

GDPR DATA PROTECTION NOTICE

MAY 2018

Morgan, Lewis & Bockius LLP and its European Union (EU) affiliates (identified below) (hereinafter collectively, Morgan Lewis, we or us) collect and process personal information provided to us from, or that we obtain on behalf of, our clients in the course of providing services to our clients. The EU Morgan Lewis affiliates are located at:

- Morgan, Lewis & Bockius UK LLP: London
Condor House, 5-10 St Paul's Churchyard, London, EC4M 8AL, UK
- Morgan, Lewis & Bockius UK LLP: Paris
68 rue du Faubourg Saint-Honoré, 75008 Paris, France
- Morgan, Lewis & Bockius LLP: Frankfurt
Openturm, Bockenheimer Landstr. 4, 60306 Frankfurt am Main, Germany
- Morgan, Lewis & Bockius LLP: Brussels
7 Rue Guimard Guimardstraat, B-1040 Brussels, Belgium

This Data Protection Notice (Notice) is provided in accordance with applicable privacy laws including, but not limited to, laws implementing the General Data Protection Regulation 2016/679 (the Data Privacy Laws). It applies only to former, current and prospective clients (clients) of our European offices and clients of our non-European offices who are resident in the European Economic Area, Switzerland, and the United Kingdom (UK), and whose personal data we process on our clients' behalf. It identifies the personal data we receive and how Morgan Lewis uses this information to serve our clients. This Notice does not apply to other clients or any residents in any territory other than in the European Economic Area, Switzerland, and the UK.

Morgan Lewis provides legal services to our clients. In this respect, we are likely deemed a data controller under applicable Data Privacy Laws with respect to the personal data we obtain from our clients about their personnel and other individuals with whom we work. To the extent that Morgan Lewis is deemed a data controller under applicable Data Privacy Laws, this Notice fulfils our obligation to provide information to our

clients whose personal data we process in this capacity.

We also include in this Notice information regarding the personal data of third parties that we process in our capacity as a data controller in the course of our services to our clients.

Personal Data

The personal data Morgan Lewis processes primarily includes contact details of our clients and their employees and their other personnel, along with any other data relating to such individuals in which they are identified or from which they are identifiable. This includes each individual's name, contact information, and information about where he or she works, and may also include, only to the extent provided to us by a client or its employees or other personnel, (i) details regarding the individual's health, sickness, and/or disability, and (ii) information about the individual's sex life, political opinions, religious or philosophical beliefs, trade union membership, racial or ethnic origin, and/or criminal records.

Morgan Lewis collects various types of personal data from different sources, including from:

- our clients;
- public sources, such as the internet and social media sites; and
- any vendors engaged by us or our clients to provide services on our or our client's behalf.

What We Do With This Personal Data

The personal data Morgan Lewis collects is used in connection with, and to provide legal services to, our clients—notably, to facilitate our provision of such services, to respond to queries, and for other professional dealings with our clients. The collection of such personal data may be a statutory requirement for providing legal services, e.g. for conflict check purposes or to comply with anti-money laundering laws, and we will not

be able to provide legal services without the required personal data in such cases. Where and to the extent required by a court order or a request from a governmental or regulatory authority, Morgan Lewis may also disclose this personal data to the court or governmental or regulatory authority.

Where personnel employed or engaged by our clients and contacts consent to Morgan Lewis's using their personal data for marketing purposes, we use their data to send LawFlashes and other legal updates, and to invite them to seminars, webinars, and other events hosted or sponsored by Morgan Lewis. Individuals can unsubscribe from these marketing communications at any time after initially providing consent. Morgan Lewis will not use this personal data for any additional purposes without express consent to do so, unless we have another lawful ground on which to use this information under the Data Privacy Laws. Any such consent is revocable at any time. Morgan Lewis does not use personal data for automated decision-making, including profiling.

We are also permitted to process this personal data to comply with our legal and regulatory obligations and/or our contractual obligations to our clients to provide the services to them and for our own legitimate interests.

