

Online Privacy Statement

Introduction

This Online Privacy Statement describes how DFS Services LLC (collectively, “we”, “our”, “us” and “Discover”) treat the personal data we collect from you (“you” or “Claimant”) on this website (“Claims Website”) when you visit or interact with the Claims Website, including without limitation when you submit information to the Claims Website regarding the misclassification of certain credit card accounts (“Misclassification”). As used herein, personal data means information relating to an identified or identifiable natural person.

Please note that the Claims Website is directed at and only for Claimants in the United States. In addition, other Discover services, websites, applications and geographic regions may have different privacy practices. In those cases, we will display a different privacy statement that applies when you interact with those services, websites, applications and geographic regions. Please review the applicable privacy statement.

Which Data We Collect About You

Our Claims Website collects personal data.

We collect personal data from certain users of the Claims Website, such as Claimants. Information about an entity will only constitute personal data if the entity is a natural person or sole proprietor. The types of personal data that we collect, use and disclose include the following:

- Name, business name, nature of business (e.g., franchise) and business contact information, including address and email address;
- Merchant Identification Number and Tax Identification Number; and
- Other personal data with your consent or as permitted or required by applicable law.

Online Data. We may also collect personal data about the browser, IP address, device (including device ID), and operating system you’re using to digitally interact with us on the Claims Website.

How We Collect Your Data

We collect your personal data directly from you when you submit a claim on the Claims Website. We may also passively collect your Online Data when you visit the Claims Website.

How We Use Your Data

We collect personal data about you on the Claims Website in connection with analysis of, correction of, and other activities related to Misclassifications. We may also use your personal data to:

- Send administrative information to you, such as changes to our terms, conditions, and policies;
- Respond to your requests or questions;
- Send alerts that you signed up for;
- Comply with legal, regulatory, industry self-regulatory, insurance, audit and security requirements;
- Monitor for fraud and manage risk; and
- Otherwise communicate with you, with your consent or as permitted or required by law.

How Long We Retain Your Data

We may keep personal data as long as necessary or relevant for the practices described in this Claims Website or as otherwise required by law. The criteria we use to determine the retention periods include the following:

- Personal data are needed to correct and calculate compensation with respect to Misclassifications as described on this Claims Website;
- Personal data are needed for auditing purposes;
- Personal data are needed to troubleshoot problems or to assist with investigations;
- Personal data are needed to enforce our policies; and
- Personal data are needed to comply with legal requirements.

What and With Whom We Share

We may share your personal data:

- With the administrator assisting with the handling of Misclassification claims and this Claims Website;
- To comply with law or other legal obligations, such as responding to subpoenas;
- To respond to requests from public and government authorities;
- To protect our rights, operations or property, or that of our users;
- To investigate, prevent, or take action regarding potential or suspected illegal activities, fraud, threats to the personal safety of any person, or violations of our terms and conditions; and
- In connection with, or during negotiations concerning, any merger, sale of company assets, financing, or acquisition of all or a portion of our business by another company.

Other Important Privacy Information

The Claims Website is not intended for children. Our Claims Website is meant for adults and is not directed to children. We do not knowingly collect personal data from children under 16 without permission from a parent or guardian. If you are a parent or legal guardian and think your child under 16 has given us personal data, you can email us at Privacy@discover.com.

The Claims Website may link to third-party services or apps that we do not control. If you click on a link to a third-party site, you will be taken to websites or apps we do not control. This Online Privacy Statement does not apply to the privacy practices of those websites. Carefully read the privacy policy of other websites. We are not responsible for these third-party practices.

We may update this Online Privacy Statement at any time. We may change our Online Privacy Statement from time to time. We will notify you of any material changes to our Online Privacy Statement as required by law, such as by posting the revised privacy statement on this page with a new “last updated” date. Please check the Claims Website periodically for updates. This Online Privacy Statement was last updated on March 1, 2024.

Contact Us

For more information, if you have questions about your personal data or if you have a privacy concern you may email our Data Protection Officer at: Privacy@discover.com or write to us at:

Discover Financial Services

Attn: ECP Privacy Operations

P.O. BOX 795 Deerfield, IL 60015

USA

Rights for Consumers in California

Privacy Notice for California Residents

This California Consumer Privacy Act Disclosure (“Disclosure”) explains how DFS Services LLC (collectively, “Discover”, “our”, “us” or “we”) collect, use, disclose, and retain Personal Information subject to the California Consumer Privacy Act, as amended by the California Privacy Rights Act of 2020 (the “CCPA”). This Disclosure applies solely to California residents on this website (“Claims Website”) when they (“you” or “Claimant”) visit or interact with the Claims Website, including without limitation when they submit information to the Claims Website regarding the misclassification of certain credit card accounts (“Misclassification”).

What is Personal Information?

Under the CCPA, “Personal Information” is information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California resident or household.

