

Seward & Kissel LLP Privacy Policy

Effective Date: January 15, 2025

Scope of This Privacy Policy

Seward & Kissel LLP (“Seward & Kissel,” the “Firm,” “we,” “us,” or “our”) respect your privacy and are committed to protecting it through the practices described in this policy. This privacy policy (“Privacy Policy” or “Policy”) explains our information collection practices and the rights and choices that you have in relation to how we collect, use, retain, and disclose your Personal Information, as defined below, when you visit our websites, including: <https://www.sewkis.com/>; <https://compliance.sewkis.com/>; <https://brokerdealings.sewkis.com/>; <https://40actblog.sewkis.com/>; <https://imdealsblog.sewkis.com/>; <https://maritime.sewkis.com/>; <https://backintheblack.sewkis.com/>; <https://skrypto.sewkis.com/>; <https://cms.sewkis.com/>; <https://skconnect.sewkis.com/>; <https://emresources.sewkis.com/>; or <https://sewkis.sharefile.com/> (collectively, the “Websites”), attend Seward & Kissel webinars or other online presentations, request Seward & Kissel newsletters or other communications, visit our offices or Firm-hosted events, engage Seward & Kissel for legal services, or otherwise interact with us through channels where this Privacy Policy is posted (collectively, the “Services”).

When we determine the purposes and means of processing your Personal Information, we may be considered a “business” with respect to applicable data protection law such as the California Consumer Privacy Act of 2018, as amended (“CCPA”), and this Privacy Policy will apply. We may also process Personal Information in our role as a professional services provider to our business clients, which we will process based on the client’s direction. When we process Personal Information based on our business clients’ direction, generally, our client’s privacy policy may apply.

If you are a California resident, please see the Notice to California Residents section of this Privacy Policy for additional information regarding our information collection practices provided pursuant to California law.

Please read this Privacy Policy carefully to understand our policies and practices for collecting, using, and disclosing your Personal Information. Note that capitalized terms in this Policy have the meaning given to them in this Policy. By visiting our Websites or utilizing our Services, you acknowledge and consent to the collection, use, and disclosure of your information as described in this Privacy Policy. The Policy may change from time to time (see Changes to This Privacy Policy). Your continued engagement with our Websites or utilization of our Services after any such revisions indicates that you accept and consent to them, so please check the Privacy Policy periodically for updates.

Please note that our Websites may include links to other websites, plug-ins, services, social networks, and applications operated and maintained by third parties. Clicking on those links or enabling those connections may allow these third parties to collect and share information about you. Please note that we have no control over the privacy practices of those third parties, and we encourage you to review the privacy practices of every website you visit and every digital service you use. Please see the Third Party Services/Internet Based Advertising section for more information. Additionally, this Policy also applies to information that we obtain from third parties, including information that you may provide to or that is collected through a third party about you. However, this Policy does not apply to how the third party from which we received your Personal Information collects or processes your information. We encourage you to read the privacy

policy of every business before providing information to or through them, and to contact them directly if you wish to exercise any Personal Information rights related to that data.

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I. Personal Information We Collect & How We Collect It

We collect Personal Information you provide directly to us, through your Device, Internet and Network Activity, and from other sources, as described below.

“Personal Information” in this Privacy Policy means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer. Information derived from “Device, Internet and Network Activity” refers to the information that we, our service providers, and other business and marketing partners collect automatically when you interact with our digital resources, including information about how you interact with our Websites and Services. We may combine information derived from Device, Internet and Network Activity Information with other Personal Information we have about you in a way that identifies you, in which case we will treat it as Personal Information.

Information You Provide Directly to Us

As a Seward & Kissel client, you may provide us with Personal Information in the course of our representation of you. Personal Information obtained from or relating to the Firm’s prospective, current, or former clients may be subject to separate or additional terms of any notice, engagement letter, or other similar letters or agreements with the client, the Rules of Professional Conduct, and applicable laws and professional principles.

