

## Online Privacy Policy

Please read this Privacy Policy before using our Services (defined below). It explains how Pacific Western Bank and its legal affiliates (“Company”, “we” or “us”) collect, share, use, and protect personal information and data we receive through our business activities, website, mobile applications, and other online services and communication channels, including via email, telephone, or our branches (collectively, the “Services”). “You” and “your” refer to any person who accesses or uses the Services. By using the Services, you agree to be bound and abide by our Terms of Use and Online Privacy Policy in effect at the time of use. Do not access or use the Services if you do not agree with these terms.

**Please keep in mind that if you have a financial product or service with us, we will also use and share any information that we collect from or about you consistent with our Consumer Privacy Notice posted [here](#), which offers you certain choices with respect to the use and sharing of your personal information. The Consumer Privacy Notice shall supersede this Online Privacy Policy in the event of any conflict.**

We may change this Online Privacy Policy from time to time. When we do, we will let you know by appropriate means such as by posting the revised policy on this page with a new “effective date” date at the bottom of this Online Privacy Policy. Any changes to this Online Privacy Policy will become effective when posted unless indicated otherwise.

By using the Services, you represent and warrant that you are of legal age to form a binding contract with Company and meet all of the eligibility requirements in these terms. The Services are intended only for individuals who are at least 13 years old and we do not knowingly collect personal information from children under 13 without parental consent.

### **1. CATEGORIES OF INFORMATION WE COLLECT**

We may collect the following categories of information from you while using our Services and where we believe it is reasonably required for ordinary business purposes:

- a. Personal information you voluntarily provide: This includes a username and password, contact information (such as name, email address, mailing address, telephone number) and financial account information. We may also collect payment card information, social security numbers, and driver’s license numbers (or comparable) that you provide where we believe it is reasonably required for ordinary business purposes such as user authentication. We also receive information you may provide through the Services (e.g., feedback, inquiries, etc.) and communications between you and us, such as emails or messages regarding the Services.
- b. Transactional information associated with banking and other financial services we provide to you: This includes information relating to account management, deposits, withdrawals and other financing and lending activities.
- c. Information received from third parties: We may receive personal information about you from additional online and offline sources and third parties (e.g., credit reporting agencies) to supplement the information we receive from you.

- d. **Mobile Activity:** When you use our mobile application or otherwise use a mobile device to connect to our Services, we may collect a unique device identifier or other device information to provide the Services and/or functionality. Certain Services may require your mobile phone number, which we may associate with your account and device. We may also collect, use and store information about your location (e.g., GPS and cell tower information). Your personal information and mobile device information (e.g., location and device identifier) may be used for security and user authentication purposes.

All of the above information is collectively referred to as “Customer Banking Activities.”

We also collect certain information referred to as “Online User Activity.” We use third-party analytics tools to help us measure traffic, usage, and other trends by your use of our Services. These tools may capture the IP address of the device you use to connect to the online service, metadata, log files, the type of operating system and browser you use, and information about the site you came from, the parts of our Services you access, and the site you visit next, to help assist us in improving your online experience. We may also use third-party cookies, web beacons or other similar technologies to collect and store other information about your visit to, or use of, our Services. If you do not want information collected through the use of cookies, most browsers allow you to reject cookies, although it can impact your ability to use the functionality or features provided by the Services. *You may also turn off the tracking cookies used on our website at the link provided in Section 5 below.*

If you provide us with information regarding one or more other individual(s), you represent that you have their consent to give us their information and to permit us to use their information in accordance with this Online Privacy Policy.

If you are a job applicant submitting personal information to us in connection with an application for employment, you will be provided with a privacy notice regarding how we handle such information as part of the application process.

## **2. HOW WE USE YOUR INFORMATION**

We use the personal information and other information referenced above for the following purposes:

- Process account applications and transactions, and facilitate other account activities;
- Verify your identity (such as when you access account information or conduct transactions) and enhance our online security measures and prevent fraud;
- Help you efficiently access and manage your information and preferences;
- Provide you with customer support;
- Operate and improve our business and operations, including internal administration, auditing and troubleshooting for our Services;
- Provide personalized content and information, which could include customized services for you, or offers of various products or services that you may be interested in;
- Monitor metrics such as total number of visitors, traffic, and demographic patterns; and

- Provide, improve, test, and monitor the effectiveness of the Services, diagnose and fix technology issues, and develop and test new products and features.

