

# Privacy Notice & Cookies Policy

At MCAP Global Finance (UK) LLP (“MCAP”, “we”, “our” or “us”), we are committed to maintaining the trust and confidence of our visitors to our website and subscribers to our newsletter. Here you’ll find information on how we process and treat your personal data that we collect from visitors to our website, or when someone subscribes to our newsletter.

## Personal Data We May Collect About You

When you contact us using the Contact Us link on the website, any personal data submitted (e.g. your name, telephone number, country, or email address) will be collected and processed by us. We may also process your personal data, such as your username and password, when you use the Investor Login function on the website.

In addition, we automatically collect basic technical information from all visitors to the website. We collect technical information during your visit to the website through our automatic data collection tools, which may include cookies and other commonly used technologies (e.g. web beacons). Please see the Cookies Policy below for further information.

## How We Use Your Personal Data

The provision of personal data by you may be necessary where we have a legitimate interest to carry out the following purposes:

The provision of personal information by you may be necessary where we have a legitimate interest to carry out the following purposes: (i) to contact you and respond to your enquiry or provide you access to specific information or offers; (ii) to support our relationship with you; (iii) to understand how we can improve our products and services; (iv) to personalize your visit to the website and to assist you while you use the website; (v) to send marketing communications to you; (vi) to improve the website by helping us understand who uses the website; and (vii) to comply with applicable laws, regulations or codes of practice.

You can stop receiving emails from the general mailings list by emailing [privacy@marathonfund.com](mailto:privacy@marathonfund.com).

**Please note that you have a right to object to the processing of your personal data where that processing is carried out for our legitimate interest or for direct marketing.**

## Sharing Your Personal Data

We may use selected third parties to provide us with services, including companies that provide us with technical support and assistance in respect of the website and companies engaged to contact you about a MCAP offer in support of your business needs or to conduct online surveys to understand better our customers' needs. All service providers are permitted to use data only for the purpose of performing services on our behalf in compliance with the privacy practices and policies of MCAP. Our affiliates may also have access to personal data provided to us by you including through or in connection with this website for the purposes set out in this Privacy Notice.

The servers used in the operation of the website automatically identify a computer by its IP address. If we, in good faith, determine that you have or are attempting to misuse or harm the website, we may investigate and cooperate with appropriate law enforcement agencies to protect our rights or property.

Similarly, we may share your personal data as required or permitted by law to comply with a subpoena or similar legal process or government request, or when we believe in good faith that disclosure is legally required or otherwise necessary to protect our rights and property or the rights, property or safety of others, including to advisers, law enforcement agencies, judicial and regulatory authorities. We may also transfer your personal data to a third party that acquires all or part of our assets or shares, or that succeeds us in carrying on all or a part of our business, whether by merger, acquisition, reorganization or otherwise.

## Data Transfers

Given the global nature of Marathon's activities, where you are located in the European Economic Area (the "EEA"), personal data collected from you, including via the website, may be transferred to recipients including other Marathon entities in countries located outside the EEA, including the U.S., which are not considered by the European Commission to provide an adequate level of data protection.

**You hereby expressly consent to the transfer of your personal data to recipients (including Marathon), as described in this Privacy Notice, which are located outside of the EEA. You may withdraw your consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal.**

MCAP has entered into EU standard contractual clauses ("**Model Contracts**") for intra-group transfers of personal data. You can request a copy of these Model Contracts by submitting your request via email to: [privacy@marathonfund.com](mailto:privacy@marathonfund.com).

## E-Mail Communications and Marketing

Occasionally, we may send you e-mail communications with information that may be useful to you, including information about the products and services of MCAP and/or Marathon, its subsidiaries and other third parties with whom we have a commercial relationship. We will include instructions on how to stop receiving communications and inform us of your preferences if you decide you do not want to receive any future marketing or promotional e-mails from us. If applicable law requires that we receive your consent before we send you certain types of marketing communications, we will only send you those types of communications after receiving your consent. If you wish to stop receiving marketing or market research communications from us, or would like to stop processing your personal data in any other way, you can contact us as described below to let us know what types of communications you wish to stop receiving. However, if you are a customer, supplier or otherwise have a commercial relationship with MCAP and/or Marathon, to ensure that you receive important information, you agree that we may send you non-marketing related information when necessary. We do not disclose, sell or otherwise market your personal data to third parties, unless we are required to do so by law.

## EU Rights

Individuals in Europe have certain data subject rights which may be subject to limitations and/or restrictions. These rights may include: (i) the right to request access to and rectification or erasure of their personal data; (ii) the right to obtain restriction of processing or to object to processing of their personal data; and (iii) the right to ask for a copy of your personal data to be provided to you, or to a third party, in a digital format. If you are based in the EEA and would like to exercise one of the above mentioned rights, please send us your request via email to: [privacy@marathonfund.com](mailto:privacy@marathonfund.com). Individuals in the EEA also have the right to lodge a complaint about the processing of their personal data with their local data protection authority.

For the purposes of EU data protection laws, MCAP, together with MCAP's parent company, Marathon Asset Management, LP are data controllers ("**Marathon**") (i.e. the companies responsible for, and which control the processing of your personal data).