We may also collect the following categories of Personal Information from you in the course of business, including through your use of the Websites, when you contact or request information from us, or when we provide Services to you:

- **Identifiers and Contact Information**, such as name, email address, mailing address, phone number, and social media account information.
- **Government Identification and Verification Information**, such as driver’s license, Social Security number, Tax ID number, passport number, state identification number, or other government-issued identifiers.

- **Financial Information**, such as bank account, invoicing, and tax information.
- **Demographic Information**, such as your racial or ethnic origin, gender, age, military status or veteran's status, which may include protected characteristics under state and federal law.
- **Geolocation**, such as coarse geolocation through your ZIP code or IP address.
- **Audio, Electronic or Visual Information**, such as a photograph or video recording when you attend a Firm-hosted event, audio or video recording when you call us, and contents of your emails or other written communications that you send to us.
- **Legal Ethics and Regulatory Compliance Information** as required for purposes such as client onboarding procedures and conflict assessments, know your client, anti-money laundering, and other due diligence exercises.
- **Other Service Information**, such as information necessary for the provision or receipt of Services, including information related to your employees, customers, service providers, and other third parties.
- **Inferences or preferences** we learn or infer about you from other information we have collected about you.
- **Other Information** that you choose to share with us.

We may supplement the information that you provide to us with information that we receive or obtain from other sources, such as from our staff or personnel, clients, professional advisers, partners, and agents of Seward & Kissel, third parties with whom we interact, and publicly available sources.

Some of the above information may be considered Sensitive Personal Information (as defined by applicable laws in certain jurisdictions), and we may use information that you disclose to us to provide and support our Services, comply with our legal obligations, or defend against a legal claim. We do not collect or utilize Sensitive Personal Information other than for these purposes.

Device, Internet and Network Activity Information

Personal Information derived from Device, Internet and Network Activity we collect may include:

Device Data, such as information about your computer, phone, tablet, or other device you use to access the Websites. Depending on the device used, this device data may include information such as your IP address (or proxy server), device and application identification numbers, location, device and/or browser type, hardware model, internet service provider and/or mobile carrier, operating system, mobile platform, and system configuration information.

Log and Usage Data, including service-related, diagnostic, usage, and performance information our servers automatically collect when you access or use our Websites and which we record in log files. Depending on how you interact with us, this log data may include information about your activity on the Websites (such as the date/time stamps associated with your usage, pages and files viewed, searches and other actions you take such as which features you use), device event information (such as system activity, error reports, sometimes called "crash dumps" and hardware settings).

Cookies and Other Tracking Technologies, such as first party and third-party products and services to gather traffic statistics using cookies, pixels, or web beacons. A cookie is a small piece of information stored on your device that helps websites and multiple servers recognize you. The Firm, our service providers, and other third parties may also use other tracking technologies such as pixels, or transparent GIF files, for website management and visitor tracking.

Some of the technologies we use on our Websites are strictly necessary for their functionality. Others improve functionality but are not strictly necessary. Some cookies help improve the performance of our Websites (such as by gathering analytic data), while others help provide targeted advertising services to you (like ads that you may be interested in). We also may use these technologies to collect information about your online activities over time and across third-party websites or other online services (behavioral tracking). Examples of cookies and other tracking technologies we use include:

- **Necessary Cookies.** Necessary cookies are those that support the core functionalities of our Websites and are necessary for our Websites to function.
- **Functional Cookies.** Functional cookies enhance the website visitor’s browsing experience, such as remembering preferences and various settings. They remain on your computer or device until you delete them, or they are otherwise removed upon expiration.
- **Analytics Cookies & Advertising Cookies.** The Firm permits certain third-party marketing partners and advertisers to collect Personal Information through cookies or other similar technologies placed on our Websites. Some of these cookies, perform analytics to help us to understand how visitors engage with our Websites, such as reporting site usage statistics, and measuring interaction with specific content. The data these analytics cookies collect may be combined with the information collected by advertisement cookies to help show more personalized marketing content to you across different websites, and to measure interaction with advertisements we display. Our third-party business providers, and advertisers, may use the Personal Information collected through advertising cookies to track your behavior on our Websites, gather information about your use of our Websites, and other online services over time and across different businesses’ websites and services. Additionally, some companies may use information collected to deliver targeted advertisements on behalf of us or other companies, including on other applications, websites, or online services. We are not responsible for the functioning of cookies and other technologies used and placed by third parties on your device. We do not always control third parties’ collection or use of your information to serve interest-based advertising. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.
- **Pixel Tags, Web Beacons, and Transparent GIFs.** Pixel tags and web beacons are tiny graphic images placed on Website pages or in our emails that allow us to determine whether you have performed a specific action. When you access these pages or open or click an email, the pixel tags and web beacons generate a notice of that action. These tools allow us to measure response to our communications and improve our web pages.

