

# SCHILLER DUCANTO & FLECK

## PRIVACY POLICY

**LAST UPDATED: [APRIL 29, 2024]**

### **Introduction**

Schiller DuCanto & Fleck LLP (“SDF,” “we,” “us,” or “our”) understands your concerns with regard to how personal information about you is used and shared, and we appreciate your trust that we will use and share your information carefully and sensibly. This Privacy Policy outlines our general policy and practices for protecting personal information that we collect through our website at <https://www.sdflaw.com/> and its subpages (including the mobile and touch versions thereof, collectively, the “Site”), and through other interactions with you, including those that occur through telephone, email, or in-person interactions. This Privacy Policy explains the types of information we gather, how we use that information, and the choices individuals may exercise regarding our use of that information.

By submitting personal information to us, you are consenting to the use of your personal information (including any disclosures, processing, and transfers of your information to third parties by SDF) in accordance with this Privacy Policy. Any consent you provide is entirely voluntary. If you do not accept this Privacy Policy, then you should not use or submit any personal information to SDF.

### **Personal Information Collection**

We collect your personal information in the following ways:

- **Directly from you.** You may voluntarily provide us with personal information when you access and use the Site or otherwise interact with us. For example, we collect the personal information you provide when you send us an inquiry or other communication (including through the “Contact Us” page on the Site), engage us for legal services, register for our events (e.g., webcasts, seminars, and other events), sign up for our newsletter or other alerts, apply for a job opening, or otherwise interact with us or the Site.
- **Automatically as you navigate the Site.** Information collected automatically as you use and navigate the Site may include usage details, email address, IP address, and information collected through cookies and other tracking technologies.

The types of personal information that we collect from you may vary based on how you interact with us and the Site, and may include, but is not limited to, your:

- First and last name;
- Email address;
- Mailing address;
- Telephone number;
- Contact preferences;

- Payment card and related billing information (collected by our third-party payment processor only);
- Professional and educational experience and licenses (if you apply for a job opening);
- Messaging content and information; and
- Any other information regarding your use of the Site and/or our legal services.

We and our third-party service providers also collect information that is sent to us automatically by your web browser or device. This information typically includes your IP address, the identity of your Internet service provider, the name and version of your operating system, the name and version of your browser, the date and time of your visit (and the number of your visits), the pages you visit, the length of your visit, average time spent, and the websites you visit before coming to and after leaving the Site. The information we receive may depend on your browser or device settings.

We use “cookies” and similar other tracking technologies to automatically collect information and support certain features of the Site. A cookie is an element of data that can be sent to your browser, which may then store it on your system. Cookies are used on the Site to allow access to certain functions and better serve you when returning to the Site. You can set your browser to notify you when you receive a cookie, giving you the chance to decide whether to accept it or not.

### **Personal Information Use and Retention**

The following is a description of how we use the personal information we have collected about you. Automatically-collected information and other personal information may be combined with other information that we collect directly from you or that we receive from other sources and is used for the purposes described below:

- **To provide services to you.**
- **To provide the Site and its functionalities to you.**
- **To respond to your requests.** If you contact us with a question or a request, we will use your information to respond to your request. For example, if you contact us via email with a question, we will use the information in that email and the email address you used to contact us to respond to you.
- **To conduct data analytics to support the Site and our business.** Typically, these analyses are done using aggregated or otherwise de-identified data. We use information, including automatically-collected information, to manage and improve the Site and our business. For example, we analyze website user behavior and conduct research and analysis about the way you and other users use the Site. We may also use data to better protect our services, the Site, and you by helping to detect and prevent fraud and abuse of the Site and our services.
- **To market to you.** Information we collect about you and how you use and interact with the Site and our services, ads, and other online content helps us to improve the Site and offer additional products and services that we think might interest you. For example, we analyze information about user interactions with our marketing emails (such as whether emails have been opened or what content is clicked on) to determine whether those

communications and ads are effective, and to understand what other Site functionalities, products, or services may interest you.

- **To conduct due diligence prior to engaging in a business relationship.** Prior to engaging in a business relationship with you, we may conduct due diligence exercises such as background checks and credit checks.
- **To meet our contractual obligations with you when we engage in a business relationship with you.**
- **To operate and improve our business.**
- **To maintain our records.**
- **For legal, contractual and safety purposes.** We will use your information as necessary to enforce the terms of the Site; to comply with applicable laws and regulations; to defend or protect us, our clients or users, you, or third parties from harm or in legal proceedings; to protect our rights; to protect our security and the security of our users, employees, and property; to respond to court orders, lawsuits, subpoenas, and government requests; to address legal and regulatory compliance; to verify your identity or communications from you; to comply with contracts and other agreements to which we are a party; and to notify you of changes to our terms, policies, or practices.
- **For other purposes for which you provide your consent.** We will use your information for other purposes which are disclosed to you at the time your information is collected, or for purposes which can be inferred from or are obvious given the circumstances of collection. For example, if you apply for a job opening with us, we may use your information to process and evaluate your application for employment and to communicate with you about employment opportunities. We may also retain and use this information to identify and communicate with you about future potential employment opportunities with us. If we elect to make an offer of employment, this information may become part of the employee file and may be used for other employment and work-related purposes.

