

## CALIFORNIA PRIVACY NOTICE

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### Introduction

Prospera Financial Services (“Prospera,” “we,” “us” or “our”), is committed to protecting the privacy and security of your information. This California Privacy Notice (“Notice”) specifically applies to California residents and supplements our primary privacy policy posted on our website. This Notice applies solely to individuals who reside in California (“California Consumers,” “you,” or “your”) and is adopted to comply with the California Consumer Privacy Act of 2018 (“CCPA”) and other applicable California privacy laws.

The CCPA does not apply to personal information that we may collect from you in connection with obtaining a financial product or service from us, due to other applicable privacy laws, including but not limited to the Gramm-Leach-Bliley Act and its implementing regulations (collectively “GLBA”), and the California Financial Information Privacy Act. What we do with personal information covered by those laws is not subject to the CCPA and is therefore not included within the scope of this Notice.

This Notice explains how we collect, use, process, disclose, share, and retain your personal information to which CCPA applies, when you access or use our website or services (collectively, our “Services”). This Notice informs you about certain choices and rights you may have associated with your information and how you can manage the privacy of your personal information.

**By accessing or using our Services, you agree to the terms of this Privacy Notice.**

### Types of Personal Information We Collect

**Personal information** means any information that identifies, relates to, describes, or could be reasonably associated or linked with a particular person or household. It also includes other information that may be associated with you, such as your usage data, location, preferences, or interests, if that information can be used to identify you, your household, or your device, or any other information as otherwise defined under applicable law. The types of personal information we collect about you depend on your interactions with us and are described in more detail below.

Prospera has collected the following categories of personal information from users of our Services within the last 12 months:

- **Individual Identifiers:** including your name, username, contact information such as mailing address, phone number, and email address.
- **Usage and Technical Information:** includes features that gather information about how you use our website. This assists us with keeping track of preferences, creating a more tailored user experience, and better serving users’ particular interests and needs. This information may include IP addresses, website pages viewed and the duration, browser or operating system information, mobile device type, system settings, and aggregate and/or deidentified data related to a person’s interaction with our website.
- **Communications with Us, Preferences, and Other Information you Provide to Us:** includes any messages, opinions, and feedback that you provide to us, your user preferences (such as in receiving updates or marketing information), and other information that you share with us when you contact us directly (such as for customer support services).

Please note, that we appreciate all feedback you provide regarding the website. However, any feedback or comments sent to the website shall be and remain the exclusive property of Prospera. We reserve the right to share your feedback with other Prospera personnel or third parties of our choosing in order to improve our Services.

## Sensitive Personal Information

With your consent, we may process the following categories of sensitive personal information when you use our Services:

- Geolocation data;
- Racial or ethnic origin information;
- Sexual orientation information;
- Biometric information;
- Financial account log-in information;
- Social security number;
- Driver's license number;
- State identification card number; and/or
- Passport number.

## How We Collect Information

We generally collect personal information and create and maintain records about individuals for our legitimate business purposes and in relation to the Services we provide to you.

**1. Personal Information You Provide to Us:** We collect information that you decide to share with us. For example, we collect personal information directly from you when you engage with our Services through our website, sign up for our mailing list, contact us via email or a form on the websites, or otherwise interact with us or use our Services. At times, we may require you to provide certain information, including personal information, in order to provide you with Services you request. We may require you to provide your name, email address, or other contact information when you contact us with a question or comment. In some circumstances, we will not be able to further our relationship with you (for example, to provide you with our Services) without certain personal information. We will inform you at the relevant time if this is the case.

We collect any other information or content you provide to us, such as when you provide feedback about our products or services or make other submissions to us or use other features of our Services that may be offered from time to time, which may require the collection of certain personal information in order to utilize the features. Examples of user content data may include information about your opinions, feedback, preferences, and any other personal information you choose to provide in your interactions with us.

**2. Personal Information We Collect Automatically:** We automatically collect certain personal information when you access and use our Services. The types of information we collect may include:

- **Internet Activity.** We collect certain information about your internet activity when you use our website. Such information may include your IP address.
- **Usage Data.** Prospera collects information about your activity on our website via cookies and similar technologies.

**3. Personal Information We Collect From Other Sources:** We may collect personal information about you from other sources such as publicly available sources, and/or other external agencies, but always in accordance with the authorization procedures and privacy settings you establish with such services. We may also collect personal information stored by third parties such as social media sites (e.g., Facebook and Twitter) if you choose to provide us access to that information. The information we may receive varies by site and is controlled by that site. By associating an account managed by a third party with your Prospera account and authorizing Prospera to have access to this information, you agree that Prospera may collect, store and use this information in accordance with this Notice.

