

# NEXCORE

## Privacy Notice for California Residents

*Last Modified: June 14<sup>th</sup>, 2024*

This Privacy Notice for California Residents (“California Notice”) is being provided for, and relates solely to, residents of California (who are referred to as “you” or “your” in this California Notice). This California Notice is being provided as required by the California Privacy Rights Act of 2020 (which amended and replaced the California Consumer Privacy Act of 2018, and is referred to as the “CPRA”). Any terms defined in the CPRA (such as “personal information,” “consumer,” “service provider,” “contractor,” “third party,” “sale/sell,” and “share”) will have the meaning given to them in the CPRA when used in this California Notice.

NexCore Companies LLC is providing this California Notice. NexCore Companies LLC is part of the NexCore group of companies (the “NexCore Group”), certain members and affiliates of which manage investment funds or opportunities offered by the NexCore Group, referred to as “NexCore Funds”. References to “NexCore,” “us,” “we,” or “our” in this California Notice refer to the applicable NexCore Group member or NexCore Fund that collects and processes your personal information.

This California Notice is made available through the NexCore-operated websites and applications in the United States, including the sites and applications that link to this California Notice such as [www.nexcoregroup.com](http://www.nexcoregroup.com) and the online investor portals operated by the NexCore Funds (which we refer to in this California Notice as the “sites,” which also includes all associated content, functionality, and services offered on or through the sites). This California Notice is a supplement to, and is a part of, any other privacy notices included on the sites, and is intended to provide additional details regarding our collection and use of personal information as required by the CPRA.

### 1. THE CATEGORIES OF PERSONAL INFORMATION WE COLLECT

For purposes of the CPRA, the table below describes the categories of personal information we collect, our business and/or commercial purpose for collecting and using that personal information, and our retention period for that personal information (or, the criteria used to determine the retention period).

Categories of Information We Collect	Examples of Information Collected in this Category	Business and/or Commercial Purpose	Retention Period
A. Identifiers	<ul style="list-style-type: none"> <li>First name, last name, title, user name, similar unique personal identifiers, physical address, email address, telephone number, social security number, government-issued ID information (such as driver’s license number and/or passport number), and similar identification and proof of identity documents</li> </ul>	<ul style="list-style-type: none"> <li>Engaging in transactions, including NexCore Fund investment opportunities</li> <li>Performing business services, including maintaining or servicing accounts maintained on the sites, verifying identification and contact information, verifying NexCore Fund investor qualifications, providing NexCore Fund services, providing tax and accounting information to NexCore Fund investors, making legal disclosures to NexCore Fund investors, and providing similar services related to the NexCore Group and NexCore Fund business (referred to as “performing business services” in the remainder of this table)</li> </ul>	<ul style="list-style-type: none"> <li>Information relating to customers and prospects is retained for the duration of our business or prospective business relationship.</li> <li>Investor information will be retained for as long as we are required by law to keep such information.</li> </ul>

Categories of Information We Collect	Examples of Information Collected in this Category	Business and/or Commercial Purpose	Retention Period
		<ul style="list-style-type: none"> <li>● Providing advertising and marketing services</li> <li>● Helping ensure security and integrity of our site and business</li> <li>● Internal research purposes</li> <li>● Quality and safety maintenance and to improve, upgrade, and enhance our products and services</li> </ul>	
B. Personal information categories listed in the California Consumer Records statute (Cal. Civ. Code §1798.80(e))	<ul style="list-style-type: none"> <li>● Name, social security number address, telephone number, government-issued ID information (such as driver's license number and/or passport number), education, employment, employment history, financial information (such as bank account information, income level, and net worth information)</li> </ul>	<ul style="list-style-type: none"> <li>● Engaging in transactions, including NexCore Fund investment opportunities</li> <li>● Performing business services</li> <li>● Providing advertising and marketing services</li> <li>● Helping ensure security and integrity of our site and business</li> <li>● Internal research purposes</li> <li>● Quality and safety maintenance and to improve, upgrade, and enhance our products and services</li> </ul>	<ul style="list-style-type: none"> <li>● Identification and financial information of customers and prospects is kept for the duration of our business or prospective business relationship.</li> <li>● Investor information will be retained for as long as we are required by law to keep such information.</li> </ul>
C. Protected classification characteristics under California or federal law	<ul style="list-style-type: none"> <li>● Age (40 years or older)</li> </ul>	<ul style="list-style-type: none"> <li>● Engaging in transactions, including NexCore Fund investment opportunities</li> <li>● Performing business services</li> <li>● Providing advertising and marketing services</li> </ul>	<ul style="list-style-type: none"> <li>● Identification and financial information of customers and prospects is kept for the duration of our business or prospective business relationship.</li> <li>● Investor information will be retained for as long as we are required by law to keep such information.</li> </ul>
D. Commercial information	<ul style="list-style-type: none"> <li>● Records of investments in NexCore Funds</li> </ul>	<ul style="list-style-type: none"> <li>● Engaging in transactions, including NexCore Fund investment opportunities</li> <li>● Performing business services</li> <li>● Providing advertising and marketing services</li> <li>● Helping ensure security and integrity of our site and business</li> <li>● Internal research purposes</li> <li>● Quality and safety maintenance and to improve, upgrade, and enhance our products and services</li> </ul>	<ul style="list-style-type: none"> <li>● Investor information will be retained for as long as we are required by law to keep such information.</li> </ul>
E. Internet or other similar network activity	<ul style="list-style-type: none"> <li>● Internet protocol (IP) address, login data, browser type and version, name and version of your operating system, page views and visits (including pages you visit before and after accessing the sites), and interactions with the sites and search history</li> <li>● Information provided by your device concerning receipt of communications, access to materials and approval</li> </ul>	<ul style="list-style-type: none"> <li>● investment opportunities</li> <li>● Auditing (e.g. counting unique visitors, verifying positioning and quality of ad impressions)</li> <li>● Helping to ensure security and integrity of our site</li> <li>● Debugging to identify and repair errors</li> <li>● Internal research purposes</li> <li>● Quality and safety maintenance and to improve, upgrade, and enhance our products and</li> </ul>	<ul style="list-style-type: none"> <li>● This information will be retained for a period of no more than 3 years.</li> </ul>

