

# Privacy Policy

This privacy policy describes how Mountain Ridge Capital its affiliates (collectively, “MRC”, “we”, “us” or “our”) collects and uses personal information (i.e., information that directly or indirectly identifies a person, including any borrower, prospective borrower, employee, consultant, job applicant or visitor) collectively, such information, “Personal Information”). In particular, this privacy policy describes (a) the type of Personal Information that we may collect, (b) how we use that Personal Information and (c) the conditions under which we may disclose that information to affiliates and to non-affiliated third parties.

By visiting our website or providing us with your Personal Information in any way, you agree that we may collect and use the information as set forth in this Privacy Policy. You should review this Privacy Policy carefully, because if you do not agree with our practices, you should not provide us with your Personal Information (which includes visiting our website or conducting business with MRC).

## Types of Personal Information That We May Collect

### Information You Provide to Us

In order to receive our services or interact with us (e.g., as a borrower, job applicant or third-party service provider), you may provide us Personal Information, including your name, email address, mailing address, phone number or other information. You may provide that Personal Information to us by various means, including our website or via email directly.

### Information We Collect or Generate About You

We may produce a record of our relationship with you and any Personal Information that you provide during telephone and email communications with us. We may update and maintain that record for a period of time.

### Information We Obtain From Other Sources

We may obtain information from your agents and advisers and from third parties and public sources that we use to verify your identity or to confirm your eligibility to use our services in accordance with our legal obligations. If you visit our website, we may also obtain information through our website.

### Information Collected from Our Website

When you visit our website, we may use “cookies”. We may use cookies for a variety of purposes, including improving your website experience. We may also use cookies to collect technical information from your computer, including your IP address and other information about your computer. No information directly identifying you is collected in the process. As is typical for most websites, we do not change our practices, described elsewhere in this privacy policy, in response to Do Not Track browser settings or signals.

### How Do We Use Your Personal Information?

We may use the information we obtain about you to:

- communicate with you (and, where required by applicable law, we will obtain your explicit consent to do so);
- personalize your experience on our website or portal;

- operate, evaluate, develop, manage and improve our business (including operating, administering, analyzing and improving our website, products and services; developing new products and services; managing and evaluating the effectiveness of our communications);
- provide information you have requested, create and administer your account and/or administer your loan;
- maintain and enhance the safety and security of our website and prevent misuse;
- protect against, identify and prevent fraud and other criminal activity, claims and other liabilities; and
- comply with and enforce applicable legal requirements, relevant industry standards and policies.

In compliance with relevant law, we may retain information as needed or appropriate to serve our legitimate business purposes or as required by law.

#### **Disclosure of Your Personal Information within MRC**

In order to provide you with efficient and reliable services, MRC may share your Personal Information with our affiliates as required or permitted by applicable law.

#### **Disclosure of Your Personal Information to Non-Affiliated Third Parties**

We do not disclose Personal Information to non-affiliated third parties, except as permitted by law. In the normal course of providing services, we may disclose certain Personal Information to:

- advisers (e.g., auditors, legal counsel and tax advisers) to MRC relating to or in connection with the operation of our business, compliance with our legal, regulatory or contractual obligations and/or your investments with us; and
- law enforcement agencies, regulatory or tax authorities and other governmental or public agencies or authorities in order to comply with our legal or regulatory obligations or at their request in furtherance of their objectives.

In addition, we may disclose personal information about you (a) to others, if we are required or permitted to do so by law or legal process, for example due to a court order, (b) when we believe disclosure is necessary or appropriate to prevent physical harm or financial loss, (c) in connection with an investigation of suspected or actual fraudulent or other illegal activity, and (d) in the event we sell or transfer all or a portion of our business or assets (including in the event of a reorganization, dissolution, or liquidation). If we disclose your information to a private non-regulatory organization, MRC requires that these companies agree to (a) maintain the confidentiality of your Personal Information and (b) limit the use of such Personal Information to the purposes for which it was provided. Furthermore, in compliance with privacy laws, we also provide our opt-out lists to non-affiliated third-party companies so that they can be suppressed from the communications those companies send on MRC's behalf.

