Miller & Chevalier Chartered Data Privacy Framework Privacy Policy

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Miller & Chevalier Chartered (Miller & Chevalier) respects your concerns about privacy.

Miller & Chevalier participates in the EU-U.S. Data Privacy Framework, the U.K. Extension to the EU-U.S. DPF and the Swiss-U.S. Data Privacy Framework (collectively, the DPF) administered by the U.S. Department of Commerce. Miller & Chevalier commits to comply with the DPF Principles with respect to Consumer Personal Data the firm receives from the EU, U.K., and Switzerland in reliance on the DPF. This Policy describes how Miller & Chevalier implements the DPF Principles for Consumer Personal Data. If there is any conflict between the terms in this Policy and DPF Principles, the DPF Principles shall govern. The definitions used in this Policy apply only with respect to this Policy and Miller & Chevalier's Data Privacy Framework certification.

"Consumer" means any natural person who is located in the EU, U.K., or Switzerland, but excludes any individual acting in his or her capacity as an Employee.

"Controller" means a person or organization which, alone or jointly with others, determines the purposes and means of the processing of Personal Data.

"Data Privacy Framework Principles" or **"DPF Principles**" means the Principles and Supplemental Principles of the DPF.

"Employee" means any current, former, or prospective employee, contractor, intern, or temporary worker of Miller & Chevalier or any related individual whose Personal Data Miller & Chevalier processes in connection with an employment relationship, who is located in the EU, U.K., or Switzerland.

"EU" means the European Union and Iceland, Liechtenstein, and Norway.

"Personal Data" means any information, including Sensitive Data, that is (i) about an identified or identifiable individual, (ii) received by Miller & Chevalier in the U.S. from the EU, U.K., or Switzerland, and (iii) recorded in any form.

"Processor" means any natural or legal person, public authority, agency, or other body that processes Personal Data on behalf of a Controller.

"Sensitive Data" means Personal Data specifying medical or health conditions, racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership (including trade union-related views or activities), sex life (including personal sexuality), information on social security measures, the commission or alleged commission of any offense, any proceedings for any offense committed or alleged to have been committed by the individual, or the disposal of such proceedings or the sentence of any court in such proceedings (including administrative proceedings and criminal sanctions).

"**U.K.**" means the United Kingdom (and Gibraltar).

Miller & Chevalier's certification to the Data Privacy Framework program, along with additional information about the Data Privacy Framework Program, can be found here. For more information about Miller & Chevalier's processing of Consumer Personal Data with respect to information collected on its website, please visit Miller & Chevalier's Privacy Policy.

Types of Personal Data Miller & Chevalier Collects

Miller & Chevalier obtains Personal Data about Consumers in various ways. For example, Miller & Chevalier collects Personal Data directly from Consumers when they visit Miller & Chevalier's website or sign up to receive marketing communications from the firm. Miller & Chevalier also obtains Personal Data about the firm's clients (and, in some cases, the client's Consumers) located in the EU, U.K., and Switzerland in connection with providing legal services or other similar services. The firm may use this information for the purposes indicated in Miller & Chevalier's Privacy Policy.

The types of Personal Data Miller & Chevalier collects about Consumers include:

- Contact information such as name, postal address, email address and telephone number
- Job title and company affiliation
- Information about Consumers' interests and preferences, such as when Consumers subscribe to the firm's alert mailing lists about particular practice areas or respond to surveys
- In certain circumstances where necessary for the provision of legal services, sensitive personal data such as health information, or information about racial or ethnic origin or religious beliefs
- Client financial information obtained in connection with providing legal services
- Online and technical information such as IP addresses, other device identifiers or persistent identifiers, device characteristics (such as browser information), cookies, web beacons, web server logs, application logs, browsing data, website usage data, clear gifs, and pixel tags
- Other information Consumers choose to provide, such as when Consumers contact Miller & Chevalier with questions or when the firm's clients provide information in connection with Miller & Chevalier's provision of legal services.

In addition, Miller & Chevalier may obtain Personal Data, such as contact information and financial account information, of representatives of its vendors. Miller & Chevalier may use this information to manage its relationships with these parties, process payments, and carry out Miller & Chevalier's contractual obligations.

Miller & Chevalier also may obtain and use Consumer Personal Data in other ways for which Miller & Chevalier provides specific notice at the time of collection.

