

PRIVACY NOTICE

About this privacy notice

Your privacy is very important to us. This notice (this "**Privacy Notice**") is provided by Davidson Kempner Capital Management LP and its affiliates ("**DKCM**"; "**we**", "**us**" or "**our**"), and sets forth the policies of DKCM for the collection, use, storage, sharing, disclosure (collectively, "**processing**") and protection of personal data relating to current, prospective and former investors in our funds. References to "**you**" or an "**investor**" in this Privacy Notice mean any investor who is an individual, or any individual connected to an investor who is an entity (each such individual, a "**data subject**"), as applicable.

The types of personal data we may collect and use

We may process the following personal data about you:

- (a) Information provided to us by you or (if different) the investor: This might include your name and address (including proofs of name and address), contact details, date of birth, gender, nationality, photograph, social security number or other identification number, signature, occupational history, job title, income, assets, other financial information, bank details, investment history, tax residency and tax identification information. Such information might be provided in a subscription agreement or in other documents (as part of the subscription process or at other times), face-to-face, by telephone, by email or otherwise.
- (b) Information that we collect or generate: This might include information relating to your (or an investor's) investment in a fund, emails (and related data) and website usage data.
- (c) Information that we obtain from third parties or other sources, such as the administrator of a fund (the "**Administrator**"), public websites, publicly accessible databases or registers, tax authorities, governmental agencies and supervisory authorities, credit agencies, fraud prevention and detection agencies and other public sources and information received from the investor's advisers or from intermediaries. This might include information obtained for the purpose of a fund's know-your-client procedures (which include anti-money laundering procedures, counter-terrorist financing procedures, politically-exposed-person checks, sanctions checks, among other things).

Using your personal data: the legal basis and purposes

Your personal data may be stored and processed by us for the following purposes:

- (a) Assessing and processing subscriptions for shares or interests in a fund and other related dealings, including performing know-your-client procedures, issuing and redeeming shares or interests, receiving payments from and making payments to the investor, calculating net asset value and overseeing these processes.
- (b) General business administration, including communicating with investors, communicating with service providers and counterparties, accountancy and audit services, risk monitoring, the administration of IT systems and monitoring and improving products.
- (c) Compliance with legal, tax and regulatory obligations and industry standards pertaining to a fund or the Administrator, including know-your-client procedures, the automatic exchange of tax information and legal judgments.
- (d) In respect of information shared with DKCM, its business activities relating to a fund, such as investor relations, discussions with a fund's service providers and counterparties, decision-making in relation to a fund, and business strategy, development and marketing.

We are entitled to process your personal data in these ways for the following reasons:

- (a) If you are an investor, you may enter into an investment contract (i.e., subscription agreement and related documents) with a fund and some processing will be necessary for the performance of that contract, or will be done at your request prior to entering into that contract.
- (b) Processing may be necessary to discharge a relevant legal or regulatory obligation.
- (c) The processing will, in all cases, be necessary for the legitimate business interests of a fund, DKCM, the Administrator or another person, such as:
 - (i) carrying out the ordinary or reasonable business activities of a fund, DKCM, the Administrator or other persons, or other activities previously disclosed to a fund's investors or referred to in this Privacy Notice;
 - (ii) ensuring compliance with all legal, tax and regulatory obligations and industry standards, and preventing fraud;
 - (iii) establishing, exercising or defending legal rights or for other purposes relating to legal proceedings; and
 - (iv) ensuring the security of information systems.
- (d) In respect of any processing of sensitive personal data falling within special categories, such as any personal data relating to the political opinions of a politically exposed person, the processing will be necessary for reasons of substantial public interest.

How we may share your personal data

We may from time to time, in accordance with the purposes described above, disclose your personal data to other parties, including (a) affiliates of DKCM, (b) the Administrator, (c) professional advisers such as law firms and accountancy firms, (d) other service providers of a fund, DKCM and the Administrator, including technology service providers, (e) prime brokers, custodians, executing brokers and other counterparties and (f) courts and regulatory, tax and governmental authorities. Some of these persons will process your personal data in accordance with our instructions and others will themselves be responsible for their use of your personal data. These persons may be permitted to further disclose the personal data to other parties.

