPA") and other California privacy laws. Any terms defined in the CCPA have the same meaning when used in this California Privacy Notice.

Information we collect

When you visit our Site, you may provide us with two types of information: Basic information identifying you as an individual ("Personal Information") that you knowingly choose to disclose that is collected on an individual basis and Site Use Information collected on an aggregate basis as you and others browse our Site.

Personal Information: If you choose to provide us with Personal Information, such as your name, organizational affiliation, and contact information, then we may use it to identify you in order to enable you use of particular services that we offer. For example, when you send us a request from our "contact us" page or submit your resume or other information to apply for a job with Clark Hill, we may ask you to provide information about yourself, including your name, mailing address, telephone number, email address, and other Personal Information. If you choose not to provide such information, you may not be able to receive the services or information you requested. If you are a client or employee of Clark Hill, you may provide us with additional information when using certain pages and resources on the Site, including login information (user name and password) or billing information (credit card number or other payment information and billing address).

Site Use Information: Like many organizations, we place a "cookie" (a small data file) on your computer when you connect to our Site. This allows us to recognize your computer's IP address on return visits, helps us understand traffic patterns on our Site and improve our Site.

We have collected the following categories of Personal Information from consumers within the last twelve (12) months:

Categories	Examples	Collection
Identifiers	A real name, Internet Protocol address, email address, or other similar identifiers.	Yes
Personal Information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	Yes
Protected classification characteristics under California or federal law	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	Yes
Commercial information	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	Yes
Biometric information	Genetic, physiological, behavioral, and biological characteristics or activity patterns used to extract a template or other identifier or identifying information, such as fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	No
Internet or other similar network activity	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	No
Geolocation data	Physical location or movements.	No
Sensory data	Audio, electronic, visual, thermal, olfactory, or similar information.	No
Professional or employment-related information	Current or past job history or performance evaluations.	Yes
Non-public education information	Education records directly related to a student maintained by an educational institution or party acting on its	

(per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))	behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	No
Inferences drawn from other Personal Information	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	No

Not included in the definition of Personal Information is information that is publicly available, information that has been de-identified or aggregated, or information exempt from the purview of the CCPA, such as:

- Protected Health Information (“PHI”) governed and protected by the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), and the California Confidentiality of Medical Information Act (“CMIA”) or clinical trial data; and
- Personal Information regulated by certain industry-specific privacy laws, such as the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA), California Financial Information Privacy Act (FIPA), and the Driver’s Privacy Protection Act of 1994.

How we use your information

Generally, we use the information we collect on our Site in one or more of the following ways: (a) to administer our Site, (b) for marketing, (c) for recruiting and/or (d) in relation to client service purposes. We may also use or disclose your personal information in accordance with your consent, when required by law to do so, or if it is necessary for a corporate transaction (such as a merger or acquisition).

We may use your personal data in the following ways:

- To improve our Site to ensure that content is presented in the most effective manner for you and your device through which you access the Site.
- To provide relevant marketing such as providing you with information about events or services that may be of interest to you including legal services, legal updates, client conferences or networking events, and groups of specific interest.
- To provide you with information and services that you request from us.
- To address compliance and legal obligations, such as checking the identity of new clients and to prevent money laundering and/or fraud.
- For the administration of our general business, accounting, recordkeeping, and legal functions.
- To perform or enforce our contract entered into with you or your organization.
- To provide legal and other services.
- To notify you about changes to our services or our Standard Engagement Terms for legal services.
- For the purposes of recruitment and on-boarding, and for complying with legal obligations to which we are subject.
- For the administration of our internal Human Resources functions.

We will not collect additional categories of personal information or use the personal information for materially different, unrelated, or incompatible purposes without providing you additional notice.

How we share your information

We may share the information we collect as described in this section of the Privacy Notice. We may share this information for the following reasons:

With other members of the Clark Hill corporate family: We may share the information we collect with members of the Clark Hill family of entities to, among other things, provide the services you have requested or authorized and to help us manage the availability and connectivity of the Site.

With employees, contractors and agents that provide services to us: We may share information we collect with our employees, contractors and agents, including third-party service providers, that perform services and functions at our direction and on our behalf, but their use of such information shall be limited to the performance of their duties and is consistent with our purposes for using such information. Third-party service providers to whom we may transfer information include, but are not limited to: legal, software, cloud, hosting and other technology service providers.

