

CLEARY GOTTLIEB

Privacy Statement

Last updated: 27, September 2024



I. About this Privacy Statement

This Privacy Statement is provided by Cleary Gottlieb Steen & Hamilton LLP (“**Cleary Gottlieb**”, “**Cleary**”, the “**Firm**”, “**we**” or “**us**”) and describes what we do with your personal data. If you are a California resident, please also read our [Addendum for California Residents](#).

II. About us

Cleary Gottlieb is an international law firm practising in a number of jurisdictions around the world through affiliated legal entities and branch offices of those entities. Cleary Gottlieb is the controller for the personal data described in this Privacy Statement. If you have any questions about the Firm’s processing of your personal data, you may contact us by e-mailing dataprivacy@cgh.com or by telephoning us toll-free on +1-833-560-0482.

III. What personal data do we collect and use and why?

Your contact information

We collect and use the following information (your “**contact information**”) to enable us to keep our contact database accurate and up-to-date and in order to communicate with you. Where you are a client or prospective client, we also use this information to carry out conflict checks prior to accepting a new engagement from you:

- your name and title
- your contact details, including your address, e-mail address and/or telephone number
- your job title and the organisation for which you work.

Your identity information

We collect and use the following information for the purposes of conducting anti-money laundering checks, complying with our legal and regulatory reporting obligations and responding to third-party due diligence checks. We may also ask you to provide some of this information so that we can verify your identity in the event you choose to [exercise any of your rights under applicable data protection legislation](#):

- your contact information
- your bank details
- your education and employment information
- copies of your identification documents, for example, your passport, national identification card or driving licence, which will include your date of birth, government identification number and photograph
- information about your criminal convictions and offences.

Information related to the provision of services

We collect and use the following information in order to provide our services to our clients, respond to their audit enquiries and manage our relationship with you:

- your contact information
- records of our meetings or any Firm-affiliated or Firm-sponsored events which you may attend, which may include your photograph, recorded image or voice recording
- your feedback, including your responses to any surveys we may send to you
- any other information about you that is provided to us in connection with a client matter on which we are engaged, which could include your financial information, criminal convictions and offences data or “**special category data**” such as information about your racial or ethnic origin, religious or philosophical beliefs, trade union membership, sexual orientation or sex life or your health.

We may also use records of our meetings and events for internal training and know-how purposes, and we may use your feedback or photograph or recorded image taken at a Cleary event for the purposes of promoting our future events or services to others.

Your payment information

We collect and use the following information in order to manage our finances and process payments:

- your contact information
- your government identification numbers
- your bank details
- details of payments to or from you
- executed documents in connection with your relationship with the Firm.

Information related to marketing and communications

We collect and use the following information for the purposes of determining the services that we offer that may be of interest to you, sending you information about such services, inviting you to Firm-affiliated or Firm-sponsored events and sending you periodic updates on legal developments:

- your contact information
- your education and employment information
- your marketing preferences
- details of the services you have obtained or have considered obtaining from the Firm
- your feedback, including your responses to any surveys we may send to you

- information about whether you open our e-mails or click any of the links in the e-mails we send to you. For more information about the technologies we use in e-mails please refer to our [Cookie Policy](#).

Information about your use of our websites

We use cookies and similar technologies on our websites to collect the information described below. We use this information to ensure the security and successful navigation of our websites and to provide a better user experience, such as by measuring interactions with particular content or remembering settings. We also use this information to compile statistical data on the use of our websites to enable us to evaluate and improve their performance. The information is collected and used in a way that does not directly identify you:

- your internet protocol (“IP”) address
- information related to the browser and device you use to access our website
- information related to the operating system your device uses
- the dates and times of your visits to our website
- the country you are visiting our website from, and in some cases, depending on the size of the country, your nearest city
- whether you have interacted with our website’s cookie banner in the previous three months and, where you have done so, whether you have consented to any categories of non-essential cookies.

For more information about the cookies we use on our websites, please refer to our [Cookie Policy](#).

Information related to accessibility and security

We use this information in order to ensure the accessibility and security of our premises:

- information about your access and/or dietary requirements when you attend one of our events
- the times and dates you visit our office buildings
- your recorded image on closed circuit television (“CCTV”) when you visit a Cleary office in which CCTV is used.

IV. What are the lawful bases for this use?

Our lawful bases for collecting and using your **contact information** are:

- the processing is necessary for us to perform the contract we have entered into with you
- the processing is necessary for compliance with a legal obligation to which we are subject
- the processing is necessary for the purposes of our legitimate interests in providing our services to our clients and managing our relationship with you.

