

Graham Capital Management Privacy Notice for California Residents

Effective Date: January 1, 2020

This Privacy Notice for California Residents applies solely to California residents (“consumers” or “you”) who visit or use the Services of Graham Capital Management, L.P. We adopt this Notice to comply with the California Consumer Privacy Act of 2018 (CCPA) and any terms defined in the CCPA have the same meaning when used in this Notice.

Where noted in this Notice, the CCPA temporarily exempts from some of its requirements (i) employment-related personal information collected from California-based employees, job applicants, contractors, or similar individuals and used only within the context of such a relationship (“employment-related personal information”) and (ii) personal information reflecting a written or verbal business-to-business communication (“B2B personal information”).

Information We Collect

We collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device (“personal information”). Personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA’s scope, like:
 - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
 - personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver’s Privacy Protection Act of 1994.

In particular, we have collected the following categories of personal information from consumers within the last twelve (12) months:

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, email address, account name, Social Security number, driver’s license number, passport number, unique personal identifier, social media handles, online identifier, Internet Protocol address, or other similar identifiers.	YES

<p>B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).</p>	<p>A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.</p> <p>Some personal information included in this category may overlap with other categories.</p>	<p>YES</p>
<p>C. Protected classification characteristics under California or federal law.</p>	<p>Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).</p>	<p>YES</p>
<p>D. Commercial information.</p>	<p>Records of real or personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.</p>	<p>YES</p>
<p>E. Biometric information.</p>	<p>Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as fingerprints, faceprints, and voiceprints, gait, or other physical patterns, and sleep, health, or exercise data.</p>	<p>NO</p>
<p>F. Internet or other similar network activity.</p>	<p>Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.</p>	<p>NO</p>
<p>G. Geolocation data.</p>	<p>Physical location or movements.</p>	<p>NO</p>
<p>H. Sensory data.</p>	<p>Audio, electronic, visual, thermal, olfactory, or similar information.</p>	<p>NO</p>
<p>I. Professional or employment-related information.</p>	<p>Current or past job history.</p>	<p>YES</p>
<p>J. Non-public education information (per the Family</p>	<p>Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student</p>	<p>NO</p>

Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	financial information, or student disciplinary records.	
K. Inferences drawn from other personal information.	Profile reflecting a person’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, from applications or other forms you complete or transactions you request.
- Indirectly from you. For example, from observing your actions on the Company Services.
- From other sources. For example, information from social media services, commercially available sources and information from our affiliates or business partners.

Use of Personal Information

We may use or disclose the personal information we collect for one or more of the following purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and personal information we may save your information to facilitate your ongoing relationship with us.
- To provide, support, personalize, and develop the Company Services and our offerings.
- To create, maintain, customize, and secure your account with us.
- To process your applications, requests, and transactions.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To personalize your experience on the Company Services and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through the Company Services, third-party sites, and via email or text message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of the Company Services, products and services, databases and other technology assets, and business, and to protect against fraud or for risk management purposes.

- For testing, research, analysis, and product development, including to develop and improve the Company Services and our products, services, and other offerings.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a corporation change or dissolution, such as a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about consumers is among the assets transferred.

Sharing Personal Information

We may disclose your personal information to a third party for a business purpose.

We share your personal information with the following categories of third parties:

- Service providers.

Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose corresponding to the above-referenced categories:

Category A: Identifiers.

Category B: California Customer Records personal information categories.

Category C: Protected classification characteristics under California or federal law.

Category D: Commercial information.

Category I: Professional or employment-related information.

We disclose your personal information for a business purpose to the following categories of third parties:

- Service providers.

Sales of Personal Information

In the preceding twelve (12) months, we have not sold personal information.

Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information, except for employment-related personal information and B2B personal information where noted. This section describes your CCPA rights and explains how to exercise those rights, which are subject to our records retention policies and applicable law.

Access to Specific Information and Data Portability Rights

We do not provide access and data portability rights for employment-related personal information or B2B personal information.

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion 0), we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
 - sales, identifying the personal information categories that each category of recipient purchased; and
 - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

Deletion Request Rights

We do not provide deletion rights for employment-related personal information or B2B personal information.

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (see Exercising Access, Data Portability, and Deletion 0), we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, fulfill the terms

of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you.

2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at 877-587-6746.
- Emailing us at info@grahamcapital.com.

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child. To initiate the process of designating an authorized agent, you may submit a verifiable consumer request using one of the means set forth in the Contact Information section below and specifying your request in detail sufficient to enable us to verify and complete your request.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with us. However, we do consider requests made through your password-protected account (if applicable) sufficiently verified when the request relates to personal information associated with that specific account.

We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

For instructions on exercising sale opt-out rights, see Personal Information Sales Opt-Out and Opt-In 0.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Personal Information Sales Opt-Out and Opt-In Rights

We do not sell your personal information to any third parties.

If you are 16 years of age or older, you have the right to direct us to not sell your personal information at any time (the "right to opt out"). We do not sell the personal information of consumers we actually know are less than 16 years of age, unless we receive affirmative authorization (the "right to opt in") from either the consumer who is at least 13 but not yet 16 years of age, or the parent or guardian of a consumer less than 13 years of age. Consumers who opt in to personal information sales may opt out of future sales at any time.

To exercise the right to opt out, you (or your authorized representative) may contact us via email or by phone as previously indicated.

Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize personal information sales. However, you may change your mind and opt back in to personal information sales at any time by contacting us via email or by phone as previously indicated.

You do not need to create an account with us to exercise your opt-out rights.

Non-Discrimination

You have a right under the CCPA not to receive discriminatory treatment because you exercised any of your CCPA rights. Unless permitted by law, we will not:

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Changes to Our Privacy Notice

We reserve the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on the Company Services and update the notice's effective date. **Your continued use of the Company Services following the posting of changes constitutes your acceptance of such changes.**

Contact Information

If you have any questions or comments about this notice, the ways in which Graham collects and uses your information described here, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: 877-587-6746

Email: info@grahamcapital.com