We may also use information we collect as we believe to be necessary or appropriate for certain essential purposes, including:

- To comply with and enforce applicable legal requirements, relevant industry standards, contractual obligations and our company policies;
- To detect, prevent, or investigate fraud, suspicious or other illegal activities;
- To enforce our Terms of Use;
- To protect our rights, privacy, safety or property, operations, security and/or that of our affiliates, business partners, you or others; and
- To allow us to pursue available remedies or limit the damages that we may sustain.

We may aggregate data we collect on an anonymous basis that does not identify you for any purpose otherwise allowed by applicable law, such as for research, analysis, modeling, marketing, and advertising, as well as improvement of our Services.

### **3. SHARING OF YOUR INFORMATION**

We do not disclose your personal information to third parties without your consent, except in the following circumstances:

- Our legal affiliates;
- Our third party service providers that we believe need the information to perform a technology, business, professional, or insurance function for us (e.g., IT services, maintenance and hosting of our website, payment processors), but we only provide information so these individuals or entities can perform their required functions on our behalf;
- Third parties or affiliates in connection with a corporate transaction, such as a sale, consolidation or merger of Company's businesses;
- Consumer reporting agencies;
- To comply with legal requirements, including, but not limited to, regulatory, court, and law enforcement demands (e.g., subpoenas, court orders, etc.);
- To address fraud, security or technical issues; and
- To respond to an emergency or otherwise to protect the rights, property or security of our company, customers or third parties.

Where appropriate, we will limit sharing of your information in accordance with the choices you have provided us in response to our Consumer Privacy Notice and applicable law.

### **4. HOW WE STORE YOUR INFORMATION**

By registering for and using the Services you consent to the transfer and use of your personal information anywhere where the Services or our service providers maintain facilities, consistent with this Online Privacy Policy. We keep personal information at least as long as necessary for business

purposes, our retention policy, and legal requirements. Although we implement commercially-reasonable administrative, physical and technical security measures designed to protect your personal information from unauthorized access or use, we cannot guarantee that the information will not be accessed, disclosed, altered, or destroyed. We will make any legally required disclosures of any breach of the security, confidentiality, or integrity of your personal information. To the extent the law of your jurisdiction allows for notification of a security or privacy incident via e-mail or the Services, you agree to accept notice in that form.

Please note that information you send to us electronically may not be fully secure when it is transmitted to us. We recommend that you do not use unsecure channels to communicate sensitive or confidential information (e.g., your Social Security number) to us.

## 5. YOUR CHOICES ABOUT YOUR INFORMATION

Information we collect from or about individuals in connection with any Customer Banking Activities is treated in accordance with applicable federal and state privacy laws including the Gramm-Leach-Bliley Act (GLBA) and Fair Credit Reporting Act (FCRA). **We therefore use and share any information that we collect from or about consumers of our financial products or services consistent with the disclosures in our Consumer Privacy Notice, posted [here](#).** We do not generally maintain personal information about individuals other than in connection with Customer Banking Activities, and therefore consumer disclosure and deletion requests as specifically provided by the California Consumer Privacy Act (CCPA) are not applicable.

Accessing and Correcting Your Information: Keeping your account information up-to-date is very important. You may review or update certain account information and transactions by logging in to the Services or by contacting us. You can also adjust certain profile and privacy settings as follows:

- **Account profile:** Your online account profile may provide different options for the type of personal information you can provide as well as the types and methods of communication that you prefer. You may view or update your profile and privacy settings by logging in to your online banking account. You may also review or update account information by visiting one of our branches. .
- **Emails:** In all promotional emails, you will be given the opportunity to opt-out of receiving such messages in the future by clicking on the link at the bottom of the email that says “unsubscribe.” It may take up to ten (10) business days for us to process your opt-out request. Please note that even after opting out of promotional emails, we may still send you customer service announcements, administrative notices and Services-related communications (e.g., account notices, transaction confirmations, and security notices).
- **Text messages:** In the event you are enrolled in any service that provides text messages to you, you can opt-out of receiving text messages from that service by replying “STOP” to any text message received. You will continue to receive text messages from product lines or services from which you have not opted out.

