

## WEBSITE PRIVACY POLICY

**Last Modified: July 2024**

### OUR COMMITMENT TO PRIVACY

Your privacy is important to BayHawk Capital and its affiliates (together, “BayHawk,” “our,” “us,” “we” or “company”). To better protect your privacy and comply with our legal obligations, we are providing information explaining our online information practices.

This website privacy policy (this “Privacy Policy”) describes how we gather and use personal information about visitors of this website (the “Website”). For simplicity, we use the terms “personal information”, “personally identifiable information” and “personal data” in this Privacy Policy (and any additional jurisdiction-specific privacy notices) interchangeably. Please read this Privacy Policy carefully. To the extent permitted by applicable data protection and privacy laws, this Privacy Policy constitutes a legally binding agreement between BayHawk and you, the user of this Website and by entering and using this Website, you acknowledge your acceptance of, and agree to be bound by, the Privacy Policy stated herein, our **Terms of Use** and all additional terms incorporated by reference herein. If you do not agree to this Privacy Policy, please do not access or use this Website.

### JURISDICTION-SPECIFIC INFORMATION

This Privacy Policy complies with the privacy provisions of Regulation S-P under the Gramm-Leach-Bliley Act and certain privacy provisions of other laws. You may have additional rights under other foreign or domestic laws that may apply to you, including as set forth in our additional jurisdiction-specific privacy notices.

Visitors that are residents of California should also refer to our **California Website Privacy Policy** supplement.

If you are located in the United Kingdom (the “UK”), the European Union (the “EU”) or the European Economic Area (the “EEA”), or the processing of your personal data would otherwise be subject to the EU-UK Data Protection Laws (defined below), please also refer to our **EU-UK Privacy Notice Supplement**.

### THE INFORMATION WE COLLECT

The types of personal information we collect about you depends on the nature of your interaction with us and our reasons for collecting your personal information. The categories of personal information we collect may include the following:

- **Identifiers:** Name, contact details and address (including physical address, email address and Internet Protocol address), date of birth, citizenship and birthplace.
- **Other Identifying Information:** Telephone number, signature, and verification documentation.
- **Information Related to Internet Activity:** Use of our Website, fund data room and investor reporting portal (e.g., cookies, browsing history and/or search history), as well as information you provide to us when you correspond with us in relation to inquiries.

Unfortunately, the transmission of information and data via the Internet is not completely secure. Although we take reasonable steps to protect your personal data – and in this regard, we maintain physical, electronic and procedural safeguards to prevent unauthorized access to your personal data and to protect the integrity of our systems - we cannot guarantee the security of any information or data transmitted to or through our Website; any transmission of information or data by you to or through this Website is at your sole risk.

## SOURCES OF NON-PUBLIC INFORMATION

In connection with forming and operating our Website, we collect and maintain your nonpublic personal information from the following sources:

- Information captured on our Website, information provided through online forms and any information captured via cookies.

We may combine personal information that you provide to us with information that we collect from or about you from publicly available sources. This will include information collected in an online or offline context.

## HOW WE USE YOUR PERSONAL INFORMATION

We will use your personal information for one or more of the following business or commercial purposes:

<b>Purpose</b>	<b>Legal Basis to Process Personal Information (relevant to EU/UK Privacy Notice Supplement only)</b>
To present the Website and its contents to you and to allow you to interact with the Website	Our legitimate interest in operating our business
To perform services for you, including but not limited to the administrative processes (and related communication) in connection with an investment	Our legitimate interest in operating our business and/or contractual necessity
To create, maintain, customize, and secure your account with us	Our legitimate interest in operating our business and/or legal requirement
To provide, support, personalize, develop and improve our Website and the products and services that we offer and notify you about changes to our Website or our products and services	Our legitimate interest in operating our business
To provide you with support and to communicate with you, including responding to requests for information submitted by you through our Website	Our legitimate interest in operating our business, contractual necessity and/or consent
To provide advertising and marketing services	Our legitimate interest in operating our business and/or consent
To keep a record of and manage your relationship with us	Our legitimate interest in operating our business, contractual necessity and/or consent
To conduct ongoing operations, administrative, accounting, reporting, account maintenance and other processes	Our legitimate interest in operating our business and/or consent
To keep investors informed about the business of the general partner or managing member of the applicable investment vehicle and its affiliates generally, including investor notices and reporting	Our legitimate interest in operating our business and/or consent

