

## **Viridian International Management Privacy Policy**

Revised: October 26, 2016

Effective: October 26, 2016

Welcome to the website of Viridian International Management LLC (together “Viridian”, “we”, “us”, “our”). Viridian serves U.S. energy customers through the following subsidiaries of Crius Energy, LLC: Viridian Energy, LLC, Viridian Energy NY, LLC, Viridian Energy PA, LLC and TriEagle Energy LP d/b/a Viridian Energy. Australian energy customers are served by Click Energy Pty Ltd ACN 116 567 492 through a strategic partnership with Crius Energy Australia Pty Ltd ACN: 610 993 596 trading as Viridian Energy Australia. Viridian respects the privacy of individuals who access or use our online website or mobile website (viridian.com and viridianenergy.com.au) (together the “Website”). This Global Privacy Policy (“Privacy Policy”) explains our online information and privacy practices including our policies and procedures for our collection, storage, use and disclosure of personal information and is designed to assist you in making informed decisions while using our Website.

Please read the Privacy Policy carefully and in its entirety. Please note that by visiting the Website, using our products or services or by otherwise providing us with your personal information, you consent to the privacy practices described below and agree to comply with and be bound by this Privacy Policy. Please be aware that the privacy policy referenced at the bottom of the relevant Website webpage governs the collection of information on that page. If you do not agree with the terms of this Privacy Policy, please do not use the Website, our services or otherwise provide us with your personal information.

### **Collection of Personal Information**

Viridian is committed to protecting your personal information as you use our Website and interact with us. Viridian does not collect personal information from anyone unless such information is provided to us voluntarily and knowingly except as otherwise provided in this Privacy Policy. The personal information that we may collect and process about you includes (but is not limited to):

- information (such as your name, email address, address, date of birth and phone number) that you provide to us by completing forms on the Website, including when you register as a user of the Website, sign up for services offered by Viridian or to become an independent Viridian Associate, subscribe to a communication (for example, to receive a newsletter), request information or enter into any competition or promotion we may offer or sponsor;
- financial information (including credit/debit card details or bank account details) in order to process any orders or purchases you make;
- US Social Security Number (SSN) and Australian Business Number (ABN) information;
- details of any transactions or purchases made by you;
- communications you send to us, for example, to report a problem or to submit requests, queries, concerns, comments or complaints regarding the Website or its content;
- information from surveys that we may, from time to time, conduct for research purposes, if you choose to participate; and
- employment details and history if you, for example, apply for employment.

You are not required to register or provide your personal information to us in order to view various pages on our Website and you may deal with us or visit the Website anonymously or by pseudonym. However, to obtain services offered by Viridian, or to become an independent Viridian Associate or to access certain portions of our Website, you may be required to provide personal information. If you choose to withhold certain requested personal information, we may not be able to provide you with certain services.

## **Use of Personal Information**

We only collect and use your personal information for specific purposes, including (but not limited to):

- to provide you with retail energy services and products, services and information which you request;
- to register and administer your Customer or independent Viridian Associate account;
- to verify, process and carry out financial transactions;
- to contact you or process and respond to your queries, requests or feedback;
- to improve the layout and content of the Website and to customize the experience for users;
- to monitor, track and conduct analysis on our Website's usage and Website traffic to improve our Website;
- if you are an independent Viridian Associate, for recognition purposes;
- for our internal business purposes, such as business management or accounting/auditing purposes;
- for any other purpose required for us to comply with our legal and regulatory obligations; and
- for any other purpose for which you provided the information.

We may also use your information to personalize your web experience. Viridian will only use your information in accordance with this Privacy Policy.

We will not sell or make available your personal information to unaffiliated companies for commercial purposes unrelated to the business of Viridian. However, we may use your personal information to inform you of goods or services that may interest you including, for example, by sending you newsletters or marketing emails. If you do not wish to receive these marketing communications, you can opt out by:

- contacting us using the contact details listed below or sending an email to [compliance@viridian.com](mailto:compliance@viridian.com) and informing us that you wish to opt out; or
- clicking the "unsubscribe" link in any marketing email that we may send you.

## **Disclosure of Personal Information**

Viridian and its affiliates recognize that by utilizing our Website you are placing trust in us. We thank you. Let us assure you that we will take precautions to protect your information.

Viridian will not disclose any information about you to unaffiliated companies or organizations without your consent except as disclosed to you in this Privacy Policy, unless:

(a) we are required to do so by law; (b) we believe it necessary to respond to an inquiry or provide you with a requested service; (c) it is necessary to make good on our agreement we have entered into with you (for example as a Customer or independent Viridian Associate); or (d) to protect the rights, property or personal safety of any other person, including another Customer or independent Viridian Associate or any member of the public.

In order to operate the Website, deliver retail energy service to you through Viridian Energy and conduct our business, we may share your personal information with:

- a service partner (for example, Viridian Energy, LLC, Viridian Energy NY, LLC, Viridian Energy PA, LLC, and Crius Energy Australia Pty Ltd ACN: 610 993 596 trading as Viridian Energy Australia) under strict conditions, who assists us in the provision and delivery of retail energy services to you;
- our related entities and companies;
- other third party service providers, contractors, suppliers, vendors who we may engage to assist us in the management of our business and provision of our services to you, in the storage and management of our databases and your personal information or in the operation of our Website. For example, business support services such as payment processors, website hosting services and information storage services;
- third party service providers who assist us in the distribution of marketing materials and email updates (unless you have elected not to receive these marketing communication as described above), for example, mailing houses;
- government or regulatory bodies and agencies, law enforcement bodies (such as the police), courts of law, if required or authorized to do so by law. For example, in response to a subpoena or legal order, to investigate, prevent or take action regarding suspected illegal activities, fraud or potential threats or to exercise legal rights or defend against claims such as intellectual property infringement; or
- as otherwise permitted or required by law.

