



## **Privacy Notice**

LMCG Investments, LLC (“LMCG”) considers Customer privacy to be fundamental to our relationship with you. We are committed to maintaining the confidentiality, integrity, and security of your personal information. It is therefore our policy to respect the privacy of current and former Customers and to protect personal information entrusted to us. We have established internal policies to protect your information, while allowing us to serve your needs.

### **Why Are You Receiving This Notice?**

This notice describes LMCG’s privacy policy concerning our handling of your personal information. You are receiving this privacy notice because you are either a Customer of LMCG, or are considering becoming our Customer. The term “Customer” refers to (a) clients of LMCG who are individuals, and certain trusts, and (b) investors (individuals, and certain institutions and their agents) in private funds managed by LMCG or for which LMCG serves as agent. We must provide this notice explaining our privacy policy when a Customer opens an advisory account with us or invests (or facilitates investment) in one of LMCG’s private funds. We must also provide a written notice, annually, to reflect any material change to our privacy policy.

# FACTS

## WHAT DOES DO WITH YOUR PERSONAL INFORMATION?

<b>Why?</b>	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
<b>What?</b>	<p>The types of personal information we collect and share depend on the product or service you have with us. This information can include:</p> <ul style="list-style-type: none"> <li>■ Social Security number and</li> <li>■ _____ and</li> <li>■ _____ and</li> </ul> <p>When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.</p>
<b>How?</b>	All financial companies need to share _____ personal information to run their everyday business. In the section below, we list the reasons financial companies can share their _____ personal information; the reasons _____ chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does	Can you limit this sharing?
<b>For our everyday business purposes—</b> such as to process your transactions, maintain your account(s), respond to court orders and legal investigations, or report to credit bureaus		
<b>For our marketing purposes—</b> to offer our products and services to you		
<b>For joint marketing with other financial companies</b>		
<b>For our affiliates' everyday business purposes—</b> information about your transactions and experiences		
<b>For our affiliates' everyday business purposes—</b> information about your creditworthiness		
<b>For nonaffiliates to market to you</b>		

<b>Questions?</b>	Call _____ or go to _____
-------------------	---------------------------

## Who we are

Who is providing this notice?

## What we do

**How does protect my personal information?**

To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings.

**How does In collect my personal information?**

We collect your personal information, for example, when you

- or
- w or
- 

**Why can't I limit all sharing?**

Federal law gives you the right to limit only

- sharing for affiliates' everyday business purposes—information about your creditworthiness
- affiliates from using your information to market to you
- sharing for nonaffiliates to market to you

State laws and individual companies may give you additional rights to limit sharing.

## Definitions

**Affiliates**

Companies related by common ownership or control. They can be financial and nonfinancial companies.

- 

**Nonaffiliates**

Companies not related by common ownership or control. They can be financial and nonfinancial companies.

- 

**Joint marketing**

A formal agreement between nonaffiliated financial companies that together market financial products or services to you.

- 

## Other important information

The additional notice attached as Annex A applies only to California Customers and others California residents.

The additional notice attached as Annex B applies only to certain EU Customers.

The additional notice attached as Annex C applies only to investors (and their agents) in a Cayman Islands-organized private fund managed by LMCG or for which LMCG serves as agent.

### **Who We Are**

For the purposes of this notice, “LMCG Investments, LLC” or “LMCG” includes LMCG Investments, LLC, any subsidiaries it may have from time to time, and any private investment funds managed or sponsored by any of them from time to time.

For questions concerning this notice, please contact us in writing to:

LMCG Investments, LLC  
Legal and Compliance Office  
One Boston Place, 201 Washington Street, 29<sup>th</sup> Floor  
Boston, MA 02108

This California Consumer Privacy Statement (“Statement”) applies solely to the personal information LMCG collects online and offline of California consumers. This Statement is intended to address the relevant notice requirements of the California Consumer Privacy Act of 2018 (the “CCPA”) and uses certain terms that have the meaning given to them in the CCPA. This Statement supplements our general Privacy Notice and is not intended to contradict or limit the applicability of the information provided in our general Privacy Notice.