We retain personal information for only so long as necessary for the intended purpose for which it was collected, unless a longer retention period is required or permitted by law or our document retention policies, which are based on professional standards and best practices.

### **Disclosures and Transfers**

We will not disclose an individual's personal information to third parties, except as set forth in this Privacy Policy, when we have the individual's permission to make the disclosure, or as necessary to fulfill the purpose for which the information was submitted. We also may use or disclose personal information as we believe to be necessary or appropriate (a) under applicable law (including to meet a national security or law enforcement requirement), (b) to comply with legal process or professional standards, (c) to protect our rights, privacy, safety, or property and/or those of our affiliates or clients; or (d) in a merger, acquisition, bankruptcy, liquidation or asset sale.

We may use third-party service providers to provide administrative or operational support to us, or to provide engagement team resource services, and may disclose and transfer personal information for that business purpose to such service providers. We require all such service

providers to protect the information we entrust to them and to use such information only as necessary to provide services to us. This transfer may result in data passing from one jurisdiction to another, including to and from the United States of America, and possibly other countries outside of the European Economic Area, some of which may not have been deemed by the European Commission to ensure an adequate level of protection for personal information. Accordingly, the level of safeguards and legal protections provided in such other non-European countries may not be as stringent as those under European data protection standards or the privacy laws of some other countries, possibly including your home jurisdiction.

We may use analytics providers, such as Google Analytics and HubSpot CRM Marketing Software to measure and report how users interact with the Site, and to analyze the traffic to the Site and for the other purposes as set forth in this Privacy Policy. For more information about Google Analytics and how it collects and processes data, please see “[How Google Uses Data When You Use Our Partners’ Sites or Apps](#).” For more information about how Google uses and shares information collected by Google Analytics through your visits to Site, please see Google’s [Terms of Service](#) and [Privacy Policy](#). If you do not want your Site visit data reported by the Google Analytics JavaScript, you can install the Google Analytics opt-out browser add-on. This add-on instructs the Google Analytics JavaScript to prohibit sending visit information to Google Analytics, but does not prevent information from being sent to the Site itself or in other ways to other website analytics services. Click [here](#) if you would like to learn more about the Google Analytics opt-out browser add-on, and click [here](#) to install the opt-out browser add-on. For more information about HubSpot and how it collects and processes data, please see [HubSpot Cookie Policy](#). For more information on how HubSpot uses and shares information please see HubSpot’s [Website Terms of Use \(hubspot.com\)](#) and [HubSpot Privacy Policy](#).

In the event SDF goes through a business transition, such as a merger, or the acquisition or sale of all or a portion of its business or assets, your personal information may be among the assets transferred and may be shared with and subsequently used by a third party.

## **Your Choices**

We offer certain choices about how we communicate with you and what personal information we obtain about you and share with others, described below.

### *Information Provided by You*

Depending on the activity, some of the information we ask you to provide is mandatory and some is voluntary. Whether or not to provide such information is completely your own choice. But if you choose not to provide the information we request, you may be unable to use or take advantage of certain of our services (including certain functionalities on the Site).

### *Email*

You may unsubscribe from emails from us by clicking the “Unsubscribe” or similar button at the bottom of any promotional email from us. You may also contact us by email or postal address as noted below. Please include your current contact information and your requested changes.

### *Cookies*

Most web browsers automatically accept cookies, but you can change your browser's settings to disable all or certain cookies. For more information on how to manage browser cookies, see <http://www.allaboutcookies.org>. Please note that by disabling or deleting cookies, you may not be able to access the full functionality of the Site. Disabling or clearing cookies also may affect cookie-based opt-outs by either preventing you from using such cookie-based opt-outs or clearing opt-outs that you previously set.

### *Do Not Track Signals*

While we take reasonable steps to protect the privacy of our Site visitors, we cannot promise that the current limitations of our online applications programming will address every browser setting or honor every personal browser preference. In particular, we have not implemented the necessary program changes to honor "Do Not Track" or "DNT" browser signals. As our online applications programming is refined, we may take reasonable steps to honor such requests in the future.

### **Third-Party Sites**

The Site may contain links to third-party sites. We are not responsible for the privacy practices of any third parties, including any third party operating any website or service to which the Site links. The inclusion of a link on the Site does not imply endorsement of the linked site or service by us. Please review the privacy policies of third parties to learn more about their privacy practices.

