PRIVACY NOTICE

Effective: January 1, 2004

Last Revised: Nov 14, 2023 (see changelog at bottom).

This Notice explains how Siskinds LLP and our affiliates, including our Québec office, Siskinds, Desmeules s.e.n.c.r.l., ("we", "us", or "our") collect, use, retain, share and delete (collectively, "process") your Personal Information, which is broadly defined to include any information about an identifiable individual.

Please read through this Notice carefully so that you may decide to **consent**, **refuse to consent**, or **later withdraw** or **vary your consent** to the processing of your Personal Information. However, if you choose not to consent or you later withdraw or vary your consent, we may not be able to provide you or continue providing you certain services or responses.

To make any request, please contact our Chief Privacy Officer or our European Economic Area or United Kingdom Representatives. The contact information of our Chief Privacy Officer and our Representatives is detailed in the "Contact Information" section located at the bottom of this Notice.



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1. Executive Summary

You have a right to be informed of our privacy practices, to access your Personal Information, to correct your Personal Information, to withdraw or vary your consent, and the right to file a complaint with the Privacy Commissioner of Canada.

We generally only collect Personal Information directly from you that is related to the legal services you have requested. We may collect Personal Information about you from others who have (a) referred your contact information to us; or (b) run a background search on you. We may also request records about you from third parties with your consent (e.g., medical records related to your personal injury case). Excluding information we automatically collect from your use of our websites and social media, we generally only use your Personal Information for the legal services you request and for marketing purposes you have agreed to.

We do not sell your Personal Information to others. We will disclose your Personal Information with our third-party Service Providers who are performing services on behalf of us and to unrelated, independent third parties who are also providing you services connected with your requested legal services.

Lastly, we retain and protect your Personal Information in accordance with industry standards.

If you have any questions, please contact our Chief Privacy Officer at CPO@siskinds.com (CPO), art-27-rep-siskinds@rickert.law (EEA Representative), or art-27-rep-siskinds@rickert-services.uk (UK Representative).

2. Collection and Use of Personal Information

We collect Personal Information from you in three general ways: **directly** from you, **indirectly** from others, or **automatically** though our websites and affiliated social media.

a. Direct Collection and Use

We collect Personal Information directly from you for the following reasons and we use it the ways described below:

Contacting us as a Prospective Client

| How & What We Collect | How We Use It |
|--|--|
| Contacting Us. If you message us through our website at https://www.siskinds.com/ (our "Site") or by calling, emailing or otherwise contacting us, we will collect your: | We use this information to validate your identity or respond to your inquiry. |
| • name, | |
| • email, | |
| other Personal Information you provide us, and | |
| Personal Information related to your contact information (e.g., your email, telephone number, or mailing address). | |
| Contacting us also includes any inquiry to join one of our class actions. | |
| Conflict of Interests . If you have messaged us for legal services, we will collect and use the same Personal Information mentioned above. | As mandated by our professional obligations, we use this Personal Information to identify and assess possible conflict of interests and to identify you before we decide to represent you in regard to a matter. |
| Providing Initial Legal Consultations. In addition to the Personal Information already collected and used, we will also collect: any other Personal Information that is relevant to your inquiry. | We use this Personal Information to determine whether we can provide you legal services. |

Retention as a Client or Class Member

How & What We Collect How We Use It Retaining you as a Client or Class Member. When opening up a file number and an When we open up your file number, we will associated matter number, we are also collect your: required by law and the Law Society of Ontario, Barreau du Québec, and any occupation, other applicable law society (collectively, name and address of employer, the "Law Society") to use this information for "know your client", anti-money laundering purposes. drivers license, passport, or birth certificate. We will also assign you a file and a matter number. **Providing Services**. Depending on the type We use this information to render services of services you request, we will collect: to you, which, in the event such services are legal services, will be described in any Personal Information relevant detail in our Retainer Agreement with you, to the requested services. unless you agree to additional legal services outside the scope of such If we're providing legal services to you, we Retainer Agreement. will also assign a discrete matter number representing your legal issue. Generally speaking, legal services may include, but is not limited to, transferring your Personal Information to our third-party agents (described more below) to accomplish specific tasks, transferring funds to your bank account at the end of a representation, conducting background checks on you for due diligence purposes, and gathering evidence about your claim required for a trial you are involved in.