## Security

MCAP and Marathon use various methods to ensure the protection of your personal data against accidental or unlawful destruction, loss or alteration and against unauthorized disclosure or access. While these methods are considered to be effective, MCAP and Marathon do not guarantee the protection of your personal data as no data transmission over the

Internet can be guaranteed to be completely confidential or 100% secure. You use our website and provide all such personal data at your own risk. Marathon and MCAP retain personal data for as long as necessary to fulfil the purposes for which such personal data was collected or to comply with its legal obligations, resolve disputes or enforce agreements. The criteria used to determine the retention periods include: (i) how long the personal data is needed to provide the services and operate the business; (ii) the type of personal data collected; and (iii) whether Marathon and/or MCAP is subject to a legal, contractual or similar obligation to retain the data (e.g., mandatory data retention laws, government orders to preserve data relevant to an investigation, or data that must be retained for the purposes of litigation or disputes).

## **Links to Other Websites**

This Privacy Notice does not cover the links within this site linking to other websites. Those sites are not governed by this Privacy Notice, and if you have questions about how a site uses your information, you'll need to check that site's privacy statement.

## **Changes to this Privacy Notice**

We keep our Privacy Notice under regular review. This Privacy Notice was last updated on 22 May 2018. If we make any material changes to this Privacy Notice we will notify you by means of a prominent notice on the website prior to the change becoming effective. We will also post an updated version on our website. Please check our website periodically for updates.

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## **Cookies Policy**

When someone visits [www.marathonfund.com](http://www.marathonfund.com) we use a third party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the site. This information is only processed in a way which does not identify anyone. We do not make, and do not allow Google to make, any attempt to find out the identities of those visiting our website. You can find more information on how cookies are used on this website in the Cookies Policy below.

## **What is a cookie?**

Cookies are text files containing small amounts of information which are downloaded to your personal computer, mobile or other device when you visit a website. Cookies are then sent

back to the originating website on each subsequent visit, or to another website that recognises that cookie. Cookies are useful because they allow a website to recognise a user's device.

When you visit the website, we may place a “cookie” or other online tracking device (e.g. web beacons) in order to improve your experience by recognising you when you visit the website, such as by assigning a session ID and to deliver content specific to your interests. The cookies we place may also collect information about your IP address, or click stream data within our website (i.e. the actions taken in connection with the website). This information helps us improve the functionality of the website.

## How long are cookies stored for?

Persistent cookies - these cookies remain on a user's device for the period of time specified in the cookie. They are activated each time that the user visits the website that created that particular cookie.

Session cookies - these cookies allow website operators to link the actions of a user during a browser session. A browser session starts when a user opens the browser window and finishes when they close the browser window. Session cookies are created temporarily. Once you close the browser, all session cookies are deleted.

Cookies do lots of different jobs, like letting you navigate between pages efficiently, remembering your preferences, and generally improve the user experience.

You can find more information about cookies at [www.allaboutcookies.org](http://www.allaboutcookies.org) and [www.youronlinechoices.eu](http://www.youronlinechoices.eu).

## Cookies used on the website

When someone visits [www.marathonfund.com](http://www.marathonfund.com) we use a third party service, Google Analytics, to collect standard internet log information and details of visitor behaviour patterns. We do this to find out things such as the number of visitors to the various parts of the website. This information is only processed in a way which does not identify anyone. We do not make, and do not allow Google to make, any attempt to find out the identities of those visiting our website.

If we do want to collect personally identifiable information through our website, we will be up front about this. We will make it clear when we collect personal information and will explain what we intend to do with it.

Web browsers often allow you to erase existing cookies from your hard drive, block the use of cookies and/or be notified when cookies are encountered. If you elect to block cookies, please note that you may not be able to take full advantage of the features and functions of the

website. If you do not want to help us learn how to improve the website, you can opt-out of this website analysis tool by clicking: <https://tools.google.com/dlpage/gaoptout>.

A list of all the cookies used on the website by category is set out below.

### **Strictly necessary cookies**

These cookies enable services you have specifically asked for. These cookies are essential in order to enable you to move around the website and use its features, such as accessing secure areas of the website.

### **Performance cookies**

These cookies collect anonymous information on the pages visited. By using the website, you agree that we can place these types of cookies on your device.

These cookies collect information about how visitors use the website, for instance which pages visitors go to most often, and if they get error messages from web pages. These cookies don't collect information that identifies a visitor. All information these cookies collect is aggregated and therefore anonymous. It is only used to improve how the website works.

### **Functionality cookies**

These cookies remember choices you make to improve your experience. By using the website, you agree that we can place these types of cookies on your device.

These cookies allow the website to remember choices you make (such as your user name, language or the region you are in) and provide enhanced, more personal features. These cookies can also be used to remember changes you have made to text size, fonts and other parts of web pages that you can customise. They may also be used to provide services you have asked for such as watching a video or commenting on a blog. The information these cookies collect may be anonymised and they cannot track your browsing activity on other websites.

### **Third party cookies**

These cookies allow third parties to track the success of their application or customise the application for you. Because of how cookies work we cannot access these cookies, nor can the third parties access the data in cookies used on our site.

For example, if you choose to 'share' content through Twitter or other social networks you might be sent cookies from these websites. We don't control the setting of these cookies, so please check those websites for more information about their cookies and how to manage them.

## Questions and Comments

If you have any questions or comments about our Privacy Notice or, if you are based in the EEA and would like to exercise your data subject rights, please feel free to contact us at [privacy@marathonfund.com](mailto:privacy@marathonfund.com).