

Evergreen Bank Group California Consumer Privacy Act Notice

Evergreen Bank Group, FreedomRoad Financial, and Performance Finance, are divisions of Old Second National Bank

Effective as of October 1, 2021.

In the course of providing services to its customers, Evergreen Bank Group (the “Bank”, “us”, “we”) collects certain information and data for a number of purposes. This California Consumer Privacy Act Notice (this “Notice”) applies solely to customers of the Bank that are residents of the State of California (“Consumers”, “you”) and states the Bank’s policy in complying with the California Consumer Privacy Act (the “Act” or “CCPA”). The Bank reserves any right to limit any rights of California Consumers not expressly required by the Act or other applicable law.

The Act provides certain rights to California Consumers with respect to the collection, use, transfer and processing of their personal information (as more fully described below, “Personal Information”). If you are a California Consumer, you should review this Notice carefully as it contains information regarding your rights under the Act.

1. Personal Information We Collect.

The Bank collects several categories of Personal Information from Consumers when they enter into an agreement with the Bank, receive services from the Bank, access the Bank’s website or mobile application or otherwise interact with the Bank. The following categories of Personal Information are collected by the Bank from Consumers. While the Bank collects some information from Consumers in each of the below categories, not all of the example information is collected from all Consumers. The term “Personal Information” as used in this Notice is intended to be limited to that information described in the Act and excludes any exceptions thereto. The Bank collects information in the following categories:

- **Personal Identifiers** – Information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked directly or indirectly, with a particular Consumer or household, such as name, address, email address, social security number, telephone number or other similar unique identifiers.
- **Personal Records** – Person specific information and records, such as date of birth, marital status, gender, account number, credit bureau report/information, credit or debit card information, bank account information, health information and other personally identifying financial information.
- **Protected Class Characteristics** – Information regarding Consumers for protected class identification. Possible information includes age, race, color, ancestry, national origin, gender, religion, disability, sexual orientation or other protected class characteristics.
- **Commercial Information** – Information regarding financial matters of a Consumer, such as account numbers, account information, personal and real property records, transaction history, payment history, credit history, products or services purchased, obtained, or considered, and other commercial information.

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- Biometric Information – Personal biometric information that can be used to establish a Consumer's identity, including information such as voicemails or recordings of interactions with the Bank's customer service representatives.
- Internet Usage Information – Information generated based upon your use of the internet, such as browsing history, internet protocol (IP) address, cookies or other information that identifies your interaction with the internet.
- Geolocation Data – Information that identifies your physical location.
- Professional or Employment Information – Information regarding current or past job history.
- Non-public Education Information – Information regarding your educational history.
- Inferences from Information Gathered – Includes any information created or determined from one or more elements of the foregoing Personal Information we gather.

2. Sources from which Personal Information is Collected.

We collect Personal Information from you directly when you open an account with us, apply for services or otherwise provide us with information. We also collect information from you from your interaction with our website, including the websites of our divisions FreedomRoad Financial and Performance Finance. Finally, we may receive your Personal Information from certain third-party service providers, such as credit bureaus.

3. Purposes for which We Collect Your Personal Information.

As a financial institution it is necessary for us to collect your Personal Information for a number of purposes, including:

- To evaluate applications or other requests from you for services.
- To confirm your identity, financial information, location and other information about you.
- To provide you with information regarding the services that we provide, changes or updates to products, new features and information regarding our or third-party products.
- To provide customer support and other communications to you.
- To provide you with the services that you request from us, to fulfill our obligations under contracts or agreements that we enter into with you and to satisfy our obligations related to any loan, deposit or other account that you have with us.
- To maintain and improve our websites.
- To respond to, or to comply with, applicable law and respond to subpoenas or requests from law enforcement, court orders or governmental regulations.
- To prevent fraud or other possible illegal activity.
- To preserve or defend our legal rights.
- As described in our privacy policy, to provide our third-party relationships with information to facilitate transactions for you or to provide you with goods or services.

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- To conduct research and analysis of our business and products and services.
- As described to you when collecting your Personal Information or as otherwise set forth in the CCPA.

We reserve the right to utilize your Personal Information for any purposes permitted by applicable law. We also may de-identify information of Consumers for research and other purposes and to aggregate such information.

4. **Sharing and Sale of Personal Information**

In conducting our business and providing you with products and services, we may share your Personal Information with third-parties in certain circumstances, including with service providers, vendors, business partners, governmental authorities and law enforcement. Our third-party relationships may use your Personal Information for some or all of the purposes described above, including to advertise goods, products and services to you. The categories of Personal Information that we may share with these third- parties include all of the categories identified in Section 1 of this Notice. It is not possible for Consumers to opt out of all sharing of information as explained in our Privacy Policy.