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| | We may also use this information for administrative purposes such as internal record keeping, fraud prevention, billing, and accounting. |
|--|--|
| Payment Information. Through our Site's "Make a Payment" portal, our payment service provider collects your: payment information (credit card details). | When we or our service provider collect your payment information, we or our service provider will only use such information to process your payment. |
| We may also collect that information if you provide it to us directly. | |
| We will also assign each invoice sent to you an <i>invoice number</i> . | |

General

| How & What We Collect | How We Use It |
|---|---|
| Applying for Employment . If you make an application for employment, we will also collect the Personal Information that is listed on the application form. | We use this information to make a decision about your employment application. |
| Visiting Us In-Person. If you visit our premises, we will collect:physical access information. | We collect this information for security and confidentiality purposes. |
| Participating in Events. When you participate in events that we host, we will collect your: name, and email address. | We use this information to permit you to participate in such events and to potentially offer you food or beverages (and help avoid allergic reactions). |
| If we are providing food and beverages, we may also collect your: medical information pertaining to allergies. | |
| Social Media. If you interact with our social media pages by submitting content, | We use this information to validate your identity or respond to your inquiry. |

| leaving reviews, or otherwise submitting information to us, we may collect your: social media public identification, and | |
|---|---|
| any other personal information you provide us. | |
| Newsletters and Marketing. If you | We will use this information for the |
| subscribe to our newsletters or marketing communications, we will collect your: email address, or | purpose of sending you our newsletter or marketing content. You may unsubscribe from receiving these communications at any time. |

b. Indirect Collection and Use

We may collect Personal Information about you from others for the following reasons, and we use such Personal Information in the ways described below:

| How & What We Collect | How We Use It |
|---|---|
| Referrals. Another lawyer, accountant, medical professional, or other individual may refer us your: contact information. | We may use this information to contact you for purposes of rendering legal services to you. |
| Records from Third Parties. Upon your express written consent, we may request from a third party their records containing your Personal Information (e.g., medical records from your doctor). | We would use this information to render legal services to you. |
| PROFILING. Depending on the type of legal services we are providing you, with your prior consent, we may use third-party software that creates a profile containing your personal information. Such third parties would search the internet including social media and the deep and dark web to investigate you. | We may use this information for due diligence purposes and to help us understand your case. |

Please Note: We do not use profiling to make any decision that would significantly affect you without the opportunity for human review.

c. Automatic Collection and Use

Using cookies and other tracking software, we automatically collect certain Personal Information from you when you access our Site or interact with us using social media. For example, we may collect:

| How & What We Collect | How We Use It |
|--|---|
| Site Usage Data: We use Google Analytics to collect your: device's IP address, browser type, browser version, the parts of our Site that you visit, the date and time of your visit, the time spent on those parts, unique device identifiers, and other diagnostic data. | We use this information to better understand, analyze, and respond to your needs and preferences, as well as to learn how you use the Site in order to improve it; subsequently develop or enhance it; and/or provide services to meet those needs and preferences. You may opt-out of having made your activity on the Service available to Google Analytics by installing the Google Analytics opt-out browser add-on. The add-on prevents the Google Analytics JavaScript (ga.js, analytics.js and dc.js) from sharing information with Google Analytics about visits activity. |
| Clear GIFs (a.k.a., web beacons, web bugs or pixel tags) are tiny graphics with a unique identifier embedded invisibly on web pages, not stored on your computer's local storage. These "images" are automatically loaded to your device when you visit our Site thereby letting us know if a certain page was visited. | Clear GIFs allow us to record simple user actions related to our Site to help us determine the usage and effectiveness of our site and communications. We might use clear GIFs to track the activities of our visitors, help us manage content, and compile statistics about usage. Clear GIFS can be blocked either by using a third-party application such as Ghostery (https://www.ghostery.com). |

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Social Media Plug-Ins. Our Site has social media plug-ins for Facebook, Twitter, Instagram, and LinkedIn.

We do not collect or otherwise process your Personal Information through these Plugin-Ins. Rather, Facebook, Twitter, Instagram, and LinkedIn are responsible for collecting or otherwise processing your Personal Information. For these third parties information processing practices, please visit:

Facebook:

https://www.facebook.com/policy.php Twitter: https://twitter.com/en/privacy

Instagram:

https://help.instagram.com/15583370790

0388

LinkedIn:

https://www.linkedin.com/legal/privacy-policy

In the event these links do not work, and you need assistance finding the respective social media network's privacy policy, please contact us.

