

# Motley Rice Privacy Policy

March 6, 2023

## Scope of this Policy

This privacy policy applies to:

- Motley Rice LLC and our affiliates (“Motley Rice,” “we,” “us,” “our”), including Motley Rice New Jersey LLC and Motley Rice LLP.
- Motley Rice’s online properties (including our websites and websites or mobile applications that link to it), and our social media pages or handles (the “Online Services”).

This Policy applies when you interact with us through our Online Services, via email, phone, or off-line. It also applies anywhere it is linked. It does not apply to third-party websites, mobile applications, or services that may link to the Online Services or be linked to from the Online Services. Please review the privacy policies on those websites and applications directly to understand their privacy practices.

This Policy also applies to information that we receive about you from clients, adverse parties, and other third parties in the course of our delivery of legal services to you or third parties (the “Legal Services”).

We may change this Policy from time to time. If we do, we will notify you by posting the updated version.

## Information We Collect

We collect information from you directly, from the devices you use to interact with us, and from third parties. We may combine information from the Online Services together and with other information we obtain from our business records, including information from our provision of Legal Services. We may use and share information that we aggregate (compile to create statistics that cannot identify a particular individual) or de-identify (strip information of all unique identifiers such that it cannot be linked to a particular individual) at our discretion.

## Information you give us

You may provide the following information to us directly:

- Contact and professional information, including name, email address, telephone number, and job title, as well as company name and size.
- Demographic information.
- Audiovisual information, including recordings of online events.
- Payment information, including credit card information, which are processed through our payment partners. We cannot access and do not retain payment information.
- Medical history information you provide to us.
- Coarse geolocation information, inferred from your IP address or other information you provide us.
- Content you may include in survey responses.
- Information contained in your communications to us, including call recordings of some customer service calls and direct messages on social media platforms.
- Information you make available to us via a social media platform.
- Information you submit to inquire about or apply for a job with us.
- Any other information you submit to us.

### Information we collect automatically

We and partners working on our behalf may use log files, cookies, or other digital tracking technologies to collect the following information from the device you use to interact with our Online Services. We also create records when you interact with the Online Services.

- *Device information*, including IP address, device identifiers, and details about your web browser.
- *Analytical information*, including details about your interaction with our website, app, and electronic newsletters.
- *Diagnostic information*, including web traffic logs.
- *Advertising information*, including special advertising and other unique identifiers that enable us or third parties working on our behalf to target advertisements to you. Please be aware that our advertising partners may collect information about you when you visit third-party websites or use third-party apps. They may use that information to better target advertisements to you on our behalf.
- *Business record information*, including records of your contacts with the firm.

The following is a list of our partners who collect the information described above. Please follow the links to find out more information about the partner's privacy practices.

Partner	Information Type Collected
<a href="#">BrightEdge</a>	Device, Analytical, Diagnostic
<a href="#">Facebook</a>	Device, Analytical, Advertising
<a href="#">Google Analytics</a>	Device, Analytical, Diagnostic, Advertising
<a href="#">Google/DoubleClick</a>	Device, Analytical, Advertising
<a href="#">Hotjar</a>	Device, Analytical, Diagnostic
<a href="#">LinkedIn</a>	Device, Analytical, Advertising

### Information We Collect From Other Sources

We may collect or receive the following information about you from third-party sources.

- Medical history information.
- Subscription registration information.
- Contact information, demographic information, and information about your interests and purchases, from consumer data providers.
- Information we receive in connection with our provision of Legal Services, including from investigators, co-counsel, government entities, insurers, and entities who we ask to collect information on our behalf.
- Information about your credit history from credit reporting agencies.
- Information about you if you are an employee of one of our clients.
- Information about your interests, activities, and employment history from social networks and other places where you choose to share information publicly.
- Information about your interaction with advertisements on our Online Services, or ads that we place on third party websites, from online advertising companies.

### How We Use Your Information

We may use any of the information we collect for the following purposes.

- **Perform Legal Services:** To provide and perform Legal Services, including to provide legal representation to you or to our other clients, take steps to enter a contract for sale or for services, process payments, (and conduct general business operations, such as accounting, recordkeeping, and audits. Our use of

information for our Online and Legal Services may be based on our legitimate interests, performance of a contract, your consent, or compliance with legal obligations.

