



## Schedule 8 - iRELY, INC.'S PRIVACY POLICY

Effective Date: July 1, 2018

Here at iRely, LLC. (“iRely” “we” and “us”), we understand and respect your concerns about the use of your personal data. This Privacy Policy (the “Policy”) explains what personal data we collect, how we use that information, and your privacy rights.

### 1. DEFINITIONS

For purposes of this Policy, the following definitions shall apply:

1.1. “Data Subject” means an identified or identifiable natural person; an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

1.2. “GDPR” refers to the European General Data Protection Regulation (Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016).

1.3. “EU” (European Union) refers to those countries that are members of the European Union.

1.4. “EEA” (European Economic Area) refers to those countries that are members of the European Economic Area.

1.5. “Personal Data” means any information relating to a Data Subject.

1.6. “Privacy Shield Principles” mean the Privacy Shield Principles enumerated under the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework.

1.7. “Third Party” means any person that is not an employee or agent of iRely.

### 2. PRIVACY PRINCIPLES

The privacy principles expressed in this Policy are based on the Privacy Shield Principles enumerated under the EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework.

### 3. COLLECTION AND USE OF PERSONAL DATA

This Policy applies to all personal data received by iRely in any format including electronic, paper or verbal. iRely collects and processes personal data from current and former employees, as well as applicants for employment, clients, and prospective clients, through its Internet website, its Intranet site, carrier portals, electronic mail, and traditional mail. All personal data collected by iRely will be used for legitimate business purposes consistent with this Policy.

#### 3.1. Personal Data Collected



3.1.1. We only collect personal data that you provide to us.

3.1.2. If you register for certain Services on iRely's website (the "Website"), you will be asked to provide certain personally identifiable information as part of the registration process, such as first and last name, e-mail address, telephone number.

3.1.3. In addition, in using the services provided by iRely (the "Services"), you may be asked to provide additional information about the hedge funds that you represent or manage (if applicable), investment parameters, personal financial and account information, information relating to services performed for or transactions entered into on behalf of a hedge fund or another registered user, and data or analyses derived from such non-public personal information.

3.1.4. You may visit our Website and choose not to provide some personal information, but that will limit our ability to communicate with you or fulfill your requests. By using our Website and providing personal information, you consent to our privacy policy.

3.1.5. We also may use personally identifiable information to develop, offer, and deliver products and services; respond to inquiries from you or your representative; or to fulfill legal and regulatory requirements.

3.1.6. iRely may collect non-public personal data about you from any of the following sources:

3.1.6.1. From you or your representative on applications, registrations, or other forms (for example, your name, address, assets and income);

3.1.6.2. From you or your representative regarding your preferences (for example, based on your activity on our Website);

3.1.6.3. From other sources with your consent or with the consent of your representative (for example, from other institutions such as credit reporting agencies);

3.1.6.4. From investment activity (for example, your investments in private placements);

3.1.6.5. From information you have listed on any public area of your company's website.

3.1.6.6. From other interactions with iRely (for example, discussions with our customer service staff or your entry of information into our interactive tools); and

3.1.6.7. From email correspondence from you or phone conversations with you (we may gather the information in a file specific to you).

### **3.2. Non-Personal Information Collected**

We also may collect certain non-personally identifiable information when you visit the Website. This information includes the type of Internet browser and operating system you are using, the domain name of your Internet service provider, the URL that you visited before you came to our Website, the URL to which you next go, and your IP (Internet Protocol) address, pages visited, and average time spent on our Website. This information may be used, for example, to alert you to software compatibility issues, or it may be analyzed to improve our Website design and functionality. When you use the contact features of the Website, you consent to the review and internal use of your communication by iRely. We also may use non-personally identifiable information in the aggregate to analyze Website usage and to gather broad demographic information.



### 3.3. Cookies

3.3.1. We also receive information through cookies, clear GIFs, pixel tags, and other similar technologies. This information often does not reveal your identity directly, but in some countries, including the EEA, it is considered personal data.

3.3.2. We use cookies to improve and customize your browsing experience. For example, cookies permit the Website to remember that you have registered, which makes it possible for you to enter your log in ID and password less frequently and which allows us to speed up your activities on the Website.

3.3.3. Most web browsers are initially set to accept cookies. However, you can block, disable, or delete cookies, if desired. This often can be done by changing your internet software browsing settings. It also may be possible to configure your browser settings to enable acceptance of specific cookies or to notify you each time a new cookie is about to be stored on your computer enabling you to decide whether to accept or reject the cookie. To manage your use of cookies there are various resources available to you, for example the “Help” section on your browser may assist you. You also can disable or delete the stored data used by technology like cookies, such as Local Shared Objects or Flash cookies, by managing your browser’s “add-on settings” or visiting the website of the browser’s manufacturer. To learn more about how cookies can be managed, blocked, disabled, or deleted, visit [www.allaboutcookies.org](http://www.allaboutcookies.org). However, as our cookies allow you to access some of our Website’s features, we recommend that you leave cookies enabled, because, otherwise, if the cookies are disabled or deleted, it may mean that you experience reduced functionality or will be prevented from using the Website altogether.

3.3.4. By accessing or using our Website or online services, you consent to iReLy using cookies. If you refuse to accept cookies by adjusting your browser setting or taking any of the other kinds of actions discussed above, some or all areas of our Website or online services may not function properly or may not be accessible.