With other third parties for our business purposes or as permitted or required by law: We may share information about you with other parties for our business purposes or as permitted or required by law, including: (a) to comply with a law, legal process or regulations; (b) responding to or cooperating with law enforcement authorities, other government officials or other third parties pursuant to a subpoena, a court order or other legal process; (c) to protect the vital interests of a person; (d) to protect our property, services and legal rights; (e) to companies we merge with, acquire, or are acquired by; and (f) to support our audit, compliance and governance functions.

California Resident Rights and Choices

The CCPA provides California consumers and residents with certain rights regarding their Personal Information. The following section describes your CCPA rights and explains how to exercise those rights.

Right to Access and Portability

California residents have the right to request that we disclose certain information about our collection and use of Personal Information over the last twelve (12) months. Once we receive and confirm your verifiable consumer request, in which we may have to gather further identifiable information in order to confirm your identity, we will disclose to you the following:

- The categories of Personal Information we collected about you;
- The categories of sources for the personal information we collected about you;
- Our business or commercial purpose for collecting or selling that Personal Information;
- The categories of third parties with whom we share that Personal Information;
- The specific pieces of Personal Information we collected about you (also called a data portability request); and
- If we disclose your Personal Information for a business purpose, identifying the Personal Information categories disclosed.

We will deliver a verifiable access request and the accompanying information to a California resident in a portable, easily readable electronic format.

Right to Deletion

The CCPA allows California residents the right to request that we delete any Personal Information about you that we collect and retain, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, in which we may have to gather further identifiable information in order to confirm your identity, we will delete (and in turn direct our service providers to delete, if applicable) your Personal Information from our records, unless an exception applies.

We may deny a deletion request if retaining the information is necessary to:

- Complete the transaction for which we collected the Personal Information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you;
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity;
- Debug products to identify and repair errors that impair existing intended functionality;
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 seq.);
- Enable solely internal uses that are reasonably aligned with consumer expectations;
- Comply with a legal obligation and requests from law enforcement agencies; and
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Right to Opt-Out of the Sale of Your Information

Clark Hill does not sell data, as it is defined in the CCPA, will not sell Personal Information in the future, and in the preceding twelve (12) months, has not sold any Personal Information.

Request Submissions

To exercise the access and deletion rights under the CCPA as described above, please submit a verifiable consumer request by contacting us at compliance@clarkhill.com or calling 800.949.3120.

Verifiable Requests

A verifiable request may be submitted by a California resident or a person registered with the California Secretary of State that is authorized to act on your behalf. These requests for access and deletion may only be made twice during a twelve (12) month period and must:

- Detail sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative; and
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Timeframe for Responding to Requests and Format

Clark Hill will respond to your request within thirty (30) days of receipt.

The period of response may be extended to forty-five (45) or sixty (60) days if more time is required. In that event, we will inform you of the reason and extension period in writing.

Fee

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded.

No Discrimination

The CCPA prohibits a business from discriminating against California consumers for exercising the rights outlined above. We will not discriminate against you for submitting such requests by:

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- Denying goods or services to you;
 - Charging different prices or rates for goods or services, including through the use of discounts, benefits, or other penalties;
 - Providing a different level or quality of goods or services; and
 - Suggesting a different price or quality of goods or services will apply if rights are exercised.

No Financial Incentive

We do not offer any financial incentives or price or service difference in an attempt to influence a consumer's decision whether or not to exercise a right afforded to the consumer under the CCPA.

Updates to this Privacy Notice

We may update or change this Privacy Notice. The effective date at the top of this page states when this Privacy Notice was last revised. Any change to this Privacy Notice will become effective when we post the revised Privacy Notice on our Site. Your use of our Site means you accept our Privacy Notice.

If any change may materially and negatively affect the privacy of your Personal Information, we will use reasonable efforts to notify you in advance and give you a reasonable time to object to any changes.

We encourage you to periodically review this Privacy Notice to stay informed about how we collect, use, and share Personal Information.

Contacting Us

Use the contact information below if you have questions, concerns or complaints about this Privacy Notice or our privacy practices or would like additional information about Clark Hill privacy practices.

You may email us at compliance@clarkhill.com, or contact us at:

Chief Information Officer
2600 Dallas Parkway
Suite 600
Frisco, TX 75034