- **Service improvement:** To improve and grow our Legal and Online Services, including to develop new services and understand how our Legal and Online Services are being used, our client base, and the effectiveness of our marketing. Our use of information for service improvement is based on our legitimate interests.
- **Personalization:** To offer you recommendations. Our use of information for personalization may be based on our legitimate interests, performance of a contract, your consent, or compliance with legal obligations.
- **Advertising and marketing:** To send you marketing communications, personalize the advertisements you see on our Online Services and third-party online properties, and measure the effectiveness of our advertising. We may share your information with business partners, online advertising partners, and social media platforms for this purpose. Our use of information for advertising and marketing may be based on our legitimate interests, performance of a contract, or your consent.
- **Security:** To protect and secure our Online Services, assets, network, and business operations, and to detect, investigate, and prevent activities that may violate our policies or be fraudulent or illegal. Our use of information for security may be based on our legitimate interests, performance of a contract, and compliance with legal obligations.
- **Legal compliance:** To comply with legal process, such as warrants, subpoenas, court orders, and lawful regulatory or law enforcement requests and to comply with applicable legal requirements. Our use of information for legal compliance may be based on our legitimate interests and compliance with legal obligations.

## How We Disclose Your Information

We may disclose any of the information we collect with the following recipients.

- **Affiliates:** We share information with other members of our group of companies.
- **Service providers:** We engage vendors to perform specific business functions on our behalf, and they may receive information about you from us or collect it directly. These vendors are obligated by contract to use information that we share only for the purpose of providing these business functions, which include:
  - *Supporting Service functionality*, such as, but not limited to, vendors that support client service and client relationship management, eDiscovery platforms, application development, list cleansing, postal mailings, and communications (email, fax).
  - *Auditing and accounting firms*, such as firms that assist us in the creation of our financial records.
  - *Professional services consultants*, such as firms that perform analytics, assist with improving our business, provide legal services, or supply project-based resources and assistance.
  - *Analytics and marketing services*, including entities that analyze traffic on our online properties and assist with identifying and communicating with potential clients.
  - *Security vendors*, such as entities that assist with security incident verification and response, service notifications, and fraud prevention.
  - *Information technology vendors*, such as entities that assist with website design, hosting and maintenance, data and software storage, and network operation.
  - *Marketing vendors*, such as entities that support distribution of marketing emails.
- **Recipients in the context of our provision of Legal Services:** Information we collect and receive in our provision of Legal Services may be shared with third parties in the context of such Legal Services. For example, information may be shared with opposing counsel, co-counsel, courts, and juries, or may be used in future litigation.

- **Online advertising partners:** We work with companies that assist us in advertising our Legal Services, including partners that use cookies and online tracking technologies to collect information to personalize, retarget, and measure the effectiveness of advertising.
- **Social media platforms:** If you interact with us on social media platforms, the platform may be able to collect information about you and your interaction with us. To control this sharing of information, please review the privacy policy of the relevant social media platform.
- **Government entities/Law enforcement:** We may share information when we believe in good faith that we are lawfully authorized or required to do so to respond to lawful subpoenas, warrants, court orders, or other regulatory or law enforcement requests, or where necessary to protect our property or rights or the safety of our employees, our customers, or other individuals.
- **Other businesses in the context of a commercial transaction:** We may change our ownership or corporate organization. We may transfer to another entity or its affiliates or service providers some or all information about you in connection with, or during negotiations of, any merger, acquisition, sale of assets or any line of business, change in ownership control, or financing transaction. We cannot promise that an acquiring party or the merged entity will have the same privacy practices or treat your information as described in this policy.

## Security

We use a combination of physical, technical, and administrative safeguards to protect the information we collect through the Online and Legal Services. While we use these precautions to safeguard your information, we cannot guarantee the security of the networks, systems, servers, devices, and databases we operate or that are operated on our behalf.

## Your Options and Rights Regarding Your Information

**Email Unsubscribe:** If you do not wish to receive marketing information from us or wish to opt out of future email promotions from us, please contact us. Please note that all promotional email messages you receive from us will include an option to opt out of future promotional email communications.

**Ad Choices:** You have options to limit the information that we and our partners collect for online advertising purposes.

