

PRIVACY SHIELD POLICY

[Please click here for Rust Consulting, Inc.'s Privacy Policy](#)

Rust Consulting, Inc. (“Rust”) has certified to the [EU-U.S. Privacy Shield Framework and the Swiss-U.S. Privacy Shield Framework](#) (collectively, the “Privacy Shield Frameworks”) with the U.S. Department of Commerce regarding the collection, use, retention and transfer of Personal Data (as defined below) from European Union (“EU”) member countries and Switzerland. (Rust’s parent company, Exela Technologies, also maintains certification to the EU-U.S. Privacy Shield Framework.) Rust commits to adhering to the Privacy Shields’ Principles (as set out in each of the Privacy Shield Framework) for all Personal Data received by Rust from EU member countries and Switzerland in reliance on the respective Privacy Shield Framework. If there is any conflict between the policies in this Rust Shield Policy (“Privacy Shield Policy”) and the Privacy Shield Frameworks, the Privacy Shield Frameworks shall govern. To view a list of organizations that participate in the Privacy Shield including Rust, please visit <https://www.privacyshield.gov/list>.

A. Definitions

“**Individual**” means an individual with respect to whom any given Personal Data covered by this Privacy Shield Policy refers.

“**Personal Data**” means information relating to an individual residing in the EU or Switzerland that can be used to identify that individual either on its own or in combination with other readily available information. Such information includes names, addresses, email addresses, phone numbers, birthdates, social security numbers, tax identification numbers, national insurance numbers and financial account numbers.

“**Sensitive Personal Data**” means Personal Data regarding an individual's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade-union membership, physical or mental health, or sexual life.

B. Scope and Responsibility

This Privacy Shield Policy applies to Personal Data transferred from EU member countries and Switzerland to Rust’s operations in the U.S. in reliance on the respective Privacy Shield Framework.

C. Privacy Shield Principles

1. Notice

Through its [Privacy Policy](#), Rust notifies Individuals covered by this Privacy Shield Policy about its practices regarding its collection and use of Personal Data received by Rust from EU member countries and Switzerland in reliance on the respective Privacy Shield Framework, including the types of Personal Data it collects about them, the purposes for which it collects and uses such Personal Data, the types of third parties to which it discloses such Personal Data and the purposes for which it does so, the rights of

Individuals to access their Personal Data. To the extent permitted by each Privacy Shield Framework, Rust reserves the right to use, process and transfer Personal Data in the course of providing services without the knowledge of applicable Individuals.

2. Choice

Except to the extent permitted by each Privacy Shield Framework, if Personal Data covered by this Privacy Shield Policy is to be used or disclosed for a purpose that is materially different from the purpose for which the Personal Data was originally authorized to be used or disclosed, or will be disclosed to a non-agent third party of Rust, Rust will provide Individuals with an opportunity to opt out of such uses or disclosures. Individuals may request to opt out of such uses or disclosures of their Personal Data by sending a request to: privacyshield@rustconsulting.com.

If Sensitive Personal Data covered by this Privacy Shield Policy is to be used for a new purpose that is different from that for which the Personal Data was originally collected or subsequently authorized, or is to be disclosed to a third party, Rust will obtain the Individual's explicit consent prior to such use or disclosure.

3. Accountability for Onward Transfer

In the event we transfer Personal Data covered by this Privacy Shield Policy to a third party acting as a controller, we will do so consistent with any notice provided to Individuals and any consent they have given, and only if the third party has given us contractual assurances that it will (i) process the Personal Data for limited and specified purposes consistent with any consent provided by the Individuals, (ii) provide at least the same level of protection as is required by the Privacy Shield Principles and notify us if it makes a determination that it cannot do so; and (iii) cease processing of the Personal Data or take other reasonable and appropriate steps to remediate if it makes such a determination. If Rust has knowledge that a third party acting as a controller is processing Personal Data covered by this Privacy Shield Policy in a way that is contrary to the Privacy Shield Principles, Rust will take reasonable steps to prevent or stop such processing.

With respect to our agents, we will transfer only the Personal Data covered by this Privacy Shield Policy needed for an agent to deliver to Rust the requested product or service. Furthermore, we will (i) permit the agent to process such Personal Data only for limited and specified purposes; (ii) require the agent to provide at least the same level of privacy protection as is required by the Privacy Shield Principles; (iii) take reasonable and appropriate steps to ensure that the agent effectively processes the Personal Data transferred in a manner consistent with Rust's obligations under the Privacy Shield Principles; and (iv) require the agent to notify Rust if it makes a determination that it can no longer meet its obligation to provide the same level of protection as is required by the Privacy Shield Principles. Upon receiving notice from an agent that it can no longer meet its obligation to provide the same level of protection as is required by the Privacy Shield Principles, we will take reasonable and appropriate steps to stop and remediate unauthorized processing.

4. Security

Rust takes reasonable and appropriate measures to protect Personal Data covered by this Privacy Shield Policy from loss, misuse, and unauthorized access, disclosure, alteration, and destruction, taking into account the risks applicable to the processing of such Personal Data and the nature of the Personal Data.

5. Data Integrity and Purpose Limitation

Rust limits the collection and use of Personal Data covered by this Privacy Shield Policy to information that is relevant for the purposes for which it is collected and used, including the performance of services for its customers. Rust does not use such Personal Data in a way that is incompatible with the purposes for which it has been collected or subsequently authorized by the applicable Individual.

Rust takes reasonable steps to confirm that Personal Data is accurate, complete, and current and reliable for its intended purposes. Rust also takes reasonable and appropriate measures to comply with the requirements under the Privacy Shield Principles to limit retention of Personal Data in identifiable form to as long as it is needed for the purpose for which it is collected or used. To the extent the Privacy Principles are applicable to Personal Data it retains, Rust adheres to the Privacy Shield Principles for as long as it retains such Personal Data.

6. Access

Rust will take reasonable steps to enable Individuals to correct, amend, or delete Personal Data that is demonstrated to be inaccurate or has been processed in violation of the Privacy Shield Principles. Requests for access, correction, amendment, or deletion should be sent to: privacyshield@rustconsulting.com.

7. Recourse, Enforcement, and Liability

Rust's compliance with the Privacy Shield Principles is subject to the investigation and enforcement powers of the Federal Trade Commission.

Rust commits to resolve complaints about our collection and use of your Personal Data. If you have any questions or complaints regarding this Privacy Shield Policy our use and collection of your Personal Data, please contact Rust at: privacyshield@rustconsulting.com.

Rust has further committed to refer unresolved complaints under the Privacy Shield Principles to the EU Data Protection Authorities (DPA). If you submit a complaint but do not receive timely acknowledgment of your complaint, or if your complaint is not satisfactorily addressed, please visit <https://www.privacyshield.gov/Data-Protection-Authorities> for more information and instructions on how to file a complaint with the DPA.

In certain circumstances, the Privacy Shield Frameworks provide the right to elect binding arbitration to resolve complaints not resolved by other means, as described in Annex I to the Privacy Shield Principles in each of the Privacy Shield Frameworks.