

Last Updated: November __, 2019

Klein Zelman Rothermel Jacobs & Schess LLP Privacy Policy

Summary

Thank you for visiting the Klein Zelman Rothermel Jacobs & Schess LLP website located at www.kleinzelman.com (the “Site”). The Site is owned and operated by Klein Zelman Rothermel Jacobs & Schess LLP (“KZRJS,” “we,” “our” or “us”). This KZRJS Privacy Policy (“Privacy Policy”) sets forth our policy with respect to the collection, storage and use of your personal information and other information that we collect from you. **Please note, if you are a resident of a European Union Member State, you are not permitted to use the Site and/or Site Offerings (as defined below).**

Background

This Privacy Policy covers our treatment of personal information and other information that we collect when an end-user visitor to the Site (“user,” “you” or “your”): (a) accesses or uses the Site; (b) accesses and/or views any of the blog posts, articles, text, video and/or other information featured on the Site (the “Content”); (c) accesses links to KZRJS’s social media pages/accounts on third party social media websites, such as Facebook® and LinkedIn® (collectively, “Social Media Pages”); (d) accesses certain message boards, comments sections, customer ratings and other interactive features of the Site (collectively, “Interactive Services”); and/or (e) utilizes the various contact forms (“Forms”) and/or contact information made available on the Site as a means to contact directly, or request to be contacted by, KZRJS (collectively, the “Contact Services,” and together with the Site, Content, Social Media Pages and Interactive Services, the “Site Offerings”).

Capitalized terms not defined herein shall have the meanings set forth in the Klein Zelman Rothermel Jacobs & Schess LLP Website Terms and Conditions (“Terms and Conditions”). **IF YOU DO NOT AGREE TO TERMS OF THIS PRIVACY POLICY IN THEIR ENTIRETY, YOU MAY NOT ACCESS OR OTHERWISE USE THE SITE OFFERINGS.**

Facebook® is a registered trademark of Facebook, Inc. (“Facebook”). LinkedIn® is a registered trademark of LinkedIn Corporation (“LinkedIn”). Please be advised that KZRJS is not in any way affiliated with Facebook or LinkedIn, and the Site Offerings are not endorsed, administered or sponsored by Facebook or LinkedIn.

Your California Privacy Rights

If you are a resident of the State of California and would like to learn how your “personal information” (as defined in the Shine the Light Law, Cal. Civ. Code § 1798.83) is shared with third parties, what categories of personal information that we have shared with third parties in the preceding year, as well as the names and addresses of those third parties, please e-mail us at: info@kleinzelman.com; call us at: (212) 935-6020; or send us U.S. mail to: Klein Zelman Rothermel Jacobs & Schess LLP, 485 Madison Ave., New York, NY 10022.

Personal Information Collected

For the purposes of this Privacy Policy, “personal information” shall mean individually identifiable information from or about an individual. We collect personal information when you access certain of the Site Offerings and complete the required information request form and/or otherwise provide such information to us. Where a user attempts to utilize the Contact Services, that user may be required to submit, and KZRJS may collect, some or all of the following information: (a) the user’s e-mail address; (b) the user’s full name; and (c) any other information collected via the Contact Services form.

Use of Personal Information

Other than as set forth in this Privacy Policy, KZRJS will never share, sell, rent, exchange or barter your personal information to or with any third party for financial gain or marketing purposes. By making that personal information available to KZRJS, you grant KZRJS the right, subject to applicable state and federal law, to use that personal information to contact you by telephone, email and to send you various marketing messages and other information that KZRJS believes may be of interest to you. If you wish to stop receiving future communications from us, please follow the instructions at the end of each such marketing message, or see the “[Opt-Out/Unsubscribe](#)” section below.

Where you submit personal information, we use the personal information that you make available to personalize your experience with the Site and to facilitate the delivery of the applicable Site Offerings to you, including to respond to any inquiries made by you.

You also agree that we may contact you at any time with updates and/or any other information that we may deem appropriate for you to receive in connection with your continued use of the Site Offerings, and to keep you informed of our other products and services.

