

PRIVACY NOTICE

Effective Date: June 16, 2022

Last Updated: June 16, 2022

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 ("**DK**"; "**we**", "**us**" or "**our**"), and sets forth the policies of DK for the collection, use, storage, sharing, disclosure (collectively, "**processing**") and protection of personal data relating to your use of our website at www.davidsonkempner.com (the "**Website**").

Investors: For more information on the collection and processing of personal data of DK investors, see the privacy notice included in the subscription documents related your investment in the DK fund. For investors logging in to their investor portal account, the login directs investors to a third-party website and platform with its own privacy notice that we encourage you to review.

Employees/Job applicants: This Privacy Notice does not apply to personal information DK collects from its employees and personnel in the context of their employment. Employees in the United Kingdom and Ireland should review the employee privacy notice applicable to them on our website. If you are applying for a position with DK, please contact us if you have questions about our approach to your privacy.

If you are a California resident, see "**Additional information for California residents: Your California privacy rights**" below for information provided pursuant to the California Consumer Privacy Act.

If you are a resident within the European Economic Area, see "**Additional information for Data Subjects within the European Economic Area**" below for information regarding the data privacy rights that may be applicable to you.

This Privacy Notice is not a contract and does not create any legal rights or obligations.

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: This might include: your contact information, including name, email and address (including proofs of name and address); information about your relationship with DK, including your location, communication preferences, and investor status; identification information, including date of birth, gender, nationality, photograph, social security number or other identification number, signature; professional information, including occupational history and job title; financial information, including income, assets, bank details, investment history, tax residency and tax identification information; online and technical information, including your network activity, information about your device and operating system, browser information, and IP address/location information, and any personal data you send us by email. 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, through browsing our website, by email, or otherwise.
- (b) Information that we collect or generate: This might include information relating to your investments and relationship with DK, emails (and related data) and website usage data.
- (c) Information that we obtain from third parties or other sources, 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 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 the financial products and services that we provide you, including performing know-your-client procedures, receiving and making payments and overseeing these processes.
- (b) General business administration, including communicating with clients or 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 financial industry standards pertaining to clients, including know-your-client procedures, the automatic exchange of tax information and legal judgments.
- (d) In respect of information shared with DK, its business activities relating to clients, discussions with 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 a client or investor, you may enter into an investment or financing 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. The provision of certain personal data is necessary to provide our products and services and for compliance by us, our affiliates and if certain personal data is not provided when requested, there may be certain implications on our ability to provide you with our products and services, including not accepting a subscription for shares or interests or compulsorily redeeming shares or interests.
- (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 DK or its agents, such as:
 - (i) carrying out the ordinary or reasonable business activities of DK, or other activities previously disclosed to clients or 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

DK does not sell your personal information. We may from time to time, in accordance with the purposes described above and as permitted by applicable law, disclose your personal information to other parties, including (a) affiliates of DK, (b) an administrator of a fund, (c) professional advisers such as law firms and accountancy firms, (d) other service providers of a fund, DK and the fund's administrator, including technology service providers, (e) brokers, custodians, and other counterparties (f) as part of a sale or transfer of business assets, and (g) courts and regulatory, tax and governmental authorities in the countries where we operate. Some of these persons will process your personal data in accordance with our instructions and consistent with this Privacy Notice 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 as permitted by applicable law.

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* client or investor, we can begin sharing your information 30 days from the date we sent this Privacy Notice. When you are *no longer* our client or 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. Please note that any such request to limit sharing of information will apply solely to your personal information and, unless otherwise requested, will not apply to other individuals in your organization or otherwise associated with your account.

Online privacy and tracking technologies

By visiting our Website or engaging with us via email, we may collect personal data about you. We use tracking technologies, such as Google Analytics, to analyze Website traffic, optimize our Website, and improve your browsing experience on our Website. Where possible, this information is used in a non-identifiable manner. We do not use other cookies to collect personal data through our Website.

Links to other websites

The Website may include links to other websites maintained by third parties. This Privacy Notice is limited to our own information collection practices, and we are not responsible for the information collection practices of other websites. In some circumstances, if you click on a link, you may be seamlessly linked to a third-party website for which we have contracted with that third party to provide certain services. For example, if you click on the "Login" link on our homepage, you will be redirected to another website controlled by Citco Group Limited, which has its own data privacy notice on its website. While we have contracted with Citco Group Limited to provide these account login services, such services and any personal information collected by Citco Group Limited are subject to its own website privacy notice, cookies notice, and terms of use.