If you would like to opt-out of Personal Information collection through cookies and other tracking technologies for the purposes of targeted advertising, please use the “Customize Cookie Preferences” banner found on our Websites. For information about how we respond to web browser signals and other mechanisms that enable consumers to exercise choice about behavioral tracking, see the “Your Privacy Rights and Choices” and “Third Party Services & Internet-Based Advertising” sections below.

Please note that if you reject or block cookies from the Website, the Website may not function as intended.

We do not currently respond to web browser “do not track” signals or other mechanisms that provide a method to opt out of the collection of information across the networks of websites and online services in which we participate. For more information, visit www.allaboutdnt.org.

Information Provided By Other Sources

We may receive Personal Information about you from our service providers, including technical, billing and accounting firms; data analytics and internet providers; vendors, including background investigation firms; and other third-party sources, including commercially available sources. Advertising and social media partners may also give us information about you, and we may combine Personal Information we receive from outside sources with other Personal Information that we have about you for the purposes described in this Privacy Policy.

II. How We Use Your Information

We use your Personal Information for our business and operational purposes, including to provide and improve the Websites and other Services we make available to you, to provide client service, respond to your inquiries and requests, to prevent fraud and other criminal activity, for marketing purposes, and for other purposes for which we may notify you. For example, we may use your Personal Information for the following and other purposes as permitted or required by law:

- **Provision of Legal Services.** We use information that you voluntarily provide to us before, during, and after the course of our engagement, such as identifiers and contact information and other information that we may use in connection with the engagement.
- **Administration of Client Relationships.** We use identifiers and contact information, financial information, and other Service-related information to administer our relationship with our clients, including for the processing of invoices the updating of client records, and addressing client inquiries or feedback.
- **Sending Marketing Messages and Inviting You to Events.** We use identification data, contact details, Device, Internet and Network Activity Information, and mailing list data to communicate with you by way of email alerts and other communications to provide you with information about our events, seminars, content or Services that may be of interest to you.
- **Improving our Websites.** We use cookie and device data to improve the content, functionality and user-friendliness of our Websites.
- **Keeping our Websites and IT systems and processes safe.** We use identification data, contact details, financial information, cookie and device data, and other service data, to ensure the security and confidentiality of our Websites, network and your data, as well as to prevent illegal activities, including fraud, which could harm you and us.
- **Complying with Legal and Ethical Requirements.** We use identification data, contact details, and financial information to comply with legal and regulatory requirements, including for know your client, anti-money laundering or fraud detection purposes, other industry-specific regulatory requirements and fulfillment of the Firm’s ethical obligations. This processing is necessary for the purpose of complying with legal requirements that apply to the Firm.

III. Disclosure of Your Information

We do not sell, share, or otherwise disclose the Personal Information we have collected about you to third parties unless stated below or otherwise with your consent. We may disclose your Personal Information to the following categories of recipients:

- With the Service Providers we utilize to provide or facilitate our Services. A “Service Provider” is an entity that performs functions on our behalf, and processes Personal Information on our behalf in connection with performing those functions. For example, we may disclose information to our client management database, cloud-hosting providers and other web-based product providers that help us maintain our Websites and systems in order to perform our Services. These service providers are contractually prohibited from selling or sharing, or otherwise utilizing Personal Information for any purpose other than performing the functions to us that are stated in the contract.
- With third parties, such as our marketing partners and advertisers, through analytics and advertising cookies and other website technologies, when we have your consent to do so. Please refer to the section above regarding collection of Device, Network and Internet Activity Information for more information about the information that may be collected through these technologies, and to the section below regarding Your Privacy Rights and Choices for more information about how to opt-out of the collection of Personal Information by these parties on our Websites.
- With our clients as necessary in the course of our representation.
- With professional advisors, partners, consultants and expert witnesses, and agents of the Firm to administer our Services.
- With third parties as part of a merger, acquisition, or other corporate transaction.
- With law enforcement or a government agency, regulatory authority, or court in response to any subpoena, court order, or other legal demand, or to establish or protect our legal rights, property, or safety or the rights, property, or safety of others, or to defend against legal claims.

