

DavidsonKempner

Privacy Notice

About this Privacy Notice

Your privacy is very important to us. In this notice (the "**Privacy Notice**"), "**we**", "**us**" and "**our**" means Davison Kempner Capital Management LP and our affiliates ("**Davidson Kempner**"). This notice details how we use and share your personal information in relation to this website (www.davidsonkempner.com) and when you interact with us as a prospective, existing or former business counterparty (or an individual related to them).

For the purposes of any applicable data protection legislation (including the General Data Protection Regulation (EU) 2016/679 ("**GDPR**") and the California Consumer Privacy Act 2018 as amended ("**CCPA**") (the "**Data Protection Laws**"), Davidson Kempner Capital Management LP is a "data controller" or the "business" responsible for Personal Data that you provide to us in relation to this website. Where you contact or interact with another entity within the Davidson Kempner group, the entity you are interacting with will be the data controller or the business responsible for your Personal Data.

The types of Personal Data we may process

"Personal Data" is any information that relates to you and that identifies you either directly from that information or indirectly, by reference to other information that we have access to.

We may collect and process the following Personal Data relating to you:

- (a) **information that you give us:** this is information about you that you provide to Davidson Kempner by filling in forms on our website (or other forms we ask you to complete), giving us a business card (or similar) or sending us your CV, or through other means such as correspondence with Davidson Kempner by email, telephone, or otherwise;
- (b) **information that we collect or generate:** this is information that may be collected from your use of our website or your correspondence with us (including website usage data, email exchanges, telephone conversations or other electronic communications with our employees and other staff members, which our information technology systems may record details of for the purposes of entering into a business relationship with you); and
- (c) **information that we obtain from third parties or other sources:** this is information that we may collect from other sources, for example, to meet legal and regulatory obligations. For example, in an investment context, we may receive information from our third party service providers who conduct due diligence, background checks or similar checks, from public sources and registers and also government and regulatory bodies.

We may process information about your political opinions where you are identified as a politically exposed person. We may also, in limited circumstances, process information about criminal convictions and offences. Where we process such Personal Data, we do so in accordance with the legal bases identified in this Privacy Notice, and in accordance with applicable law.

We may have collected any of the categories of Personal Data described above from you from the sources listed in the past 12 months. For the purposes of the CCPA, this processing may include: (a) identifiers, (b) customer records, (c) certain protected characteristics, (d) commercial information, and (e) professional information.

Using your Personal Data: purposes

Your Personal Data may be stored and processed by us for the following key purposes:

- (a) maintaining the quality of and improving the website;
- (b) general business administration, such as responding to your communications and enquiries and to share information with you for marketing purposes;
- (c) managing our relationship with you and (if relevant) the organization that you represent;
- (d) providing products and services to you and (if relevant) the organization that you represent;
- (e) administering participation in events;
- (f) verifying your information and undertaking KYC, due diligence, reference or other similar checks;
- (g) complying with requests from regulatory, governmental, tax and law enforcement authorities;
- (h) protecting against and identifying fraud, money-laundering, cyber attacks and other unlawful activity; and
- (i) compliance with applicable legal and regulatory requirements and our policies.

We may have disclosed any of the categories of Personal Data listed above for any of the business purposes described in this section in the past 12 months.

Using your Personal Data: legal basis

We are entitled to process your Personal Data for those purposes on the following basis:

- (a) where a contract we are seeking to enter into or have entered into with you requires us to process your Personal Data in order for such contract to be performed;
- (b) the provision of certain Personal Data is necessary for us to provide our products and services to you and to ensure compliance with applicable legal and regulatory requirements by us and our affiliates when we are providing products and services to you;
- (c) the processing of your Personal Data may be necessary to discharge a relevant legal or regulatory obligation;
- (d) the processing of your Personal Data is necessary for the legitimate business interests of Davidson Kempner or its agents, such as:
 - (i) carrying out the ordinary or reasonable business activities of Davidson Kempner, 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; or
 - (iv) ensuring the security of information systems.