## How We Use Your Information

Prospera may use the information it collects in a variety of ways for its business or commercial purposes, such as to:

- Facilitate your use of the Services;
- Confirm your eligibility to use the Services;
- Fulfill your requests and provide support;
- Facilitate your movement through the Services;
- Send you communications such as administrative e-mails, promotional e-mails, answers to your questions, and updates about the Services; by letter, e-mail, or other forms of communication;
- Improve the website's content, features, and/or services;
- Improve or develop new Prospera Services, and/or marketing efforts;
- Analyze traffic to and through the website;
- Monitor and analyze user behavior and activity on or through the website in order to keep the website secure and personalize your user experience;
- Protect or enforce Prospera's rights and properties;
- Protect or enforce the rights and properties of others;
- Comply with applicable laws, in response to a lawful and enforceable request by a law enforcement, judicial, or other public authority, or in connection with an applicable legal obligation; and
- Where you otherwise have given Prospera your consent and permission to do so.

## How We Disclose Your Information

We may disclose your personal information to help provide our Services to you. For instance, we may disclose your information with our service providers to respond to your requests or to provide customer service. We may also provide your personal information to third party service providers who assist us in providing certain services. For example, we may disclose the information we collect from you with our cloud hosting service providers.

We may also disclose your information for the following purposes:

- To facilitate and improve the quality and marketing of our Services.
- To protect our users and network against fraud and security threats.
- To comply with a legal obligation.
- To protect and defend our rights or property.
- To prevent or investigate possible wrongdoing in connection with the Services.
- To protect the personal safety of individuals or the public.
- To protect against legal liability.
- When there is a good faith belief that such action is necessary to investigate or protect against harmful activities to our guests, visitors, associates, or property (including the website), or to others. This may include disclosures to law enforcement to investigate potential criminal activity or other civil violations.

We may disclose your information with the following types of entities and third parties:

- **Service Providers:** Prospera may engage fulfillment companies, service providers, individuals, and agents to facilitate and help us provide our Services. Such service providers perform tasks, services, or functions on our behalf, or assist us in analyzing how our Services are used or delivered. Service providers may assist us with web hosting or development, technical support, and other support services. Prospera reserves the right to provide personal information to such companies to the extent it may be necessary for them to provide services to or on behalf of Prospera. Any such companies must agree to maintain the confidentiality of any personal information we may provide to them and are contractually obligated not to disclose or use it for any other purpose. Such companies may also collect personal information directly from you in connection with providing their services, and they will have the right to provide

that personal information to us. Such other companies may not use your private or personal information for purposes other than providing services through or on behalf of Prospera.

- **Law Enforcement or Other Lawful Authority:** We may from time to time be required to provide information to law enforcement or other governmental authorities pursuant to a warrant, court order, or other lawful process.

Over the last 12 months, we have disclosed the following types of personal information:

Category of Information	Examples of Information Shared or Disclosed	Categories of Recipients
Identifying Information	Name, mailing address, email address, phone number, date of birth, and other identifiers.	Our service providers, and government entities (where required by law)
Payment Information	Your name and billing totals for payment and invoice processing. Note that we use third party payment processors to facilitate your payments and do not store your payment card information.	Our service providers, and government entities (where required by law)
Communications with Us, Preferences, and Other Information you Provide to Us	Messages, feedback, and other communications you provide directly to us.	Our service providers, and government entities (where required by law)
Usage and Technical Information	Information about your interaction with our website and content on third-party sites or platforms, such as social networking sites (e.g. IP address; browsing history; search history; device information; information about user's interaction with website, such as scrolling, clicks, and mouse-overs via cookies, pixel tags, web beacons, transparent GIFs; browser information; operating system and platform; geolocation information; user content (e.g. photos, videos, audio, images, social media /online posts, first-party works).	Our Service Providers, and government entities (where required by law)

### Categories of Personal Information Sold

We do not sell your personal information including sensitive personal information to third parties. Please note that "sale" of personal information does not include those instances when such information is part of a merger, acquisition, or other transaction involving all or part of our business. If we sell all or part of our business, make a sale or transfer of assets, or are otherwise involved in a merger or other business transaction, we may transfer your personal information to a third party as part of that transaction. If such transaction materially affects the manner in which your personal information is processed, we will notify you of such change prior to its implementation.

### How Your Information is Stored and Secured

#### Retention and Deletion of Personal Information

We will retain your personal information for as long as necessary to provide our Services, and as necessary to comply with our legal obligations, resolve disputes, and enforce our policies. Retention periods will be determined taking into account the type of information that is collected and the purpose for which it is collected, bearing in mind the requirements applicable to the situation and the need to destroy outdated, unused information at the earliest reasonable time.

Under applicable regulations, we will keep records containing client personal information, account opening documents, communications and anything else as required by applicable laws and regulations. We will not retain your personal information or sensitive personal information longer than reasonably necessary for the purposes for which the information was collected.

We may rectify or remove incomplete or inaccurate information, at any time and at our own discretion.

### Securing Your Information

Prospera takes the privacy and security of your information seriously, and uses reasonable, appropriate and customary procedures and technologies to help protect the confidentiality of any personal information we collect. Prospera employs reasonable administrative, physical, and technical safeguards to protect the information we collect, process, and store. However, no website, network, or system can be absolutely protected against intentional or malicious intrusion attempts despite taking appropriate and reasonable precautions. Furthermore, Prospera does not control the devices, computer or network through which you access the website or over which you may choose to send personal information or other information to us, and therefore cannot prevent potential interceptions or compromises to your information while in transit. Prospera makes no guarantee as to the security, integrity or confidentiality of any information transmitted to or from the website. Prospera is committed to safeguarding your information to the best of its ability but cannot guarantee the security of electronic communications or transmission made over the Internet.