Categories of Information We Collect	Examples of Information Collected in this Category	Business and/or Commercial Purpose	Retention Period
	of execution of contracts, consents, and other statements or agreements by means of the sites		
F. Professional or employment-related information (such as current or past job history or performance evaluations)	<ul style="list-style-type: none"> <li>Occupation and business title</li> <li>Employment history</li> </ul>	<ul style="list-style-type: none"> <li>Engaging in transactions, including NexCore Fund investment opportunities</li> <li>Performing business services</li> <li>Employment/employee benefits matters</li> </ul>	<ul style="list-style-type: none"> <li>Professional or employment-related information is kept for the duration of employment business or prospective business relationship.</li> <li>Investor information will be retained for as long as we are required by law to keep such information.</li> </ul>
G. Inferences drawn from other personal information – personal preferences and characteristics	<ul style="list-style-type: none"> <li>Communications and marketing preferences</li> <li>Social network data, including information that you share publicly or that is part of your public profile on a social network</li> <li>Market research data, including information about how you use the sites, as well as feedback you provide to us</li> </ul>	<ul style="list-style-type: none"> <li>Engaging in transactions, including NexCore Fund investment opportunities</li> <li>Performing business services</li> <li>Providing advertising and marketing services</li> <li>Internal research purposes</li> <li>Quality and safety maintenance and to improve, upgrade, and enhance our products and services</li> </ul>	<ul style="list-style-type: none"> <li>This information is kept for the duration of our business or prospective business relationship.</li> </ul>

In addition to the business and commercial purposes identified in the above table, we may use any of the personal information we collect for the following purposes:

- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations; and
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets in which personal information is among the assets transferred or is otherwise material to the transaction.

We will only use your personal information for the purpose disclosed in this California Notice and in any other privacy notice provided to you at or prior to our collection of that personal data (including any NexCore Fund privacy disclosure), or for any reasonably compatible purpose. If we need to use your personal information for any unrelated purpose, we will provide you with a supplemental notice and, if required by law to do so, will obtain your consent.

We do not collect information defined as sensitive personal information in the CPRA for purposes of inferring characteristics about the person with respect to whom it was obtained.

## 2. THE SOURCES OF THE PERSONAL INFORMATION WE COLLECT

We obtain the personal information identified above from the following categories of sources:

- **Direct interactions with you.** From time to time, you may voluntarily provide us with your personal information. This includes personal information you provide:
  - by contacting us through one of the sites, using the “Contact Us” or similar site features;
  - by contacting us through other means, including the telephone;
  - by subscribing for our blog, newsletter, or other communications;
  - by contacting us about employment opportunities;
  - by creating an account on one or more sites; or

- in your capacity as a NexCore Fund investor or prospective investor.
- **Indirect interactions.** We may receive information about you indirectly from persons providing information on your behalf. This may include:
  - entity investors in NexCore Funds who provide information about their officers, directors, managers, and equity holders; and
  - employers who provide us with information about you as an employee.
- **Automated technologies and interactions.** As you interact with our sites, we may automatically collect personal information regarding your usage of the sites. This data may be collected using cookies, server logs, website analytics, and similar technologies.
- **Third party and publicly-available sources.** Where appropriate, we may receive personal information from third parties and public sources, such as:
  - Analytics providers;
  - Service information providers;
  - Third party social media sites and applications; and
  - Publicly available sources, such as government records.