### **Notice of Collection and Use of Personal Information**

LMCG may collect the following categories of personal information about you:

- **Identifiers** such as a real name, postal address, unique personal identifier (i.e. cookies), IP address, email address, and other similar identifiers.
- **Commercial Information** such as records of services purchased, obtained, or considered, and other purchasing or consuming histories or tendencies.
- **Online Activity** such as Internet and other electronic network activity information, including, but not limited to, search query history, access device, and information regarding your interaction with our website.
- **Geolocation Data**
- **Employment Information** such as professional or employment-related information.

LMCG may use the categories of personal information listed above for the purposes described in this Privacy Notice and for certain business purposes specified in the CCPA, as described below.

- **Performing Services.** LMCG may use the following categories of personal information for the purpose of performing services, including maintaining or servicing accounts, providing customer service and verifying client information: Identifiers; Additional Data Subject to Cal. Civ. Code § 1798.80; Commercial Information; Online Activity; and Employment Information.
- LMCG may use the following categories of personal information for the purpose of auditing related to a current interaction with you and concurrent transactions, including, but not limited to, counting ad impressions to unique visitors, verifying positioning and quality of ad impressions, and auditing compliance: Identifiers; Commercial Information; and Online Activity.
- LMCG may use the following categories of personal information for the purpose of debugging to identify and repair errors that impair existing intended functionality: Identifier and Online Activity.

LMCG also may collect additional information or use the information listed above in other ways for which LMCG provides specific notice at the time of collection.

### **Our Prior Collection, Use, and Disclosure of Personal Information**

LMCG may have collected and used your personal information, as described in the *Notice of Collection and Use of Personal Information* section above, during the 12-month period prior to the date this Privacy Notice was last updated. For the personal information collected during that timeframe, LMCG describes below as:

- the categories of sources from which LMCG may have obtained the personal information;
- the categories of third parties with whom LMCG may have shared the information;
- the categories of personal information LMCG may have sold; and
- the categories of personal information LMCG may have disclosed for a business purpose.

**Sources of Personal Information.** LMCG may have obtained personal information about you from various sources, including as described below.

- LMCG may have obtained the following categories of your personal information directly from you (such as when you fill out a contact form or register for an event; email selections, pertaining to our company; or modified actions based on website behaviors): Identifiers; Additional Data Subject to Cal. Civ. Code § 1798.80; Commercial Information; and Employment Information.
- LMCG may have obtained the following categories of your personal information from your devices (such as when you visit our websites): Identifiers; Commercial Information; and Online Activity.
- LMCG may have obtained the following categories of your personal information from vendors, suppliers, and business partners (including event organizers) and marketing partners: Identifiers; Additional Data Subject to Cal. Civ. Code § 1798.80; Commercial Information; Online Activity; and Employment Information.
- LMCG may have obtained the following categories of your personal information from government entities, law enforcement authorities, and third-party subpoenas: Identifiers; Additional Data Subject to Cal. Civ. Code § 1798.80; Identifiers; Commercial Information; and Employment Information.
- LMCG may have obtained the following categories of your personal information from publicly available sources (such as public databases): Identifiers; Commercial Information; Online Activity; and Geolocation Data.

**Sharing of Personal Information.** LMCG may have shared your personal information with certain categories of third parties, as described below.

- LMCG may have shared the following categories of your personal information with business partners (including event co-hosts and sponsors): Identifiers; Additional Data Subject to Cal. Civ. Code § 1798.80; Identifiers; Commercial Information; Online Activity; and Employment Information.
- LMCG may have shared the following categories of your personal information with government entities and law enforcement authorities in limited circumstances as described in this Privacy Notice: Identifiers; Additional Data Subject to Cal. Civ. Code § 1798.80; Commercial Information; Online Activity; and Employment Information.
- LMCG may have shared the following categories of your personal information with third parties in the event of a corporate transaction, such as an acquisition: Identifiers; Additional Data Subject to Cal. Civ. Code § 1798.80; Commercial Information; Online Activity; Geolocation Data; and Employment Information.