We have presence on several social media platforms so that we can share information about our firm and our services with you. Information collected by social media platforms when you interact with their services is governed by the social media platforms' respective privacy policies. For more information about how you can customize your privacy settings and how third-party social media websites handle your personal information, please refer to their privacy policies.

### **Data Security**

The security of your personal information is important to us. We use reasonable physical, technical, and administrative safeguards to protect the information we process. However, no method of transferring data over the Internet or storing electronic data is completely secure. Therefore, while we strive to use reasonable and appropriate means to protect your personal information, we cannot and do not guarantee absolute security.

### **Minors**

The Site is not intended for children under 18 years of age. No one under age 18 may provide any information on or through the Site without verification of parental consent. We do not knowingly collect personal information from children under 18. If you are under 18, do not use or provide any information on the Site or on or through any of its features, including your name or email address. If we learn we have collected or received personal information from a child under 18 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 18, please contact us at [bmaul@sdfllaw.com](mailto:bmaul@sdfllaw.com).

## Your State Privacy Rights

Pursuant to certain state laws, including, if applicable, the California Consumer Privacy Act (“CCPA”), SDF makes the following disclosures regarding the personal information we collect:

<u>Category of Personal Information</u>	<u>Category of Source from which Data is Collected</u>	<u>Purpose of Collection</u>	<u>Category of Third Parties to whom Data is Disclosed</u>
Identifiers, such as name, email address, telephone number, company name and address, job title	Directly from users	To operate and make our services available to our clients; to contact our clients; for identification and authentication; to support our electronic and digital programs	Service Providers
Customer records information, such as credit card number and billing address (collected by our third-party payment processor only)	Directly from users	To facilitate payment processing	Service Providers
Commercial information, such as records of personal property (including client asset and ownership and related information)	Directly from users	To operate and make our services available to our clients	Service Providers
Professional or employment-related information, such as work history and experience	Directly from users	To collect and process employment applications	Service Providers
Education information, such as education history	Directly from users	To collect and process employment applications	Service Providers
Inferences, such as interests, preferences, and activities	Directly from users	To personalize the Site and/or our communications with you according to your personal preferences; for developing new products and services; for enhancing, improving, and/or modifying the Site; for identifying usage trends and determining the effectiveness of our service promotions; for operating and expanding our business activities	Service Providers
Internet or network	Cookies and other	For data analysis, audits, security and	Service Providers

activity information, such as IP address, device type, and browser type	tracking technologies	fraud monitoring and prevention; for developing new goods and services; for enhancing, improving and/or modifying the Site; for identifying usage trends, determining the effectiveness of our promotional campaigns, and operating and expanding our business activities	
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Other than for a business purpose as described in this Privacy Policy, we have not sold or shared consumers' personal information in the twelve (12) months preceding the effective date of this Privacy Policy.

Under certain state laws, including, but not limited to, the CCPA, you may have the right to request:

- the categories of personal information we have collected about you;
- the categories of sources from which your personal information is collected;
- the business or commercial purpose of collecting or selling your personal information;
- the categories of third parties with whom we share your personal information;
- the specific pieces of personal information we have collected about you;
- when and if applicable, the categories of personal information that we have sold about you and the categories of third parties to whom the personal information was sold, if applicable;
- access to your personal information;
- deletion of your personal information;
- correction of inaccurate personal information we maintain about you;
- an opt out of having your personal information sold to third parties or shared with third parties for purposes of cross-context behavioral advertising (if applicable); and/or
- limitation on use of any sensitive personal information we maintain about you to that which is necessary to provide a good or service requested by you (if applicable).

To submit a request, or designate an authorized agent to make a permitted request under an applicable state law on your behalf, please contact us at [bmaul@sdfllaw.com](mailto:bmaul@sdfllaw.com), or complete the web form located at [www.sdfllaw.com/contactus](http://www.sdfllaw.com/contactus). To verify your identity when you submit a request, we will match the identifying information you provide us to the personal information we have about you. If you have an account with us, we will also verify your identity through our existing authentication practices for your account. Requests will typically be honored within 45 days or less, but may take up to 90 days based on the results of verification. Note that certain state laws may limit the number of requests you may make within a 12-month period.