#### **Safeguarding of Information**

MRC maintains reasonable standards of confidentiality and security for this website and the Personal Information collected from clients. These standards are designed to safeguard such information against loss or theft, and unauthorized access, disclosure, copying, use or modification. Only MRC employees who need to know your Personal Information are authorized to access such information, and MRC also requires its affiliates and service providers to limit employee access to the data. Despite our reasonable efforts, it is possible that someone may intercept or access communications, transmissions and/or Personal Information.

**Changes in this Privacy Policy**

MRC reserves the right in its sole discretion to modify or amend this Privacy Policy in any way and at any time. Any such modifications or amendments are effective upon posting unless we indicate otherwise. You should review this Privacy Policy periodically for changes applicable to you. Please see the bottom of this Privacy Policy for the date of the latest version. Additionally, note that by using or accessing this website subsequent to any modification or amendment, you are deemed to have agreed to this Privacy Policy as modified or amended.

**Governing Law**

Use of this Privacy Policy shall be governed by the laws of the State of New York of the United States of America, without regard to its conflict of law provisions.

Any dispute concerning this Privacy Policy or your use of this website shall be submitted to binding arbitration in New York County, within one (1) year from the date that the cause of action arose (or, if multiple cause of actions are involved, from the date that the first cause of action arose), with such arbitration conducted pursuant to the then prevailing rules of the American Arbitration Association. To the fullest extent permitted by law, no arbitration brought pursuant to this Privacy Policy shall be joined to any other arbitration initiated pursuant to this Privacy Policy.

Notwithstanding anything to the contrary set forth in this Privacy Policy, MRC may at any time seek injunctive or other appropriate relief against you and/or against others, in any state or federal court in the State of New York or in any other court having jurisdiction, in the event that MRC believes that you have violated or threatened to violate any of MRC's intellectual property rights and, in such case, you hereby consent to the exclusive jurisdiction and venue of such court.

In the event that any portion of this Privacy Policy is deemed unenforceable, unlawful or void by a court of competent jurisdiction, in any jurisdiction for any reason, including but not limited to the scope, duration or area of its applicability, unless narrowed by construction, such provision shall for purposes of such jurisdiction only, be construed as if such invalid, prohibited or unenforceable provision had been more narrowly drawn so as not to be invalid, prohibited or unenforceable (or if such language cannot be drawn narrowly enough, the court making any such determination shall have the power to modify, to the extent necessary to make such provision or provisions enforceable in such jurisdiction, such scope, duration or area or all of them, and such provision shall then be applicable in such modified form in such jurisdiction). If, notwithstanding the foregoing, any such provision would be held to be invalid, prohibited or unenforceable in any jurisdiction for any reason, such provision, as to such jurisdiction only, shall be ineffective to the extent of such invalidity, prohibition or unenforceability, without invalidating the remaining provisions. No narrowed construction, court-modification or invalidation of any provision shall affect the construction, validity or enforceability of such provision in any other jurisdiction. No waiver by MRC of any term or condition of this Privacy Policy shall be deemed a further or continuing waiver of such term or condition or of any other term or condition, and MRC's failure to assert any right or demand compliance with any provision of this Privacy Policy shall not be deemed to constitute a waiver of any such right or provision.

**Contact Us**

If you have any questions concerning this Privacy Policy, you may contact us at the following email: or write to us at:

Mountain Ridge Capital  
405 Lexington Avenue, 59th Floor, New York, NY 10174  
Email:info@mountainridgecap.com

## **Notice to Persons Located in California**

### ***CALIFORNIA CONSUMER PRIVACY ACT PRIVACY NOTICE***

#### **Introduction**

The purpose of this Privacy Policy/Notice is to provide you with information on our use of Personal Information (as defined below) in accordance with the California Consumer Privacy Act (the "CCPA").

In this Privacy Notice, "we", "us" and "our" refers collectively to Mountain Ridge Capital and its affiliates and/or delegates (together, "MRC").