**Sale of Personal Information.** LMCG does not sell your personal information in exchange for monetary compensation.

### **California Consumer Privacy Rights**

Effective January 1, 2020, you have certain choices regarding your personal information, as described below.

- You have the right to request, twice in a 12-month period, that LMCG disclose to you the personal information LMCG has collected about you during the past 12 months and details regarding our collection, use, disclosure, and sale of such information. To submit an access request, you may email us at [legal@lmcg.com](mailto:legal@lmcg.com) or call us at (877) 241-5191 or (617) 380-5600.
- You have the right to request that LMCG delete certain personal information LMCG has collected from you. To submit a deletion request, you may email us at [legal@lmcg.com](mailto:legal@lmcg.com) or call us at (877) 241-5191 or (617) 380-5600.
- **Opt-Out of Sale.** You have the right to opt-out of the sale of your personal information. To submit an opt-out of sale request, you may email us at [legal@lmcg.com](mailto:legal@lmcg.com) or call us at (877) 241-5191 or (617) 380-5600. For additional information about how to manage cookies and opt out of online interest-based advertising, please review our Privacy Policy. Your opt-out will be specific to the web browser or device you use at the time you exercise your opt-out rights; if you use multiple web browsers or devices, you will need to opt-out from each browser and device. Opting-out of the sale of your information for interest-based advertising purposes does not mean you will stop seeing ads because your information may have been collected and shared prior to your opt-out request or the ads may be served based on your interactions with others companies and their websites. Note that LMCG may still share your information in ways that are not a

“sale”, such as with our service providers, for our own online advertising purposes.

- **Shine the Light Request.** You also may have the right to request that LMCG provide you with (1) a list of certain categories of personal information LMCG have disclosed to third parties for their direct marketing purposes during the preceding calendar year and (2) the identity of those third parties. To submit a Shine the Light request, you may email us at [legal@lmcg.com](mailto:legal@lmcg.com) or call us at (877) 241-5191 or (617) 380-5600.
- **Verifying Requests.** To help protect your privacy and maintain security, LMCG will take steps and may require you to provide certain information to verify your identity before granting you access to your personal information or complying with your request. In addition, if you ask us to provide you with specific pieces of personal information, LMCG will require you to sign a declaration under penalty of perjury that you are the consumer whose personal information is the subject of the request. If you designate an authorized agent to make an access, deletion, or opt-out of sale request on your behalf, LMCG may require you to provide the authorized agent written permission to do so and to verify your own identity directly with us (as described above).
- Effective January 1, 2023, the CCPA affords additional protections to consumers, including the right to correct inaccurate personal information that LMCG may have related to them and to limit the use and disclosure of sensitive personal information collected about them. To submit a correction request or to limit the use and disclosure of sensitive personal information, please contact us at [legal@lmcg.com](mailto:legal@lmcg.com) or call us at (877) 241-5191 or (617) 380-5600.

**Additional Information.** If you choose to exercise any of your rights under the CCPA, you have the right to not receive discriminatory treatment by us. To the extent permitted by applicable law, LMCG may charge a reasonable fee to comply with your request. This Statement is available in alternative formats upon request by contacting us at [legal@lmcg.com](mailto:legal@lmcg.com) or call us at (877) 241-5191 or (617) 380-5600.



## Annex B

The European General Data Protection Regulation (the “GDPR”) applies to LMCG, as an entity without an establishment in the European Union (“EU”), when (i) LMCG “processes” (collects, records or stores) personal data (“EU Personal Data”) of Customers who are in the EU (“EU Customers”), and (ii) those processing activities are related to offering of goods or services to such EU Customers.