International data transfers

DK is headquartered in New York in the United States and with its affiliates has offices globally. Your personal information may be transferred to our affiliates or service providers in other countries that may not have a similar level of data protection or privacy laws as the country where you live. We take measures to protect your data in transit and wherever it is stored.

Automated decision-making

We do not currently use any processing systems which make decisions based solely on automated processing of your personal information.

Retention of personal data

How long we hold your personal data for will vary. The retention period will be determined by various criteria, including the purposes for which we are 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 we have to keep your personal data).

Additional information for California residents: Your California privacy rights.

If you reside in California, you have the right to ask us one time each year if we have shared personal information with third parties for their direct marketing purposes. To make a request, please send us an email, or write to us at the address listed below. Indicate in your letter that you are a California resident making a “Shine the Light” inquiry.

If you reside in California, you can make the following more specific requests with respect to your personal information:

- **Access** – You can request that we disclose to you the categories of personal information we collected about you, the categories of sources from which we collected the personal information, the categories of personal information we sold or disclosed, our business or commercial purpose for collecting and sharing the personal information, the categories of third parties with whom we shared the personal information, and the specific pieces of personal information we collected about you over the past 12 months.
- **Deletion** – You can request that we delete your personal information that we maintain about you, subject to certain exceptions.

DK will not discriminate against you because you made any of these requests.

California residents can make these requests by using the details set out under "**Contacting Us**" below. We may deny certain requests, or fulfill a request only in part, based on our legal rights and obligations. For example, we may retain personal information as permitted by law, such as for tax or other record keeping purposes, to maintain an active account, and to process transactions and facilitate customer requests. Except as otherwise provided by applicable California law, note that for purposes of these requests under this Section, personal information does not include information about job applicants, employees and other of our personnel; information about employees and other representatives of third-party entities we may interact with; or information we have collected as a service provider to our clients.

We will take reasonable steps to verify your identity prior to responding to your requests. For example, we may utilize a third-party verification provider to assist with verifying your identity. The verification steps

may vary depending on the sensitivity of the personal information and whether you have an account with us.

California residents may designate an authorized agent to make a request on their behalf. When submitting the request, please ensure the authorized agent is identified as an authorized agent.

For purposes of California residents making these requests, please also note the following regarding how we collect, use, and share your personal information as described in this Privacy Notice, including in the previous 12 months:

- We may collect, use, and disclose for our business and commercial purposes, categories of personal information as set forth in applicable California law, including: Identifiers; payment and customer records information; characteristics of protected classifications under California or federal law (such as demographic information like age, gender, and disability); commercial information; professional or employment information; internet or other electronic network activity information; geolocation data; education information; audio, electronic, visual, thermal, or similar information; and inferences. See above for additional detail.
- We collect and use these categories of personal information for the business and commercial purposes described above in this Privacy Notice.
- We collect these categories of personal information from the sources described above.
- We may disclose each of the foregoing categories of personal information for the business and commercial purposes described in this Privacy Notice to the extent permitted by applicable law to the categories of third parties as described above in this Privacy Notice.

Additional information for Data Subjects within the European Economic Area

This Privacy Notice is issued on behalf of DK. DK processes your personal data.

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 DK 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 by 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.

Our websites and services are not intended for children

Our websites and our services are meant for adults. We do not knowingly collect personal information from children under 18. If you are a parent or legal guardian and think your child has given us information, you can contact us by using the details set out under "Contacting Us" below.

We use standard security measures.

We value the security of your data and take reasonable measures to keep your data secure, but we cannot promise that your use of our Website or products or services will be completely safe. Any transmission of your data to us or our Website is at your own risk. We encourage you to use caution when using the Internet.

We may update this Privacy Notice.

From time to time we may change this Privacy Notice. We will notify you of any material changes to our Privacy Notice to the extent required by law. We will post an updated copy on our Website. Please check our Website periodically for updates. Your continued use of our Website, products and services means that you consent to the collection, use and disclosure of your personal information as set out in the updated Privacy Notice.

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, or otherwise have any questions, requests or complaints, please address your inquiry to Client Service at clientservice@dkpartners.com.