Our lawful bases for collecting and using your **identity information** are:

- the processing is necessary for us to perform the contract we have entered into with you
- the processing is necessary for compliance with a legal obligation to which we are subject
- the processing is necessary for the performance of a task carried out in the public interest.

Our lawful bases for collecting and using **information related to the provision of services** are:

- the processing is necessary for us to perform the contract we have entered into with you
- the processing is necessary for compliance with a legal obligation to which we are subject
- the processing is necessary for the purposes of our legitimate interests in providing our services to our clients and managing our relationship with you.

Our lawful bases for collecting and using **your payment information** are:

- the processing is necessary for us to perform the contract we have entered into with you
- the processing is necessary for compliance with a legal obligation to which we are subject
- the processing is necessary for the purposes of our legitimate interests in operating as a business, managing our finances and providing services to our clients.

Our lawful bases for collecting and **using information related to marketing and communications** are:

- you have provided your consent to the processing of your personal data for a specific purpose
- the processing is necessary for the purposes of our legitimate interests in promoting the Firm and the Firm's expertise, gaining business for the Firm, analysing and managing our relationships with clients and other third parties and retaining good relations with our alumni and ensuring ongoing collaboration in the legal community.

Our lawful basis for collecting and using **information about your use of our websites** is:

- the processing is necessary for the purposes of our legitimate interests in ensuring the efficient and secure running of our websites and identifying ways in which to improve the user experience and grow our business.

Our lawful basis for collecting and using **information related to accessibility and security** are:

- the processing is necessary for compliance with a legal obligation to which we are subject
- the processing is necessary for the purposes of our legitimate interests in ensuring the comfort, safety and security of our staff, visitors, property and premises.

Where we process your **special category data** we will do so on the basis that we have obtained your explicit consent to the processing for a specific purpose or the processing is necessary for the establishment, exercise or defence of legal claims.

V. Where do we get your personal data from?

We will collect your personal data from you directly, or from one or more of the following sources:

- our clients or prospective clients and their affiliates, third-party advisers or service providers
- our third-party service providers, for example those conducting due diligence, credit-checking or similar pre-engagement services on our behalf
- parties to disputes, litigations, arbitrations, transactions or other legal matters in which we are involved, or their third-party advisers or service providers
- your employer or colleagues
- your legal counsel or other advisers
- your insurer
- regulatory bodies, government agencies or authorities or law enforcement agencies
- professional services organisations such as public relations firms and pro bono organisations
- cookies when you visit one of our websites.

Where you are a client or prospective client, or you work for a client or prospective client, and you e-mail one of our senior attorneys we may collect your contact information from the e-mail by automated process.

We may also process data about you that is publicly accessible, for example from public registers, social networks, search engines or external contact databases.

VI. Who will we provide your personal data to and where?

We may provide your personal data to our affiliated legal entities or to external third parties where this is necessary for legal or regulatory reasons, or where it is in our legitimate interests, for the purposes of the proper and effective management of our business or to provide our client services.

Information about our affiliated legal entities and the branch offices of those entities can be found [here](#).

We have entered into a Global Data Transfer Agreement with our affiliated legal entities which incorporates the European Commission's standard contractual clauses for international data transfers (the "**Standard Contractual Clauses**") and the UK International Data Transfer Addendum to the Standard Contractual Clauses. If you would like a copy of the Standard Contractual Clauses, please e-mail dataprivacy@cgsh.com.

External third-party recipients of your personal data may include:

- our clients and their third-party advisers or service providers
- our clients' counterparties or such counterparties' third-party advisers or service providers

- any enquiry agents, private investigators, translators, external legal counsel or other experts who we might engage or who are engaged in a client matter in which we are acting
- our auditors, accountants, management and tax consultants or other third-party service providers or advisors who we might engage in connection with the Firm’s financial management
- third-party service providers who we might engage to conduct due diligence, credit checking or similar services on our behalf
- our banks and insurers
- regulatory bodies, government agencies or authorities and law enforcement agencies
- courts and other tribunals
- telecommunications and information technology providers (including cloud-based technology and service providers and artificial intelligence platforms that meet our security standards and that we have specifically sanctioned for use)
- business support service providers (including our caterers, couriers and word processing provider)
- our landlords or their managing agents
- third parties hosting events for us to which you are invited
- third parties providing feedback and legal ranking services
- third-party website operators who place third-party cookies on our websites
- in the event that our business or any part of it is sold or integrated with another business, any prospective purchasers, the new owners of the business and their third-party advisers or service providers.

