

## PRIVACY POLICY

*Last Updated: October 25, 2019*

Thank you for visiting the website of Ervin Cohen & Jessup LLP (“ECJ”, sometimes referred to as “we” and “our”). This privacy policy (“Privacy Policy”) describes the types of information we may collect from you or that you may provide when you use this website (“Website”), our practices regarding collection of your personal information and how we will treat it. We may change this Privacy Policy at any time or from time to time. If we make any material changes to this Privacy Policy, we will notify you only by posting an announcement on our Website. Your continued use of our Website after we make changes is deemed to be acceptance of those changes, so please check the Privacy Policy periodically for updates.

### **Information We May Collect About You and How We Collect It**

We may collect several types of personally identifiable information from and about you including information:

- By which you may be personally identified, such as your name, company, e-mail address, telephone number, or any other identifier allowing you to be contacted; and
- Information that is about you or your device but does not individually identify you, such as usage details, IP addresses, and information collected through cookies

(collectively, the information described in the bullet points above shall be referred to as “Personal Information”).

We may collect this Personal Information:

- Directly from you if and when you provide it to us, including through our “Contact Us”, e-mail and subscription services on the Website; and
- Automatically as you navigate through our Website through Google Analytics. Personal Information collected automatically may include usage details, IP addresses and information collected through cookies. For more information on Google Analytics, please visit [www.google.com/policies/privacy/partners/](http://www.google.com/policies/privacy/partners/). To opt-out of Google Analytics, visit: <http://tools.google.com/dlpage/gaoptout>.

### **Information We Collect Through Automatic Data Collection Technologies**

As you navigate through and interact with the Website, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions and patterns, including:

- Details of your visits to the Website, including traffic data, location data, logs and other communication data and the resources that you access and use on the Website; and
- Information about your computer, mobile device and internet connection, including your IP address, operating system and browser type.

The information we collect automatically is intended to be statistical data and may include Personal Information. It helps us to improve the Website and to deliver a better and more personalized service, including by enabling us to:

- Estimate audience size and usage patterns;
- Store information about your preferences, allowing us to customize the Website according to your individual interests in the future if appropriate; and
- Recognize you when you return to the Website.

The technologies we use for this automatic data collection may include:

- **Cookies (or browser cookies).** A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of the Website. Unless you have adjusted your browser setting so that it will refuse cookies, we will issue cookies when you direct your browser to the Website.
- **Flash Cookies.** Certain features of the Website may use local stored objects (or Flash cookies) to collect and store information about your preferences and navigation to, from and on the Website.

California Business & Professions Code Section 22575(b) provides that California residents are entitled to know how we respond to “Do Not Track” browser settings or signals. We do not currently take actions to respond to “Do Not Track” signals. It is our view that a uniform technological standard has not yet been developed. We may adopt a standard once one is created.

## How We Use Your Information

We use information that we collect about you or your devices that you provide to us:

- To present the Website and its content to you;
- To provide you with information, products or services that you request from us;
- To fulfill any other purpose for which you provide it;
- To notify you about changes to the Website or any products or services we offer or provide through it;
- To allow you to participate in interactive features on the Website;
- To publish our own marketing and promotional materials;
- To invite you to and register you for events;
- In any other way we may describe when you provide the information; or
- For any other purpose with your consent.

We may also use your information to contact you, via your e-mail address, about our services that may be of interest to you. If you do not want us to use your information in this way, please do not sign up for our subscription services. If you have already received e-mails through our subscription services, and you wish to

discontinue the services, you may send us an e-mail at [privacy@ecjlaw.com](mailto:privacy@ecjlaw.com) stating your request. We will not collect additional categories of personal information or use the Personal Information we collected for additional purposes without providing you notice, which may be in the form of an updated Privacy Policy.

## **Disclosure of Your Information**

We may disclose Personal Information that we collect or you provide as described in this Privacy Policy to third parties, including:

- To contractors, service providers and other third parties we use to support the Website and our services and who are bound by contractual obligations to keep your Personal Information confidential;
- To a buyer or other successor in the event of 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 users is among the assets transferred;
- To fulfill the purpose for which you provide it;
- To publish our own marketing and promotional materials;
- If required by applicable law;
- To enforce or apply the Terms of Use and other agreements, including for billing and collection purposes;
- If we believe disclosure is necessary or appropriate to protect our rights, property or safety and that of our clients or others;
- To comply with a judicial proceeding, court order, other legal obligation or a regulatory or government inquiry;
- For any other purpose disclosed by us when you provide the information; or
- With your consent.

In the last twelve months, we have disclosed the Personal Information referenced above to third parties for business purposes. As noted above, any third party with whom we are allowed to share your Personal Information is authorized to use your Personal Information in accordance with our contractual obligations with such third parties and in accordance with their own privacy policies, over which we have no control. You agree that we are not responsible or liable for any of their actions or omissions.

We may collect, use and disclose Personal Information through our client's implied consent given that our client has engaged our legal services, and thereby the collection, use and disclosure of Personal Information may be necessary to provide those services. In addition, if you provide Personal Information about another person to us, you will be representing, and we will believe, that you have the consent of that individual to enable us to collect, use or disclose their information as described in this notice, and will rely on our belief and your representation.