### 3.4. Our Use of Personal Data

Generally, iReLy will not share, rent, sell or otherwise disclose any of your personal information except with your permission. However, iReLy may disclose personal information in the following ways:

3.4.1. If you are a qualified investor, as necessary to enable managers or representatives of private investment funds to make determinations with respect to the eligibility and suitability of you as a qualified investor, and to contact you for purposes of discussing investment opportunities in private investment funds;

3.4.2. If you are a manager or representative of a private investment fund, as necessary to enable qualified investors who are registered users to make determinations with respect to the eligibility and suitability of such investment fund, and to contact you for purposes of discussing such investment opportunities;

3.4.3. In using certain of the services, some of your personal information will be displayed either to other persons or entities whom you designate, or to the public;

3.4.4. Affiliates, including affiliated services providers;



3.4.5. We may disclose your personal information to our third-party contractors, service providers, and agents who perform services for iRely. These contractors and service providers are permitted to use the personal information only for the purposes of such services;

3.4.6. We may be legally obligated to disclose personally identifiable information to the government, law enforcement officials or third parties under certain circumstances, for example, in response to legal process, court order or a subpoena and tax reporting. We also may disclose such information where we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, unauthorized access, situations involving potential threats to the physical safety of any person, violations of our Terms of Use, abuse of this Website, security breaches of this Website, or as necessary to protect our systems, business, users or others or as otherwise required by law;

3.4.7. We may disclose and transfer your information as part of a merger, acquisition or other sale or disposition of our assets or business;

3.4.8. Other organizations, with your consent or as directed by your representative; and

3.4.9. Other organizations, as permitted or required by the laws that protect your privacy (for example, for fraud prevention).

3.4.10. We require each of the above parties to adhere to our privacy standards or substantially similar standards for non-disclosure and protection of personal information and to use this information only for the limited purpose for which it was shared. Individuals interact with us in a variety of ways, and under some of these variations, we may exchange information with parties in addition to those described above.

3.4.11. We may also share all individual investor information, under joint marketing agreements with nonaffiliated financial services business partners, to offer discounts or other special access to products and services. In addition, we may disclose aggregated information to advertisers and for marketing or promotional purposes. In these situations, we do not disclose to these entities any information that could be used to personally identify you.

3.4.12. If you are a former customer, your personal data is treated in the same manner as the personal data of current customers.

### **3.5. Our Retention of Personal Data**

iRely will retain personal data while we have a justifiable business need to do so, unless a longer retention period is required or permitted by law (such as tax, legal, accounting, or other purposes). For example, if you are a customer, we will keep your personal data for the duration of the contractual relationship you or your company has with us and after the end of that relationship for as long as necessary to perform the functions set forth above or to comply with legal obligations. When we have no justifiable business need to process your personal data, we will either delete or anonymize it, or if this is not possible, we will securely store your personal data and isolate it from any further processing until deletion is possible.

## **4. SECURITY**



iRely uses administrative, organizational, technical, and physical safeguards to protect your personal data. We will take reasonable precautions to protect personal data in our possession from loss, misuse and unauthorized access, disclosure, alteration and destruction. With respect to information given on the Internet, iRely uses a variety of proven protections to maintain the security of your online session. This may include the use of firewall barriers, encryption techniques and authentication procedures. We require our partners to use appropriate security measures.

## **5. USER ACCESS AND CHOICE**

5.1. You are entitled to ask us for a copy of your personal data, to correct it, erase or restrict its processing, or to ask us to transfer (parts of) this data to other organizations. You also have the right to object to certain processing activities, such as the profiling we may perform for the purposes of direct marketing as discussed above in this Policy. Where we have asked for your consent to process your personal data, you have the right to withdraw this consent, for example, by using the opt-out or unsubscribe functionalities in our communications with you. These rights can be limited where we can demonstrate that we have a legal requirement or legitimate basis to process your personal data, and under such circumstances, we are able to retain your data even if you withdraw your consent.

5.2. If you wish to make use of any of these rights, please contact our Data Privacy Officer by e-mail or postal mail at the contact information provided below for the Data Privacy Officer or, as applicable, by using opt-out or unsubscribe functionalities in our communications with you. We will respond to your request within 30 days. If you are not satisfied with how we handle such requests or how we otherwise process your personal data, you can seek to have the matter addressed through the dispute resolution program administered by JAMS; for more information on how to initiate a matter with JAMS, please see <https://www.jamsadr.com/file-an-eu-us-privacy-shield-or-safe-harbor-claim>.

## **6. LINKED WEBSITES AND OTHER THIRD PARTIES**

This Privacy Policy only addresses the use and disclosure of personal data that we collect from you. The Website, or services on the Website, may contain links to other websites whose information, security, and privacy practices may be different than ours. You should consult the other websites' privacy policies and terms of use since we do not control information that is submitted to, or collected by, these third parties or the content of those linked websites. Once you access another website, you are subject to the privacy policy and terms of use of that website.

## **7. CHILDREN'S PRIVACY**

The Website and its services are not directed toward children under the age of 14. iRely will not knowingly request personally identifiable information from anyone under the age of 14, and if iRely becomes aware that any such information has been collected, iRely will delete it.

## **8. CHANGES TO THIS POLICY**



This Policy was last revised on December 27, 2019. iRely reserves the right to change, modify, or amend this Policy at any time. When the Policy is changed, modified, and/or amended, the revised Policy will be posted on our website. If required by applicable law, we will notify you of any material changes to the Policy, and we will provide such notification by means of posting a notice on our website prior to the changes becoming effective. Any revised privacy policy will only apply prospectively to personal data collected or modified after the effective date of the revised policy.

## **9. CONTACT INFORMATION**

If you have any questions regarding this Policy, you can write to iRely's Data Privacy Officer, who may be contacted by telephone at 1-800-433-5724, by e-mail at [billing@irely.com](mailto:billing@irely.com), or by postal mail at:

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