

# European Investor Personal Data Privacy Notice

By investing in and providing your personal data to the D. E. Shaw group fund identified in your Subscription Agreement (the “Fund”), the Fund may process your personal data or that of your directors, officers, employees and/or beneficial owners. Your personal data will also be processed by D. E. Shaw & Co., L.P.<sup>1</sup> (in its capacity as an investment adviser to the Fund) and D. E. Shaw & Co. (London), LLP (in its capacity as an investment manager to, and placement agent for, the Fund). For the purposes of this privacy notice, references to “we” “us” or “our” refers collectively to the Fund, D. E. Shaw & Co., L.P., and D. E. Shaw & Co. (London), LLP. We are data controllers of your personal data.

Please ensure that you provide a copy of this privacy notice to any third parties whose personal data you provide to us (such as your directors, officers, employees, and/or beneficial owners).

## What Information Do We Collect?

We may collect some or all of the following information about you:

- Your name, address, and contact details, including email address and telephone number;
- Your passport details or details of any other government-issued document evidencing your nationality or residence and including your name, picture, signature, country of issuance and number;
- Verification of the residential address you provide to us, which may take the form of a utility bill or other correspondence;
- Information necessary for tax compliance and reporting, including any government-issued tax identification number;
- Details of your net worth and/or source(s) of wealth;
- Information collected about criminal convictions or offences, or government sanctions, in the course of conducting a “Know Your Customer” check;
- Your bank account details;

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<sup>1</sup> The investment adviser for the Fund identified in your Subscription Agreement (the “Fund Investment Adviser”) may be an investment advisory affiliate of D. E. Shaw & Co., L.P. In that case, references to D. E. Shaw & Co., L.P., in this notice should be construed as referring also to the Fund Investment Adviser.

- Information about your interactions with our websites and online services (including [www.deshaw.com](http://www.deshaw.com) and the secure investor section thereof), which may include your network domain or IP address (collectively “online usage data”); and,
- Any other information that you voluntarily provide to us.

We may also collect the personal data listed above from third parties, such as your investment adviser, family office representative, the organization to which you are affiliated, another person designated by you to manage your investments, and from third party data services.

We may collect online usage data automatically via the use of tracking technologies such as a “cookie” (a small text file that is downloaded onto your computer or mobile device when you access the website). Our [Online Privacy Statement](#) provides further information about our online privacy practices, including about our collection of online usage data and the use of cookies.

## Why Do We Process Your Personal Data?

The provision of certain personal data by you and the processing of such personal data by us is necessary:

- (a) for us to review and process your subscription agreement and supporting materials in connection with your investment in the Fund, and in order to enforce or defend our rights, ourselves or through third parties to whom we delegate such responsibilities;
- (b) for us to fulfill the subscription agreement by maintaining your account and providing account-related services and reporting, and to update and maintain our records;
- (c) where in our legitimate interests, including to administer and manage investments and communications with you, to administer, manage, and improve our investment management and fundraising operations, to undertake general, financial and regulatory accounting and reporting activities, to comply with our legal obligations relating to the prevention of fraud and the detection of money-laundering or other criminal conduct, and to secure and optimize our website and other online services; and
- (d) to fulfil our legal and regulatory obligations, such as when we conduct “Know Your Customer” checks in accordance with law and in the substantial public interest of preventing and detecting unlawful acts such as, money laundering or terrorist financing.

If you are a director, officer, employee, or beneficial owner of a Fund investor, we process personal data about you in connection with the purposes (and in reliance on the legal bases) described above, including to contact you in our legitimate interest to administer and manage the relevant investment relationship.

When we conduct “Know Your Customer” and related anti-money laundering and sanctions’ law checks, we use third party data services. Those services access information published by government authorities, as well as information available both in the public domain and from proprietary news and related sources. If it does, it could involve the processing of criminal records or other sensitive data. Irrespective of whether we obtain such data from you or from a third party, we will process it solely for the limited purpose described above and as authorized by law.

Failure to provide personal data in whole or in part could make it impossible for us to proceed with your application to invest in the Fund and we may be unable to process or release your investment in the Fund. This may result in the Fund terminating its relationship with you.

**Your right to object—Please note that you have a right to object to the processing of your personal data where that processing is performed for our legitimate interests.**

Unless you give your explicit consent to do so, we will not use your personal data for the purpose of direct marketing of third-party products to you.