LMCG provides EU Customers the following information in response to the GDPR:

- LMCG is an investment adviser registered with the Securities and Exchange Commission (“SEC”), and its main business address is One Boston Place, 201 Washington Street, 29th Floor, Boston, MA 02108. Please direct any questions related to these Policies and Procedures to [compliance@lmcg.com](mailto:compliance@lmcg.com).
- LMCG processes the following information about EU Customers: name, address, email address, telephone number; also LMCG may process detailed information about EU Customers who decide to engage LMCG to provide investment management services or to invest in one of LMCG’s private funds (including investment goals and objectives, identification numbers, qualifications or status required by applicable investment laws and regulations, wealth and income data, bank account and trading account details, government identification and tax forms).
- LMCG processes EU Personal Data on the basis of the "legitimate interest ground". LMCG’s legitimate interest, and purpose of its processing such data, is offering and providing investment management services and investments in its private funds, in each case typically involving performance of a contract.
- LMCG provides EU Personal Data (a) to brokers and other counterparties (typically in the United States) that need this information to effect trading by the LMCG-managed investment accounts of EU Customers and (b) to administrators and other fund service providers and fund counterparties (typically in the United States) that need information about EU Customers who invest or intend to invest in a LMCG private fund so that they may provide services to LMCG or such fund or permit investment trading by such fund.
- LMCG’s offices and personnel are in the United States and all of EU Personal Data shared with LMCG will be processed in the United States. Typically LMCG would transfer such data only within the United States as described in the preceding item.
- LMCG is subject to SEC recordkeeping requirements. Generally speaking, LMCG must retain records pertaining to a client, regardless of a client’s location, until seven years after the termination of its engagement with such client. This seven year retention period also applies to records pertaining to LMCG’s private funds (and by extension to records of investors in its private funds, regardless of their location).

- EU individuals have certain rights under the GDPR. Those rights relevant to EU Customers when LMCG processes EU Personal Data are:
  - the right to be informed of processing – LMCG notifies EU Customers about its processing of EU Personal Data via this notice;
  - the right of access – an EU Customer may request access to his or her information by emailing [legal@lmcg.com](mailto:legal@lmcg.com) stating that he or she is submitting a subject access request;
  - the right to rectification – an EU Customer may update or amend his or her information if it is inaccurate or incomplete by emailing [legal@lmcg.com](mailto:legal@lmcg.com) requesting an update;
  - the right to erasure and the right to restrict processing – an EU Customer may request the deletion of his or her information, or restrict its use, in certain circumstances (for example he or she can request that LMCG erases his or her information where the information is no longer necessary for the purpose for which it was collected, unless certain exceptions apply) by emailing [legal@lmcg.com](mailto:legal@lmcg.com); and
  - the right to object to processing – an EU Customer may object to certain uses of his or her EU Personal Data on grounds relating to his or her particular situation by emailing [legal@lmcg.com](mailto:legal@lmcg.com).

LMCG acts as investment manager or agent of certain private funds organized under the laws of the Cayman Islands. These include The Emerging Markets Equity Fund, Ltd., Serenitas Credit Gamma Master Fund, LP and Serenitas Credit Gamma Offshore Fund, Ltd. (each, a "**Cayman Fund**"). As a result of investing in a Cayman Fund, your Personal Data will be processed by such fund, and by persons engaged by such fund. Under Cayman Islands law, you have rights, and such fund has obligations, with respect to your Personal Data. The purpose of this notice is to explain how and why such fund, and persons engaged by such fund, will use, store, share and otherwise process your Personal Data. This notice also sets out your rights under Cayman Islands law, and how you may exercise them.