These plug-ins allow users to post links to content from our Site onto the corresponding social media network. Once users open the website of a social media network on which a plug-in is embedded, the social media network will collect users' data.

Cookies

Cookies are pieces of information that are transferred from websites to your computer's local storage, and they may serve a variety of purposes.

How to disable or delete cookies

If you want to prevent your browser from accepting cookies, if you want to be informed whenever a cookie is stored on your computer or if you want to delete cookies from your computer, please make the necessary changes in your Internet browser settings. Please note that if you disable or delete cookies in your Internet browser settings, you might not be able to access important functions or features.

Below is a brief description of the different types of cookies we use, how we use those cookies and the potential impact to your experience if they are disabled:

Essential

The cookies listed below are essential to enable you to use the Site and its features. You cannot disable these cookies.



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| cmplz_preferences (Complianz) cmplz_marketing (Complianz) cmplz_statistics (Complianz) cmplz_functional (Complianz) cmplz_banner-status (Complianz) | to store cookie consent preferences | 1 year |
|---|--|---------|
| PHPSESSID | preserves visitor session state across Site's pages. | Session |

Performance / Analytics

The cookies listed below collect information about how you use our Site. All information collected through these cookies is aggregated and anonymous. You may disable these cookies, and if you do, there will be no impact on you.

| _ga (Google Analytics) | registers a unique ID that is used to generate statistical data on how the visitor uses the Site. | 2 years |
|---|--|---------|
| _ga_K9MX17KN5X (Google Analytics) | collects data on the number of times a user has visited the Site as well as dates for the first and most recent visit. | 2 years |
| _gid (Google Analytics) | registers a unique ID that is used to generate statistical data on how the visitor uses the Site. | 1 day |
| hjAbsoluteSessionInProgress (Hotjar) | This cookie is used to count how many times a Site has been visited by different visitors - this is done by assigning the visitor an ID, so the visitor does not get registered twice. | 1 day |
| _hjFirstSeen (Hotjar) | to store first visit to the site. | 1 day |
| _hjlncludedInSessionSample_1286244 (Hotjar) | Collects statistics on the visitor's visits to the Site, such as the number of visits, average time spent on the Site and what pages have been read. | 1 day |
| _hjSession_1286244 (Hotjar) | Collects statistics on the visitor's visits to the Site, such | 1 day |

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| | as the number of visits, average time spent and what pages have been read | |
|---|---|-------------|
| In_or (LinkedIn) | Used to determine if Oribi analytics can be carried out on a specific domain. | 1 day |
| Adve | ertising | |
| Used to serve you advertisements that may Ads will still be displayed but may be more | | ests. |
| calltrk_landing (CallRail) | Stores the landing page URL so visitor source can be accurately attributed when displaying a tracking phone number. | 1 year |
| calltrk_referrer (CallRail) | Stores the referring URL so visitor source can be accurately attributed when displaying a tracking phone number. | 1 year |
| _fbp (Facebook) | to store and track visits across websites. | 3 months |
| _gcl_au (Google AdSense) | to store and track conversions. Used by Google AdSense for experimenting with advertisement efficiency across websites using their services. | 3 months |

d. Do Not Track Requests

Our Site does not respond to Do Not Track (DNT) signals. However, due to our use of third-party social media plugins, those third-party social media companies may track you depending on whether you click on them or are signed in on the respective social media platform. We are not responsible for those third parties and therefore cannot inform you whether they respond to such signals.



3. Our Sharing of Personal Information

We do not sell Personal Information, and we will not share your Personal Information, except to (a) third parties retained by us to help us provide you services (i.e., our service providers); and (b) other independent third parties.

a. to our Service Providers (aka Subprocessors)

We may, depending on the nature of your interaction with us, share your Personal Information with our service providers who are performing clearly defined functions on our behalf including:

- Class Actions Claims Administrators, which distribute funds to class members;
- Corporate Management or Due Diligence Search service providers;
- Debt-Collection service providers;
- Document Delivery (e.g., process server, mail, courier) service providers;
- Electronic Telephone and Faxing service providers;
- Electronic Signature providers;
- Encrypted File Storage service providers;
- Profilers / Background Check service providers;
- IT Managed Service and Cybersecurity service providers;
- Legal Research and Citation service providers;
- Payment Processing service providers;
- Translation service providers; and
- other service providers as required.

