

PRIVACY NOTICE

GCG PRIVACY NOTICE

I. PROTECTION OF PERSONAL INFORMATION

Garden City Group, LLC (“GCG”) Policy Concerning Confidential Information and Comprehensive Written Information Security Policy is designed to prevent the unauthorized disclosure of non-public personally-identifiable information, including social security numbers and other non-public information that either may identify an individual or may be used together with other information to do so, in GCG’s possession (“PII”). GCG’s personnel are required to follow specific security procedures for storing, using, and disposing of PII provided to GCG. GCG may grant access to such PII only to individuals who reasonably need access to accomplish the purposes for which GCG collected the PII. GCG policy prohibits the unlawful disclosure of PII. GCG considers all such information to be Confidential Information that may be used only for the purposes for which it was provided to GCG, and may not be disclosed or disseminated unless there is a business need to do so.

II. POLICIES CONCERNING PII COLLECTED BY GCG

Pursuant to court-ordered procedures, GCG, in its designated capacity as a settlement, claims or notice administrator, often collects PII through the return to GCG of proof of claim forms that GCG disseminates. Such proof of claim forms may be disseminated via the United States Postal Service, via the internet or on GCG’s proprietary website, located at <http://www.gardencitygroup.com> (the “Site”), or through other websites that GCG may design and maintain in connection with an administration project. GCG also may collect PII directly through the Site without the use of a proof of claim form.

The proof of claim forms that GCG disseminates, in whatever form they may take, may require persons or entities to furnish to GCG PII, such as birth dates, tax identification or social security numbers, and account information, only to the extent that such PII is deemed by the relevant court or client to be reasonably necessary for GCG to process, investigate or reasonably validate proofs of claim; for GCG to provide case administration services; or for GCG to comply with applicable laws, regulations or GCG policies and procedures. GCG’s clients and any courts that may be supervising the matter ultimately are responsible for determining whether it is reasonably necessary for GCG to collect certain types of claimant information in connection with GCG’s administration of any particular administration project.

GCG’s clients or courts that may be supervising any particular settlement administered by GCG may determine that, to participate in that settlement, a person must submit a completed proof of claim form. In such settlements, claimants must provide the information, including any PII and any other confidential information, required on the proof of claim form or they may not participate.

A. Collection, Use and Disclosure of PII

1. The PII GCG May Collect

To participate in a settlement administered by GCG, a person or entity may be required to provide PII in order to access the Site and the information available through it, to receive notice of a particular matter or to participate in a settlement. To do so, a person may need to provide to GCG his or her name, email address, mailing address, phone number and other personal information. He or she may be asked in areas of the Site or on a particular proof of claim form for additional information that relates to particular settlements or other projects for which a court has authorized GCG to provide services. Depending on the circumstances of the project, a person or entity may be asked to provide financial or other PII that GCG needs in order to evaluate, process and pay his, her or its proof of claim. In certain settlements, the failure to provide the PII will prevent the person or entity from participation.

2. Children's Privacy

GCG does not knowingly collect information from children under the age of 13 through the Site. If a person is under the age of 13, he or she is advised not to use the Site or to provide information to GCG. If GCG becomes aware that it has received PII from a child under the age of 13, GCG will make commercially reasonable efforts to delete that information from its database.

3. How GCG May Use PII

GCG will retain and use PII to accomplish the purposes, such as communicating with the person or entity who provided it or processing his, her or its proof of claim, for which such PII was provided to GCG, and shall retain such PII only so long as is necessary to accomplish such purposes subject to, as applicable in each case, orders of the court, contractual provisions concerning retention and destruction of documents, and the direction of GCG's clients. GCG also may use that PII to customize the services GCG provides, and to comply with applicable laws, regulations and GCG policies. All hard copy and electronically stored PII shall be destroyed in compliance with court orders, contractual provisions with clients or directions from clients, as applicable. Such destruction shall be conducted in a manner that prevents loss, theft, misuse, or unauthorized access to the information.

4. When GCG May Disclose PII

When required to do so, GCG will disclose PII to the Internal Revenue Service (the "IRS") in connection with Internal Revenue Code income reporting requirements. Except for such IRS reporting and the limited situations discussed in this Privacy Notice, GCG will not share PII with any persons or entities unless they are under contract with GCG to provide services in connection with the administration project for which the PII was provided to GCG, or unless the court supervising the administration project has authorized them to receive such PII. Thus, GCG may share PII as needed to fulfill requests to process proofs of claim or otherwise provide noticing and/or administration services. For example, GCG may be required to provide information to the court in which a case is pending, to the litigants in that case and to their counsel.