To audit and verify the quality and effectiveness of our services and compliance	Our legitimate interest in operating our business and/or consent
To maintain the safety, security and integrity of our Website, products and services, databases, technology assets and business, including to detect security incidents and to protect against malicious, deceptive, fraudulent, or illegal activity	Our legitimate interest in operating our business and/or legal requirement
As needed to comply with U.S., state, local and non-U.S. laws, rules and regulations, including responding to law enforcement requests and as required by applicable law, court order or government regulations	Legal requirement
To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us about our Website users is among the assets transferred	Our legitimate interest in operating our business
For any other purpose that has been notified to you, or agreed by you, in writing	Consent

## DISCLOSURE OF PERSONAL INFORMATION

We may disclose personal information collected in connection with this Website for a business purpose to the categories of third parties indicated below. We may also disclose your information to other parties as may be required by law or regulation, or in response to regulatory inquiries.

- **Identifiers:** Administrators, governmental agencies or pursuant to legal process.
- **Other Identifying Information:** Administrators, governmental agencies or pursuant to legal process.
- **Information Related to Internet Activity:** Administrators, governmental agencies or pursuant to legal process.

## CAPACITY

You represent to BayHawk that you have the authority to visit this Website according to the **Terms of Use**. This Website is only intended for individuals who are at least 18 years of age. We do not knowingly encourage or solicit visitors to this Website who are under the age of 18 or knowingly collect personal information from anyone under the age of 18 without parental consent. If we learn we have collected or received personal information from an individual under the age of 18, we will delete that information.

## RETENTION OF PERSONAL INFORMATION

We retain your personal information for as long as reasonably necessary and proportionate to achieve the purposes and uses set out in this Privacy Policy, as authorized by law, and to meet legal, taxation, accounting, risk management or business requirements. We may retain personal information for longer where required by our regulatory obligations, or where we believe it is necessary to establish, defend or protect our legal rights and interests or those of others. Your personal information may be deleted when it is no longer relevant or when you withdraw consent (pursuant to the

rights detailed directly in this may be exercised by using the contact information contained at the end of this Privacy Policy) within the parameters of applicable law.

## **COOKIES**

Information regarding how you access this Website (e.g., browser type, access times and Internet Protocol (IP) address) and your hardware and software is automatically collected through the use of cookies (a small text file placed on your hard drive) or other technologies or tools. This information is used to improve Website performance and for our business purposes, including to help provide you with a better experience when you browse our Website. In addition to the Website's placement of strictly necessary cookies (i.e., cookies which are required for you to use the Website or access particular features), subject to your consent, the Website places one analytics cookie on your device which is used to store and count page views and analyse traffic to our Website. You may opt-in to accept cookies this cookie automatically by changing the settings on your browser. If you opt-out of certain cookies, you may not be able to access certain parts of this Website. You may wish to visit [www.aboutcookies.org](http://www.aboutcookies.org), which contains comprehensive information about types of cookies, how they are used and how you manage your cookie preferences.

You may access any personally identifiable information we have about you by contacting BayHawk, at [contact@bayhawkcapital.com](mailto:contact@bayhawkcapital.com).

## **NOTIFICATION OF CHANGES**

We reserve the right to amend this Privacy Policy (and any jurisdiction-specific privacy notices) from time to time and for any reason, in our sole discretion, without notice, by updating this Privacy Policy (and any jurisdiction-specific privacy notices). Accordingly, users are strongly encouraged to review our Privacy Policy (and any applicable jurisdiction-specific privacy notices) regularly. If we decide to change our Privacy Policy (and any jurisdiction-specific privacy notices), we will post those changes on the Website so our users are always aware of what information we collect, how we use it and under what circumstances, if any, we disclose it. If at any point we decide to collect personal information or use any collected information in a manner different from that stated at the time it was collected, we will notify users by posting changes on this page. We will use information only in accordance with the Privacy Policy (and any applicable jurisdiction-specific privacy notices) under which the information was collected. Your continued access or use of this Website following the posting of changes to this Privacy Policy (and any applicable jurisdiction-specific privacy notices) means that you accept such revisions, changes and/or amendments. If you object to any of the changes to this Privacy Policy (and any applicable jurisdiction-specific privacy notices), please stop accessing this Website. Please check this page frequently and review any changes to this Privacy Policy (and any applicable jurisdiction-specific privacy notices) carefully so you are aware of any changes, as they are binding on you.

