

PKF O'Connor Davies Privacy Policy

Effective Date: August 2024

PKF O'Connor Davies LLP and PKF O'Connor Davies Advisory LLC (collectively, "PKFOD," "us," "our," or "we") 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 may have in relation to how we collect, use, retain, and disclose your Personal Information when you visit our website at www.pkfod.com or use PKFOD platforms, attend our webinars or other online presentations, request PKFOD newsletters or other communications, visit our offices or PKFOD-hosted events, engage us for professional services, or otherwise interact with us through channels where this Privacy Policy is posted (collectively, the "Services"). Terms that are capitalized are defined within this Policy.

Please also note that this Privacy Policy is intended to apply under the circumstances where we control the collection of Personal Information and determine the purposes and means of its processing. We primarily process Personal Information in our role as a professional services provider to our business clients, in which case we will process Personal Information based on the client's direction. When we process Personal Information based on our business clients' direction, generally, our clients' privacy policies will apply. For PKF Workforce Members, including job applicants, current employees, and independent contractors please contact privacy@pkfod.com to request a copy of our Workforce Privacy Policy.

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

This Privacy Policy is incorporated into and made part of our Terms of Use. Please read this Privacy Policy carefully to understand our policies and practices for collecting, using, and disclosing your Personal Information. By visiting our website and/or utilizing our Services, you acknowledge and consent to the collection, use, and disclosure of your information as described in this Policy. This Policy may change from time to time (see *Changes to This Privacy Policy*). Your continued engagement with 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.

Our website may include links to other websites, plug-ins, services and social networks operated and maintained by third parties. Clicking on those links or enabling those connections may allow those third parties to collect or 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. Additionally, though this Policy acknowledges that we may obtain information about you from third parties, including information that you may provide to or that is collected through a third party about you, this Policy does not apply to the collection and processing of that information by the third party. Those third parties have their own information collection practices. We encourage you to read the privacy policies of businesses 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. Information We Collect and How We Collect It

We collect Personal Information you provide directly to us, through Device, Internet and Network Activity, and from other sources, as described below. For the purposes of this Privacy Policy, Personal Information 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, including through Device, Internet and Network Activity. Information derived from Device, Internet and Network Activity refers to device, internet, and network activity information that we and our Service Providers and other business partners collect, including information about how you interact with our Services online.

Information You Provide Directly to Us

As a PKFOD client, you may provide us with the categories of Personal Information below in the course of our business relationship with you. Personal Information obtained from or relating to our 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, applicable laws and professional principles.

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

- **Identifiers and Contact Information**, such as name, email address, mailing address, company affiliation, 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 brokerage and financial account information, financial/revenue statements and invoices, investment account and portfolio information, lease and mortgage information, payroll, and historical tax audit and filing documents.
- **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.
- **Account Information**, such as your username and password for the PKFOD portal.
- **Health Information**, such as information regarding your medical condition, treatment, or payment for services, including details about your health plan or insurance claims.

- **Audio, Electronic or Visual Information**, such as a photograph or video recording, with your consent, when you attend an online or in-person PKFOD-hosted event, audio or video recording when you call us, and contents of your emails or other written communications that you send to us.
- **Accounting or Financial 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.
- **Corporate Operations, Communications, and Other Business Information**, such as industry sector, type of work performed, partnership agreements and other corporate documents, employee, contractor and payroll information, and referral information from internal and external sources.
- **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 PKFOD, 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 use Sensitive Personal Information for any other 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 our website. 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 website 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 website (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 servers recognize you. PKFOD, 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 website are strictly necessary for functionality of the site. Others improve functionality but are not strictly necessary. Some cookies help improve the performance of our website (such as by gathering analytics data), while others help provide targeted advertising services to you (like ads that you may be interested in). Some cookies may be used 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.** We use these cookies to make our site function properly.
- **Preference Cookies.** We use preference cookies to remember your preferences and various settings. Preference cookies remain on your computer or device until you delete them, or they are otherwise removed upon expiration.
- **Statistics Cookies (Analytics Cookies).** Statistics cookies help us measure the performance of our website, and the usefulness of the content it displays. They also help us analyze website usage patterns.
- **Marketing Cookies.** We permit certain third-party business partners and advertisers to collect Personal Information through cookies or other similar technologies placed on our website. These companies may use the Personal Information collected through these cookies to track your behavior on our website, gather information about your use of our website, 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 targeted 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 small graphic images placed on our 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.
- **Other Technologies.** We collect many different types of information from other technologies to improve the quality of our website and the Services we provide. For example, we may collect usage data and other information about the device you use to access our websites, your operating system and/or mobile device type, browser type, domain, and other system settings, as well as the language your system uses and the country and time zone where your device is located.

