

Fir Tree Privacy Policy

Effective Date: January 1, 2020

Fir Tree Partners (collectively, “Fir Tree”, “we” or “us”) respects your privacy as a visitor to this website (the “Site”). By visiting this Site, and otherwise interacting with us offline, you agree that we may collect and use information about you as set forth in this Privacy Policy. You should review this Privacy Policy and any other applicable terms carefully, because by using this Site and our products or services, you agree to the terms of this Privacy Policy. This Privacy Policy is intended to describe the Personal Information we collect, how we use and share it, and rights you may have regarding this information. This Privacy Policy is provided in addition to any other privacy notices you may receive in connection with your investment in any Fir Tree funds.

CHANGES TO THIS PRIVACY POLICY

WE RESERVE THE RIGHT TO AMEND, ALTER, OR OTHERWISE CHANGE THIS PRIVACY POLICY AT OUR SOLE DISCRETION. IF WE MAKE MATERIAL CHANGES TO THE PRIVACY POLICY, WE WILL POST THE UPDATED VERSION ON THIS WEBPAGE AND UPDATE THE EFFECTIVE DATE. USE OF THE WEBSITE OR SERVICES FOLLOWING THE UPDATE CONSTITUTES YOUR AGREEMENT TO FOLLOW AND TO BE BOUND BY THE AMENDED PRIVACY POLICY.

THE TYPES OF PERSONAL INFORMATION WE MAY COLLECT ABOUT YOU AND HOW WE USE AND SHARE THE INFORMATION

When you visit and browse this website (the “Site”), or otherwise interact with Fir Tree, we may collect Personal Information about you. “Personal Information” means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household.

Below we categorize the types of such information we have collected in the last 12 months and provide the sources from which that information was collected, why we collected the information, and with whom we shared the information. We anticipate continuing to collect the information discussed in the table from the same sources, as well as continuing to use and share it as described in the list.

We do not and will not sell Personal Information to third parties.

Categories of Personal Information We Collected

- Identifiers, such as name, email address, address, phone number, facsimile number, IP address, social security number or other similar government issued or other identifiers
- Characteristics of protected classes and demographic information, such as age, sex, and marital status
- Commercial and financial information, such as records of personal property, products or services purchased, obtained, or considered, information on investments, assets, net worth, tax status, holdings, account balances, transaction history, bank account details, wire transfer instructions
- Biometric information

- Internet or other electronic activity information, including information regarding an individual's interaction with a website or mobile application, emails sent and received
- Geolocation data
- Audio, electronic, visual, thermal or olfactory information, such as photos in copies of photo identification
- Professional or employment-related information, including information to support and facilitate the employment relationship and benefits administration (including dependent account information)
- Education information
- Inferences drawn from any of the information identified above, to create a profile reflecting an investor's preferences, characteristics, psychological trends, predispositions, behaviour, attitudes, intelligence, abilities, and aptitudes

Purposes of Collection

We have collected this Personal Information for the following purposes:

- For the management and administration of our business
- For ongoing review and improvement of the information provided on the Site to ensure it meets the needs of users, and to conduct analysis required to detect malicious data and to prevent any potential disruptions or cyber attacks
- To personalize your visit to the Site and to assist you whilst you use the Site
- To allow you to use and access Fir Tree's services and to understand feedback relating to Fir Tree's services as a user of the Site or as a business contact
- To communicate with you as a user of the Site or as a business contact in order to provide you with services or information about Fir Tree and Fir Tree's products
- Where you apply for a position with us, to review and process your application
- For offering, providing, and marketing our products and services, connecting individuals with other products and services, and other legitimate business and commercial purposes
- For human resources functions, including for performance and talent/practice management and for background check purposes
- For fraud prevention and detection and to comply with and in order to assess compliance with applicable laws, rules and internal policies and procedures including in respect of your personal data that which is contained in recordings of communications to or from our systems (for example, our phones, mobile devices, computers and email accounts).

