

Effective Date: 01-01-2025

PRIVACY NOTICE

PURSUANT TO THE DELAWARE PERSONAL DATA PRIVACY ACT

This Delaware privacy notice (“Notice”) pursuant to the Delaware Personal Data Privacy Act, Delaware Code Title 6 Chapter 12D et seq., (“DPDPA”), supplements the information contained in the Privacy Policy of Rausch Sturm LLP (“Rausch Sturm,” “we,” “us,” or “our”), and applies solely to visitors, users, and others who reside in the State of Delaware (“consumers” or “you”). Rausch Sturm is a debt collector. This Notice applies to both our online and offline practices. We adopt this Notice to comply with the DPDPA. Any terms defined in the DPDPA have the same meaning when used in this Notice. For questions concerning this Notice or to obtain a copy of this Notice in an alternative format or in Spanish, please call us at 855-517-6279.

A. Consumer Rights

The DPDPA provides consumers with specific rights regarding their personal data. This section describes your rights.

1. **Right of Confirmation:**

You have the right to confirm whether we are processing your personal data and access such personal data, unless such confirmation or access would require us to reveal a trade secret.

2. **Right to Correct:**

You have the right to correct inaccuracies in your personal data, taking into account the nature of the personal data and the purposes of the processing of the personal data.

3. **Right to Deletion:**

You have the right to delete personal data provided by or obtained about you.

4. **Right to Data Portability:**

You have the right to obtain a copy of your personal data processed by us, in a portable and, to the extent technically feasible, readily usable format that allows you to transmit the data to another controller without hindrance, where the processing is carried out by automated means, provided we shall not be required to reveal any trade secret.

5. **Right to List of Categories**

You have the right to obtain a list of the categories of third parties to which we have disclosed your personal data.

6. **Right to Opt Out:**

You have the right to opt out of the processing of personal data for:

- i. Targeted advertising;
- ii. The sale of personal data;
- iii. Profiling in furtherance of solely automated decisions that produce legal or similarly significant effects concerning you.

B. Our Duties

1. The DPDPA requires that we provide you with the following information.

i. Representations:

- We limit the collection of personal data to what is adequate, relevant, and reasonably necessary in relation to the purposes for which such data is processed.
- We do not process personal data for purposes that are neither reasonably necessary to, nor compatible with, the disclosed purposes for which such personal data is processed, unless we obtain your consent.
- We have established, implemented, and maintain reasonable administrative, technical, and physical data security practices to protect the confidentiality, integrity, and accessibility of personal data appropriate for the volume and nature of the personal data at issue.
- We do not process sensitive personal data without first obtaining your consent.
- We do not process personal data in violation of the laws of Delaware or federal laws that prohibit unlawful discrimination.
- We will not sell your personal data. Nor will we process your personal data for the purpose of targeted advertising. We will not engage in profiling in the processing of personal data. If in the future, we anticipate selling your personal data or processing your personal data for purposes of targeted advertising or profiling, we will provide you with the opt-out rights pursuant to the DPDPA.
- We will not discriminate against you for exercising any of your rights as set forth in this Notice.

ii. Categories of personal data processed by us:

- Personal identifying information, like name, address and account number, as well as other identifying information, which we obtain from the consumer's creditor, credit reports and other skip trace tools, and the consumer;
- Characteristics such as age, gender, etc., which we obtain from the consumer's creditor and consumer's credit report;
- Retail information, which we obtain from the consumer's creditor and the consumer's credit report;
- Commercial information, including records of personal property;
- Internet activity regarding online payments and account updates, which we collect if the consumer visits our website or payment portal;
- Geolocation data, which we obtain from process servers;
- Recordings, which are made when the consumer has a telephone conversation with us;

- Professional and employment related information, which we obtain from the consumer's creditor, credit reporting agencies, the consumer, and other skip trace sources; and
 - Educational information, which we obtain from the consumer's creditor, credit reporting agencies, the consumer, and other skip trace sources.
- iii. Purpose of processing personal data:
- Helping to ensure security and integrity to the extent the use of personal data is reasonably necessary and proportionate for these purposes;
 - Debugging to identify and repair errors that impair existing intended functionality;
 - Short-term, transient use, including, but not limited to, non-personalized advertising shown as part of consumer's current interaction with the business, provided that the consumer's personal data is not disclosed to another third party and is not used to build a profile about the consumer or otherwise alter the consumer's experience outside the current interaction with us.
 - Performing services on our behalf of the business, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services on behalf of the business.
 - Undertaking internal research for technological development and demonstration.
 - Undertaking activities to verify or maintain the quality or safety of a service or device that is owned, manufactured, manufactured for, or controlled by the business, and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufacture for, or controlled by the business.
 - Other business or business operational purposes as follows:
 - Debt collection.
 - To fulfill or meet the reason for which the information is provided. For example, if you provide us with personal data in order for us to process a payment, we will use that information to process said payment.
 - To provide you with information or services that you request from us.
 - To provide you with email or text alerts and other notices concerning our services.
 - To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for collections.
 - To carry out our obligations and enforce our rights arising from any contracts entered into between you and our clients, including for collections.