Miller & Chevalier's privacy practices regarding the processing of Consumer Personal Data comply with the Data Privacy Framework Principles of Notice; Choice; Accountability for Onward Transfer; Security; Data Integrity and Purpose Limitation; Access; and Recourse, Enforcement, and Liability.

Notice

Miller & Chevalier provides information in this Policy and the firm's Privacy Policy about its Consumer

Personal Data practices, including the types of Personal Data Miller & Chevalier collects, the types of third parties to which Miller & Chevalier discloses the Personal Data and the purposes for doing so, the rights and choices Consumers have for limiting the use and disclosure of their Personal Data, and how to contact Miller & Chevalier about its practices concerning Personal Data.

Relevant information also may be found in notices pertaining to specific data processing activities.

Choice

Miller & Chevalier generally offers Consumers the opportunity to choose whether their Personal Data may be (i) disclosed to third-party Controllers or (ii) used for a purpose that is materially different from the purposes for which the information was originally collected or subsequently authorized by the relevant Consumer. To the extent required by the Data Privacy Framework Principles, Miller & Chevalier obtains opt-in consent for certain uses and disclosures of Sensitive Data. Consumers may contact Miller & Chevalier as indicated below regarding the firm's use or disclosure of their Personal Data. Unless Miller & Chevalier offers Consumers an appropriate choice, the firm uses Personal Data only for purposes that are materially the same as those indicated in this Policy.

Sharing of Consumer Personal Data

This Policy and Miller & Chevalier's Privacy Policy describe Miller & Chevalier's sharing of Consumer Personal Data.

Miller & Chevalier may share Consumer Personal Data with third-party Processors the firm retains to perform services on its behalf, such as website hosting providers, e-discovery vendors, and cloud storage providers. These third-party Processors may use Consumer Personal Data only on Miller & Chevalier's behalf and pursuant to Miller & Chevalier's instructions for the purpose of providing services to Miller & Chevalier such as those described above. Miller & Chevalier may disclose Consumer Personal Data without offering an opportunity to opt out, and may be required to disclose the Personal Data (i) to third-party Processors the firm has retained to perform services on its behalf and pursuant to its instructions, (ii) if it is required to do so by law or legal process, or (iii) in response to lawful requests from public authorities, including to meet national security, public interest, or law enforcement requirements. Miller & Chevalier also reserves the right to transfer Personal Data in the event of an audit or if the firm sells or transfers all or a portion of its business or assets (including in the event of a merger, acquisition, joint venture, reorganization, dissolution, or liquidation).

Accountability for Onward Transfer of Personal Data

This Policy and Miller & Chevalier's Privacy Policy describe Miller & Chevalier's sharing of Consumer Personal Data.

Except as permitted or required by applicable law, Miller & Chevalier provides Consumers with an opportunity to opt out of sharing their Personal Data with third-party Controllers. Miller & Chevalier requires third-party Controllers to whom it discloses Consumer Personal Data to contractually agree to (i) only process the Personal Data for limited and specified purposes consistent with the consent provided by the relevant Consumer, (ii) provide the same level of protection for Personal Data as is required by the Data Privacy Framework Principles, and (iii) notify Miller & Chevalier and cease

processing Personal Data (or take other reasonable and appropriate remedial steps) if the third-party Controller determines that it cannot meet its obligation to provide the same level of protection for Personal Data as is required by the Data Privacy Framework Principles.

With respect to transfers of Consumer Personal Data to third-party Processors, Miller & Chevalier (i) enters into a contract with each relevant Processor, (ii) transfers Personal Data to each such Processor only for limited and specified purposes, (iii) ascertains that the Processor is obligated to provide the Personal Data with at least the same level of privacy protection as is required by the Data Privacy Framework Principles, (iv) takes reasonable and appropriate steps to ensure that the Processor effectively processes the Personal Data in a manner consistent with Miller & Chevalier's obligations under the Data Privacy Framework Principles, (v) requires the Processor to notify Miller & Chevalier if the Processor determines that it can no longer meet its obligation to provide the same level of protection as is required by the Data Privacy Framework Principles, (vi) upon notice, including under (v) above, takes reasonable and appropriate steps to stop and remediate unauthorized processing of the Personal Data by the Processor, and (vii) provides a summary or representative copy of the relevant privacy provisions of the Processor contract to the Department of Commerce, upon request. Miller & Chevalier remains liable under the Data Privacy Framework Principles if the firm's third-party Processor onward transfer recipients process relevant Personal Data in a manner inconsistent with the Data Privacy Framework Principles, unless Miller & Chevalier proves that it is not responsible for the event giving rise to the damage.