This Privacy Notice applies to all California residents who are our borrowers, employees, job applicants, part-time and temporary workers, and contractors (including current, future and former categories of these types of persons) with whom our course of conduct does not occur wholly outside the state of California.

#### **Personal Information**

"Personal Information" means personal information that reasonably can be used to identify any individual person and may include personal information on borrowers that borrowers provide to us, as well as the personal information of individuals connected with borrowers (for example directors, trustees, employees, representatives, shareholders, investors, clients, beneficial owners or agents).

In our use of Personal Information, we are characterized as a "business" under the CCPA. Our affiliates and delegates may act as "service providers."

If you are a natural person, this will affect you directly. If you are a corporate investor including, for these purposes, legal arrangements such as trusts or exempted limited partnerships) that provides us with Personal Information on individuals connected to you for any reason in relation to your loan with us, this will be relevant for those individuals, and the content of this Privacy Notice applies to such individuals also unless otherwise exempted pursuant to the CCPA.

#### **What Type of Personal Information do we collect and how?**

We may collect the following forms of Personal Information:

- Identifiers such as your name, postal and residential address, email address, contact details, corporate contact information, tax identification number and passport number.
- Information classified as personal or protected information by state or federal law, including your nationality, place and date of birth, and correspondence records.
- Commercial information, including tax information, credit history, bank account details, source of funds details, and details related to your investment activity.
- Internet or other electronic network activity information, including, but not limited to, browsing history, search history, and information regarding a consumer's interaction with an internet website, application, or advertisement.

- Visual information, including your signature.
- Professional or employment-related information, including your employment, employer's name, and income.
- Education information, including your level of education.
- Inferences that we draw from your personal information to create a profile about your preferences.

We may collect this Personal Information in various ways, including:

- **Directly from you:** You provide us with Personal Information through various interactions, including, but not limited to, borrower relationships (whether past, present or future), a resume submitted through our website, by a recruiter or other interactions and an interview.
- **Indirectly from other sources:** We may also obtain Personal Information from investors with which you are associated and public sources.

***Automatic Collection Tools.***

In addition, we automatically collect certain data from individuals who visit our website. To this end, we use data collection tools (“**Cookies**”) on our website to record certain usage information, such as the number and frequency of visitors to the website. This information may include the websites that you access immediately before and after your visit to our website, and which Internet browser you are using. Our website does not respond to Do Not Track Signals.

**How and on what basis do we use Personal Information?**

We use Personal Information for a variety of reasonable and legitimate business purposes, including, but not limited to, the following:

Where necessary for the performance of a contract:

- sending you statements relating to your loan
- facilitating the continuation or termination of the contractual relationship between you and MRC
- facilitating the transfer of funds, and administering and facilitating any other transaction, between you and MRC (including any third party acting on behalf of such MRC, such as a service provider)

Where necessary for compliance with applicable legal or regulatory obligations, including:

- undertaking borrower due diligence including anti-money laundering and counter-terrorist financing checks, including verifying the identity and addresses of our investors (and, where applicable, their beneficial owners);
- sanctions screening and complying with applicable sanctions and embargo legislation;

- complying with requests from regulatory, governmental, tax and law enforcement authorities;
- surveillance and investigation activities;
- carrying out audit checks, and instructing our auditors;
- maintaining statutory registers; and
- preventing and detecting fraud.

Other business purposes, including:

- complying with a legal, tax, accounting or regulatory obligation to which we or the third party are subject;
- assessing and processing requests you make;
- sending updates, information and notices or otherwise corresponding with you in connection with your loan;
- investigating any complaints, or pursuing or defending any claims, proceedings or disputes;
- managing our risk and operations;
- complying with audit requirements;
- ensuring internal compliance with our policies and procedures;
- protecting MRC against fraud, breach of confidence or theft of proprietary materials;
- seeking professional advice, including legal advice;
- facilitating business asset transactions involving MRC or related entities;
- monitoring communications to/from us (where permitted by law); and
- protecting the security and integrity of our IT systems.