## **MISCELLANEOUS**

The provisions in our **Terms of Use** are hereby incorporated by reference.

## **CONTACT US**

If you have any questions or concerns about this Privacy Policy, or if you wish to appeal any of our decisions, exercise any of your rights hereunder or request to view this Privacy Policy in an alternate format, please contact BayHawk at [contact@bayhawkcapital.com](mailto:contact@bayhawkcapital.com).

## CALIFORNIA WEBSITE PRIVACY POLICY

This California Website Privacy Policy supplements the **Privacy Policy** with respect to specific rights granted under the California Consumer Privacy Act of 2018, as amended (the “CCPA”) to natural person California residents and provides information regarding how such California residents can exercise their rights under the CCPA. This supplement is only relevant to you if you are a resident of California as determined in accordance with the CCPA. Information required to be disclosed to California residents under the CCPA regarding the collection of their personal information that is not set forth in this CCPA supplement is otherwise set forth in the **Privacy Policy**. To the extent there is any conflict with the privacy requirements under the Gramm-Leach-Bliley Act and/or Regulation S-P (“GLB Rights”), GLB Rights shall apply.

### What does this California Website Privacy Policy apply to?

This California Website Privacy Policy applies solely to your interactions with us through our Website. If you provide personal information to use through another means (e.g., as an investor or an employee seeking employment) you will receive a separate privacy notice and that notice will govern that personal information.

### What information do we collect about you?

The types of personal information we collect about you depends on the nature of your interaction with us. The categories of personal information we have collected from individuals on this Website over the last twelve (12) months include the following:

Category	Examples	Collected
A. Identifiers	Name, contact details and address (including physical address, email address and Internet Protocol address).	YES
B. Protected classification characteristics under California or federal law	Date of birth, citizenship and birthplace.	NO
C. Commercial information	Account data and other information contained in any document provided by investors to authorized service providers (whether directly or indirectly), risk tolerance, transaction history, investment experience and investment activity, information regarding a potential and/or actual investment in the applicable fund(s), including ownership percentage, capital investment, income and losses, source of funds used to make the investment in the applicable fund(s).	NO

We do not knowingly collect or solicit personal information from anyone under the age of 18.

We do not collect or use sensitive personal information other than:

- To perform services, or provide goods, as would reasonably be expected by an average consumer who requests those goods or services;
- As reasonably necessary and proportionate to detect security incidents that compromise the availability, authenticity, integrity, and confidentiality of stored or transmitted personal information;

- As reasonably necessary and proportionate to resist malicious, deceptive, fraudulent, or illegal actions directed at us and to prosecute those responsible for such actions;
- For short-term, transient use (but not in a manner that discloses such information to another third party or is used to build a profile of you or otherwise alter your experience outside of your current interaction with us);
- To perform services on behalf of our business;
- To verify or maintain the quality or safety of a service or to improve, upgrade, or enhance such service or device; and
- To collect or process sensitive personal information where such collection or processing is not for the purpose of inferring characteristics about a consumer.

**How do we use your personal information?**

We collect personal information for the business or commercial purposes and from the sources set forth in “**How we Use Your Information**” and “**Sources of Non-Public Information**” respectively, in the Privacy Policy above. We retain the categories of personal information set forth above in the “**What information do we collect about you?**” section of this California Website Privacy Policy only as long as is reasonably necessary for those purposes set forth above in “**How we Use Your Information**”, except as may be required under applicable law, court order or government regulations.

**Who do we disclose your personal information to?**

We do not share (i.e., disclose to a third party for the purpose of cross-context behavioral advertising) or sell (as such terms are defined in the CCPA) any of the personal information we collect about you to third parties.

Within the last twelve (12) months, we have disclosed personal information collected in connection with this Website for a business purpose to the categories of third parties indicated in the chart below. We may also disclose your information to other parties as may be required by law or regulation, or in response to regulatory inquiries.