For more information about the specific cookies and other website technologies we use and their purposes, please see our Cookie Declaration [[here](#)]. Strictly necessary cookies are enabled on our website by default. The website will only place other types of cookies with your consent, which you provide through our cookies notice when you arrive at our website homepage. If you would like to change your cookies settings, you may do so through the [designated mechanism]. For information about how we respond to web browser signals and other mechanisms that enable consumers to exercise choices about behavioral tracking, see the "*Services From Other Parties/Internet-Based Advertising*" section below.

Please note that if you block certain cookies from the website, it may not function as intended.

Pages of our Websites may utilize session replay technologies. Such technologies utilize code to record users' interactions with our Services in a manner that allows us to watch replays of those user sessions. The replays include user's clicks, mouse movements, and scrolls during those sessions. Crazy Egg does not track keystrokes and when visitors type in an input field, the characters are masked. These replays help us measure engagement, diagnose usability problems, and identify areas for improvement. You can learn more about Crazy Egg's privacy practices at <https://support.crazyegg.com/hc/en-us/articles/360056916293-Crazy-Egg-Privacy>.

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; other third-party sources, including your previous or current accounting, financial, legal and/or other professional services firm(s), brokerage funds, and other commercially available sources. At your direction, we may collect information from your vendors, advisors, and employees. We may also collect information about you from family members, family office employees, and other authorized agents with your permission or as necessary to administer the Services you request.

II. How We Use Your Information

We use your Personal Information for our business purposes, including to provide and improve our website and provide client Services, to 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 accounting, financial, wealth management and other professional 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 our 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 processing invoices, updating client records, and addressing client inquiries or feedback.
- **Sending relevant marketing/informational messages and inviting you to events/seminars.** 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, thought leadership content, and social media postings to provide you with information about or register you for our events, seminars, content or Services that may be of interest to you.
- **Improving our website.** We use information derived from Device, Internet and Network Activity to improve the content, functionality and user-friendliness of our website.
- **Keeping our websites and IT systems and processes safe.** We use identification data, contact details, financial information, and Device, Internet and Network Activity information, to ensure the

security and confidentiality of our website, 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 our ethical obligations. This processing is necessary for the purpose of complying with legal requirements that apply to PKFOD.

III. Disclosures of Your Information

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

- With our Service Providers who 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 and document management databases, accounting, tax, and executive software solutions providers, financial institutions, and cloud-hosting and other web-based product providers that help us maintain our website and systems we use to administer 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 for us that are stated in the contract between us. Our Service Providers must implement appropriate security measures to protect your Personal Information consistent with our policies, applicable regulations, as well as any information security obligations applicable to us.
- With professional advisors, partners, consultants and experts, and agents of PKFOD to administer our Services;
- With government agencies and regulatory authorities, with your authorization, to administer our Services;
- We may disclose and transfer Personal Information if we are involved in a merger, sale, acquisition, divestiture, restructuring, reorganization, dissolution, bankruptcy, or other change of ownership or control (whether in whole or in part);
- As we believe to be necessary and appropriate. We may also disclose Personal Information: (i) as permitted by law; (ii) if we determine that the disclosure of specific information is necessary to comply with the request of a law enforcement or regulatory agency or other legal process; (iii) to protect the legitimate rights, privacy, property, interests or safety of our company or our affiliated entities' customers, business partners, employees or the general public; (iv) to pursue available remedies or limit damages; (v) to enforce our Terms of Use; and (vi) to respond to an emergency; and,
- With other parties when we have your consent to do so.

IV. Privacy Rights and Choices

You may have certain 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:

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.

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.

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.

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 or email us at privacy@pkfod.com. 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.

Right to Opt-Out of Sale or Sharing / Targeted Advertising. You may request to opt out of the “sharing” (as defined by applicable laws) of Personal Information, specifically with regard to certain types of behavioral or targeted advertising based on information collected about you on non-affiliated websites, applications, or services through cookies or website technologies. Please note that PKFOD does not “sell” Personal Information as that term is defined in certain US state consumer data privacy laws such as the California Consumer Privacy Act (CCPA). PKFOD may “share” Personal Information as defined in the CCPA if you enable certain cookies on our website. You may revoke your consent to the use of these cookies, including previously-enabled cookies by [mechanism].