Notwithstanding any of the above, we will not be required to comply with your request to delete your personal information if it is necessary for us to maintain your personal information in order to:

- complete the transaction for which the personal information was collected, provide a good or service requested by you, or reasonably anticipated within the context of our

ongoing business relationship with you, or otherwise perform a contract between you and us;

- detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity; or prosecute those responsible for that activity;
- debug to identify and repair errors that impair existing intended functionality;
- exercise free speech, ensure the right of another consumer to exercise his or her right of free speech, or exercise another right provided for by law;
- comply with the California Electronic Communications Privacy Act pursuant to Chapter 3.6 (commencing with Section 1546) of Title 12 of Part 2 of the Penal Code;
- 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 our deletion of the information is likely to render impossible or seriously impair the achievement of such research, if you have provided informed consent;
- to enable solely internal uses that are reasonably aligned with your expectations based on your relationship with us;
- comply with a legal obligation; or
- otherwise use your personal information, internally, in a lawful manner that is compatible with the context in which you provided the information.

We will not discriminate against you in the event you exercise any of the aforementioned rights under state laws, including, but not limited to, by:

- denying goods or services to you;
- charging different prices or rates for goods or services, including through the use of discounts or other benefits or imposing penalties;
- providing a different level or quality of goods or services to you; or
- suggesting that you will receive a different price or rate for goods or services or a different level or quality of goods or services.

This Privacy Policy is available to consumers with disabilities. To access this Privacy Policy in an alternative downloadable format, please click [www.sdflaw.com/privacypolicy](http://www.sdflaw.com/privacypolicy) .

### **Individuals Within the European Union**

If you are a resident of the European Union and your inquiry with SDF has not been satisfactorily addressed, or if you believe we are processing your personal information not in accordance with the law or this Privacy Policy, you may file a complaint to the Data Protection Authority in your country of residence.

#### *Controller of Personal Data*

Schiller DuCanto & Fleck LLP  
321 N. Clark St., Suite 1200  
Chicago, IL 60654

is the data controller of the personal data processed through the Site.

#### *Legal Bases for Processing Personal Data*



If you are an individual located in the European Economic Area (EEA), we collect and process personal data about you where we have a legal basis for doing so under applicable EEA laws. This means we collect and process your data only when:

- It is necessary for a legitimate interest (which is not overridden by your individual privacy interests), such as preventing fraud, improving the Site, and increasing the security of the website and network infrastructure;
- You have consented to this collection and processing for a specific purpose;
- It is necessary to fulfill our contractual obligations; or
- It is necessary to comply with a legal obligation.

Where we rely on your consent to process your personal data, you have the right to withdraw or decline consent at any time. An example of where we rely on your consent to process your personal data includes sending you our newsletter and marketing emails. If you wish to withdraw your consent, please contact us at [hubspot@sdfllaw.com](mailto:hubspot@sdfllaw.com).

Some examples of our legitimate interests for processing personal data include:

- Website and network security;
- Customer support;
- Marketing to current clients;
- Fraud prevention; and
- Improving the Site.

Where we rely on our legitimate interests to process your personal data, you may have the right to object. More information on exercising this right can be found in the Individual Rights section below.

If you have any questions about or need further information concerning the legal basis on which we collect and use your personal data, please contact us at [hubspot@sdfllaw.com](mailto:hubspot@sdfllaw.com).

### *Individual Rights*

If you are located in the EEA, you have certain rights under EEA data protection law with respect to your personal data, including the right to request access to, correct, and delete your personal data. You may also have the right to receive a copy of your personal data in a commonly-used and machine-readable format, and to transmit such data to another controller. You also may object to processing of your personal data, or ask that we restrict the processing of your personal data in certain instances.

To request deletion of, access to, or to make changes to your personal data, or to any of the rights in this section, please email us at [hubspot@sdfllaw.com](mailto:hubspot@sdfllaw.com). Please note that not all requests can be honored.

### *Transfers, Storage, and Processing*

The Site is operated from and hosted on servers located in the United States. If you access and use the Site from a location outside of the United States, any personal data you provide to us or that is otherwise collected may be transferred to and processed in the United States, or any other jurisdiction, in our sole discretion. The laws that apply to the use and protection of personal data in the United States or other jurisdictions to which we may transfer, or in which we may process, personal data may differ from those of your country of residence. Users who access or use the Site from jurisdictions outside of the United States do so at their own choice and risk, and are solely responsible for compliance with local law. In addition, the level of protection provided in the United States or other non-EEA countries and jurisdictions from which you may access the Site may not be as stringent as that under EEA data protection standards or the data protection laws of some other countries, possibly including your home jurisdiction.

### **Privacy Policy Changes**

SDF reserves the right to amend or modify this Privacy Policy from time to time. We will post any revised Privacy Policy on the Site. By continuing to use the Site after we post any revised Privacy Policy, you agree that the terms of the revised Privacy Policy as of the effective date will apply to information previously collected or collected in the future, as permitted by law.

### **How to Contact Us**

Questions, comments, or complaints about this Privacy Policy or SDF's data collection and processing practices can be e-mailed to [hubspot@sdfllaw.com](mailto:hubspot@sdfllaw.com), or sent to us using the contact details below:

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