If you have any questions regarding our service providers, please do not hesitate to ask us.

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b. to Third Parties

We may share your Personal Information in the following situations:

- to experts, financial institutions, and other professionals who are working with us (or against us, if required by law) on a case or transaction, including, but not limited to, lawyers or other professionals in other jurisdictions;
- to government entities (including but not limited to courts) for performing legal services, such as filing documentation with your consent that include your Personal Information;
- where we are required by law to disclose Personal Information; in connection with any legal proceedings or prospective legal proceedings;
- to our own advisors and insurers where the processing of your Personal Information is necessary for the provision of their services to us (including, but not limited to, defending ourselves from administrative, civil, or criminal proceedings brought by you);
- where you have provided incorrect Personal Information for fraudulent purposes;
- to the purchaser (or prospective purchaser) of any business or asset which we are (or are contemplating) selling. We will require any person or entity to whom we provide your Personal Information to agree to comply with our then current Notice. We will take reasonable commercial efforts to ensure that they comply with our Notice; and,
- in the event of our bankruptcy.

We may also share your Personal Information with one or more of our respective affiliated businesses who are under our control. However, all of our affiliated businesses that receive your Personal Information will comply with the terms of this Notice and all applicable privacy laws.



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4. Our Retention of Personal Information

We do not hold onto your data forever. Your Personal Information will be retained in accordance with our internal Retention Policy, which categorizes all of the information held by us, and specifies the appropriate retention period for each category of information.

Those periods are determined by the following factors:

- the purpose for which it was collected or otherwise processed;
- compliance with legal obligations (such as retention obligations under employment, tax, privacy, or commercial laws) and our professional retention obligations under the applicable Law Society; or
- until you consent to its deletion, if applicable.

Generally speaking, we use the following retention rules:

| Category | Years | Why |
|--|--|--|
| Information processed in a particular legal matter for a client or class member. | 15 years after the matter is completed and closed (exceptions exist) | The ultimate limitations period in Ontario is 15 years. |
| Identification information (e.g., driver's licenses, passports, banking information) processed in opening and maintaining an active client or class member file. | 7 years after the last client or class member file is closed (i.e., once our representation ends) (exceptions exist) | Law Society of Ontario guidelines mandate 7 years as the best practice. |
| Name and address as used for the purpose of conflict searches | Indefinitely | Law Society of Ontario guidelines mandate this retention period. |

5. Our Protection of Personal Information

a. Electronic Safeguards

To protect Personal Information that is retained on our computer network, we use firewall, virus protection, and other technological safeguards. We have implemented safe internet use protocols and safe email use protocols to reduce the risk of data security breaches.

Please note that, with respect to email and other electronic communications, there is no method of transmitting or storing data that is completely secure. We are not responsible for damages resulting from data security breaches in relation to emails and other electronic communications.

b. Physical Safeguards

Although we make great effort to ensuring your Personal Information is encrypted over a digital medium, we also sometimes use physical copies of your Personal Information. In such cases, we store your Personal Information in areas of our office restricted by electronic key access.

Physical copies of client or class member documents that are deemed highly sensitive are stored in locked vaults or in locked cabinets to which only members of our team with the highest security clearance will have access. Of course, where a file is active, lawyers may remove associated client or class member documents from storage to review the file, including taking the associated documents to their home. In doing so, the lawyers will take all available precautions. We also take appropriate measures to protect any physical copies of documents containing Personal Information that are not client or class member documents.

6. National and International Data Transfers

We are proudly Canadian and are established in Ontario and Québec.

We store and process your Personal Information predominantly in London, Ontario, but we also may process your Personal Information in our other offices located in Toronto and Sarnia, Ontario; Québec City, Québec; and Vancouver, British Columbia. However, depending on the service you request or the third party we retain, we may also transfer your Personal Information to the United States or other jurisdictions in order to properly address your request. Examples of such transfers include, but are not limited to, the retention of foreign counsel and the hiring of third-party vendors based in other jurisdictions.