- You may disable cookies in your browser or mobile device using their settings menus. Your mobile device may give you the option to disable advertising functionality. Because we use cookies to support Online Service functionality, disabling cookies may also disable some elements of our online properties.
- The following industry organizations offer opt-out choices for companies that participate in them: the [Network Advertising Initiative](#), the [Digital Advertising Alliance](#), and the [European Interactive Digital Advertising Initiative](#).
- You may use our cookie settings menu.
- You may contact us directly.

If you exercise these options, please be aware that you may still see advertising, but it will not be personalized. Nor will exercising these options prevent other companies from displaying personalized ads to you.

If you delete your cookies, you may also delete your opt-out preferences.

**Do Not Track:** Your browser or device may include "Do Not Track" functionality. We honor Do Not Track signals that we receive on our website.

**Jurisdiction-specific rights:** You may have certain rights with respect to your personal information depending on your location or residency. Please see “privacy disclosures for specific jurisdictions” below. Please contact us to exercise your rights.

## Special Information for Job Applicants

When you apply for a job with us, we may collect information from you, including:

- Information you provide in connection with your application.
- Information that you make available in your social media accounts.
- Information about you that is available publicly.
- Information that you authorize us to collect via third parties, including former employers or references.

In certain circumstances, you may submit your application for employment through a third-party service that displays our job posting. We do not control the privacy practices of these third-party services. Please review their privacy policies carefully prior to submitting your application materials.

## Other Important Information

### *Data retention*

We may store information about you for as long as we have a legitimate business need for it.

### *Cross-border data transfer*

We may collect, process, and store your information in the United States and other countries. The laws in the United States regarding information may be different from the laws of your country. Any such transfers will comply with safeguards as required by relevant law.

### *Information about children*

The Online Services are intended for users age thirteen and older. We do not knowingly collect information from children. If we discover that we have inadvertently collected information from anyone younger than the age of 13, we will delete that information. Please contact us with any concerns.

### *Sharing of Medical or Health Information*

To the extent that we receive protected health information about you, that information is subject to electronic disclosure to the extent permitted by applicable law.

## Privacy Disclosures for Specific Jurisdictions

### *European Economic Area, United Kingdom, and Switzerland*

We process “personal data,” as that term is defined in the European Union’s General Data Protection Regulation (“GDPR”).

**Your rights under the GDPR:** Users who are located in the European Economic Area (“EEA”), U.K., or Switzerland have the right to lodge a complaint about our data collection and processing actions with the supervisory authority concerned. Contact details for data protection authorities are available here:

[http://ec.europa.eu/justice/data-protection/bodies/authorities/index\\_en.htm](http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm).

If you are located in the EEA, U.K., or Switzerland, you have the following rights.

- **Access and Portability:** Request access to personal data we hold about you or request transmission of your data to a third party.
- **Correction:** Request that we rectify inaccurate or incomplete personal data we store about you.
- **Erasure:** Request that we erase personal data when such data is no longer necessary for the purpose for which it was collected, when you withdraw consent and no other legal basis for processing exists, or when you believe that your fundamental rights to data privacy and protection outweigh our legitimate interest in continuing the processing.
- **Restriction of processing:** Request that we restrict our processing of personal data if there is a dispute about the accuracy of the data; if the processing is unlawful; if the processing is no longer necessary for the purposes for which it was collected but is needed by you for the establishment, exercise or defense of legal claims; or if your request to object to processing is pending evaluation.
- **Objection to processing:** Object to processing of your personal data based on our legitimate interests or for direct marketing (including profiling). We will no longer process the data unless there are compelling legitimate grounds for our processing that override your interests, rights, and freedoms, or for the purpose of asserting, exercising, or defending legal claims.
- **Transfers:** Obtain information about and a copy of the safeguards we use to transfer personal data across borders.

Please contact us to exercise these rights.

## California

### Your California Privacy Rights; “Shine the Light” Law

California residents are entitled once a year, free of charge, to request and obtain certain information regarding our disclosure, if any, of certain categories of personal information to third parties for their own direct marketing purposes in the preceding calendar year. Please contact us to obtain this information.

We do not share your personal information with third parties for those third parties’ direct marketing purposes.

### California Consumer Privacy Act

The California Consumer Privacy Act (“CCPA”) provides California residents with rights to receive certain disclosures regarding the collection, use, and disclosure of information about them, as well as rights to know/access, correct, delete, and limit disclosure of personal information. You have the right to be free from discrimination based on your exercise of your CCPA rights. To the extent that we collect personal information that is subject to the CCPA, that information, our practices, and your rights are described below.