Such third parties may access your personal data from a different jurisdiction to the one in which you are based and therefore we may need to transfer your personal data internationally. For example, our word processing provider is based in the U.S.. Our transfers from the EEA or UK to jurisdictions outside of the EEA or UK which are not considered by the European Commission or UK Government (as applicable) to offer an adequate level of protection in respect of the processing of personal data are governed by contractual arrangements which incorporate the Standard Contractual Clauses. If you would like a copy of the Standard Contractual Clauses, please e-mail dataprivacy@cgsh.com.

VII. How long will we keep your personal data for?

Client matter documents

We will generally retain client matter documents for ten (10) years following the date of closure of the matter in the Firm’s finance records, unless: (i) we have agreed a different retention period with the relevant client, in writing; (ii) we are legally required to preserve documents in connection with a litigation or investigation involving a client or, on rare occasions, a proceeding

involving the Firm itself; (iii) the Firm concludes that preserving documents is prudent, even if not legally required and/or (iv) the documents are included in the list below, in which case we will retain them permanently:

- original estate planning documents such as wills and trusts
- original documents affecting title to real estate such as deeds, easements and mortgages
- original final documents that reflect an ongoing legal relationship, such as licenses, leases, stock transfer records, charters, by-laws, shareholder agreements, negotiable instruments, securities and settlement agreements that are impractical to return to the client or that the client has requested the Firm retain.

Business development information

We generally retain (i) client personal data in our Customer Relationship Management system (“**CRM system**”) for seven (7) years after we issue our final invoice to the relevant client and (ii) non-client personal data in our CRM system for three (3) years following our last interaction with such contact. We may keep such personal data for longer where there is an ongoing legal claim that relates to any services we have provided or received, or that is related to your relationship with us.

Other categories of personal data

For other categories of personal data, the criteria we use to determine the retention period is as follows:

- how long we need to keep the data for in order to fulfil the purposes for which we are using it
- whether there are contractual or legal obligations that exist that require us to retain the data for a specific period of time
- whether there is an ongoing legal claim that relates to any services we have provided or received, or that is related to your relationship with us
- whether the data is special category data, in which case we would generally apply a shorter retention period.

VIII. What are your rights in relation to your personal data?

Applicable data protection law gives you certain rights over your personal data:

- **your right of access:** you have the right to ask us for a copy of the personal data we hold about you, together with other supplementary information
- **your right to rectification:** if the information we hold about you is inaccurate, you can ask us to correct it. In some circumstances, you may also be able to ask us to complete incomplete personal data
- **your right to erasure:** you have the right to ask us to erase your personal data in certain circumstances

- **your right to restriction of processing:** where you have a particular reason for wanting to do so, you have the right to limit the way in which we use your personal data in certain circumstances
- **your right to object to processing:** you have the right to stop us from using your personal data for direct marketing and in certain other circumstances, unless we can show that we have a compelling reason to continue to do so
- **your right to data portability:** where you have provided your personal data to us and it is processed on the basis of your consent or under a contract, you have the right to request that we provide it to you in a structured, machine-readable format
- **your right to withdraw consent:** where you have consented to us using your personal data, you can withdraw that consent at any time.

If you would like to exercise any of these rights you may do so by e-mailing dataprivacy@cgsh.com or by telephoning us toll-free on +1-833-560-0482.

If you are based in Germany you may also contact our German Data Protection Officer, Herr Arnd Harnischmacher:

Address: Reichertweg 10
63069 Offenbach

Telephone: +49 6172 6843291

E-mail: harnischmacher@data-screen.de

If you are not happy with our response you may lodge a complaint with the relevant Supervisory Authority. Alternatively, if you are resident in the U.S. and we decline to take action in response to your request applicable law may give you the **right to appeal** our decision.

IX. [Addendum for California residents](#)

X. Notice to Nevada residents

Nevada law allows Nevada residents to opt out of the sale of certain types of personal information. Subject to a number of exceptions, Nevada law defines “sale” to mean the exchange of certain types of personal information for monetary consideration to a person for the person to license or sell the information to additional persons. We do not currently sell personal information as defined in the Nevada law. However, if you are a Nevada resident, you may still submit a verified request to opt out of sales and we will record your instructions and incorporate them in the future if our policy changes. Opt-out requests may be sent to dataprivacy@cgsh.com.