IV. Your Privacy Rights and Choices

Certain United States residents may have rights with respect to Personal Information, depending on the applicable data protection laws in your jurisdiction. To the extent these rights apply to you, they may include:

Your Right to Access Information. You may have the right to request access to your Personal Information and, where technically feasible, request a copy of your Personal Information. You may also have the right to obtain information about how we process or disclose your Personal Information.

Your Right to Review and Correct Information. You may have the right to request that we correct any inaccurate or incomplete Personal Information we have about you.

Your Right to Delete Information: You may have the right to request that we delete your Personal Information. Please note that we may not be able to delete certain information depending on legal exceptions or obligations. Please see the Data Security and Retention section below for more information about why we may retain your information.

Your Right to Revoke Consent. You may have the right to withdraw your prior consent to certain processing of your Personal Information, such as sharing your Personal Information with third parties who are not our service providers.

Your Right to Opt-Out of Marketing Communications. You may request that we not use your Personal Information to send you certain emails or other marketing communications. You may also unsubscribe from receiving marketing emails from us by clicking on the “Unsubscribe” link found in those emails. Please note you may not be able to opt-out of all communications as we may need to send you information related to our Services.

Your Right to Opt-Out of Sale or Sharing / Targeted Advertising. You may request to opt out of the “sale” or “sharing” (as defined by applicable laws) of Personal Information with third parties, as well as certain types of behavioral or targeted advertising based on information collected about you on non-affiliated websites, applications, or services. If you would like to opt-out of Personal Information collection through cookies and other tracking technologies for the purposes of targeted advertising, please use the “Customize Cookie Preferences” banner found on our Websites.

Your Right to Appeal. You may have the right to submit an appeal if you are not satisfied with the outcome of your request.

Your Right to Non-Discrimination. As defined under relevant law, you may have a right to non-discrimination in the Services or quality of Services you receive from us for exercising your rights.

Exercising Your Rights

If you would like to exercise the rights that are available to residents of the jurisdiction where you reside, please email us at opt-out@sewkis.com or call us at **855-739-5477**. To protect your Personal Information, we may ask you to provide additional information to verify your identity. You may also submit a request to exercise your rights through an authorized agent, in which case your agent must present signed written permission to act on your behalf. You may be required to independently verify your identity with us and confirm that you have provided authorization to the agent.

V. Notice to California Residents

Below is a description of the categories of Personal Information Seward & Kissel has collected in the preceding 12 months. Please see the Data Security and Retention section of this Privacy Policy for information about our data retention practices.

Categories of Personal Information Collected	Purpose for Collection and Use	Categories of Personal Information Recipients
Identifiers, Contact and Verification Information, and Government Identification (<i>name and contact details such as your email address, mailing address, phone number, government identification numbers, account username and password, and social media handles</i>).	<ul style="list-style-type: none"> • Providing and maintaining our Services • To facilitate our business and operational purposes in relation to the Services we provide to you • To comply with the law • Communicating with you • Data security incident detection • Debugging and repair of technical systems 	<ul style="list-style-type: none"> • Service Providers such as cloud hosting and web platform providers • Law enforcement, public and government authorities, and other entities we deem necessary to comply with the law, support investigations, and protect the rights and