We may also disclose your Personal Information:

- To comply with any court order, law or legal process, including to respond to any government or regulatory request;
- To enforce or apply the [Terms of Use](#) and other agreements, including for billing and collection purposes; and
- If we believe disclosure is necessary or appropriate to protect our rights, property or safety and that of our clients or others.

We have not sold any Personal Information in the last twelve months, nor do we sell Personal Information.

## **Your California Privacy Rights**

### Shine the Light Protection

California Civil Code Section §1798.83 permits users of the Website that are California residents to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes, if applicable. To make such a request, please send an email to [privacy@ecjlaw.com](mailto:privacy@ecjlaw.com). If you believe any of the information we possess about you is incorrect, please send an email to the same address listed above.

### California Consumer Privacy Act of 2018

Consumers protected by the California Consumer Privacy Act of 2018 (the “CCPA”) have specific rights regarding their personal information.

### Access to Specific Information

You have the right to request that we disclose to you certain information about our collection and use of your Personal Information over the last 12 months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories and specific pieces of personal information we collected about you
- The categories of sources from which the personal information is collected
- The business or commercial purpose for collecting or selling personal information
- The categories of third parties with whom we share the personal information
- The categories of personal information that we disclosed about you for a business purpose

We are not required to provide you with these disclosures more than twice within a 12-month period.

### Right to Request Deletion

You have the right to request that we delete any Personal Information about you which we have collected from you. Upon receipt of a verifiable consumer request to delete your personal information, we will delete such information and direct our service providers to delete your information from their records, subject to certain exceptions provided in the CCPA.

### Non-Discrimination

If you are covered by the CCPA, we will not discriminate against you merely because you have exercised any of your rights under the CCPA. Except as permitted by the CCPA, we will not, merely because you have exercised your rights under the CCPA, do any of the following:

- Deny you goods or services;
- Charge you different prices or rates for goods or services, including through the use of discounts or other benefits or by imposing penalties;
- Provide you with a different level or quality of goods or services; or
- Suggest that you will receive a different price or rate for goods or services or a different level or quality of goods or services.

### Contact Us Regarding your CCPA Rights

To request your right to disclosure or deletion of the Personal Information we have collected about you, please submit a verifiable consumer request to us by calling us at 1-888-391-2582, by contacting us at <http://www.ecjlaw.com/contact-us/> or by emailing Ronnie DeCesare at [rdecesare@ecjlaw.com](mailto:rdecesare@ecjlaw.com).

A verifiable consumer request can only be made by you, by you on behalf of your minor child, or by a person or entity registered with the California Secretary of State authorized by you to act on your behalf. In order to ensure we are able to promptly respond to your request, your request should include sufficient information that allows us to verify you are the person about whom we collected Personal Information (or that you are an authorized representative of such person) and a detailed description of what you are requesting. Your request should also indicate whether you would like to receive any disclosures electronically or by mail, and the applicable address for us to send the disclosures.

We will disclose and deliver the Personal Information required within 45 days of receiving your verifiable consumer request. Should we require more time (up to an additional 90 days), we will notify you of the extension and the reasons for the delay. The disclosure will cover the 12-month period preceding the receipt of your verifiable consumer request.

If requests from you are manifestly unfounded or excessive, we may charge a reasonable fee to respond to your request or we may refuse to act on the request. If we choose not to take action on your request, we will notify you of the reasons behind our decision.

## **Children's Privacy**

Our services are not directed to, and we do not knowingly collect Personal Information from, children under the age of 13. If we receive Personal Information that we discover was provided by a child under the age of 13, we will promptly destroy the information. We recommend that parents actively participate in their children's use of the Internet.

## **Data Security**

Unfortunately, the transmission of information via the Internet is not completely secure. Although we implement reasonable measures to protect your Personal Information, we cannot guarantee the security of your Personal Information transmitted to the Website, or thereafter. Any transmission of Personal Information is at your own risk. It is important for you to protect against unauthorized access to your password and to your computer or mobile device. Be sure to sign-off when finished using a shared computer or mobile device and use other reasonable measures to secure your sensitive information.

## **Links to Other Websites**

We may provide (and permit other parties to provide) links to other websites or resources. Because you acknowledge and agree that we have no control of such websites and resources, we are not responsible for the availability of such websites or resources, and we do not endorse and are not responsible or liable for any content, advertising, products or other materials on or available from such websites or resources. You further acknowledge and agree that we shall not be responsible or liable, directly or indirectly, for any damage or loss caused or alleged to be caused by or in connection with use of or reliance on any such content, goods or services available on or through any such Website or resource.

## **Contact Information, Privacy Official and Refusal to Consent**

To ask questions or comment about this Privacy Policy and our privacy practices, including reviewing and requesting changes to any of your collected Personal Information, contact our [Privacy Official](#), Ronnie DeCesare, at [privacy@ecjlaw.com](mailto:privacy@ecjlaw.com) or (310) 281-6301.

**If you do not consent to the collection, use and disclosure of your Personal Information, please do not provide us with Personal Information.**