Should we wish to use Personal Information for other specific purposes, we will contact you or provide you with other prior notice. We will not use Personal Information for any purposes inconsistent with this Privacy

**Notice without your permission.**

With whom do we share Personal Information?

We do not sell any Personal Information to unaffiliated third-parties and have not sold any Personal Information in the past 12 months.

We may share Personal Information to carry out and implement any and all purposes, including:

- With the MRC’s service providers (the “**Delegates**”), such as MRC’s accountants and auditor, which may use Personal Information, for example to provide its services to MRC or to discharge the legal or regulatory requirements that apply directly to it or in respect of which MRC relies upon the Delegates. A Delegate will always use Personal Information in a way that is compatible with at least one of the purposes listed above for which we process Personal Information. The Delegates shall not retain, use, sell or otherwise disclose Personal Information for any purpose other than the specific business purpose for which we have provided the information to the Delegate.
- With regulatory, administrative, law enforcement agencies, ombudsmen or other oversight bodies in certain circumstances where we and/or our Delegates are legally obliged to share Personal Information and other information.
- With a third party that acquires, or is interested in acquiring, all or a substantial part of our assets or equity interests.
- As required by law or regulation, including to comply with a subpoena or similar legal process, including when we believe in good faith that disclosure is legally required.
- Where necessary to protect MRC’s rights and property.

**Retention of Personal Information**

We retain Personal Information for as long as required by us to meet contractual obligations and perform the services or comply with applicable legal or regulatory obligations.

How do we protect Personal Information?

We and our duly authorized Delegates apply appropriate technical, physical, and administrative information security measures designed to protect against unauthorized or unlawful processing of Personal Information, and against accidental loss or destruction of, or damage to, Personal Information.

**Children’s Privacy**

We are committed to protecting the privacy needs of children and we encourage parents and guardians to take an active role in their children’s online activities and interests. Our services are not intended for and may not be used by children under the age of 13. We do not knowingly collect information from children under the age of 13 and we do not target children under the age of 13.

**Non-Discrimination**

Under the CCPA, you cannot be discriminated against for exercising your rights to access or request erasure of your Personal Information.

**California Shine the Light Disclosure**

California’s “Shine the Light” law permits California residents to annually request and obtain information free of charge about what personal information is disclosed to third parties for direct marketing purposes in the preceding calendar year. We do not distribute your personal information to outside parties without your consent for their direct marketing.

### **Rights under the CCPA**

You have certain rights under the CCPA. These include the right to: (i) request the deletion of your Personal Information that we collect or maintain; (ii) opt out of the sale of Personal Information; and (iii) obtain a copy of your Personal Information in a portable format.

### **How to exercise your CCPA Rights**

Individuals who submit requests for access or erasure of personal information will be required to verify their identity by answering certain questions. We will not disclose or delete any information until such individual's identity is verified.

If you are making a request for access, we may not be able to provide specific pieces of personal information if the disclosure creates a substantial, articulable, and unreasonable risk to the security of your personal information, your account with us, or our systems or networks.

If you are making a request for erasure, we will ask that you confirm that you would like us to delete your personal information again before your request is submitted. In certain circumstances, we may not erase all personal information, as permitted by the CCPA.

You may designate an authorized agent to submit a request on your behalf by providing that agent with your written permission. If an agent makes a request on your behalf, we may still ask that you verify your identity directly with us before we can honor the request.

Agents who make requests on behalf of individuals will be required to verify the request by submitting written authorization from the individual. We will not honor any requests from agents until authorization is verified.

### **Complaints**

We take very seriously any complaints we receive about our use of Personal Information. Please contact us using the information below if you have any questions, comments, requests or complaints regarding this Privacy Notice, or if you wish to discuss your data protection rights with us.

### **Contact Information**

You may have certain rights under the CCPA. These include the right to: (i) request the deletion of your Personal Information that we collect or maintain; (ii) opt out of the sale of Personal Information; and (iii) obtain a copy of your Personal Information in a portable format. If you wish to exercise any of these rights, you should contact MRC at the address below.

Mountain Ridge Capital  
405 Lexington Avenue, 59th Floor, New York, NY 10174  
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