We may also employ other companies and individuals to perform certain functions on our behalf. Examples include sending direct and electronic mail, removing duplicate information from user lists, analyzing data and providing marketing analysis. The agents performing these limited functions on our behalf shall have access to our users’ personal information as needed to perform these functions for us, but we do not permit them to use user personal information for other purposes.

We will also use your personal information for customer service, to provide you with information that you may request, to customize your experience with the Site Offerings and/or to contact you when necessary in connection with your use of the Site Offerings. We may also use your personal information for internal business purposes, such as analyzing and managing our service offerings including, without limitation, the Site Offerings. We may also combine the information we have gathered about you with information from other sources.

By submitting your personal information by and through the Site Offerings, you agree that such act constitutes an inquiry and/or application for purposes of the Amended Telemarketing Sales Rule (16 CFR §310 et seq.), as amended from time to time (the “Rule”) and applicable state do-not-call regulations. As such, notwithstanding that your telephone number may be listed on the Federal Trade Commission’s Do-Not-Call List, and/or on applicable state do-not-call lists, we retain the right to contact you via telemarketing in accordance with the Rule and applicable state do-not-call regulations.

Where you provide “[prior express consent](#)” within the meaning of the Telephone Consumer Protection Act (47 USC § 227), and its implementing regulations adopted by the Federal Communications Commission (47 CFR § 64.1200), as amended from time-to-time (“TCPA”), you consent to receive telephone calls from KZRJS, including artificial voice calls, pre-recorded messages and/or calls (including SMS text messages) delivered via automated technology, to the telephone number(s) that you provided. Please note that you are not required to provide consent under the TCPA in order to obtain access to the Site Offerings, and your consent simply allows KZRJS to contact you via these means. **Please be advised that by agreeing to this Privacy Policy, you are obligated to immediately inform us if and when the telephone number that you have previously provided to us changes. Without limiting the foregoing, if you: (a) have your telephone number reassigned to another person or entity; (b) give up your telephone number so that it is no longer used by you; (c) port your telephone number to a landline or vice versa; or (d) otherwise stop using that telephone number for any reason (collectively “[Phone Number Change](#)”), you agree that you shall promptly notify KZRJS of the Phone Number Change via e-mail at: info@kleinzelman.com, or by using one of the methods set forth in the “[Contact Us](#)” section below.**

We reserve the right to release current or past personal information: (i) in the event that we believe that the Site Offerings are being or have been used in violation of the Terms and Conditions or to commit unlawful acts; (ii) if the information is subpoenaed; *provided, however*, that, where permitted by applicable law, we shall provide you with e-mail notice, and opportunity to challenge the subpoena, prior to

disclosure of any personal information pursuant to a subpoena; or (iii) if we are sold, merge with a third party, are acquired or are the subject of bankruptcy proceedings; *provided, however*, that if KZRJS is involved in a bankruptcy proceeding, merger, acquisition or sale of all or a portion of its assets, you will be notified via email and/or a prominent notice on the Site of any change in ownership or uses of your personal information, as well as any choices that you may have regarding your personal information.

You hereby consent to the disclosure of any record or communication to any third-party when we, in our sole discretion, determine the disclosure to be appropriate including, without limitation, sharing your e-mail address with third-parties for suppression purposes in compliance with applicable law, including the CAN-SPAM Act of 2003, as amended from time to time. Users should also be aware that courts of equity, such as U.S. Bankruptcy Courts, might have the authority under certain circumstances to permit personal information to be shared or transferred to third parties without permission.

Non-Personal Information Collection and Use

IP Addresses/Browser Type

We may collect certain non-personally identifiable information about you and your desktop computer and/or mobile device when you visit many of the pages of the Site. This non-personally identifiable information includes, without limitation, the type of browser that you use (e.g., Safari, Chrome, Internet Explorer), your IP address, the type of operating system that you use (e.g., Windows or iOS) and the domain name of your Internet service provider (e.g., Verizon, AT&T). We use the non-personally identifiable information that we collect to improve the design and content of the Site Offerings and to enable us to personalize your Internet experience. We also may use this information in the aggregate to analyze usage of the Site Offerings.