### 3. OUR DISCLOSURE OF PERSONAL INFORMATION

For purposes of this California Notice, below are the categories of persons to whom we may disclose personal information:

- *We may disclose personal information set forth in this section below. The personal information shared with third parties /affiliates for marketing/promotional purposes will not include mobile information, phone numbers and/or text messaging originator opt-in data and consent.*
- We may disclose personal information within the NexCore Group (the members of which are considered part of the same business for purposes of the CPRA) for business and commercial purposes consistent with those identified above.
- We may disclose personal information to our service providers and contractors (neither of whom are considered third parties for purposes of the CPRA), in the ordinary course of our business relationships with those parties. For example, we may provide personal information to service providers who provide us with IT services, such as site hosting or other site administration and operation services, or who assist with email and other communication distribution.
- We disclose information to analytics providers so they can help us evaluate the sites' performance.

When we disclose personal information to service providers and contractors in the circumstances noted above, we enter into agreements with those third parties that describe the purposes for which the personal information may be used and that require the other party to keep that personal information confidential.

We will also disclose information as necessary to respond to law enforcement requests and as required by applicable law, court order, or governmental regulations. And, if we engage in a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets in which personal information held by use about our website users is among the assets transferred, we will disclose information to the applicable counterparty in that transaction.

We do not sell or share information to or with third parties, as such terms are defined in the CPRA.

#### 4. YOUR RIGHTS UNDER THE CPRA

The CPRA provides California residents with certain specific rights regarding their personal information. This section describes your CPRA rights, and explains how to exercise them. Please note that your rights are subject to limitations and exceptions described in the CPRA.

- *Right to Know* – You have the right to ask us to provide you with information about our collection and use of your personal information over the past 12 months.
- *Right to Access (Data Portability)* – You have the right to ask us to provide you with copies of personal information that we have collected about you, in a portable and readily-usable format. Access requests may be made free of charge up to twice in any 12-month period.
- *Right to Request Deletion* – You have right to ask us to delete personal information about you that we have collected and retained.
- *Right to Correct* – If you believe any personal information we have about you is incorrect, you have the right to request that we rectify any inaccuracies.
- *Right to Non-Discrimination and Non-Retaliation* – You have the right not to be discriminated or retaliated against for exercising any of your CPRA rights.

To exercise any of the rights described above, you must submit a verifiable consumer request to us. You can do so by:

- Emailing us at [PrivacyCompliance@nexcoregroup.com](mailto:PrivacyCompliance@nexcoregroup.com)
- Calling us at **1-800-311-6927**

Only you, or a person registered with the California Secretary of State that you expressly authorize to act on your behalf, can make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

We cannot respond to your request or provide you with information if we cannot identify you or confirm your authority to make the request, so any request will require you to provide sufficient information to allow us to reasonably verify your identity and/or the identity and authorization of your agent (if applicable). We will only use any personal information provided in a verifiable consumer request to verify the requesting party's identity or authority to make the request. The information requested to verify your identity, or the identity and authorization of your agent, is dependent on your relationship with NexCore and the type of information available to us.

We will respond to any verifiable consumer request in the manner and within the timeframes required by the CPRA.

#### 5. OTHER CALIFORNIA RIGHTS

In addition to the CPRA, California's "Shine the Light" law permits California residents to request certain details about our disclosure of their personal information to third parties for those third parties' own direct marketing purposes. If you are a California resident and you would like to make such a request, please contact us at [PrivacyCompliance@nexcoregroup.com](mailto:PrivacyCompliance@nexcoregroup.com). Please note that there are legal limits on how often you can make such a request, and we are only obligated to respond to one information request per customer per year.

In addition, although our sites and services are directed only to persons over the age of 18, if any California residents under the age of 18 have used the sites, created an account, and/or posted content or information on the sites, they can request removal by contacting us at [PrivacyCompliance@nexcoregroup.com](mailto:PrivacyCompliance@nexcoregroup.com), detailing where the content is posted and confirming that they posted it. Following such a request, we will terminate the unauthorized account, and will make reasonable good faith efforts to remove any post or information from public view, or anonymize it so that the minor cannot be individually identified. However, removal of public postings cannot ensure complete or

comprehensive removal, as third parties may republish, archive, or cache web content in a manner that is out of our control.

## **6. CONTACT US**

If you have any questions or comments about this California Notice or our privacy practices, please contact us at [PrivacyCompliance@nexcogroup.com](mailto:PrivacyCompliance@nexcogroup.com).