If we transfer Québec Personal Information outside of Québec, we will only conduct such transfer in compliance with Québec law, which may include (i) evaluating whether the recipient is in a jurisdiction deemed adequate by Québec; or (ii) performing a privacy impact assessment and entering into a protective data protection agreement that includes all relevant and applicable provisions that take into account the assessment's findings.

If the European Union General Data Protection Regulation, United Kingdom Data Protection Act, or Swiss Data Protection Act applies to the Personal Information, and we are transferring such Personal Information outside of Canada, we will only do so if: (i) the recipient is in a jurisdiction deemed adequate; (ii) we have entered into a protective data protection agreement that includes all relevant and applicable provisions (including, if applicable, the standard contractual clauses) or (iii) the recipient has properly implemented Binding Corporate Rules.

7. Your Privacy Rights

You have the following rights with respect to the Personal Information that we collect, use, or share:

| Right to be Informed | The right to be informed about the collection and use of your Personal Information. | |
|---|---|--|
| Right to Access | The right to be provided with a copy of your Personal Information held by us. | |
| Right to Correct | The right to ask us to correct your Personal Information if it's inaccurate or incomplete. | |
| Right to Withdraw or Vary Consent | The right to withdraw or vary your consent at any time, subject to legal or contractual restrictions and reasonable notice. | |
| Right to File a Complaint with the Privacy Commissioner of Canada | The right to complain about the breach of your rights. | |

To exercise your rights or to determine what rights you may have, you or your authorized agent may reach out to us using our contact information at the end of this Notice.

If you're not satisfied with our response, you may complain to Privacy Commissioner of Canada. If for whatever reason you're unsure of how to contact the Privacy Commissioner, let us know, and we'll endeavor to help you.

8. Your Right to Request Access or Correction or to Withdraw Consent

Depending on your request and the method of contact, we may ask you or your authorized agent for Personal Information that we consider necessary to verify your identity to prevent fraud. This information may include name and any information related to your relationship with us, but the specific information requested may differ depending on the circumstances of your request.

It may take up to 30 days to fulfill your request.

a. Your Right to Access

This Notice has been provided to you to explain our privacy practices.

You also have a right to know and access what Personal Information we process about you. If you request, the disclosure of information will be provided at a no cost to you. We reserve the right to decline your request where the information requested:

- would disclose Personal Information of another individual or of a deceased individual;
- is subject to legal privilege;
- not readily retrievable and the burden or cost of providing would be disproportionate to the nature or value of the information;
- does not exist, is not held, or cannot be found by us, could reasonably result in serious emotional harm to the individual or another individual, or serious bodily harm to another individual; or,
- may harm or interfere with law enforcement activities and other investigative or regulatory functions of a body authorized by statute to perform such functions.

In addition, we reserve the right to decline your request if the request is manifestly unfounded or excessive, and we quote you a reasonable fee for responding to your request, but you refuse to pay that fee.

Lastly, we also will not disclose the Personal Information where applicable law would bar such disclosure.

b. Your Right to Correct your Personal Information

We make reasonable efforts to ensure that any Personal Information we process is accurate and complete. If you demonstrate to us that your Personal Information is inaccurate or incomplete, we will amend our records accordingly.

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c. Your Right to Withdraw Consent

Where you have provided your consent to the processing of your Personal Information, you may have the legal right to withdraw your consent under certain circumstances.

To withdraw your consent, if applicable, please contact us. Please note that if you withdraw your consent, we may not be able to provide you with a particular service. We will explain the impact to you at the time to help you with your decision.

Please note that despite your withdrawal, we may continue to process your Personal Information (i) to the extent that we are contractually obligated to do so, (ii) to the extent necessary to enforce any contractual obligations you may have with us, and (iii) for any other legitimate purpose (including fraud prevention) permitted by applicable law.

d. Your Right to File a Complaint

If you're not satisfied with our response, you may complain to the Privacy Commissioner of Canada or the applicable government authority. If for whatever reason you're unsure of how to contact the Privacy Commissioner, let us know, and we'll endeavor to help you.



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9. Region-Specific Privacy Rights

a. Act Respecting the Protection of Personal Information in the Private Sector (the "Québec Act")

In order to comply with Québec law for our Québec visitors, in addition to the common rights granted to all visitors of the Website who provide us with Personal Information, the Québec Act provides the following additional rights to individuals in Québec:

Right to cease dissemination or de-indexation: You have the right to ask us to de-index or cease disseminating your Personal Information, as permitted by law.