Our Information Practices Regarding Personal Information

We may collect, use, disclose, and retain Personal Information relating to California residents on our Claims Website. Currently, and in the past 12 months, the following categories of Personal Information relating to California residents may have been collected:

- (1) **Identifiers**, such as name, address and email address;
- (2) **Personal Information, as defined in the California Customer Records statute**, such as name, address, Tax Identification Number, Merchant Identification Number, and financial information;
- (3) **Internet or electronic network activity information**, such as interactions with our Claims Website;
- (4) **Geolocation data**, such as device location and certain device information;
- (5) **Professional or employment-related information**, such as business contact information and the business that you represent or are affiliated with;
- (6) **Inferences** drawn from any of the Personal Information listed above to create a profile about, for example, an individual’s preferences and characteristics; and
- (7) **Sensitive Personal Information**, such as certain government identifiers (e.g., Tax Identification Number).

We may keep Personal Information as long as necessary or relevant for the practices described in this Claims Website or as otherwise required by law. The criteria we use to determine the retention periods include the following:

- Personal Information is needed to correct and calculate compensation with respect to Misclassifications as described on this Claims Website;
- Personal Information is needed for auditing purposes;
- Personal Information is needed to troubleshoot problems or to assist with investigations;
- Personal Information is needed to enforce our policies; and
- Personal Information is needed to comply with legal requirements.

Currently, and in the past 12 months, the categories of Personal Information set forth above may have been collected directly from you and from the administrator assisting with the handling of Misclassification claims on our behalf on the Claims Website.

We may collect the categories of Personal Information described above for the business purpose of operating, managing, and maintaining the Claims Website and in connection with analysis of, correction of, and other activities related to Misclassifications.

We do not use or disclose Sensitive Personal Information for purposes other than as specified in the CCPA. For this reason, we do not offer a right to limit use of Sensitive Personal Information.

Currently, and in the past 12 months, the categories of Personal Information listed above may have been disclosed or made available on the Claims Website to an administrator for the business purpose of processing Misclassification claims and to other parties for legal purposes.

We do not “sell” your Personal Information or “share” your Personal Information for cross-context behavioral advertising, and have not done so in the prior 12 months. Further, we do not knowingly “sell” or “share” the Personal Information of children under the age of 16, and have not done so in the prior 12 months. For this reason, we do not offer a right to opt out of “sale” or “sharing.” For purposes of this Disclosure, “sell” means the disclosure of Personal Information to a third party for monetary or other valuable consideration. For purposes of this Disclosure, “share” means sharing Personal Information with a third party for cross-contextual behavioral advertising for monetary or other valuable consideration or for the benefit of a business in which no money is exchanged. Please note that we do not respond to “Do Not Track” requests.

Your Rights Under the CCPA

If you are a California resident, you may have certain rights over the Personal Information we have about you. You may request the following:

- Right to know and access the Personal Information we have collected about you in a portable format, including the categories of Personal Information; the categories of sources from which the Personal Information is collected; the business or commercial purpose for collecting, selling, or sharing Personal Information; the categories of third parties to whom we disclose Personal

Information; and the specific pieces of Personal Information we have collected about you;

- Right to delete the Personal Information that we collected from you; and
- Right to correct Personal Information that may be inaccurate.

In some instances, we may decline to honor your request where an exception applies. We may also decline to honor your request if we cannot verify your identity or confirm that the Personal Information that we maintain relates to you, or if we cannot verify that you have the authority to make a request on behalf of another individual.

The CCPA also sets forth exceptions for when a business is not required to delete Personal Information, including but not limited to, where it is reasonably necessary to maintain Personal Information to provide a good or service that you requested, comply with a legal obligation, or to help ensure security and integrity.

Furthermore, we may decline a request to correct Personal Information depending on the nature of the Personal Information, the accuracy of the request, how the information was obtained and documentation relating to the accuracy of the information.

You have the right to be free from discriminatory treatment for exercising your privacy rights under the CCPA.

How to Make a Request

If you are a California resident, you may submit a request by:

- Emailing us at info@discovermerchantsettlement.com; and/or
- Calling us at 1- 888-655-3176.

You may only exercise your right to know and access twice within a 12-month period.

To respond to your request, we must verify your identity and confirm the Personal Information in our systems relates to you. We will use Personal Information provided by you, including your name, address, and email address, as well as any merchant information, as applicable, including your business address and Merchant Identification Number, to verify your identity. We will attempt to match the Personal Information that you provide in support of your CCPA request with the information already maintained in our systems.

You may exercise your privacy rights through an authorized agent. If we receive your request from an authorized agent, we may ask for evidence that you have provided such agent with a power of attorney or that the agent otherwise has valid written authority to submit requests to exercise rights on your behalf.

Changes to This California Consumer Privacy Act Disclosure

We may change or update this Disclosure from time to time. When we do, we will post the revised Disclosure on this page. This Disclosure was last updated on March 1, 2024.