	<ul style="list-style-type: none"> • For our marketing and business purposes 	properties of you, us and others
Financial Information (<i>payment card or bank account, invoicing, and tax information</i>).	<ul style="list-style-type: none"> • Providing and maintaining our Services • To facilitate our business and operational purposes in relation to the Services we provide to you • To comply with the law 	<ul style="list-style-type: none"> • Service Providers such as accounting and tax providers
Device, Internet and Network Activity Information (<i>device information, including your browser type and language, IP address, device type, unique device identifiers, mobile network information and operating system, and website interactions, such as the pages visited on the website, time spent on each page, whether you've clicked on a hyperlink and search queries</i>).	<ul style="list-style-type: none"> • Providing and maintaining our Services • Maintaining the security and operation of our Websites • Troubleshooting, and our internal analytics and reporting purposes. • Data security incident detection • Debugging and repair of technical systems • For our marketing and business purposes 	<ul style="list-style-type: none"> • Service Providers such as data analytics providers • Marketing partners, with your consent • Law enforcement, public and government authorities, and other entities we deem necessary to comply with the law, support investigations, and protect the rights and properties of you, us and others
Inferences (<i>preferences, such as which areas of the law you are interested in</i>).	<ul style="list-style-type: none"> • Providing and maintaining our Services • Communicating with you • For our business purposes 	<ul style="list-style-type: none"> • Service Providers • Marketing partners, with your consent
Demographic Information (<i>your racial or ethnic origin, gender, age, military status or veteran's status, which may be considered Sensitive Personal Information and include protected characteristics under state and federal law</i>).	<ul style="list-style-type: none"> • To facilitate our business and operational purposes in relation to the Services we provide to you • To comply with the law 	<ul style="list-style-type: none"> • Service Providers, such as cloud hosting and web platform providers
General Geolocation Data (<i>such as your general location based on your ZIP code or IP address</i>).	<ul style="list-style-type: none"> • Providing and maintaining our Services • To facilitate our business and operational purposes in relation to the Services we provide to you • Communicating with you 	<ul style="list-style-type: none"> • Service Providers such as cloud hosting and web platform providers
Audio, electronic, visual, or similar information (<i>photograph or</i>	<ul style="list-style-type: none"> • Providing and maintaining our Services 	<ul style="list-style-type: none"> • Service Providers such as telephone,

<i>audio or video recording, email contents, and other written communications that you send to us).</i>	<ul style="list-style-type: none"> • To facilitate our business and operational purposes in relation to the Services we provide to you • To comply with the law • Communicating with you • For security purposes • For our marketing and business purposes 	email, or other communication system provider
Sensitive Personal Information <i>(such as your Social Security, driver’s license, state identification card, or passport number; veteran status; racial or ethnic origin, religious or philosophical beliefs, or union membership; or certain information in the content of your written communications with us).</i>	<ul style="list-style-type: none"> • To facilitate our business and operational purposes in relation to the Services we provide to you 	<ul style="list-style-type: none"> • Service Providers such as cloud hosting and web platform providers

Disclosures for a Business or Commercial Purpose. In the preceding 12 months, Seward & Kissel has disclosed the categories of Personal Information in the above chart to our Service Providers for specific, limited business purposes, including the purposes listed in the How We Use Your Information section of this Privacy Policy.

Selling or Sharing Personal Information with Third Parties. We do not “sell” or “share” any Personal Information as defined by the CCPA except through our use of cookies and other tracking technologies as described above. The Firm therefore does not have actual knowledge that it sells or shares the Personal Information of individuals under 16 years of age. You may opt-out of the use of certain non-essential cookies and tracking technologies by interacting with the “Cookie Preferences” banner at the bottom of our Website.

Sensitive Personal Information. Seward & Kissel does not use or disclose Sensitive Personal Information for purposes other than those specified in Section 7027(m) of the implementing regulations of the CCPA.

California “Shine the Light” Notice. California law requires us to inform California residents who have provided us with personal information that they may request information from us about our disclosures to third parties for their direct marketing purposes. We do not provide personal information to third parties for their direct marketing purposes.

VI. Transfers of Personal Information

Seward & Kissel is a U.S.-based law firm comprised of offices in New York and Washington D.C. Details regarding our offices can be found at <https://www.sewkis.com/>. Your Personal Information may be transferred within our offices’ integrated computer networks in the United States, and with third parties in other countries that may not be subject to data protection laws similar to those in the jurisdiction in which information is provided to or received by us.