Right to Appeal. You may have the right to submit an appeal if you are not satisfied with the outcome of your request. Please send appeals directly to privacy@pkfod.com.

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 privacy@pkfod.com or call us at **914-381-8900**. In order to protect your Personal Information, we may ask you to provide additional information to verify your identity. You may also have the right to 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

We primarily receive Personal Information as a service provider to our clients in the course of providing our professional services to them. However, we provide this notice regarding the categories of Personal Information we may collect or receive for informational purposes that may be of interest to California residents. Please see the *Data Security and Retention* section of this Policy for information about our data retention practices.

Categories of Personal Information Collected	Purpose for Collection and Use	Categories of Personal Information Recipients
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<p>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>).</p>	<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 • For our marketing and business purposes 	<ul style="list-style-type: none"> • Our Service Providers such as cloud hosting and web platform providers • Marketing Service 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 properties of you, us and others
<p>Financial Information (<i>payment card or bank account, invoicing, and tax information</i>).</p>	<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"> • Our Service Providers such as accounting and tax software providers
<p>Device, Internet or 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>).</p>	<ul style="list-style-type: none"> • Providing and maintaining our Services • Maintaining the security and operation of our website • 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"> • Our Service Providers such as data analytics providers • Marketing Service 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 properties of you, us and others
<p>Inferences (<i>preferences, such as which areas of our Services you are interested in</i>).</p>	<ul style="list-style-type: none"> • Providing and maintaining our Services • Communicating with you • For our business purposes 	<ul style="list-style-type: none"> • Our Service Providers and marketing Service Providers
<p>Demographic Information (<i>your racial or ethnic origin, gender, age, military status or veteran's status, which may be considered Sensitive</i></p>	<ul style="list-style-type: none"> • To facilitate our business and operational purposes in 	<ul style="list-style-type: none"> • Our Service Providers

<i>Personal Information and include protected characteristics under state and federal law).</i>	<ul style="list-style-type: none"> relation to the Services we provide to you To comply with the law 	
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"> Our Service Providers
Audio, electronic, visual, or similar information <i>(photograph or audio or video recording, email contents, and other written communications that you send to us).</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 For security purposes For our marketing and business purposes 	<ul style="list-style-type: none"> Our Service 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 properties of you, us and others
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"> Our Service Providers

Disclosures for a Business or Commercial Purpose. In the preceding 12 months, PKFOD 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 Information* section of this Policy.

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 disclose Personal Information to third parties for their direct marketing purposes.

VI. Data Transfers

PKFOD is a U.S.-based accounting and financial services firm comprised of offices in the United States and India. Details regarding our offices can be found at <https://www.pkfod.com/contact-us/>. 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 Data to enable the provision of our Services, and for related purposes as set out in this Privacy Policy. If we transfer Personal Information, we transfer it in accordance with documented instructions of our clients acting as controllers.

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 PKFOD 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 European Commission's standard contractual clauses or as permitted under applicable data protection laws.

VII. Data Security and Retention

We take reasonable steps to protect the Personal Information that we collect; however, no system or online transmission of data is completely secure. We cannot guarantee the security of information transmitted to or through the Services. 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. Services from Other Parties; 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 Service Providers, or other third parties. When you access a third party's website through links on our website, information collected from you on those third-party websites is governed by their privacy policies. We are not responsible for and do not control the security or privacy of your information when you visit those websites. 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

Our website and Services are not directed to or intended for use by minors. If we learn that we have unknowingly collected or received information from a child under the age of 18 without his or her parent

or legal guardian's verified consent, 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 without appropriate consent, we ask that a parent or guardian contact us at privacy@pkfod.com.

X. Changes to this Policy

The Effective Date of this Privacy Policy is set forth at the top of this webpage. As business needs change, we may amend this Privacy Policy. The amended Privacy Policy supersedes all previous versions. Your continued use of the Services after the Effective Date constitutes your acceptance of the amended Privacy Policy.

XI. Contact Us

We welcome your questions and comments about this Privacy Policy or how we process your Personal Information. Please contact us using the information below, and we will respond to you as soon as reasonably possible.

By Mail:

PKF O'Connor Davies LLP
Attn: Marketing
500 Mamaroneck Ave
Harrison, NY 10528

By Phone: [+1 914 381 8900](tel:+19143818900)

By Email: privacy@pkfod.com

By Fax: [+1 914 381 8910](tel:+19143818910)

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.