- To improve our website and present its contents to you.
 - For testing, research, analysis and service development.
 - As necessary or appropriate to protect the rights, property or safety of us, our clients or others.
 - To respond to law enforcement requests and as required by applicable law, court order, governmental regulations, or comply with a court order or subpoena to provide information.
 - As described to you when collecting your personal data or as otherwise set forth in the Delaware collection laws.
- iv. How you may exercise your rights, including the process by which you may appeal our decision with regard to your request:
- When you exercise your rights, we will use commercially reasonable methods for authenticating the identity of the person submitting a request to exercise rights.
 - When you exercise your rights, we will respond without undue delay, which may not be later than 45 days after the date of the receipt of the request. We may extend the response period once by an additional 45 days when reasonably necessary, taking into account the complexity and number of the consumer's request, so long as we inform you of the extension within the initial 45 day response period, together with the reason for the extension.
 - If we cannot take action regarding your request, we must inform you without undue delay, which may not be later than 45 days after the date of receipt of the request, of the justification for the inability to take action on the request and provide instructions on how to appeal the decision.
 - We have established an appeal process by which you may appeal any refusal of ours to take action on a request. We will inform you in writing of any action taken or not taken in response to an appeal within 60 days after the date of receipt of the appeal, including a written explanation of the reason or reasons for the decision.
- v. Categories of personal data that we share with third parties:
- Personal identifying information
 - Characteristic information
 - Retail information
 - Professional or employment related information
- vi. Categories of third parties with which we share personal data:
- Service providers and contractors.
 - Third parties to whom you or your agents authorize us to disclose your personal information in connection with products or services we provide to you.

- vii. Description of the methods by which consumers can submit requests to exercise their consumer rights:
 - Submission: To exercise the access, deletion, correction or appeal rights described above, please submit a verifiable consumer request to us by submitting the submission form located at: www.rauschsturm.com/request-DE.

C. Limitations

The above rights and duties may be limited if any of the following apply:

1. We are both a controller and a processor as those terms are defined by the DPDPA. A processor that is a controller shall comply with the DPDPA with regard to any personal data that it collects or maintains outside of its role as a processor. Most of the personal data that we collect or maintain is done in context of our role as a processor. If we deny your verified request pursuant to this notice because all of the information collected or maintained about you has been pursuant to our role as a processor, we will provide you with the contact information of the business on whose behalf we collect or maintain the information.
2. The DPDPA does not apply to:
 - i. Protected health information under HIPAA.
 - ii. Health records.
 - iii. Patient identifying information for purposes of 42 USC § 290dd-2.
 - iv. Identifiable private information, as defined in 45 CFR §46.102, to the extent that it is used for the purposes of the federal policy for the protection of human subjects pursuant to 45 CFR 46.
 - v. Individual private information to the extent it is collected and used as part of human subjects research pursuant to the ICH E6 Good Clinical Practice Guideline issued by the International Council for Harmonization of Technical Requirements for Pharmaceuticals for Human Use for the protection of human subjects under 21 CFR 50 and 56.
 - vi. Patient safety product, as defined in 42 CFR 3.20, that is created and used for purposes of patient safety improvement pursuant to 42 CFR 3, established pursuant to 42 USC § 299b-21 TO 299-b-26.
 - vii. Information to the extent it is used for public health, community health, or population health activities and purposes, as authorized by HIPAA when Provided by or to a covered entity or when provided by or to business associate pursuant to a business associate agreement with a covered entity.
 - viii. The collection, maintenance, disclosure, sale, communication, or use of any personal information bearing on a consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living by a consumer reporting agency, furniture, or user that provides

information for use in consumer report, and buy a user of a consumer report, but only to the extent that such activity is regulated by and authorized under the federal Fair Credit Reporting Act (15 USC § 1681, et seq., as amended).