Security

Miller & Chevalier takes reasonable and appropriate measures to protect Consumer Personal Data from loss, misuse and unauthorized access, disclosure, alteration, and destruction, taking into account the risks involved in the processing and the nature of the Personal Data.

Data Integrity and Purpose Limitation

Miller & Chevalier limits the Consumer Personal Data it processes to that which is relevant for the purposes of the particular processing. Miller & Chevalier does not process Consumer Personal Data in ways that are incompatible with the purposes for which the information was collected or subsequently authorized by the relevant Consumer. In addition, to the extent necessary for these purposes, Miller & Chevalier takes reasonable steps to ensure that the Personal Data the firm processes is (i) reliable for its intended use and (ii) accurate, complete, and current. In this regard, Miller & Chevalier relies on its Consumers to update and correct the relevant Personal Data to the extent necessary for the purposes for which the information was collected or subsequently authorized. Consumers may contact Miller & Chevalier as indicated below to request that Miller & Chevalier update or correct relevant Personal Data.

Subject to applicable law, Miller & Chevalier retains Consumer Personal Data in a form that identifies or renders identifiable the relevant Consumer only for as long as it serves a purpose that is compatible with the purposes for which the Personal Data was collected or subsequently authorized by the Consumer.

Access

Consumers generally have the right to access their Personal Data. Accordingly, where appropriate, Miller & Chevalier provides Consumers with reasonable access to the Personal Data Miller & Chevalier maintains about them. Miller & Chevalier also provides a reasonable opportunity for those Consumers

to correct, amend, or delete the information where it is inaccurate or has been processed in violation of the Data Privacy Framework Principles, as appropriate. Miller & Chevalier may limit or deny access to Personal Data where the burden or expense of providing access would be disproportionate to the risks to the Consumer's privacy in the case in question, or where the rights of persons other than the Consumer would be violated. Consumers may request access to their Personal Data by contacting Miller & Chevalier as indicated below.

Recourse, Enforcement, and Liability

Miller & Chevalier has mechanisms in place designed to help assure compliance with the Data Privacy Framework Principles. Miller & Chevalier conducts an annual self-assessment of its Consumer Personal Data practices to verify that the attestations and assertions Miller & Chevalier makes about its Data Privacy Framework privacy practices are true and that Miller & Chevalier's privacy practices have been implemented as represented and in accordance with the Data Privacy Framework Principles.

In compliance with the Data Privacy Framework, Miller & Chevalier commits to resolve Data Privacy Framework Principles – related complaints about Miller & Chevalier's collection and use of Consumer Personal Data. Consumers with inquiries or complaints regarding Miller & Chevalier's handling of Personal Data received in reliance on Data Privacy Framework Principles should first contact Miller & Chevalier as specified below.

Miller & Chevalier will take steps to remedy issues arising out of its alleged failure to comply with the Data Privacy Framework Principles.

If a Consumer's complaint cannot be resolved through Miller & Chevalier's internal processes, Miller & Chevalier will cooperate with JAMS pursuant to the JAMS Data Privacy Framework Program, which is described on the JAMS website at https://www.jamsadr.com/DPF-Dispute-Resolution. JAMS mediation may be commenced as provided for in the JAMS rules. The services of JAMS are provided at no cost to the Consumer. Following the dispute resolution process, the mediator or the Consumer may refer the matter to the U.S. Federal Trade Commission, which has investigatory and enforcement powers over Miller & Chevalier. Under certain circumstances, Consumers also may be able to invoke binding arbitration to address complaints about Miller & Chevalier's compliance with the Data Privacy Framework Principles.

How to Contact Miller & Chevalier

To contact Miller & Chevalier with questions or concerns about this Policy or the firm's Consumer Personal Data practices, please write to:

Miller & Chevalier Chartered
900 16th Street NW
Black Lives Matter Plaza
Washington, DC 20006
Email: privacy@milchev.com