

# European Investor Personal Data Privacy Notice

By investing in, and providing your personal data to a D. E. Shaw group fund (the "Fund"), the Fund, acting as a controller, may process your personal data or that of your directors, officers, employees and/or beneficial owners. D. E. Shaw & Co., L.P. and D. E. Shaw & Co. (London), LLP will also act as controllers in their capacity as investment managers to the Fund. For the purposes of this privacy notice, references to "we" "us" or "our" refers collectively to the Fund (as identified in your Subscription Agreement), D. E. Shaw & Co., L.P., and D. E. Shaw & Co. (London), LLP. D. E. Shaw & Co., L.P. has designated D. E. Shaw & Co. (London), LLP as its representative in the European Union.

Please ensure that you provide a copy of this privacy notice to any third parties whose personal data you provide to the Fund. This privacy notice may be updated periodically and we will notify you in writing of any material changes.

## What information do we collect?

We may collect some or all of the following information about you:

- Your name, address, and contact details, including email address and telephone number;
- Your passport details or details of any other government-issued document evidencing your nationality or residence and including your name, picture, signature, country of issuance and number;
- Verification of your residential address as determined by you, which may take the form of a utility bill or other correspondence;
- Details of your net worth and/or source(s) of wealth;
- Your bank account details; and,
- Any other personal data that you voluntarily provide to us.

We may also collect personal data about you from third parties, such as your investment adviser, family office representative, the organization to which you are affiliated or other person designated by you to manage your investments, and third party data services.

## Why do we process your personal data?

The provision of certain personal data by you and the processing of such personal data by us is necessary (a) in order for us to review and process your subscription agreement and supporting materials in connection with your investment in a D. E. Shaw group fund, and in order to enforce or defend our rights, ourselves or through third parties to whom we delegate such responsibilities; (b) where in our legitimate interests, to administer and manage investments and communications with you and to administer, manage, and improve our fundraising operations; and (c) to fulfil our legal and regulatory obligations (e.g., when we are required to conduct "Know Your Customer" checks). When we conduct "Know Your Customer" and related anti-money laundering and sanctions' law checks, we use third party data services. Those services access information published by government authorities, as well as information available both in the public domain and from proprietary news and related sources. That information may or may not identify you. If it does, it could involve the processing of criminal records or other sensitive data. We will process all data, whether obtained from you or third parties, for the limited purpose described above and as authorized by law.

Failure to provide personal data in whole or in part could make it impossible for us to proceed with the application to invest in the Fund and we may be unable to process or release your investment in the Fund. This may result in the Fund terminating its relationship with you.

We will not use your personal data for purposes unrelated to the foregoing, such as direct marketing of third-party products to you, without your consent.

**Please note that you have a right to object to the processing of your personal data where that processing is performed for our legitimate interests.**

## Who has access to your personal data?

We may disclose your personal data for the purposes described above to the following recipients: (i) your service providers; (ii) our affiliates, service providers (such as transfer agents, fund administrators, custodians, and broker-dealers), and advisors (such as accountants and legal counsel); (iii) fraud prevention agencies and law enforcement agencies; (iv) courts, governmental and non-governmental regulators, and ombudsmen; (v) any third party that acquires, or is interested in acquiring or securitizing, all or part of our assets, shares, partnership interests, and/or membership interests, or that succeeds us in carrying on all or a part of our businesses, whether by merger, acquisition, reorganization, or otherwise; (vi) as required or permitted by law, including to comply with a subpoena or similar legal, regulatory, or governmental request or process, or (vii) when we have a legitimate interest in making a disclosure, such as where necessary to protect our rights and property.

## International transfers of your personal data

We may disclose your personal data for the purposes described above to recipients (including affiliates) located in countries outside of the European Economic Area ("EEA") and the United Kingdom ("UK"), including in the United States ("U.S."),

which may not have data protection laws equivalent to those in the EEA and/or the UK. We have entered into intra-group EU standard contractual clauses ("Model Contracts") for transfers of personal data within the D. E. Shaw group. Where we transfer personal data to other recipients outside of the EEA and/or the UK, we will enter into a Model Contract with the recipient or seek assurances from the recipient that it is EU/Swiss-U.S. Privacy Shield certified or has Binding Corporate Rules in place. You can request further details in relation to international transfers, including a copy of the Model Contracts, by using the contact details provided below.

D. E. Shaw & Co., L.P. is headquartered in the U.S. Therefore, all personal data you submit directly to D. E. Shaw & Co., L.P. will be transferred to the U.S. **By providing D. E. Shaw & Co., L.P. with your personal data, you consent to this transfer of your personal data to the U.S.** You may withdraw that consent at any time. The withdrawal of consent shall not impact the lawfulness of prior processing based on consent before its withdrawal.

### **How long do we keep your personal data?**

We will retain your personal data for investor relations-related activities, including administering investment accounts and for organizing events with investors, in accordance with our internal data retention procedures. The criteria used to determine the retention periods include: (i) how long the personal data is needed in connection with the investor relations-related activities; (ii) the type of personal data collected; and (iii) whether we are subject to a legal, contractual or similar obligation to retain the data (e.g., mandatory data retention laws, government orders to preserve data relevant to an investigation, or data that must be retained for the purposes of litigation or disputes). If you would like more information about applicable data retention policies, please contact us using the contact details provided below.

### **Your rights**

You have a right to:

- request access to and rectification or erasure of your personal data;
- obtain restriction of processing or object to processing of your personal data;
- withdraw consent to the processing of your personal data at any time; and
- request a copy of your personal data to be provided to you, or a third party, in a digital format.

We will respond to your request in writing, or orally if requested, as soon as practicable and in any event not more than one month after receipt of your request. In exceptional cases, we may extend this period by two months and we will provide you with a justification. If you would like to exercise any of these rights, please contact us using the contact details provided below.

You also have the right to file a complaint about the processing of your personal data with your local data protection authority.

We periodically review and may modify this notice. If we make modifications, we will continue our commitment to keeping your personal data secure.

### **Enquiries, requests, or concerns**

All enquiries, requests, or concerns regarding this privacy notice or relating to the processing of your personal data, including all requests as detailed in the "Your rights" section above, should be sent to [privacy@deshaw.com](mailto:privacy@deshaw.com).

- D. E. Shaw & Co., L.P. is located at 1166 Sixth Avenue, Floor 9, Avenue of the Americas, New York, NY, 10036, and can be contacted by emailing [privacy@deshaw.com](mailto:privacy@deshaw.com).
- D. E. Shaw & Co. (London), L.L.C. is located at 55 Baker Street, Seventh Floor, London W1U 8EW, UK, and can be contacted by emailing [privacy@deshaw.com](mailto:privacy@deshaw.com).