We may share your information with our affiliates for direct marketing purposes, such as offers of products and services to you by us or our affiliates. You may prevent this type of sharing by contacting us as described below (see "**Contacting Us**"). We may also disclose information about your transactions and experiences with us to our affiliates for their everyday business purposes. If you are a *new* investor, we can begin sharing your information 30 days from the date we sent this Privacy Notice. When you are *no longer* our investor, we may continue to share your information as described in this Privacy Notice. We do not share your information with non-affiliates for them to market to you. We may also disclose information you provide to us to companies that perform marketing services on our behalf, such as any placement agent.

You may contact us at any time to limit our sharing of your personal information. If you limit sharing for an account you hold jointly with someone else, your choices will apply to everyone on your account. US state laws may give you additional rights to limit sharing.

Necessity of personal data for an investment in a fund

The provision of certain personal data is necessary for shares or interests in a fund to be issued to any investor and for compliance by a fund and its service providers with certain legal, tax and regulatory obligations. Accordingly, if certain personal data is not provided when requested, a subscription for shares or interests might not be accepted or shares or interests might be compulsorily redeemed.

Retention of personal data

How long a fund holds your personal data for will vary. The retention period will be determined by various criteria, including the purposes for which a fund is using it (as it will need to be kept for as long as is necessary for any of those purposes) and legal obligations (as laws or regulations may set a minimum period for which a fund has to keep your personal data).

Additional information for Data Subjects within the European Economic Area

This Privacy Notice is issued on behalf of Davidson Kempner Capital Management LP and its affiliates. The name of the specific Davidson Kempner entity that processes your personal data will depend on which of our fund(s) you invest into.

Transfers of your personal data outside the European Economic Area

Your personal data may be transferred to and stored by persons outside the European Economic Area (the "EEA"), and in particular may be transferred to and stored by affiliates or service providers of a fund or the Administrator outside the EEA.

Where personal data is transferred outside the EEA, we will ensure that the transfer is subject to appropriate safeguards or is otherwise permitted under applicable law. For example, the country to which the personal data is transferred may be approved by the European Commission, the recipient may have agreed to model contractual clauses approved by the European Commission that oblige them to protect the personal data, or the recipient may be located in the United States and be a certified member of the EU-US Privacy Shield scheme

You can obtain more details of the protection given to your personal data when it is transferred outside the EEA by contacting us using the details set out under "**Contacting Us**" below.

Your rights under GDPR

Data subjects in the European Economic Area have a number of legal rights in relation to the personal data that we hold about you. These rights include the following:

- (a) The right to obtain information regarding the processing of your personal data and access to the personal data that we hold about you.
- (b) In some circumstances, the right to receive some personal data in a structured, commonly used and machine-readable format and the right to request that we transmit that data to a third party where this is technically feasible. Please note that this right only applies to personal data which you have provided to us.
- (c) The right to request that we rectify your personal data if it is inaccurate or incomplete.
- (d) The right to request that we erase your personal data in certain circumstances. Please note that your right to be forgotten that applies in certain circumstances under GDPR is not likely to be available in respect of the personal data we hold, given the purpose for which we collect such data, as described above.

- (e) The right to object to, and the right to request that we restrict, our processing of your personal data in certain circumstances. Please note that there may be circumstances where you object to, or ask us to restrict, our processing of your personal data but we are legally entitled to continue processing your personal data or to refuse that request.
- (f) The right to lodge a complaint with the data protection regulator.

You can exercise your rights by contacting us using the details set out under "**Contacting Us**" below. You can find out more information about your rights by contacting an EU data regulator such as the UK's Information Commissioner's Office, or by searching their website at ico.org.uk.

Contacting Us

If you would like further information on the collection, use, disclosure, transfer or processing of your personal data or the exercise of any of the rights listed above, please address questions and requests to Client Service at clientservice@dkpartners.com.