<b>Personal Information Category</b>	<b>Category of Third-Party Recipients</b>
A. Identifiers	Administrators, lenders, banks, auditors, law firms, governmental agencies or pursuant to legal process, self-regulatory organizations, consultants and placement agents.
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e))	Administrators, lenders, banks, auditors, law firms, governmental agencies or pursuant to legal process, self-regulatory organizations, consultants and placement agents.
C. Protected classification characteristics under California or federal law	N/A
D. Commercial information	N/A

E. Biometric information	N/A
F. Internet or other similar network activity	Administrators, law firms, governmental agencies or pursuant to legal process, consultants and placement agents.
G. Geolocation data	N/A
H. Sensory data	N/A
I. Professional or employment-related information	N/A
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))	N/A
K. Inferences drawn from other personal information	N/A
L. Sensitive Personal Information	N/A

**How do we keep your personal information secure?**

We consider the protection of personal information to be a sound business practice, and to that end we employ appropriate organizational, physical, technical and procedural safeguards, which seek to protect your personal information in our possession or under our control to the extent possible from unauthorized access and improper use.

**Your rights under the CCPA**

*Deletion Rights:* You have the right to request that we delete any of your personal information that we retain, subject to certain exceptions, including, but not limited to, our compliance with U.S., state, local and non-U.S. laws, rules and regulations. We will notify you in writing if we cannot comply with a specific request and provide an explanation of the reasons.

*Disclosure and Access Rights:* You have the right to request that we disclose to you certain information regarding our collection, use, disclosure and sale of personal information specific to you. Such information includes:

- the categories of personal information we collected about you;
- the categories of sources from which the personal information is collected;
- our business or commercial purpose for collecting such personal information;
- the categories of third parties to whom we disclose the personal information;
- the specific pieces of personal information we have collected about you; and
- whether we disclosed your personal information to a third party, and, if so, the categories of personal information that each recipient obtained.

***Correction Right:*** You have the right to request that we correct any inaccuracies in the personal information that we retain, subject to certain statutory exceptions, including, but not limited to, our compliance with U.S., state, local and non-U.S. laws, rules and regulations. We will notify you in writing if we cannot comply with a specific request and provide an explanation of the reasons.

***No Discrimination:*** We will not discriminate against you for exercising your rights under the CCPA, including by denying service, suggesting that you will receive, or charging, different rates for services or suggesting that you will receive, or providing, a different level or quality of service to you.

***How to Exercise Your Rights:*** To exercise any of your rights under the CCPA, or to access this notice in an alternative format, please submit a request on your behalf using any of the methods set forth in the “**Contact us**” section below.

### **Contact us**

For any requests relating to the exercise of your rights under the CCPA, or questions regarding our processing of your personal information, please submit or have your authorized representative submit a request using any of the methods set forth below.

Submit a request online using the following online form: <http://bayhawk.ovis.tech/contact>

Email us at the following email address: [contact@bayhawkcapital.com](mailto:contact@bayhawkcapital.com).

We will contact you to confirm receipt of your request under the CCPA and request any additional information necessary to verify your request. We verify requests by matching information provided in connection with your request to information contained in our records. Depending on the sensitivity of the request and the varying levels of risk in responding to such requests (for example, the risk of responding to fraudulent or malicious requests), we may request further information or your investor portal access credentials, if applicable, in order to verify your request. You may designate an authorized agent to make a request under the CCPA on your behalf, provided that you provide a signed agreement verifying such authorized agent’s authority to make requests on your behalf, and we may verify such authorized person’s identity using the procedures above. If we request you verify your request and we do not receive your response, we will pause processing your request until such verification is received.

Please contact the BayHawk investment team, at [contact@bayhawkcapital.com](mailto:contact@bayhawkcapital.com) with any questions about this California Website Privacy Policy.



## **EU-UK Privacy Notice Supplement**

This EU-UK Privacy Notice Supplement supplements the information contained in the Privacy Policy above and applies solely to the processing of personal data which is subject to EU-UK Data Protection Laws. For the purposes of this EU-UK Privacy Notice Supplement and the Privacy Policy, the “EU-UK Data Protection Laws” means all applicable laws and regulations relating to privacy, the protection and/or the processing of personal data in the EEA, EU and UK, including (without limitation): the General Data Protection Regulation (Regulation (EU) 2016/679) (“EU GDPR”), the EU GDPR as it forms part of the laws of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018 (“UK GDPR”), as amended or supplemented. The terms “controller”, “data subject”, “personal data”, “process” and “processing” have the meanings given to them in the applicable EU-UK Data Protection Laws.