- ix. Personal data collected, processed, sold, or disclosed in compliance with the Drivers Privacy Protection Act of 1994, 18 USC §2721, et seq., as amended.
 - x. Personal data regulated by the Family Rights and Privacy Act, 20 USC §1232f, et seq., as amended.
 - xi. Personal data collected, processed, sold, disclosed in compliance with the Farm Credit Act, 12 USC § 2001, et seq., as amended.
 - xii. Data processed or maintained in any of the following ways:
 - In the course of an individual applying to, employed by, or acting as an agent or independent contractor of a controller, processor, or third party, to the extent that data is collected and used within the context of that role.
 - As the emergency contact information of an individual used for emergency contact purposes.
 - Necessary to retain to administer benefits for another individual relating to the individual who is effective the information under this section used for the purposes of administering such benefits period
 - xiii. Personal data collected, process, hold, or disclosed in relation to price, route, or service, as such terms are used in the Airline Deregulation Act, 49 USC § 40101, et seq., as amended, by an air carrier subject to said act, to the extent any part of this charter is preempted by the Airline Deregulation Act, 49 USC section 41713, as amended.
 - xiv. Personal of a victim of or witness to child abuse, domestic violence, human trafficking, sexual assault, violent felony, or stalking that is collected, processed, or maintained by a nonprofit organization that provides services to victims of or witnesses to child abuse, domestic violence, human trafficking, sexual assault, violent felony, or stalking.
 - xv. Data subject to Title V of the Gramm Leach Bliley Act, (15 USC section 6801, et seq., as amended) and the rules and regulations promulgated thereunder.
 - xvi. Processing of personal data in the course of purely personal or household activities.
3. Compliance would restrict our ability to:
- i. comply with a federal, state, or local law, rule, or regulation;
 - ii. comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by a federal, state, local, or other governmental entity;
 - iii. cooperate with law enforcement agencies concerning conduct or activity that we reasonably and in good faith believe may violate federal, state, or local laws, rules or regulations.

- iv. investigate, establish, exercise, prepare for, or defend a legal claim;
 - v. provide a product or service specifically requested by a consumer;
 - vi. perform a contract to which the consumer is a party, including fulfilling the terms of a written warranty;
 - vii. take steps at the request of the consumer before entering into a contract;
 - viii. take immediate steps to protect an interest that is essential for the life or physical safety of the consumer or of another individual and in which the processing cannot be manifestly based on another legal basis;
 - ix. prevent, detect, protect against, or respond to security incidents, identity theft, fraud, harassment, malicious or deceptive activities, or any illegal activity;
 - x. Preserve the integrity or security of systems or investigate, report, or prosecute those responsible for breaches of system security;
 - xi. assist another controller, processor or third party in complying with the requirements of the with an obligation of DPDPA;
4. Compliance would adversely affects the right rights or freedoms of any person, including the right of free speech;
5. Compliance would prevent us from providing personal data concerning a consumer to a person covered by an evidentiary privilege under the laws of this state as part of a privileged communication.
6. Compliance would restrict our ability to collect, use, or retain data to do any of the following:
 - i. conduct internal research to develop, improve, or repair products, services, or technology;
 - ii. effect a product recall;
 - iii. identify and repair technical errors that impair existing or intended functionality;
 - iv. perform internal operations that are:
 - reasonably aligned with the expectations of the consumer
 - reasonably anticipated based on the consumers existing relationship with the controller.
 - otherwise compatible with processing data in furtherance of the provision of a product or service specifically requested by a consumer or the performance of a contract to which the consumer is a party.
7. Compliance would violate an evidentiary privilege under the laws of this state.
8. We are unable to authenticate a request made under the DPDPA using commercially reasonable efforts.
9. Compliance would require us to do any of the following:
 - i. reidentify deidentified data or pseudonymous data;

- ii. maintain data in identifiable form or obtain, retain, or access any data or technology for the purpose of allowing the controller or processor to associate a consumer request with personal data; or
 - iii. comply with an authenticated consumer request to exercise a right if: (i) (A) the controller is not reasonably capable of associating the request with the personal data; or (B) it would be unreasonably burdensome for the controller to associate the request with the personal data; (ii) the controller does not: (A) use the personal data to recognize or respond to the consumer who is the subject of the personal data; or (B) associate the personal data with other personal data about the consumer; and (iii) the controller does not sell or otherwise disclose the personal data to any third party other than a processor, except as otherwise permitted in this section.
10. The information is pseudonymous data and the controller demonstrates that any information necessary to identify a consumer is kept: (a) separately; and (b) subject to appropriate technical and organizational measures to ensure the personal data are not attributed to an identified individual or an identifiable individual.
11. The information is pseudonymous data or deidentified data and the controller takes reasonable steps to ensure that it: (a) complies with any contractual obligations to which the pseudonymous data or deidentified data are subject; and (b) promptly addresses any breach of a contractual obligation.

D. Changes To Our Privacy Notice

This Notice was last updated on 01-01-2025. We reserve the right to amend this Notice at our discretion and at any time. When we make changes to this Notice, we will notify you by updating the “last updated” date on this notice.

This communication is from a debt collector.