

NANTAHALA CAPITAL MANAGEMENT, LLC

130 MAIN ST., 2ND FLOOR
NEW CANAAN, CT 06840
TEL: (203) 909-6430

Privacy Notice For California Consumers

Last updated: December 31, 2021

This notice contains disclosures required by the California Consumer Privacy Act (“CCPA”), is only relevant to residents of California, and applies only to the collection or other use of “personal information” that is subject to the CCPA. Consumers with disabilities that are unable to access and print this form may request a notice in an accessible format by contacting investorsupport@nantahalapartners.com or calling 203-909-6430.

Information We Collect. In the past 12 months, we have collected the following categories of personal information about California consumers:

Category	Examples	Collected
A. Identifiers	A real name, alias, email address, postal address, Internet Protocol (IP) address, account name, Social Security number, driver’s license number, passport number, or other similar personal identifiers.	YES
B. Other personal information categories, as listed in the California Customer Records statute	A signature, physical characteristics or description, telephone number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.	YES
C. Protected classification characteristics under California or federal law	Age (40 years or older), race, citizenship, marital status, sex, veteran or military status.	YES
D. Commercial information	Account activity, records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information	Fingerprints, faceprints, voiceprints, and iris or retina scans.	NO
F. Internet or other similar network activity	Browsing history, search history, information on a consumer’s interaction with a website, application, or advertisement.	YES
G. Geolocation data	Physical location or movements.	NO
H. Sensory data	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information	Current or past job history or performance evaluations.	YES
J. Non-public education information	Education records directly related to a student maintained by an educational institution or party acting on its behalf.	NO

K. Inferences drawn from other personal information	Profile reflecting a person’s preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO
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We do not knowingly collect, solicit, or sell personal information from anyone under the age of 16.

We collect personal information from the following categories of sources:

- Your communications with us;
- Service providers, including, but not limited to: administrators, lenders, banks, brokers, auditors, law firms, consultants, placement agents, employment agencies, credit bureaus;
- Affiliates not under the Nantahala Capital Management, LLC brand;
- Nonprofit organizations; and
- Government entities.

Use of Personal Information. We may use the personal information we collect for one or more of the following purposes:

- Providing you with information about our products and services;
- Providing performance and other updates;
- One or more of the following business purposes:
 - Performing services (for us or our service provider) such as account servicing, processing orders and payments, and analytics;
 - Auditing related to our interactions with you (e.g., counting ad impressions to unique visitors, verifying positioning/quality of ad impressions, and auditing compliance, etc.);
 - Legal compliance; and
 - Internal operations.
- Other commercial purposes, such as sharing information with you about our products and services.

Sharing Personal Information. We may disclose personal information in one or more of the categories identified above to:

- Service providers, including but not limited to: administrators, lenders, banks, brokers, auditors, law firms, consultants, placement agents, employment agencies, credit bureaus;
- Affiliates;
- Business partners;
- Legal or government regulatory authorities as required by applicable law; and
- In connection with a potential business transfer.

In the past 12 months, we have not sold any personal information we collect to third parties, and we have shared the categories of personal information we collect only as set forth above.

Rights of California Consumers. The CCPA provides a California consumer the following rights, subject to certain exceptions and limitations:

- The right to request (a) the categories and specific pieces of personal information we collect, use, disclose, and sell about you, (b) the categories of sources from which we collected your personal

information, (c) our purposes for collecting or selling your personal information, (d) the categories of your personal information (if any) that we have either sold or disclosed for a business purpose, and (e) the categories of third parties with which we have shared personal information;

- For certain categories of personal information, the right to request a list of what personal information (if any) we disclosed to third parties for their own direct marketing purposes in the past 12 months and the names and addresses of those third parties;
- The right to request that we delete the personal information we have collected from you or maintain about you;
- The right to opt out of our sale(s) (if any) of your personal information; and
- The right not to receive discriminatory treatment for the exercise of the privacy rights conferred by the CCPA.

You may submit requests relating to your exercise of rights under the CCPA to us:

via phone **203-909-6430**;

submitting a request online using the following

email investorsupport@nantahalapartners.com.

We may need to request additional information from you to verify your identity or understand the scope of your request. In verifying requests, we will require you to provide, at a minimum, an email address, phone number, or physical address we have on file. If we are unable to verify your identity, we will need to deny your request.

You may designate an authorized agent to make a CCPA request on your behalf. In such case, we will ask the agent to provide proof that you have given the agent signed permission to act on your behalf. In addition, we will ask you to (1) verify your identity directly with us in the manner described above and (2) directly confirm with us that you have provided the agent permission to make the request on your behalf.