### **Who is responsible for processing your personal data?**

To the extent that EU-UK Data Protection Laws apply to our processing of your personal data, one or more of us are a “controller” of your personal data. In simple terms, when applicable, this means we: (i) “control” the personal data that we collect from you or other sources; and (ii) make certain decisions on how to use and protect such personal data.

### **What type of personal data do we collect?**

The types of personal data that we collect are set forth in the “*The Information We Collect*” section of the Privacy Policy. Please note that we do not collect any special categories of personal data about you (this includes details about your race or ethnicity, religious or philosophical beliefs, sex life, sexual orientation, political opinions, trade union membership, information about your health and genetic and biometric data). Nor do we collect any information about criminal convictions and offences.

### **Purposes and Legal Bases for Collecting and Using Personal Data**

We rely on various legal bases under the EU-UK Data Protection Laws in order to process your personal data, as we have set forth in the “*How We Use Your Personal Information*” section of the Privacy Policy. Note that we may process your personal data on more than one legal basis depending on the specific purpose for which we are using your personal data. These business and commercial purposes are also set out in the “*How We Use Your Personal Information*” section of the Privacy Policy.

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal data for an unrelated purpose, we will notify you and explain the legal basis which allows us to do so.

If we require your personal data due to a legal requirement or obligation or in order to perform a contract with you, we will make you aware of this at the time we collect your personal data, and the possible consequences of you failing to provide this personal data (e.g., we may require your passport details to verify your identity for the purposes of anti-money laundering regulations).

No solely automated decision making, including profiling, is used when processing your personal data.

### **Disclosure and Transfers of Personal Data**

We may disclose and transfer your personal data to third parties as set forth in the “*Disclosure of Personal Information*” section of the Privacy Policy above, which may involve the transfer of your personal data outside of the outside the UK, EU or EEA.

Whenever we transfer your personal data across borders, we will only do so in accordance with applicable laws. Such transfers of personal data may be made further to applicable adequacy decisions, appropriate or suitable safeguards permitted under the EU-UK Data Protection Laws (such as the standard contractual clauses issued by the European Commission and/or the UK equivalent) or any other valid means permitted by applicable law. Furthermore, we may

transfer personal data to a Non-Equivalent Country (as defined below), in order to fulfill the purposes described in the Privacy Policy and in accordance with applicable laws. For information on the safeguards applied to such transfers, please contact us at [contact@bayhawkcapital.com](mailto:contact@bayhawkcapital.com).

For the purposes of this EU-UK Privacy Notice Supplement, “Non-Equivalent Country” means a country or territory other than: (i) a member state of the EU or EEA; (ii) the United Kingdom; or (iii) a country or territory which has at the relevant time been decided by the European Commission or the Government of the United Kingdom (as applicable) in accordance with the applicable EU-UK Data Protection Laws to ensure an adequate level of protection for personal data.

### **Data Subject Rights**

To the extent set forth in EU-UK Data Protection Laws, you may have certain rights relating to the collection and use of your personal data, including, as applicable, the right to (i) request a copy of the personal data retained by us; (ii) to correct any inaccurate information contained within the personal data retained by us; (iii) delete any personal data retained by us; (iv) restrict the processing of personal data retained by us, including the purposes for which personal data is processed by or on behalf of us; (v) object to the processing of personal data undertaken by us; (vi) direct the transfer of your personal data to a third party designated by you; (vii) withdraw your consent to our processing of your personal data at any time; and (viii) not be subject to solely automated decision making. Individuals located in the UK or EU may also “opt out” or unsubscribe from any marketing communications from us. An individual may contact us at [contact@bayhawkcapital.com](mailto:contact@bayhawkcapital.com) if they wish to exercise any of the rights set forth herein. Furthermore, you have a right to lodge a complaint with the appropriate supervisory authority. These rights are not absolute and in certain circumstances their exercise may not be possible including when personal data must be maintained to comply with applicable laws.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

### **Questions, Complaints and Contacting Us**

To the extent EU-UK Data Protection Laws apply, should you have any questions, concerns, or complaints in relation to this EU-UK Privacy Notice Supplement and the Privacy Policy, please contact us at [contact@bayhawkcapital.com](mailto:contact@bayhawkcapital.com).