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

Davidson Kempner does not sell your Personal Data. We may from time to time, in accordance with the

purposes described above and as permitted by applicable law, disclose your Personal Data to other parties, including:

- (a) other members of the Davidson Kempner Group and our affiliates;
- (b) your colleagues within the organization that you represent;
- (c) affiliates and third party service providers;
- (d) professional advisers, including law firms and accountancy firms, brokers, custodians, consultants and marketing companies; and
- (e) to the extent required by law, in exceptional circumstances, courts and competent regulatory, tax and governmental authorities or litigation counterparties, and other organizations and agencies 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 opt out of this type of sharing by contacting us as described below (see "**Contacting us**").

We may have shared any of the categories of Personal Data listed with any of the categories of third parties described in this section in the past 12 months.

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 Data collected by Citco Group Limited are subject to its own website privacy notice, cookies notice, and terms of use.

International data transfers

Davidson Kempner is headquartered in New York in the United States and, with its affiliates, has offices globally. Your Personal Data may be transferred to, or be stored by, our affiliates or service providers in other countries that may not have a similar level of data protection or privacy laws as your home country. We take measures to protect your data in transit and wherever it is stored.

Where we transfer your Personal Data outside your home country, we will ensure that your Personal Data is protected as required under applicable Data Protection Laws, including, where appropriate, under an agreement on terms approved for this purpose by the relevant government or data protection supervisory

authority.

You can obtain more details of the protection given to your Personal Data when it is transferred outside of your home country by contacting us using the details set out under "**Contacting us**" below.

Automated decision-making

We do not currently use any processing systems which make decisions and produce legal effects for you, or which may otherwise significantly affect you, based solely on automated processing of your Personal Data.

We will not use such automated decision-making processing systems unless we have considered the proposed processing system in a particular case and concluded in writing that it meets the requirements of the applicable Data Protection Laws.

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).

Your rights under the Data Protection Laws

Depending on your home country, you may 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) The right to withhold or withdraw consent (to the extent it has been collected) to process your Personal Data. Please note that in the event you do not provide consent in relation to the processing of your Personal Data, we may not be able to provide you with the requisite services. Please also note that we may still be entitled to process your Personal Data if we have another legitimate reason (other than consent) for doing so.
- (c) In some circumstances, the right to receive 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.
- (d) The right to access and review the information provided by you, and request that we rectify your Personal Data if it is inaccurate or incomplete.
- (e) The right to request that we erase your Personal Data in certain circumstances. Please note that your right to erasure that applies in certain circumstances is not likely to be available in respect of the Personal Data we hold, given the purpose for which we collect such Personal Data, as described above.
- (f) 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.

- (g) The right not to be subject to solely automated decisions, including profiling, which have a legal or similarly significant effect on you.
- (h) The right to lodge a complaint with the data protection regulator. In the UK, the data protection authority is the Information Commissioner's Office (available at <https://ico.org.uk>). In Ireland, the data protection authority is the Data Protection Commission (available at <https://www.dataprotection.ie/>).

You can exercise your rights by contacting us using the details set out under “**Contacting us**” below. When exercising any of these rights, we may request specific information from you to prove your identity to our satisfaction so that we can safeguard your Personal Data from unauthorized access by someone impersonating you. Davidson Kempner will not discriminate against you because you made any of these requests.

Additional information for California residents

If you reside in California, you have the right to ask us once per year if we have shared Personal Data 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 correspondence that you are a California resident making a "Shine the Light" inquiry.

Our websites and services are not intended for children

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

Protection of Personal Data

We value the security of your data and have in place appropriate technical and organizational measures to safeguard the Personal Data that we hold about you. 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.

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 privacy@dkp.com.

Changes to this Privacy Notice

From time to time, we may change this Privacy Notice. Any changes we make to this Privacy Notice in the future will be posted to this Website.

Last reviewed: June 2023