#### *Notice at Collection Regarding the Categories of Personal Information Collected*

You have the right to receive notice of certain information about our data collection, use, and disclosure. The following table summarizes the categories of personal information we collect; the categories of sources of that information; whether we disclose, sell, or share that information to service providers or third parties, respectively; and the criteria we use to determine the retention period for such information. The table also summarizes the categories of “sensitive” personal information that we collect, the purposes for which such information is used, and whether we sell or share such information. The categories we use to describe personal information are those enumerated in the CCPA. We collect this personal information for the purposes described above in “How We Use Your Information.”

Category	Information Type	Source	We disclose to:	We sell to/share with:
Identifiers	<ul style="list-style-type: none"> <li>• Contact information or personal characteristics (name; email</li> </ul>	You; our social media pages; service providers;	Service Providers Affiliates	Advertising partners

	<p>address; postal address; telephone number; signature)</p> <ul style="list-style-type: none"> <li>• Social media handles</li> </ul>	other parties in the context of our Legal Services	Other parties in the context of our Legal Services	
Health Information	<ul style="list-style-type: none"> <li>• Protected health information</li> <li>• Physical or mental status or ailments</li> </ul>	You; other parties (such as insurance companies, employers) in the context of our Legal Services	Service Providers Affiliates Other parties in the context of our Legal Services	Not sold/shared
Financial Information	<ul style="list-style-type: none"> <li>• Payment card data</li> <li>• Bank account information</li> <li>• Credit information</li> </ul>	You	Service Providers Affiliates	Not sold/shared
Protected Classifications and Other Sensitive Data	<ul style="list-style-type: none"> <li>• Date of Birth</li> <li>• Gender</li> <li>• Government ID</li> <li>• Racial or ethnic origin</li> <li>• Union membership</li> <li>• Health-related information</li> <li>• Citizenship or immigration status</li> </ul>	You; other parties in the context of our Legal Services	Service Providers Affiliates Other parties in the context of our Legal Services	Not sold/shared
Commercial Information	<ul style="list-style-type: none"> <li>• Transaction information</li> <li>• Billing and payment records</li> </ul>	You	Service Providers Affiliates Other parties in the context of our Legal Services	Not sold/shared
Geolocation Information	<ul style="list-style-type: none"> <li>• Coarse (information that describes location at ZIP code-level or less precision)</li> </ul>	You; our analytics and advertising partners	Service Providers Affiliates	Advertising partners (coarse location only)
Internet or Electronic Network Activity Information	<ul style="list-style-type: none"> <li>• IP address</li> <li>• Device identifier (e.g., MAC)</li> <li>• Advertising identifier (e.g., IDFA, AAID)</li> <li>• Information provided in URL string (e.g., search keywords)</li> <li>• Cookie or tracking pixel information</li> <li>• Information about your interaction with our website, app, email correspondence, or products</li> <li>• Browsing history</li> <li>• Search history</li> <li>• Diagnostic information (e.g., crash logs, performance data)</li> </ul>	You; our analytics and advertising partners; other parties in the context of our Legal Services	Service Providers Affiliates Other parties in the context of our Legal Services	Advertising partners
Audio, Electronic, Visual, Thermal, Olfactory, or Similar Information	<ul style="list-style-type: none"> <li>• Call recordings</li> <li>• Photographs</li> <li>• Video</li> </ul>	You; other parties in the context of our Legal Services	Service Providers Affiliates Other parties in the context of our Legal Services	Not sold/shared
Professional or Employment-Related Information	<ul style="list-style-type: none"> <li>• Current employer</li> <li>• Job title</li> </ul>	You; other parties in the context of our Legal Services	Service Providers Affiliates	Not sold/shared