Right to restriction of processing: You have the right to request the limiting of our processing under limited circumstances.

Right to data portability: Where technically feasible, you have the right to receive the Personal Information that you have provided to us, in a structured, commonly used technological format, and you have the right to transmit that information to another person or body authorized by law to collect that information.

Right to be informed of a decision based solely on automated processing, and to (A) request certain information about that decision; and (B) request to submit observations: If we use automated processing to make decisions about you, you may request (1) the personal information used to render the decision; (2) the reasons and the principal factors and parameters that led to the decision; and (3) the correction of the personal information used to render the decision.

If applicable, you may also ask for the opportunity to submit observations to a member of our staff who is in a position to review the decision.

Right to lodge a complaint with the Commission d'accès à l'information du Québec: We encourage you to contact us directly and allow us to work with you to address your concerns. Nevertheless, you have the right to lodge a complaint with your commissioner. You have the right to do so if you consider that the processing of Personal Information relating to you infringes Québec privacy law.

b. General Data Protection Regulation (European Union and the European Economic Area)

In order to comply with the requirements of the European General Data Protection Regulation (GDPR) for our European visitors, this Notice outlines the legal basis on which we process your Personal Information and provides other information required by the GDPR.

We rely on the following legal bases to process your Personal Information: (i) you have provided your consent to the processing of your Personal Information; (ii) processing is necessary for the performance of our contract with you; (iii) processing is necessary for compliance with our legal obligations; and (iv) processing is necessary for the purposes

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of our legitimate interests, except where such interests are overridden by your interests or fundamental rights and freedoms.

In addition to the common rights granted to all visitors of the Website who provide us with Personal Information, the GDPR provides the following additional rights to individuals in the European Economic Area:

Right to erasure (Art. 17 GDPR): You have the right to ask us to delete your Personal Information, as permitted by law.

Right to restriction of processing (Art. 18 GDPR): You have the right to request the limiting of our processing under limited circumstances.

Right to data portability (Art. 20 GDPR): Where technically feasible, you have the right to receive the Personal Information that you have provided to us, in a structured, commonly used and machine-readable format, and you have the right to transmit that information to another controller, including to have it transmitted directly.

Right to object (Art. 21 GDPR): You have the right to object to our processing of your Personal Information, as permitted by law.

Right not to be subject to a decision based solely on automated processing (Art. 22 GDPR): You have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning or significantly affecting you, as permitted by law.

Right to lodge a complaint before the Data Protection Authority (Art.77 GDPR): We encourage you to contact us directly and allow us to work with you to address your concerns. Nevertheless, you have the right to lodge a complaint with a competent data protection supervisory authority, in particular in the EU Member State where you reside, work or the place of the alleged infringement. You have the right to do so if you consider that the processing of Personal Information relating to you infringes applicable data protection laws.

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10. We may Change this Notice

We may review and change our Notice from time to time. When a substantive change is made, we will notify you through a pop-up on the Site. Otherwise, please check this Notice for time to time. If you have any questions about any changes, please contact our Chief Privacy Officer.

11. Contact Information of our Chief Privacy Officer and GDPR Representative

If you have any questions, concerns, or a complaint related to the processing of your Personal Information by us, you may submit your question, concern, or complaint in writing to our Chief Privacy Officer at,

Attn: Chief Privacy Officer Siskinds LLP 275 Dundas Street Unit 1, P.O. Box 2520 London ON, Canada N6B 3L1.

CPO@siskinds.com

If you are an individual in the European Economic Area, you may also submit such request in writing to our Representative at,

Rickert Rechtsanwaltsgesellschaft mbH Siskinds LLP Colmantstraße 15 53115 Bonn Germany.

art-27-rep-siskinds@rickert.law

If you are an individual in the United Kingdom, you may also submit such request in writing to our Representative at,

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Rickert Services Ltd UK Siskinds LLP PO Box 1487 Peterborough, PE1 9XX United Kingdom

art-27-rep-siskinds@rickert-services.uk



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12. Changelog

| Date | Change |
|----------------------|---------------------------------|
| November 14, 2023 | Complete rewrite of our Notice. |