GCG also reserves the right to disclose PII it acquired online if GCG believes, in good faith, that such disclosure is required by law or that such disclosure may be necessary to prevent misuse of the Site. For example, PII provided via the Site may be used by GCG to identify, contact and/or bring legal action against someone whose activities may threaten (either intentionally or unintentionally) to infringe upon the rights or property of GCG, of other visitors to the Site, or of anyone else.

GCG does not rent, sell or otherwise disclose for any other purpose any PII.

B. Compiled Information

1. Statistical Information

From time to time, GCG may gather general non-personal statistical information, including information about the use of the Site, such as how many visitors visit a specific page, how long they remain on that page, and the hyperlinks, if any, on which they “click.” Through the use of technological features such as “IP addresses” and “cookies” (both of which are discussed in greater detail below), GCG may collect that kind of information to determine which areas of the Site are visited most frequently, and to enhance the Site for visitors. GCG also may compile that data in order to describe to our clients, the courts or others, or to respond to a government and/or legal requests, the use of the Site. Any such compiled data will not personally identify any person, including any visitor to the Site.

2. IP Addresses

An “IP address” is a number that is automatically assigned to a computer whenever it is used to surf the web. Web servers, computers that “serve up” web pages, automatically identify a computer by its IP address. GCG records IP addresses for purposes of system administration, to report statistical information and to track the use of the Site. When a visitor requests pages from the Site, GCG’s servers log the visitor’s IP address. It is not GCG’s usual practice to link IP addresses to any PII. Although a visitor’s session is logged, the visitor typically remains anonymous to GCG. GCG reserves the right to identify a visitor through an IP address, however, if GCG believes doing so is necessary to enforce compliance with the Site’s policies or to protect GCG, visitors to the Site or others.

C. Links to Other Sites

Users of the Site are advised that they may be directed to other sites that are beyond GCG’s control. Links may take a person from the pages of the Site to unaffiliated sites. Those other sites may transmit their own “cookies” (pieces of information that a website transfers to an individual’s hard drive for record-keeping purposes) to visitors, collect data or solicit personal information. Visitors to the Site also are advised that the privacy policies of those other sites may differ significantly from the policies described in GCG’s Privacy Notice, and that GCG is not responsible for the privacy practices of those other sites and cannot guarantee the security of any personal information that may be collected there.

D. Security

Protecting the security of PII is very important to GCG. When such PII is transmitted to GCG, it is protected by a “firewall” (a combination of hardware and software that helps keep unauthorized visitors from accessing information within GCG’s computer network), as well as industry standard SSL (Secure Sockets Layer) encryption. Once GCG receives a transmission, GCG will take reasonable precautions to keep that information secure on its systems. While GCG strives to protect privacy, however, no data transmission over the Internet may be guaranteed to be 100% secure. GCG, therefore, cannot warrant or guarantee the security of any PII transmitted to GCG online, or be responsible for the theft, destruction, or inadvertent disclosure of that PII.

E. Changes to This Notice

The terms of this Privacy Notice may change from time to time. If a change is made, the “Last Modified” date located at the bottom of this Notice will be updated to reflect the amendment. Visitors to the Site are advised to check periodically for any changes. The continued use of the Site after GCG posts changes to this Privacy Notice will indicate acceptance of those changes.

F. To Unsubscribe

If a person does not wish to receive e-mails from GCG, he or she may unsubscribe by contacting GCG at unsubscribe@gardencitygroup.com.

III. QUESTIONS?

Any questions regarding GCG’s Privacy Notice may be directed to Dan Lane, Vice President, Quality Assurance, at daniel.lane@gardencitygroup.com or to Stacey Fishbein, Associate General Counsel and GCG’s Privacy Officer, Stacey.Fishbein@gardencitygroup.com. © 2013 GCG. All rights reserved.

Rev.1 April 9, 2007
Rev. 2 July 17, 2008
Rev. 3 September 30, 2009
Rev. 4 April 27, 2010
Rev. 5 November 27, 2012
Rev. 6 February 11, 2015