			Other parties in the context of our Legal Services	
Education Information	<ul style="list-style-type: none"> <li>• Education history</li> <li>• Level of education</li> </ul>	You; other parties in the context of our Legal Services	Service Providers Affiliates Other parties in the context of our Legal Services	Not sold/shared
Inferences Drawn About You by Service Providers or Other Parties in the Context of our Legal Services	<ul style="list-style-type: none"> <li>• User profile reflecting preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes</li> </ul>	You; our analytics and advertising partners; other parties in the context of our Legal Services	Service Providers Affiliates Other parties in the context of our Legal Services	Advertising partners
Content of Communications	<ul style="list-style-type: none"> <li>• Contents of phone calls, emails, or text messages</li> <li>• Photos</li> </ul>	You	Service Providers Affiliates Other parties in the context of our Legal Services	Not sold/shared

We determine the retention period for each of the categories of personal information listed above based on (1) the length of time we need to retain the information to achieve the business or commercial purpose for which it was obtained, (2) any legal or regulatory requirements applicable to such information, (3) internal operational needs, and (4) any need for the information based on any actual or anticipated investigation or litigation.

Entities to whom we disclose information for business purposes are *service providers*, which are companies that we engage to conduct activities on our behalf. We restrict service providers from using personal information for any purpose that is not related to our engagement.

Entities to whom we “sell” or with whom we “share” information are *third parties*. Under the CCPA, a business “sells” personal information when it discloses personal information to a company for monetary or other benefit. A company may be considered a third party either because we disclose personal information to the company for something other than an enumerated business purpose under California law, or because its contract does not restrict it from using personal information for purposes unrelated to the service it provides to us. A business “shares” personal information when it discloses personal information to a company for purposes of cross-context behavioral advertising.

#### *Your rights under the CCPA*

- *Opt out of sale or sharing of personal information:* You have the right to opt out of our sale or sharing of your personal information to third parties. To exercise this right, please visit our Do Not Sell or Share My Personal Information webpage or contact us. Your right to opt out does not apply to our disclosure of personal information to service providers.
- *Limit the use of your sensitive personal information:* You have the right to limit our use of your sensitive personal information if we use such information to infer characteristics about you. We do not use sensitive personal information for this purpose.
- *Know and request access to and correction or deletion of personal information:* You have the right to request access to personal information collected about you and information regarding the source of that personal information, the purposes for which we collect it, and the third parties and service providers to whom we sell, share, or disclose it. You also have the right to request in certain circumstances that we



correct personal information that we have collected about you and to delete personal information that we have collected directly from you. Please contact us to exercise these rights.

#### *Financial incentives*

We may offer you the opportunity to participate in special promotions and programs from time to time, such as receiving an item in exchange for signing up for our mailing list. Your participation is voluntary. If we provide this offer, we will obtain your consent to collect your Personal Information in connection with your participation. The category of Personal Information we collect is Personal Identifiers, which we use to facilitate your participation in the program and to market to you. If we run the program jointly with a business partner, we may disclose the information to that business partner.

You may opt in to the program using the means we present to you, such as an online registration page, at the time we make the offer. You may opt out of the program at any time by following the instructions in the "[Contact](#)" section and/or by opting out of future promotional emails by following the instructions in those emails.

The program we offer may qualify as a financial incentive program (FIP) under California law. We are required to explain how the value you receive from FIPs is reasonably related to the value that we receive from the Personal Information you provide to us. We use the Personal Information you provide to market to you, including by sending you direct marketing emails. These activities generate revenue for us that we believe is reasonably related to the benefit you receive from participating in the program.

## **Contact information, submitting requests, and our response procedures**

### *Contact*

Please contact us if you have questions or wish to take any action with respect to information to which this privacy policy applies.

Email: [privacy@motleyrice.com](mailto:privacy@motleyrice.com)

Telephone: 1-800-471-1320

Mail: 28 Bridgeside Blvd., Mt. Pleasant, SC 29464

### *Making a request to exercise your rights*

**Submitting requests:** You may request to exercise your rights by [submitting the form on this page](#) or making a request using the contact information above.

If you are a resident of California, you may, under certain circumstances, authorize another individual or a business, called an authorized agent, to make requests on your behalf. (Authorized agents in California must be registered with the California Secretary of State.)

We may have a reason under the law why we do not have to comply with your request, or why we may comply with it in a more limited way than you anticipated. If we do, we will explain that to you in our response.

**Verification:** We must verify your identity before responding to your request. We verify your identity by asking you to provide personal identifiers that we can match against information we may have collected from you previously. We may need to follow up with you to request more information to verify identity.

We will not use personal information we collect in connection with verifying or responding to your request for any purpose other than responding to your request.