It may be necessary to transfer Personal Information from the EEA or the UK to an outside country to obtain access to our clients' Personal Information to enable our provision of Services, and for related purposes as set out in this Privacy Policy.

If we transfer Personal Information (i) from within the EEA to countries located outside the EEA that have not received an adequacy decision from the European Commission, or (ii) from the UK to countries that are not recognized as offering an adequate level of protection by the Information Commissioner's Office, including within Seward & Kissel offices and with our Service Providers, we implement adequate safeguards to appropriately protect such transfer of Personal Information, including on the terms of a valid data transfer agreement incorporating the relevant standard contractual clauses or as permitted under applicable data protection laws.

You may ask for further information on the safeguards we use to protect the transfer of your Personal Data to countries outside of the EEA or the UK by contacting us at opt-out@sewkis.com or call us toll-free at **855-739-5477**.

VII. Data Security and Retention

We take reasonable steps to protect the information provided to us. However, no method of transmission over the internet or method of electronic storage is 100% secure or error free. As such, we make no representation as to the efficacy or appropriateness of the technical, administrative, and procedural measures we use to safeguard data.

Except as otherwise permitted or required by applicable law or regulation, we will only retain your Personal Information for as long as necessary to fulfill the purposes for which we collected it, as required to satisfy any legal, accounting, or reporting obligations, or as necessary to resolve disputes. The criteria used to determine the applicable retention period for your information includes the length of time we have an ongoing relationship with you and provide Services to you, and whether there is a legal obligation to which we are subject that requires us to retain your information.

VIII. Third Party Services & Internet-Based Advertising

Please note that this Privacy Policy does not apply to the practices of third parties on their own websites, including our Service Providers, marketing partners, or other third parties. When you access a third party's website through links on our Website, information collected from you by others on those third party websites is governed by those entities' privacy policies. The Firm is not responsible for and does not control the security or privacy of your information when you visit those sites. We encourage you to read the privacy policy of every website you visit.

For example, we and certain third-party partners may place advertisements for our Services on websites, apps, and platforms operated by others. If you would prefer not to receive certain interest-based advertising, you can opt-out of this activity at the Digital Advertising Alliance (DAA) website at optout.aboutads.info, optout.networkadvertising.org, optout.privacyrights.info, and www.aboutads.info/appchoices.

If you do not want the Services to collect information through the use of cookies, you can also set your web browser to reject cookies from the Services. Each browser is different, so you should check your browser's "Help" menu to learn how to change your cookie preferences. Please note that this sort of opt-out may be browser and/or device specific. Please also note even if you choose to remove your information or opt-out,

you may still see advertisements while browsing online. However, the advertisements may be less relevant to you and your interests.

IX. Children's Privacy

We do not intend to collect Personal Information from anyone we know to be an individual under the age of 18, except as permitted by law in the course of providing our client Services. If we learn that we have unintentionally collected or received Personal Information from an individual under the age of 18, we will make reasonable efforts to delete such information from our records. If you believe that we might have any information from or about an individual under the age of 18, we ask that a parent or guardian contact us at opt-out@sewkis.com.

X. Changes to this Privacy Policy

Please review the Effective Date at the top of this page to determine when this Privacy Policy was last revised.

From time to time, we may modify this Privacy Policy. If we update this Privacy Policy, we will notify you by posting a new Privacy Policy on this page. We encourage you periodically to check this page for updates.

XI. Contact Us

If you have any questions about this Privacy Policy or our use of your information collected through the Services, please contact us at opt-out@sewkis.com, call us toll-free at **855-739-5477**, or write to us at the following address:

Privacy Officer
Seward & Kissel LLP
One Battery Park Plaza
New York, NY 10004

We try to respond to general privacy inquiries within 30 days or as otherwise required by law. Requests to opt-out from our marketing will be processed within 10 business days.

Individuals with disabilities who are unable to usefully access our Privacy Policy online may contact us at the above-listed contact information to inquire how they can obtain a copy of our policy in another, more easily readable format. You may also choose to download a PDF version of this Privacy Policy via the link at the top of this page.