



**BANK LEUMI USA & LEUMI INVESTMENT SERVICES INC.
PRIVACY NOTICE FOR CALIFORNIA RESIDENTS**

Effective February 11, 2020

This Privacy Notice for California Residents (this “**Notice**”) supplements the information contained in the Bank Leumi USA and Leumi Investment Services Inc. Privacy Notice, located at <https://www.leumiusa.com/privacy> or any successor web page thereof, and applies solely to all visitors, users, and others who are considered residents of the State of California (“**Consumers**”, “**you**”, or “**your**”). Bank Leumi USA and its subsidiary Leumi Investment Services Inc. (“**we**”, “**us**”, or “**our**”) adopt this Notice to comply with the California Consumer Privacy Act of 2018, as amended from time to time (“**CCPA**”), and any terms defined in the CCPA shall have the same meaning when used in this Notice.

This Notice does not apply to employment-related personal information collected from California-based employees, job applicants, contractors, or similar individuals.

Where noted in this Notice, the CCPA temporarily exempts personal information reflecting a written or verbal business-to-business communication (“**B2B Personal Information**”) from some of its requirements.

TABLE OF CONTENTS	
<u>INFORMATION WE COLLECT</u>	1
<u>USE OF PERSONAL INFORMATION</u>	3
<u>SHARING PERSONAL INFORMATION</u>	3
<u>SALES OF PERSONAL INFORMATION</u>	4
<u>YOUR RIGHTS AND CHOICES</u>	4
<u>NON-DISCRIMINATION</u>	6
<u>CHANGES TO THIS PRIVACY NOTICE FOR CALIFORNIA RESIDENTS</u>	6
<u>CONTACT INFORMATION</u>	7

INFORMATION WE COLLECT

We collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular Consumer, household, or device (“**Personal Information**”).

Personal Information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Information excluded from the CCPA’s scope, such as health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (“**HIPAA**”) and the California Confidentiality of Medical Information Act (“**CMIA**”) or other certain sector-specific privacy laws, including the Fair Credit Reporting Act (“**FCRA**”).

[INFORMATION RELATED TO CONSUMER FINANCIAL PRODUCTS AND SERVICES](#)

Specifically, Personal Information does NOT include information covered by the Gramm-Leach-Bliley Act (“**GLBA**”) or California Financial Information Privacy Act (“**FIPA**”). GLBA and FIPA govern consumer non-public information provided to

financial institutions like us.

This means that any information:

- (i) a consumer provides to us to obtain a financial product or service, or
- (ii) we obtain about a consumer in connection with a financial services product or service or resulting from a transaction involving a financial product or service,

in connection with a financial product or service that is to be used primarily for personal, family or household purposes, is excluded from the disclosures and rights described within this Notice.

CATEGORIES OF PERSONAL INFORMATION COLLECTED FROM CONSUMERS

We have collected the following categories of Personal Information from Consumers within the last 12 months:

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, social security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, social security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card 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. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Physiological, biological or behavioral characteristics, including an individual's deoxyribonucleic acid (DNA), that can be used, singly or in combination with each other or with other identifying data, to establish individual identity. Biometric information includes, but is not limited to, imagery of the iris, retina, fingerprint, face, hand, palm, vein patterns, and voice recordings, from which an identifier template, such as a faceprint, a minutiae template, or a voiceprint, can be extracted, and keystroke patterns or rhythms, gait patterns or rhythms, and sleep, health, or exercise data that contain identifying information.	YES
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	NO
G. Geolocation data.	Physical location or movements.	YES
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 (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO

We obtain the categories of Personal Information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete or products and services you purchase.
- Consumer data resellers.
- Social media services, like LinkedIn or Facebook.
- Government databases.

USE OF PERSONAL INFORMATION

We may use or disclose the Personal Information we collect for one or more of the following purposes:

- To fulfill or meet the reason you provided the information. For example, if you share your name and contact information to request a price quote or ask a question about our products or services, we will use that Personal Information to respond to your inquiry. If you provide your Personal Information to purchase a product or service, we will use that information to process your payment and facilitate delivery. We may also save your information to facilitate new product orders or process returns.
- To create, maintain, customize, and secure your account with us.
- To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To deliver content and product and service offerings relevant to your interests, including targeted offers via email message (with your consent, where required by law).
- To help maintain the safety, security, and integrity of our Website, products and services, databases and other technology assets, and business.
- To provide, support, personalize, and develop our Website, products, and services.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your Personal Information or as otherwise set forth in the CCPA.

We will not collect additional categories of Personal Information or use the Personal Information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

SHARING PERSONAL INFORMATION

We may disclose your Personal Information to a service provider for a business purpose. When we disclose Personal Information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except performing the contract.