- Mobile devices: As with cookies, mobile devices may allow a user to block certain information requests (e.g., location information), but doing so may diminish your experience with our Services. Mobile device or mobile operating system providers typically provide instructions on how to adjust such privacy features.

We do not provide a financial incentive or a price or service difference to customers in exchange for the retention or sale of their personal information. We may send promotions or offers to customers or other individuals who subscribe to marketing communications, and unless a customer has opted out of such communications, the customer will continue to receive such notices irrespective of whether any information privacy request described here has been submitted. We do not offer financial incentives to deter customers from making such requests. We do not discriminate against any customer for exercising any privacy rights, including those provided by applicable laws.

Opting Out of Tracking Cookies: As noted above, we may use third-party cookies, web beacons or other similar technologies to collect and store other information about your visit to, or use of, our Services. Most web browsers allow a user to reject cookies, but doing so may diminish your experience with our Services. In addition, **we provide all customers and other website visitors with the option of turning off the tracking cookies used on our website by visiting the homepage and clicking on the “Do Not Sell My Personal Information” link.** (The California Consumer Privacy Act refers to this as a “Do Not Sell” request.) We only share personal information with service providers and others described above for specific purposes identified in this Online Privacy Policy, but Online User Activity information collected by third parties providing cookies, pixels or other similar technologies on our website or mobile application could potentially be used by those parties for their own purposes, some of whom may be able to associate such information with you based on other information they have collected independently (not from us). When you opt-out as provided above, we will endeavor to block such information collection activities by third parties.

We do not respond to Do Not Track (DNT) signals and handle all user information as permitted by law consistent with our Terms of Use and this Online Privacy Policy. Other parties may not collect personal information about an individual’s online activities over time and across different websites when using our Services.

## **6. LINKING TO THIRD-PARTY WEBSITES AND SERVICES**

Our Services may contain links to other websites, services or social media platforms that that are owned or operated by other companies ("Third-Party Websites"). Third-Party Websites are not subject to our Privacy Policy. We are not responsible for the practices employed by any Third-Party Websites or services linked to or from our Services, including the information or content contained within them. Your browsing and interaction on any Third-Party Websites or service, including those that have a link on our Services, are subject to that third party’s own rules and policies, not ours. By accessing Third-Party Websites you agree that we are not responsible and do not have control over any third parties that you authorize to access your personal information, which includes your sharing of account credentials with any third party, or linking your activity to any social media platforms or data aggregators.

## **7. INTERNATIONAL CONSIDERATIONS**

We operate in the United States. While our primary data centers are in the United States, we may transfer personal information or other information outside of the United States. In addition, we may employ other companies and individuals to perform functions on our behalf. If we disclose personal information to a third party, we will seek assurances that any information we may provide to them is safeguarded adequately and in accordance with this Online Privacy Policy. By providing your personal information, you consent to any transfer and processing in accordance with this Online Privacy Policy.

There may be very limited circumstances under which we process the personal information of European Union or European Economic Area residents (“Data Subjects”) that is deemed “Personal Data” subject to foreign data protection and privacy laws such as the General Data Protection Regulation 2016/679 (“GDPR”). In such circumstances, you (the Data Subject) may have the right to request (a) access to your Personal Data we hold about you; (b) request we correct an inaccurate Personal Data we hold about you; (c) request we delete any Personal Data we hold about you; (d) restrict the processing of Personal Data we hold about you; (e) object to the processing of Personal Data we hold about you; and/or (f) receive any Personal Data we hold about you in a structured and commonly used machine-readable format or have such Personal Data transmitted to another company. If you would like to exercise any of your rights, please contact us by email at [privacy@pacwest.com](mailto:privacy@pacwest.com) or by mail to Attn: Operations, Pacific Western Bank, 3011 Townsgate Rd., Ste. 200, Westlake Village, CA 91361.

## **8. HOW TO CONTACT US**

Please direct questions or concerns about this Online Privacy Policy or our Services to us at [privacy@pacwest.com](mailto:privacy@pacwest.com) or by mail to Attn: Operations, Pacific Western Bank, 3011 Townsgate Rd., Ste. 200, Westlake Village, CA 91361.

## **9. EFFECTIVE DATE**

This Online Privacy Policy was last revised and is effective as of August 13, 2020.