Cookies

When a user visits the Site, we send one (1) or more cookies and/or gif files (collectively, “Cookies”) to assign an anonymous, unique identifier to the applicable user’s computer. A Cookie is a piece of data stored on your hard drive containing non-personally identifiable information about you. Cookies have many benefits to enhance your experience at the Site. To find out more about Cookies, please visit www.cookiecentral.com. We use Cookies to improve the quality of the Site Offerings, including for storing user preferences and tracking Site-user trends (such as pages opened and length of stay at the Site).

Most Internet browsers are initially set up to accept Cookies, but you can reset your browser to refuse all Cookies or to indicate when a Cookie is being sent. To disable and reject certain Cookies, follow the instructions associated with your Internet browser. Even in the case where a user rejects a Cookie, he or she may still use the Site Offerings; *provided, however*, that certain functions of the Site Offerings may be impaired or rendered inoperable if the use of Cookies is disabled. We reserve the right to retain Cookie data indefinitely.

Behavioral Tracking

Company use Cookies, pixels and other tracking technology (collectively, “Tracking Technology”) in connection with the Site for purposes of tracking users’ activities on the Site. Company uses this Tracking Technology to improve the functionality of the Site..

In general, users may be able to disable some, or all, of this tracking activity by utilizing the “Do Not Track” setting or similar options within most major Internet browsers. In addition, users may be able to opt-out of this form of tracking utilizing the options made available by the [Network Advertising Initiative](#) or [Digital Advertising Alliance](#).

Cross Device Tracking

KZRJS does not track users’ use of the Site Offerings across multiple devices, including personal computers and mobile devices.

Aggregate Data

KZRJS reserves the right to transfer and/or sell aggregate or group data about users of the Site Offerings for lawful purposes. Aggregate or group data is data that describes the demographics, usage and other characteristics of Site Offerings users as a group, without disclosing personally identifiable information.

Social Media Websites and Interactive Services

If you engage in any interaction with KZRJS, other users or any third party on any Social Media Pages or via the Interactive Services, you should be aware that: (a) the personal information that you submit by and through such Social Media Pages and/or Interactive Services, as applicable, can be read, collected and/or used by other users of these mobile applications/websites/services (depending on your privacy settings associated with your accounts with the applicable Social Media Websites), and could be used to send you unsolicited messages or otherwise to contact you without your consent or desire; and (b) where KZRJS responds to any interaction on such Social Media Pages, your account name/handle may be viewable by any and all members/users of KZRJS's social media accounts.

We are not responsible for the personal information that you choose to submit on, or link to, any Social Media Pages or via the Interactive Services. The Social Media Pages operate independently from KZRJS, and we are not responsible for such Social Media Pages' interfaces or privacy or security practices. We encourage you to review the privacy policies and settings of the Social Media Pages with which you interact to help you understand those Social Media Pages' privacy practices. If you have questions about the security and privacy settings of any Social Media Pages that you use, please refer to their applicable privacy notices or policies.

Third-Party Websites

This Site may contain links to third-party owned and/or operated websites including, without limitation, the Social Media Websites. KZRJS is not responsible for the privacy practices or the content of such websites. In some cases, you may be able to make a purchase through one of these third-party websites. In these instances, you may be required to provide certain information, such as a credit card number, to register or complete a transaction at such website. These third-party websites have separate privacy and data collection practices and KZRJS has no responsibility or liability relating to them.

Security

We endeavor to safeguard and protect our users' personal information. When users make personal information available to us, their personal information is protected both online and offline (to the extent that we maintain any personal information offline). Where we ask users to enter sensitive information, if ever, and when we store and transmit such sensitive information, that information is encrypted with advanced TLS (Transport Layer Security).

Access to your personal information is strictly limited, and we take reasonable measures to ensure that your personal information is not accessible to the public. All of our users' personal information is restricted in our offices, as well as the offices of our third party service providers. Only employees or third party agents who need user personal information to perform a specific job are granted access to user personal information. Our employees are dedicated to ensuring the security and privacy of all user personal information. Employees not adhering to our firm policies are subject to disciplinary action. The servers that we store user personal information on are kept in a secure physical environment. We also have security measures in place to protect the loss, misuse and alteration of personal information under our control.

