

Effective Date: 01-15-2025

PRIVACY NOTICE

PURSUANT TO THE NEW JERSEY DATA PRIVACY LAW

This New Jersey privacy notice (“Notice”) pursuant to the New Jersey Data Privacy Law, New Jersey Revised Statutes Title 56 et seq., (“NJDPL”), 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 New Jersey (“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 NJDPL. Any terms defined in the NJDPL 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 NJDPL 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 concerning 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, provided we shall not be required to reveal any trade secret.

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 solely automated 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 NJDPL.

B. Our Duties

1. The NJDPL 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 such data is processed, as disclosed to the consumer;
- Except as otherwise provided in P.L.2023, c.266 (C.56:8-166.4 et seq.), we will not process personal data for purposes that are neither reasonably necessary to, nor compatible with, the purposes for which such personal data is processed, as disclosed to the consumer, unless the
- controller obtains the consumer's consent;
- We have taken reasonable measures to establish, implement, and maintain administrative, technical, and physical data security practices to protect the confidentiality, integrity, and accessibility of personal data and to secure personal data during both storage and use from unauthorized acquisition. The data security practices shall be appropriate to the volume and nature of the personal data at issue;
- We will not process sensitive data concerning a consumer without first obtaining the consumer's consent, or, in the case of the processing of personal data concerning a known child, without processing such data in accordance with COPPA;
- We do not process personal data in violation of the laws of this State and federal laws that prohibit unlawful discrimination against consumers.

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 New Jersey 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 45 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: <http://www.rauschsturm.com/request-NJ>.

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 NJDPL. A processor that is a controller shall comply with the NJDPL 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 NJDPL does not apply to:
 - i. protected health information collected by a covered entity or business associate subject to the privacy, security, and breach notification rules issued by the United States Department of Health and Human Services, Parts 160 and 164 of Title 45 of the Code of Federal Regulations, established pursuant to the "Health Insurance Portability and Accountability Act of 1996," Pub.L.104-191, and the "Health Information Technology for Economic and Clinical Health Act," 42 U.S.C. s.17921 et seq.;
 - ii. a financial institution, data, or an affiliate of a financial institution that is subject to Title V of the federal "Gramm-Leach-Bliley Act," 15 U.S.C. s.6801 et seq., and the rules and implementing regulations promulgated thereunder;
 - iii. the secondary market institutions identified in 15 U.S.C. s.6809(3)(D) and C.F.R. s.1016.3(l)(3)(iii);
 - iv. an insurance institution subject to P.L.1985, c.179 (C.17:23A-1 et seq.);
 - v. the sale of a consumer's personal data by the New Jersey Motor Vehicle Commission that is permitted by the federal "Drivers' Privacy Protection Act of 1994," 18 U.S.C. s.2721 et seq.;
 - vi. personal data collected, processed, sold, or disclosed by a consumer reporting agency, as defined in 15 U.S.C. s.1681a(f), if the collection, processing, sale, or disclosure of the personal data is limited, governed, and collected,

maintained, disclosed, sold, communicated, or used only as authorized by the federal “Fair Credit Reporting Act,” 15 U.S.C. s.1681 et seq., and implementing regulations;

- vii. any State agency as defined in section 2 of P.L.1971, c.182 (C.52:13D-13), any political subdivision, and any division, board, bureau, office, commission, or other instrumentality created by a political subdivision; or
 - viii. personal data that is collected, processed, or disclosed, as part of research conducted in accordance with the Federal Policy for the protection of human subjects pursuant to 45 C.F.R. Part 46 or the protection of human subjects pursuant to 21 C.F.R. Parts 50 and 56.
3. Compliance would restrict our ability to:
- i. comply with federal or State law or regulations;
 - ii. comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, State, municipal, or other governmental authorities;
 - iii. cooperate with law enforcement agencies concerning conduct or activity that the controller or processor reasonably and in good faith believes may violate federal, State, or municipal ordinances or regulations;
 - iv. investigate, establish, exercise, prepare for, or defend legal claims;
 - v. provide a product or service specifically requested by a consumer;
 - vi. perform under a contract to which a consumer is a party, including fulfilling the terms of a written warranty;
 - vii. take steps at the request of a consumer prior to 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 another individual, and where 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, preserve the integrity or security of systems, or investigate, report, or prosecute those responsible for any such action;
 - x. 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 that determines, or similar independent oversight entities that determine (a) whether the deletion of the information is likely to provide substantial benefits that do not exclusively accrue to the controller, (b) the expected benefits of the research outweigh the privacy risks, and (c) whether the controller has implemented reasonable safeguards to mitigate privacy risks associated with research, including any risks associated with re-identification;
 - xi. assist another controller, processor, or third party with any of the obligations under P.L.2023, c.266 (C.56:8-166.4 et seq.); or

- xii. personal data for reasons of public interest in the area of public health, community health, or population health, but solely to the extent that such processing is (a) subject to suitable and specific measures to safeguard the rights of the consumer whose personal data is being processed, and (b) under the responsibility of a professional subject to confidentiality obligations under federal, State, or local law.
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 NJDPL using commercially reasonable efforts.
9. Compliance would require us to do any of the following:
 - i. reidentify deidentified data or pseudonymous data;
 - ii. collect, retain, use, link, or combine personal data concerning a consumer that it would not otherwise collect, retain, use, link, or combine in the ordinary course of business

D. Changes To Our Privacy Notice

This Notice was last updated on 01-15-2025. 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.