In this notice, we use the following defined terms:

**"Administrator"** means the administrator of the Cayman Fund in which you invest.

**"Personal Data"** has the meaning given in the Cayman Islands data protection legislation (the "**Data Protection Law, 2017**"). Examples of Personal Data include an individual's name, address, email address, date of birth, passport details or other national identifier, driving licence number, national insurance or social security number, income, employment information, tax identifier and tax residence, account numbers, and economic information. It also includes data which, when aggregated with other data, enables an individual to be identified, such as an IP address and geolocation data;

**"Processing"** has the meaning given in the Data Protection Law, 2017. It is widely construed and includes obtaining, recording and holding data, as well as carrying out any operation on Personal Data, such as sharing, destroying and mining the Personal Data; and

**"We"**, **"us"** and **"our"** in this notice refer to the Cayman Fund in which you invest.

### **Who is providing this notice?**

This notice is provided by the Cayman Fund in which you invest.

### **What role does the Cayman Fund perform in relation to your Personal Data?**

The Cayman Fund acts as a "**data controller**" in respect of your Personal Data. This means the Cayman Fund is the decision maker as to the purposes, conditions and manner in which your Personal Data is processed, including:

- how to use, store, and process your Personal Data;
- with whom to share your Personal Data;
- when to modify or erase your Personal Data;
- when to engage one or more third parties to process your Personal Data; and
- which such third parties to engage.

The Cayman Fund will continue to be a data controller even though it has engaged third parties, such as the Administrator, to perform certain of the processing activities on its behalf.

### **Where do we obtain your Personal Data from?**

We collect your Personal Data from a number of sources, (both foreign and domestic), including from you directly. These include:

- from the forms and any associated documentation that you complete when subscribing for shares or other interests in the Cayman Fund;
- when you provide it to us or our service providers in correspondence and conversations (including by email);
- when you make transactions with respect to the Cayman Fund;
- when you provide remittance instructions;
- publicly available and accessible directories and sources, including websites;
- bankruptcy registers;
- tax authorities;
- governmental agencies and departments, and regulatory authorities, to whom we have regulatory obligations;
- credit reference agencies; and
- fraud prevention and detection agencies and organisations, including law enforcement.

We may combine Personal Data that you provide to us with Personal Data that we collect from, or about you. This may include Personal Data collected in an online or offline context.

### **Why is your Personal Data processed?**

These are the principal reasons why your Personal Data is processed:

The processing is necessary for the performance of a contract, including:

- administering or managing the Cayman Fund;
- processing your subscription and investment in the Cayman Fund, such as entering your information in the register of shareholders;
- sending you statements relating to your investment;
- facilitating the continuation or termination of the contractual relationship between you and the Cayman Fund; and
- facilitating the transfer of funds, and administering and facilitating any other transaction, between you and the Cayman Fund.

The processing is necessary for compliance with applicable legal or regulatory obligations, including:

- undertaking investor due diligence, and on-boarding checks;
- carrying out know your client, anti-money laundering and counter-terrorist financing checks, including verifying the identity and addresses of our investors (and, where applicable, their beneficial owners);
- complying with requests from regulatory, governmental, tax and law enforcement authorities;
- surveillance and investigation activities;
- carrying out audit checks, and instructing our auditors;
- maintaining statutory registers;
- preventing and detecting fraud;
- complying with the United States Foreign Account Tax Compliance Act and other comparable legislation; and
- complying with applicable sanctions and embargo legislation.

In pursuit of our legitimate interests, or those of a third party to whom your Personal Data is disclosed, including:

- complying with a legal, tax, accounting or regulatory obligation to which we or the third party are subject;
- assessing and processing requests you make;
- sending updates, information and notices or otherwise corresponding with you in connection with your investment in the Cayman Fund;
- investigating any complaints, or pursuing or defending any claims, proceedings or disputes (whether domestic or foreign);
- providing you with, and informing you about, our investment products and services;
- managing our risk and operations;
- complying with audit requirements;
- ensuring internal compliance with our policies and procedures;
- protecting our business against fraud, breach of confidence or theft of proprietary materials;
- seeking professional advice, including legal advice;
- facilitating business asset transactions involving the Cayman Fund or related entities;
- monitoring communications to/from us (where permitted by law); and
- protecting the security and integrity of our IT systems,

but in all cases only where we have considered that the processing is necessary and, on balance, our legitimate interests are not overridden by your legitimate interests, rights or freedoms.