## Who Has Access To Your Personal Data?

We may disclose your personal data for the purposes described above to the following recipients:

- your service providers, such as your investment adviser, family office representative, or another person designated by you to manage your investments;
- our affiliates, service providers (such as transfer agents, fund administrators, custodians, and broker-dealers), and advisors (such as accountants and legal counsel);
- fraud prevention agencies and law enforcement agencies;
- courts, governmental and non-governmental regulators, and ombudsmen;
- any third party that acquires, or is interested in acquiring or securitizing, all or part of our assets, shares, partnership interests, and/or membership interests, or that succeeds us in carrying on all or a part of our businesses, whether by merger, acquisition, reorganization, or otherwise;
- as required or permitted by law, including to comply with a subpoena or similar legal, regulatory, or governmental request or process, or where we believe in good faith that disclosure is legally required; or
- when we have a legitimate interest in making a disclosure, such as where necessary to protect our rights and property.

In the course of discharging its role in managing our relationship with you (and in its capacity as the placement agent for the Fund), D. E. Shaw & Co. (London), LLP (“D. E. Shaw London”) may transfer your personal data for the purposes described above to recipients (including the Fund and D. E. Shaw & Co., L.P.) located in countries outside of the European Economic Area (“EEA”) and the United Kingdom (“UK”), including in the United States, which may not have data protection laws equivalent to those in the EEA and/or the UK. D. E. Shaw London has entered into intra-group standard contractual clauses (“Model Contracts”) for transfers of personal data within the D. E. Shaw group. If we transfer personal data to other recipients outside of the EEA and/or the UK, we will enter into a Model Contract with the recipient or seek assurances from the recipient that it has Binding Corporate Rules in place.

You can request further details in relation to international transfers, including a copy of any Model Contracts, by using the contact details provided below.

## How Long Do We Keep Your Personal Data?

We will retain your personal data for investor relations-related activities, including administering investment accounts and for organizing events with investors, in accordance with our internal data retention procedures. The criteria used to determine the retention periods include: (i) how long the personal data is needed in connection with the investor relations-related activities; (ii) the type of personal data collected; and (iii) whether we are 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).

If you would like more information about applicable data retention policies, please contact us using the contact details provided below.

## Your Rights

You have a right to:

- request access to and rectification or erasure of your personal data;
- obtain restriction of processing or object to processing of your personal data;
- request a copy of your personal data to be provided to you, or a third party, in a digital format; and
- withdraw consent to the processing of your personal data where we are relying on your consent for such processing.

We will respond to your request in writing, or orally if requested, as soon as practicable and in any event not more than one month after receipt and verification of your request. In exceptional cases, we may extend this period by two months and we will tell you why. If you would like to exercise any of these rights, please contact us using the contact details provided below.

You also have the right to file a complaint about the processing of your personal data with the UK [Information Commissioner's Office](#) or, if you are in the EEA, with your [local data protection authority](#).

We periodically review and may modify this notice. If we make modifications, we will continue our commitment to keeping your personal data secure. We will notify you if we make substantial amendments to the notice.

## Enquiries, Requests, or Concerns

All enquiries, requests, or concerns regarding this privacy notice or relating to the processing of your personal data, including all requests as detailed in the “Your rights” section above, should be sent to [privacy@deshaw.com](mailto:privacy@deshaw.com).

D. E. Shaw & Co., L.P. is located at 375 Ninth Avenue, 52nd Floor, New York, NY 10001, United States, and can be contacted by emailing [privacy@deshaw.com](mailto:privacy@deshaw.com).

D. E. Shaw & Co. (London), LLP is located at 55 Baker Street, Seventh Floor, London W1U 8EW, United Kingdom, and can be contacted by emailing [privacy@deshaw.com](mailto:privacy@deshaw.com).

D. E. Shaw & Co., L.P., has appointed D. E. Shaw & Co. (London), LLP as its data protection representative in the United Kingdom.

D. E. Shaw & Co., L.P., and D. E. Shaw & Co. (London), LLP, have appointed D. E. Shaw & Co. (Luxembourg), S.à r.l. (“D. E. Shaw Luxembourg”) as their data protection representative in the European Union. D. E. Shaw Luxembourg is located at 11, rue Sainte Zithe, 2ème Etage, L-2763 Luxembourg, and can be contacted by emailing [privacy@deshaw.com](mailto:privacy@deshaw.com).