The Sources from Which We Collected Personal Information

We have obtained this Personal Information from the following sources:

- **From You When You Provide Information to Us:** In order to receive our services, you may have to provide information to us that we may collect and store in a way that allows us to relate it to you personally, including but not limited to your name, e-mail address, address, phone number, facsimile number and other information. You may provide such personal data by various means, including by responding to questions on this Site or contacting us directly via e-mail.
- **When We Collect or Generate Information About You:** This includes, without limitation, files that we may produce as a record of our relationship with you and personal data that you provide during telephone and email communications with us which we may monitor and record to comply with our legal and regulatory requirements.
- **From Other Sources:** We may obtain information from your agents and advisers and from third parties and public sources, including social media sites, that we use to verify your identity or to confirm your eligibility to use our services, in accordance with our legal obligations, or to inform our broader investment strategies.
- **From Cookies and other Tracking Technologies:** This Site may use “cookies” (small text files stored on your computer’s hard drive by websites that you visit). We use cookies to check the status of a logged session (i.e., to keep users logged in from page to page) and otherwise to analyze the way visitors engage with our site, such as through the use of our analytics providers. To find out more about cookies, including how to see what cookies have been set and how to manage and delete them, please visit www.allaboutcookies.org. This website will also explain how you can delete cookies which are already stored on your device. However, without certain cookies, you may not have access to many features that may make your browsing of our Site smoother, and some of our services may not function properly. We may also collect certain technical information from your computer, for example, the Internet protocol (IP) address used to connect your computer to the Internet and other computer and connection information.

Categories of Entities with Which Personal Information Is Shared

For each of the personal information categories listed above, we may share this information with other entities for business or commercial purposes.

- Our joint venture partners for the management and administration of our joint projects and business.
- Contractors, vendors and other suppliers in connection with the processing of personal information for the purposes described in this policy, including vendors that support underwriting, accounting, IT operations and personnel management.
- To governmental authorities or other third parties if we are required to do so in order to comply with any legal or regulatory obligation, establish, exercise or defend our legal rights, or to protect the rights, property, or safety of others.
- With any person to whom we transfer any of our rights or obligations under any agreement, or in connection with a sale, merger or consolidation of our business or other transfer of our assets, whether voluntarily or by operation of law, or who is otherwise deemed to be our successor or transferee.

- To third parties that you intentionally interact with or otherwise direct us to share information with, with your consent.

We do not knowingly collect the Personal Information of minors.

Our products and services are not directed to minors under the age of 16 and we do not knowingly collect or sell the Personal Information of minors. If we learn that we have collected PII of a child under 16, we will take steps to delete such information from our files as soon as possible.

Your rights in relation to the Personal Information we hold about you

We grant consumers certain privacy rights, including, as described below, the right to access or delete their Personal Information. These rights are subject to certain limitations, however, such as that they do not apply to personal information about employees, applicants, and contractors, information processed exclusively in the business-to-business context (e.g., information about an individual acting in his or her capacity as a representative of an entity), or information collected, processed, sold, or disclosed pursuant to the federal Gramm-Leach Bliley Act (Public Law 106-102) and its implementing regulations.

Right to request disclosure of information we collect and share about you

You can submit a request to us for the following Personal Information we have collected:

- The categories of Personal Information we've collected about you.
- The categories of sources from which we collected the Personal Information.
- The business or commercial purposes for which we collected the Personal Information.
- The categories of third parties with which we shared the Personal Information.
- The specific pieces of Personal Information we collected.

You can also submit a request to us for the following information: the categories of Personal Information that we have disclosed for a business purpose.

Our responses to any of these requests will cover the 12-month period preceding our receipt of the request.