## **Who will we share your Personal Data with?**

We will share your Personal Data with:

- the Manager, the Administrator, and their respective affiliates for the purposes set out in this notice, in particular:
  - managing our relationship with you;
  - delivering the services you require;
  - managing your investment;
  - supporting and administering investment-related activities;
  - complying with applicable investment laws and regulations;
  - delivering and facilitating the services needed to support our business relationship with you; and
  - supporting and administering investment-related activities,
- tax authorities:
  - to comply with applicable laws and regulations; and
  - where required by tax authorities (who, in turn, may share your Personal Data with other tax authorities),
- our lawyers, auditors and other professional advisors for purposes of:
  - providing you with investment-related services; and
  - seeking advice on, and complying with, legal and regulatory requirements or legal rights and obligations.

In exceptional circumstances, we will share your Personal Data with regulatory, prosecuting and other governmental agencies or departments, and parties to litigation (whether pending or threatened), in any country or territory. We will not sell your Personal Data.

## **Do you have to provide us with this Personal Data?**

Some of the Personal Data we request must be supplied for an investment in the Cayman Fund to be made, and for that investment to continue. Some Personal Data must be supplied to us to enable the investment to be redeemed. If you do not wish to provide us with this Personal Data, you will not be able to invest in the Cayman Fund as it will affect our ability to provide our services to you and manage your investment.

## **Sending your Personal Data internationally**

Not all countries have data protection and privacy laws that provide you with the same or a comparable degree of protection as Cayman Islands law. Where we transfer your Personal Data to our service providers LMCg and the Administrator, we rely on LMCg's Policies and Procedures Regarding Consumer Privacy and a personal data

processing agreement with the Administrator so as to provide your Personal Data with the same or similar protections as exist under Cayman Islands law.

Please contact us by writing to the address below if you would like to know more about these agreements.

### **Retention and deletion of your Personal Data**

We will keep your Personal Data for as long as it is required by us. For example, we may require it for our legitimate business purposes, to perform our contractual obligations, or where law or regulation obliges us to. We will generally retain your Personal Data throughout the lifecycle of the investment you are involved in. Some Personal Data will be retained after your relationship with us ends. We expect to delete your Personal Data (at the latest) once there is no longer any legal or regulatory requirement or legitimate business purpose for retaining your Personal Data.

### **Automated decision-making**

We will not take decisions producing legal effects concerning you, or otherwise significantly affecting you, based solely on automated processing of your Personal Data, unless we have considered the proposed processing in a particular case and concluded in writing that it meets the applicable Cayman Islands law requirements.

### **Your rights**

You have certain data protection rights, including:

- the right to be informed about the purposes for which your Personal Data are processed;
- the right to access your Personal Data;
- the right to stop direct marketing;
- the right to restrict the processing of your Personal Data;
- the right to have incomplete or inaccurate Personal Data corrected;
- the right to ask us to stop processing your Personal Data;
- the right to be informed of a Personal Data breach (unless the breach is unlikely to be prejudicial to you);
- the right to complain to the Data Protection Ombudsman; and
- the right to require us to delete your Personal Data in some limited circumstances.

### **Contact us**

We are committed to processing your Personal Data lawfully and to respecting your data protection rights. Please contact us at [legal@lmcg.com](mailto:legal@lmcg.com) if you have any questions about this notice or the Personal Data we hold about you, marking your communication "Cayman Data Protection Enquiry".

This notice is effective from September 30, 2019.