### “Do Not Track” Signals

We do not support “Do Not Track.” Do Not Track is a preference you can set in your web browser to inform websites that you do not want to be tracked. You can enable or disable “Do Not Track” by visiting the “Preferences” or “Settings” page of your web browser.

Third parties may collect data that relates to you. We cannot control third parties’ responses to do-not-track signals or other such mechanisms. Third parties’ use of data relating to you and responsiveness to do-not-track signals is governed by their respective privacy policies.

### California Resident Privacy Rights

Subject to certain limitations, you have the following rights under California law:

- **Right to Access:** to have access to your personal information upon request – that is, you may receive a copy of such information upon receipt of a verifiable request, along with other information related to the collection or processing.
- **Right to Disclosure of Direct Marketers:** to have access upon simple request, and free of charge, the categories and names/addresses of third parties that have received personal information for direct marketing purposes.
- **Right to Information About Collecting, Selling, Sharing, or Disclosing Personal Information:** upon receipt of a verifiable request, you may obtain a list of:
  1. The specific pieces of your personal information Prospera holds;
  2. The categories of personal information collected about you, sold to third parties, or disclosed to third parties for business purposes;
  3. The categories of personal information sold within the last 12 months;
  4. The categories of sources from which personal information is collected;
  5. The business or commercial purpose for collecting or selling personal information; and
  6. The categories of third parties with whom personal information is shared, sold, or disclosed for a business purpose.
- **Right to Opt-Out of the Sale of Personal Information:** California residents have the right to opt-out of the sale of their personal information under certain circumstances. As noted elsewhere, we do not sell your personal information.

- **Right to Deletion:** to obtain the deletion of your personal information in the situations set forth by applicable data protection law and upon receipt of a verifiable request.
- **Right to Non-Discrimination:** As defined under relevant law, you have a right to non-discrimination in the Services or quality of Services you receive from us for exercising your rights.

Please contact us utilizing the toll-free number or email address listed in the “Contact Us” Section below in relation to exercising these rights. We may ask you to provide information about yourself so that we can verify your identity as part of this process. This information may include your name, email address, and any other information necessary to reasonably verify your identity, to ensure that your information is not shared with anyone impersonating you. We may ask for additional information if we have difficulty confirming your identity. We will not share your information or honor other requests in those situations in which we are unable to confirm a request for your information is a “verifiable request.” Once we have verified your identity, we will work to fulfill your request in a timely manner. Please note there may be some situations in which we are unable to fulfill your request, such as if we cannot find any information about you within our systems. Additionally, we may not be able to honor a deletion request in some situations, such as if your information is necessary to fulfill the Services you requested or meet a legal obligation. We will inform you whether we can fulfill your rights request.

Under California law a consumer can appoint an “authorized agent” to make certain verifiable requests upon their behalf, such as the right to know what information we collect about the consumer or to request deletion of the consumer’s information. An “authorized agent” may submit a request on behalf of a California resident who has authorized the agent to act on their behalf. Because the security and privacy of your information is paramount, we will ask that you identify such persons and directly confirm that such persons are authorized to act as your agent and exercise your applicable rights under California law in such situations. This may require us to contact you directly and alert you that an individual has claimed to be your agent and is attempting to access or delete your information. We will also independently verify your identity to ensure that an unauthorized person is not attempting to impersonate you and exercise your rights without authorization. We will not share your information or honor any other requests in those situations where you cannot or do not grant permission in writing for an identified authorized agent to act on your behalf, or where we cannot independently verify your identity.

If you are a California resident and have any questions about this Notice, our practices, your personal information, or your rights and choices under applicable laws, please contact us at the information below.

### **Your California Privacy Rights Regarding Direct Marketing Information**

California residents have the right to request information from a company regarding the manner in which it shares certain categories of personal information with third parties for their direct marketing purposes, in addition to the rights set forth above. Prospera does not share personal information with third parties for their direct marketing purposes.

### **Contact Us**

Please direct any questions you may have about this Notice to any one of the following:

By mail:  
Prospera Financial Services  
5429 LBJ Freeway, Dallas, TX 75240

By email:  
[prosperaclientcommunications@prosperafinancial.com](mailto:prosperaclientcommunications@prosperafinancial.com)



By Phone:  
(972) 581-3000

The foregoing contact information may change from time-to-time by modification of this Notice.

### **Updates to This Notice**

Prospera reserves the right to revise this Notice from time to time at our sole discretion. Our website will link to our current Notice and any changes we make will be reflected in an update to our Notice and by revising the “last updated” date at the top of this Notice. You are advised to check back to this page periodically to learn of any changes made to our policies. Changes to this Notice are effective when they are posted on this page.

### **Difficulty Accessing Our Notice**

Individuals with disabilities who are unable to usefully access our Notice online may contact us to inquire how they can obtain a copy of our policy in another, more easily readable format.