It is currently not our policy to sell the Personal Information of Consumers. We have not sold the Personal Information of Consumers in the preceding twelve months. We have not sold the Personal Information of minors in the past twelve months. Under the CCPA, a sale of information means the disclosure of Personal Information to another business or a third-party for monetary or other valuable consideration. Although the CCPA does not require businesses that do not sell information to provide Consumers with the option to opt out, we are permitting Consumers to exercise such a right. If you would like to opt out of the sale of your information, you can submit a request by clicking the Make a Request button in Section 6 of this Notice.

5. **Your Rights Under the CCPA**

The CCPA provides Consumers with rights with respect to the collection and use of their Personal Information in certain circumstances. You may submit requests to us regarding these rights as described in this Section 5. In certain circumstances, as provided in the CCPA, an authorized agent of yours may submit requests on your behalf. In order to process your (or your agent's request), we may need to verify your identity. We will make commercially reasonable efforts to identify your Personal Information and to process any request that you make or that is made on your behalf. Unless your request is repetitive, abusive or unreasonable, there will be no charge for us to respond to your request.

- **Right to Know:** You have the right to send us a request, no more than twice in a twelve-month period, for any of the following for the period that is twelve months prior to the request date:
 - The categories of Personal Information that we have collected about you.
 - The categories of sources from which Personal Information are collected.
 - The business or commercial purposes for our collecting or selling your Personal Information.
 - The categories of third parties with whom we have shared your Personal Information.
 - The specific pieces of Personal Information we have collected about you.
 - A list of the categories of Personal Information disclosed for a business purpose in

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- the prior twelve months, or that no disclosure occurred.
 - A list of the categories of Personal Information sold about you in the prior twelve months, or that no sale occurred. If we sold your Personal Information, we will explain the categories of your Personal Information we have sold and the categories of third parties to which we sold Personal Information. As explained in Section 4 of this Notice, we do not currently sell Consumer Personal Information.
- **Right to Request Deletion:** You have the right to request that we delete any of the Personal Information that we have collected about you and retained, subject to certain exceptions. Unless subject to an exception, once we receive and confirm your verifiable request, we will delete (and direct our service providers to delete) your Personal Information wherever it exists. Among the possible exceptions to our obligation to delete your Personal Information is information collected pursuant to the Gramm-Leach-Bliley Act ("GLBA"). Personal Information collected pursuant to the GLBA is any information collected in order to permit us to provide you with products and services. Additional exceptions may exist under the CCPA or other applicable law.
- **Right to Opt Out of the Sale of Personal Information:** As described in Section 4 of this Notice, we do not sell Consumer Personal Information. However, we are permitting Consumers to request that their Personal Information not be sold. If you would like to opt out of the sale of your information, you can submit a request by clicking the Make a Request button in Section 6 of this Notice.
- **Right to Non-Discrimination:** We will not discriminate against you for exercising any of your CCPA rights.

6. Making a Request

You may make a request to exercise any of the rights described in Section 5 of this Notice in a number of ways. We reserve the right to receive sufficient information from you in order to verify your identity and to process your request. If we are unable to verify your identity, we will be unable to process your request. Making a request does not obligate you to open an account with us.

If you submit a request, we will provide you a response with 45 days of the submission of your request. We may extend this period for an additional 45 days by notifying you within the first 45-day period.

You may make a request by calling us at 630-413-9580 and asking to speak with our Compliance Department. You may make a request in writing by emailing us at compliance@evergreenbankgroup.com or by sending a written request by mail to: Evergreen Bank Group, Attn: Compliance Department, 1515 West 22nd Street, Suite 100W, Oak Brook, Illinois 60523. If you contact us by one of the foregoing methods, we will contact you within the time period required under the CCPA to verify your identity.

You may also make a request below by providing the required information:

<https://www.evergreenbankgroup.com/applications/ccpa/customer-rights-personal-information-form.html>

7. Miscellaneous

If you have any questions about this Notice, our Privacy Policy, the ways in which we collect and use your

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personal information, or our compliance with the CCPA, you may contact us by using one of the methods described in Section 6 of this Notice. We reserve the right to amend this Notice at our discretion and at any time.

You may review our report on annual metrics as required by the CCPA at the following link.

<https://cdn.firstbranchcms.com/kcms-doc/244/74767/CCPA-Analytics.pdf>