

Effective Date: 01-01-2025

PRIVACY NOTICE

PURSUANT TO THE NEBRASKA DATA PRIVACY ACT

This Nebraska privacy notice (“Notice”) pursuant to the Nebraska Data Privacy Act, Nebraska Revised Statutes § 87-110 et seq., (“NDPA”), 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 Nebraska (“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 NDPA. Any terms defined in the NDPA 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 NDPA 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.

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:**

If the data is available in a digital format and the processing is completed by automated means, you have the right to obtain a copy of your personal data that you previously provided to 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.

5. **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 decisions that produce legal or similarly significant effects concerning you.

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 NDPA.

B. Our Duties

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

i. Representations:

- We will limit the collection of personal data to what is adequate, relevant, and reasonably necessary in relation to the purposes for which that personal data is processed, as disclosed to the consumer; and
- For purposes of protecting the confidentiality, integrity, and accessibility of personal data, we will establish, implement, and maintain reasonable administrative, technical, and physical data security practices that are appropriate to the volume and nature of the personal data at issue.
- We will not: (a) Except as otherwise provided in the Data Privacy Act, process personal data for a purpose that is neither reasonably necessary to nor compatible with the disclosed purpose for which the personal data is processed, as disclosed to the consumer, unless the controller obtains the consumer's consent; (b) Process personal data in violation of state and federal laws that prohibit unlawful discrimination against consumers; (c) Discriminate against a consumer for exercising any of the consumer rights contained in the Data Privacy Act, including by denying a good or service, charging a different price or rate for a good or service, or providing a different level of quality of a good or service to the consumer; or (d) Process the sensitive data of a consumer without obtaining the consumer's consent, or, in the case of processing the sensitive data of a known child, without processing that data in accordance with the federal Children's Online Privacy Protection Act of 1998, 15 U.S.C. 6501 et seq., as such act existed on January 1, 2024.

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 Nebraska 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 to the Attorney General.
- 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 rights described above, please submit a verifiable consumer request to us by either:
 - Calling us at 855-517-6279
 - Submitting the submission form located at: www.rauschsturm.com/request-NE.

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 NDPA. A processor that is a controller shall comply with the NDPA 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 NDPA does not apply to:
 - i. State agency or political subdivision of this state;
 - ii. Financial institution, affiliate of a financial institution, or data subject to Title V of the Gramm-Leach-Bliley Act, 15 U.S.C. 6801 et seq., as such title existed on January 1, 2024;
 - iii. Covered entity or business associate governed by the privacy, security, and breach notification rules issued by the United States Department of Health and Human Services, 45 C.F.R. parts 160 and 164, as such parts existed on January 1, 2024, and Division A, Title XIII, and Division B, Title IV, of the federal Health Information Technology for Economic and Clinical Health Act, Public Law No. 111-5, as such act existed on January 1, 2024;
 - iv. Nonprofit organization;
 - v. Institution of higher education;
 - vi. Electric supplier or supplier of electricity as defined in section 70-1001.01;
 - vii. Natural gas public utility as defined in section 66-1802;
 - viii. Natural gas utility owned or operated by a city or a metropolitan
 - ix. utilities district.
 - x. Protected health information under the Health Insurance Portability and Accountability Act;
 - xi. Health records;
 - xii. Patient identifying information for purposes of 42 U.S.C. 290dd-2, as such section existed on January 1, 2024;
 - xiii. Identifiable private information: (a) For purposes of the federal policy for the protection of human subjects under 45 C.F.R. part 46, as such part existed on January 1, 2024; (b) Collected as part of human subjects research under the