The CCPA prohibits third parties who purchase the Personal Information we hold from reselling it unless you have received explicit notice and an opportunity to opt-out of further sales.

In the preceding 12 months, we disclosed the following categories of Personal Information for a business purpose:

- Category A: Identifiers.
- Category B: California Customer Records personal information categories.
- Category C: Protected classification characteristics under California or federal law.

- Category D: Commercial information.
- Category E: Biometric information.
- Category G: Geolocation data.
- Category I: Professional or employment-related information.
- Category J: Non-public education information.

We disclose your Personal Information for a business purpose to the following categories of service providers:

- Our affiliates.
- Service providers, including operating systems and platforms.
- Consumer data resellers.
- Government entities.
- Social networks, like LinkedIn or Facebook.

SALES OF PERSONAL INFORMATION

In the preceding 12 months, Bank Leumi USA has not sold Consumer Personal Information.

YOUR RIGHTS AND CHOICES

The CCPA provides Consumers with specific rights regarding their Personal Information. This section describes your CCPA rights and explains how to exercise those rights.

ACCESS TO SPECIFIC INFORMATION AND DATA PORTABILITY RIGHTS

You have the right to request that we disclose certain information to you about our collection and use of your Personal Information over the past 12 months.

Once we receive and confirm your verifiable consumer request (see *Exercising Access, Data Portability, and Deletion Rights* below), we will disclose to you:

- The categories of Personal Information we collected about you.
- The categories of sources for the Personal Information we collected about you.
- Our business or commercial purpose for collecting or selling that Personal Information.
- The categories of service providers with whom we share that Personal Information.
- The specific pieces of Personal Information we collected about you (also called a data portability request).
- If we sold or disclosed your Personal Information for a business purpose, two separate lists disclosing:
 - sales, identifying the Personal Information categories that each category of recipient purchased; and
 - disclosures for a business purpose, identifying the Personal Information categories that each category of recipient obtained.

We do not provide these access and data portability rights for B2B Personal Information.

Deletion Request Rights

You have the right to request that we delete any of your Personal Information that we collected and retained from you, subject to certain exceptions, including federal and state laws and regulations pertaining to record retention requirements. Once we receive and confirm your verifiable consumer request (see *Exercising Access, Data Portability, and Deletion Rights* below), we will delete, and direct our service providers to delete, your Personal Information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service providers to:

- Complete the transaction for which we collected the Personal Information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

We do not provide these deletion rights for B2B Personal Information.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at 1-800-892-5430 (Option 7).
- Emailing us at privacy.requests@leumiusa.com.
- Visiting us at www.leumiusa.com/privacy.

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your Personal Information. You can designate an authorized agent by providing us proof of power of attorney. Please see the *Account Agreement and Privacy Notice* for more information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period.

The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative, which may include:

- Matching at least two data points the requestor provides with information that we hold; or
- Signing a declaration under penalty of perjury that you state that you are the person whose personal information is the subject of the request.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you. Making a verifiable consumer request does not require you to create an account with us.

We will only use Personal Information provided in a verifiable consumer request to verify the requestor’s identity or authority to make the request.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to ninety (90) days), we will inform you of the reason and extension period in writing.

If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request’s receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your Personal Information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Personal Information Sales Opt-Out and Opt-In Rights

As Bank Leumi USA does not sell Consumer Personal Information, the Personal Information Sales Opt-Out and Opt-In Rights under CCPA are not applicable.

NON-DISCRIMINATION

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you services.
- Charge you different prices or rates for services, including through discounts or other benefits, or impose penalties.
- Provide you a different level or quality of services.
- Suggest that you may receive a different price or rate for services or a different level or quality of services.

However, we may offer you certain financial incentives permitted by the CCPA that **can result** in different prices, rates, or quality levels. Any CCPA-permitted financial incentive we offer will reasonably relate to your Personal Information’s value and contain written terms that describe the program’s material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

CHANGES TO OUR PRIVACY NOTICE

We reserve the right to amend this Notice at our discretion and at any time. When we make changes to this Notice, we will post the updated Notice on our Website and update the Notice’s effective date. **Your continued use of our Website following the posting of such changes constitutes your acceptance of the Notice, as amended.**

CONTACT INFORMATION

If you have any questions or comments about this Notice, the ways in which Bank Leumi USA collects and uses your information described below and in this Notice, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: 1-800-892-5430 (Option 7)

Website: www.leumiusa.com/privacy

Email: privacy.requests@leumiusa.com

Postal Address:

Bank Leumi USA
Attn: Compliance Department
350 Madison
New York, NY 10017