Right to request the deletion of Personal Information we have collected from you

Upon request, we will delete the Personal Information we have collected about you, except for situations where specific information is necessary for us to: provide you with a product or service that you requested; perform a contract we entered into with you; maintain the functionality or security of our systems; or comply with or exercise rights provided by the law. The law also permits us to retain specific information for our exclusively internal use, but only in ways that are compatible with the context in which you provided the information to us or that are reasonably aligned with your expectations based on your relationship with us.

How you can make a request to exercise your rights

To exercise your right to access or delete your Personal Information, you may email us at privacy@firtree.com, or call us at 1-866-I-OPT-OUT service code 738.

How we will handle a request to exercise your rights

For requests for access or deletion, we will first acknowledge receipt of your request within 10 days of receipt of your request. We provide a substantive response to your request as soon as we can, generally within 45 days from when we receive your request, although we may be allowed to take longer to process your request under certain circumstances. If we expect your request is going to take us longer than normal to fulfill, we'll let you know.

When you make a request to access or delete your Personal Information, we will take steps to verify your identity. These steps may include asking you for Personal Information, such as your name, address, or other information we maintain about you. If we are unable to verify your identity with the degree of certainty required, we will not be able to respond to the request. We will notify you to explain the basis of the denial.

There may be some types of Personal Information that can be associated with a household (a group of people living together in a single home). Requests for access or deletion of household Personal Information must be made by each member of the household. We will verify each member of the household using the verification criteria explained above. If we are unable to verify the identity of each household member with the degree of certainty required, we will not be able to respond to the request. We will notify you to explain the basis of our denial.

You may also designate an authorized agent to submit requests on your behalf. If you do so, you will be required to verify your identity by providing us with certain Personal Information as described above. Additionally, we will also require that you provide the agent with written permission to act on your behalf, and we will deny the request if the agent is unable to submit proof to us that you have authorized them to act on your behalf.

We usually act on requests and provide information free of charge, but we may charge a reasonable fee to cover our administrative costs of providing the information in certain situations.

We are committed to honoring your rights

We are committed to complying with the law. If you exercise any of the rights explained in this Notice, we will continue to treat you fairly.

INTERNATIONAL AUDIENCES

Personal Information collected from you, including via the Website or other Fir Tree services, will be transferred to the United States where Fir Tree is located and where the Website is hosted. Such transfer may not provide a similar level of protection to that provided by countries in foreign jurisdictions. Do not use the Website if you do not agree to the transfer and processing of your Personal Information in the United States or if it is illegal to do so in your home country.

SECURITY MEASURES

We aim to protect Personal Information by implementing and maintaining reasonable security practices and procedures, such as by using reasonable organizational, technological and physical safeguards appropriate to the sensitivity of the Personal Information we hold. We take measures, which are at least as strict as the law requires, to safeguard your Personal Information, but we cannot guarantee its absolute security.

THIRD-PARTY LINKS

Please note that the Site may contain links to third-party websites. Please be aware that we are not responsible for the privacy practices of other websites. This Site offers no guarantees on the safety or suitability of websites featured on third-party links, and any user who chooses to follow such links does so at his or her own risk.

RETENTION OF PERSONAL INFORMATION

How long we hold your Personal Information for will vary. The retention period will be determined by the following criteria:

- the purpose for which we are using your Personal Information – we will need to keep the data for as long as is necessary for that purpose; and
- legal obligations – laws or regulation may set a minimum period for which we have to keep your Personal Information.

DO-NOT-TRACK REQUESTS

“Do Not Track” signals are options available on your browser to tell operators of websites that you do not wish to have your online activity tracked. Because there currently is no industry standard concerning what, if anything, websites should do when they receive such signals, we currently do not take action in response to these signals.

Accessibility

We are committed to ensuring that our communications are accessible to people with disabilities. To make accessibility-related requests or report barriers, please contact us at 1-866-I-OPT-OUT service code 738 or contact privacy@firtree.com.

CONTACT US

If you have any questions, comments or concerns about our privacy practices, please contact us at: privacy@firtree.com