- good clinical practice guidelines issued by the International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use, as such guidelines existed on January 1, 2024, or of the protection of human subjects under 21 C.F.R. parts 50 and 56, as such parts existed on January 1, 2024; or (c) That is personal data used or shared in research conducted pursuant to the Data Privacy Act or other research conducted in accordance with applicable Nebraska law;
- xiv. Information and documents created for purposes of the federal Health Care Quality Improvement Act of 1986, 42 U.S.C. 11101 et seq., as such act existed on January 1, 2024;
 - xv. Patient safety work product for purposes of the federal Patient Safety and Quality Improvement Act of 2005, 42 U.S.C. 299b-21 et seq., as such act existed on January 1, 2024;
 - xvi. Information derived from any of the health care-related information listed in this section that is deidentified in accordance with the requirements for deidentification under the Health Insurance Portability and Accountability Act;
 - xvii. Information originating from, and intermingled to be indistinguishable with, or information treated in the same manner as, information exempt under this section that is maintained by a covered entity or business associate as defined by the Health Insurance Portability and Accountability Act or by a program or a qualified service organization as defined by 42 U.S.C. 290dd-2, as such section existed on January 1, 2024;
 - xviii. Information that is included in a limited data set as described by 45 C.F.R. 164.514(e), to the extent that the information is used, disclosed, and maintained in the manner specified by 45 C.F.R. 164.514(e), as such regulation existed on January 1, 2024;
 - xix. Information collected or used only for public health activities and purposes as authorized by the Health Insurance Portability and Accountability Act;
 - xx. The collection, maintenance, disclosure, sale, communication, or use of any personal information bearing on a consumer's creditworthiness, credit standing, credit capacity, character, general reputation, personal characteristics, or mode of living by a consumer reporting agency or furnisher that provides information for use in a consumer report, and by a user of a consumer report, but only to the extent that the activity is regulated by and authorized under the federal Fair Credit Reporting Act, 15 U.S.C. 1681 et seq., as such act existed on January 1, 2024;
 - xxi. Personal data collected, processed, sold, or disclosed in compliance with the federal Driver's Privacy Protection Act of 1994, 18 U.S.C. 2721 et seq., as such act existed on January 1, 2024;

- xxii. Personal data regulated by the federal Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g, as such act existed on January 1, 2024;
 - xxiii. Personal data collected, processed, sold, or disclosed in compliance with the federal Farm Credit Act of 1971, 12 U.S.C. 2001 et seq., as such act existed on January 1, 2024;
 - xxiv. Data processed or maintained in the course of an individual applying to, being employed by, or acting as an agent or independent contractor of a controller, processor, or third party, to the extent that the data is collected and used within the context of that role;
 - xxv. Data processed or maintained as the emergency contact information of an individual under the Data Privacy Act that is used for emergency contact purposes;
 - xxvi. Data that is processed or maintained and is necessary to retain to administer benefits for another individual that relates to an individual described by subdivision (15) of this section and used for the purposes of administering such benefits.
 - xxvii. The processing of personal data by a person in the course of a purely personal or household activity.
3. Compliance would restrict our ability to:
- i. Comply with federal, state, or local laws, rules, or regulations;
 - ii. Comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, local, or other governmental authorities;
 - iii. Cooperate with any law enforcement agency concerning conduct or activity that the controller or processor reasonably and in good faith believes may violate any federal, state, or local law, rule, or regulation;
 - iv. Investigate, establish, exercise, prepare for, or defend legal claims;
 - v. Provide a product or service specifically requested by a consumer or the parent or guardian of a child, perform a contract to which the consumer is a party, including fulfilling the terms of a written warranty, or take action at the request of the consumer before entering into a contract;
 - vi. Take immediate action 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;
 - vii. Prevent, detect, protect against, or respond to security incidents, identity theft, fraud, harassment, malicious or deceptive activities, or any illegal activity;
 - viii. Preserve the integrity or security of systems or investigate, report, or prosecute those responsible for breaches of system security;
 - ix. Engage in public or peer-reviewed scientific or statistical research in the public interest that adheres to all other applicable ethics and privacy laws and is approved, monitored, and governed by an institutional review board or similar

- independent oversight entity that determines: (i) If the deletion of the information is likely to provide substantial benefits that do not exclusively accrue to the controller; (ii) Whether the expected benefits of the research outweigh the privacy risks; and (iii) If the controller has implemented reasonable safeguards to mitigate privacy risks associated with research, including any risks associated with reidentification; or
- x. Assist another controller, processor, or third party with any of the NDPA requirements.
4. Compliance would adversely affects the right rights or freedoms of any person, including the right of free speech;
 5. 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.
 6. Compliance would violate an evidentiary privilege under the laws of this state.
 7. We are unable to authenticate a request made under the NDPA using commercially reasonable efforts.
 8. 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.

9. 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.
10. 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.