Some of this personal data is processed by us outside Europe, including in the United States, China, Japan, Singapore, United Arab Emirates, Kazakhstan, Russia, and Hong Kong, and is held on servers within the local office of the particular country. Morgan Lewis takes steps to safeguard the privacy and security of all categories of personal data as required under the Data Privacy Laws. Morgan Lewis uses standard contractual clauses in the form approved by the European Commission (<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32004D0915>). As regards the Frankfurt office, Morgan Lewis uses such clauses in connection with a guarantee (see <https://www.morganlewis.com/terms-of-use-and-privacy-policy>).

Our security measures to protect the personal data are described below in this Notice. We do not allow any third parties to have access to this personal data, except as required or permitted by applicable laws or in accordance with our Notice. We may disclose this personal data to our subcontractors, agents, legal advisers, auditors, and other relevant business advisers. Such recipients may be located in the United States. We require that our subcontractors, agents, legal advisers, auditors, and other relevant business advisers agree in writing to comply with the privacy and security standards described in this Notice.

The following are instances when we may disclose this personal data to other parties:

- To comply with the law or respond to compulsory legal processes (such as a search warrant or court order), or in response to a request for information from a regulator or governmental authority, or in the course of actual or anticipated litigation or otherwise for legal purposes, e.g. to other law firms, courts, or government authorities to

protect our clients' rights and/or to provide services to our clients; and/or

- To protect the rights, property, or safety of Morgan Lewis, or any of our respective affiliates, business partners, or clients, or otherwise in the legitimate business interests of Morgan Lewis and/or our affiliates and in accordance with Data Privacy Laws; and/or
- With other law firms, courts, and governmental authorities, to protect the legal rights of our clients, or in accordance with litigation processes, and to provide our legal services under the agreements with our clients. We may share this personal data with another business entity in connection with the sale, assignment, merger, or other transfer of all or a portion of Morgan Lewis's business to that business entity. We will require that such recipients undertake to protect this personal data as required by the Data Privacy Laws.

How Morgan Lewis Protects Personal Data

Morgan Lewis understands that storing personal data in a secure manner is an essential requirement of the Data Privacy Laws and, therefore, employs reasonable physical, technical, and administrative safeguards to secure such data against foreseeable risks, including unauthorised use, access, disclosure, destruction, or modification. More specifically, our information security team has developed policies, standards, and procedures to support and enforce preventive and detective operational controls to ensure the confidentiality, integrity, and availability of Morgan Lewis's client data. We utilise preventive and detective controls such as Log Collection Analysis and Event Correlation, Perimeter Protection, Account Security, Physical Security, User Access, Encryption, Data Loss Prevention, and Vulnerability Management to safeguard our clients' data. In addition, Morgan Lewis personnel are required to read and attest to Morgan Lewis's code of business conduct and confidentiality and data security policies on an annual basis. Personnel are also required to attend online data security training.

Although we make good-faith efforts to store the information we receive from and on behalf of our clients in a secure operating environment that is not available to the public, Morgan Lewis cannot guarantee complete security. Further, while we work to ensure the integrity and security of our network and systems, we cannot guarantee that our security measures will prevent third-party "hackers" from illegally obtaining this information.

How Long We Keep Personal Data

We retain the personal data for the duration of the client engagement and, depending on the applicable jurisdiction in which a client is located, for seven or 10 years after the end of the engagement for legal, regulatory, audit, and tax requirements.

Privacy Rights

Individuals have the right to access their personal information and to ensure that it is accurate, and to request that we delete and/or restrict the processing of their personal information in accordance with, and subject to, the Data Privacy Laws. To enforce any of these rights, individuals can contact us at MLGDPR@morganlewis.com.

If anyone wishes to raise a concern about how we have handled his or her personal information, he or she can contact us at the email address above or write to us at any of the above addresses.

If he or she is not satisfied with our response, he or she can complain to the Data Protection Authority in his or her country of residence or in the Morgan Lewis affiliate's place of residence.