Please be advised, however, that while we take every reasonable precaution available to protect your data, no storage facility, technology, software, security protocols or data transmission over the Internet or via wireless networks can be guaranteed to be 100% secure. Computer hackers that circumvent our security measures may gain access to certain portions of your personal information, and technological bugs, errors and glitches may cause inadvertent disclosures of your personal information; *provided,*

however, that any attempt to breach the security of the network, our servers, databases or other hardware or software may constitute a crime punishable by law. For the reasons mentioned above, we cannot warrant that your personal information will be absolutely secure. Any transmission of data at or through the Site, other Site Offerings or otherwise via the Internet or wireless networks, is done at your own risk.

In compliance with applicable federal and state laws, we shall notify you and any applicable regulatory agencies in the event that we learn of an information security breach with respect to your personal information. You will be notified via e-mail in the event of such a breach. Please be advised that notice may be delayed in order to address the needs of law enforcement, determine the scope of network damage, and to engage in remedial measures.

Minors

Visitors under eighteen (18) years of age are not permitted to use and/or submit their personal information at the Site. KZRJS does not knowingly solicit or collect information from visitors under eighteen (18) years of age. KZRJS encourages parents and guardians to spend time online with their children and to participate and monitor the interactive activities of their children.

Opt-Out/Unsubscribe

To opt-out of receiving e-mail and other forms of communications from us, you can: (a) follow the instructions included in the applicable e-mail message or other communication; or (b) e-mail us at: info@kleinzelman.com.

Notwithstanding the foregoing, we may continue to contact you for the purpose of communicating information relating to your request for Site Offerings, as well as to respond to any inquiry or request made by you. To opt-out of receiving Site Offerings-related and/or inquiry response-related messages from KZRJS, you must cease requesting and/or utilizing the Site Offerings and/or cease submitting inquiries to KZRJS, as applicable.

Deleting, Modifying and Updating Your Information

At your request, we will: (a) inform you of what personal information we have on file for you; (b) amend the personal information that we have on file for you; and/or (c) remove personal information that you have provided to us, or that we have collected. You may do so by e-mailing us at: info@kleinzelman.com. We ask individual users to identify themselves and the information requested to be accessed, corrected or removed before processing such requests, and, to the extent permitted by applicable law, we may decline to process requests that are unreasonably repetitive or systematic, require disproportionate technical effort, jeopardize the privacy of others or would be extremely impractical (for instance, requests concerning information residing on backup tapes).

Please be advised that deleting your personal information may terminate your access to certain of the Site Offerings. If you wish to continue using the full complement of Site Offerings, you may not be able to delete all of the personal information that we have on file for you.

Please be further advised that, after you delete your personal information, residual copies may take a period of time before they are deleted from our active servers and may remain in our backup systems.

Transfer of Personal Information Internationally

If you are visiting the Site from a country other than the country in which our servers are located, your communications with us may result in the transfer of information across international boundaries. By visiting the Site and/or otherwise communicating electronically with us, you consent to such transfers. Even if your jurisdiction does not have the same privacy laws as the jurisdiction where our servers are located, we will treat your information as subject to the protections described in this Privacy Policy.

Changes to this Privacy Policy

KZRJS reserves the right to change or update this Privacy Policy at any time by posting a notice on the Site that we are changing our Privacy Policy. If the manner in which we use personal information changes, KZRJS will notify users by: (a) sending the modified policy to our users via email; and/or (b) any other reasonable means acceptable under applicable state and federal law. You will have a choice as to whether or not we use your information in this different manner, and we will only use your information in this different manner where you opt-in to such use.

Contact Us

If you have any questions about this Privacy Policy or our privacy practices in general, you may email us as at: info@kleinzelman.com; call us at: (212) 935-6020; or send us U.S. mail to: Klein Zelman Rothermel Jacobs & Schess LLP, 485 Madison Ave., New York, NY 10022.

Filing a Complaint with the Federal Trade Commission

To file a complaint regarding our privacy practices, please [Click Here](#). [PLEASE NOTE: THIS IS HYPERLINKED]