We will not otherwise disclose your personal information to other companies without your explicit consent.

### **Overseas Disclosure of Personal Information**

From time to time, we may disclose your personal information to overseas recipients such as companies in our corporate group, joint venture partners or affiliates and related corporate entities located in the USA and Australia. We may also disclose your personal information to overseas third parties who assist us in the management and conduct of our business, for example, parties who assist in the processing, storage or analysis of your information such as a third party cloud storage service providers, payment processors that process credit card payments or those who provide technical or website support to us.

Where we disclose your personal information to overseas recipients, these recipients are most likely to be located in the USA or Australia. This list of countries is not exhaustive and may change from time to time. Countries outside of Australia may not always have the same or similar privacy and data protection laws and in some cases, foreign law may require us to disclose your personal information overseas, for example to an overseas law enforcement authority. Please be aware that you may not be able to seek redress for a breach of privacy in a country outside of Australia or the USA. However, where we do provide your personal information to third parties, Viridian will take such steps as reasonable to ensure your information is used in accordance with this policy.

## **Important Notice**

In the event that the processing of your personal information involves the disclosure of any information outside Australia or the USA, you acknowledge that by providing us with your personal information, you consent to such overseas disclosure. By consenting to such disclosure, you acknowledge that:

- A. Viridian will not be accountable under the Australian Privacy Act 1988 (Cth) or the USA Privacy Act of 1974 for any breach of your privacy by the overseas recipient, and
- B. you will not be able to seek redress under the Privacy Act 1988 (Cth) or the USA Privacy Act of 1974 against Viridian for any breach of your privacy by an overseas recipient.

## **How We Protect Your Information**

We take such steps as are reasonable in the circumstances to secure and protect the integrity of your personal information from misuse, interference and/or loss and unauthorized access, modification and/or disclosure. Viridian maintains reasonable physical, electronic and procedural safeguards to restrict the access to your personal information to employees and personnel, who need to know such information in order to operate, develop or improve our services. Any such personal information is transferred to our organizations secured servers. Viridian also uses electronic safeguards to protect and secure your personal information, including technology such as firewalls and Secure Sockets Layers (SSL) to protect and encrypt certain sensitive transmissions of information.

However, you should keep in mind that this Website is run on software, hardware, and networks (including online networks and the Internet), any component of which may, from time to time, require maintenance, experience problems or breaches of security. While we use our all reasonable efforts to secure and protect your personal information, we cannot guarantee the "perfect security" of any information you transmit or provide to us. Any such provision of personal information is at your own risk. You are solely responsible for maintaining the confidentiality of any username and/or password and are responsible for any unauthorized use.

## **Children's Privacy**

Our Website contains educational energy-related information that may be of interest to children. Viridian does not seek to gather personal information online from or about children under the age of 18. Viridian encourages all children and young teens to ask their parents for authorization before providing any information about themselves or their household to anyone over the Internet.

## **Data Collection**

Viridian may use "cookie" technology on our Website. "Cookies" are small text files a website can use to recognize repeat users, facilitate the user's access to and use of the site and to track behavior of the webpages you visit, among other uses. Our Website may

automatically collect cookies and other information, including, but not limited to, your ISP address, browser type or domain name, and Viridian may compile aggregate data for statistical purposes to improve our content of our Website or to better administer the webpages available on the Viridian Website. When and if Viridian requests an email address from you, you will be given the opportunity to indicate whether or not you wish to receive future email solicitations from us. Regardless, from time to time we may send you emails for other reasons, including, but not limited to servicing your energy account with us.

You may choose to delete or prevent cookies from being saved on your computer by changing your internet browser settings and may still use and visit our Website without accepting the cookies. However, if you reject or delete cookies, you may not be able to take full advantage of certain features on our Website.

### **Third Party Links**

Our Website may contain links to other third party websites, including the websites of our affiliates who assist in the provision of energy services to you. These other websites are not subject to this Privacy Policy and we are not responsible for the content or privacy practices of these third party websites. We strongly encourage you to read the privacy policies of these third party websites or contact these websites directly for further information about their privacy practices.

### **Changes to Our Privacy Policy**

Viridian reserves the right to change this Privacy Policy and its email practices at any time. If we decide to make material changes to our Privacy Policy regarding privacy and/or email practices, we will notify you here, on our mobile Website home page and on our Website home page prior to the changes taking effect, so that you are aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it. When an update is made, the date at the top of this page changes to reflect the date new content was posted. You may want to visit this Website and mobile Website periodically to ensure you are reviewing the current Privacy Policy. Your continued use of our Website and/or engagement with us after the posting of a revised Privacy Policy constitutes your agreement with the revised Privacy Policy and your consent to be bound by the revised terms. This Privacy Policy is not intended to and does not create any contractual or legal rights in or on behalf of any party.

### **Access and Correction of Your Personal Information**

Viridian takes such steps as are reasonable in the circumstances to ensure that the personal information we collect and store about you is accurate, up-to-date and complete. However, we rely on the accuracy of the personal information you provide to us.

You have the right to seek access to, or request the correction of, the personal information we hold about you and you can do this by:

- logging into your Customer or independent Viridian Associate account on the Website and accessing the profile page to view and/or correct the personal information that is recorded on our Website (as necessary); or
- submitting a request for access to, or the correction of, your personal information by contacting us at [compliance@viridian.com](mailto:compliance@viridian.com), [askv@viridian.com](mailto:askv@viridian.com) (for the US) or [askv@viridianenergy.com.au](mailto:askv@viridianenergy.com.au) (for Australia) or using the contact details set out below and providing us with the details of your request.

Once we receive your request, we will endeavor to respond to that request within a reasonable period after your request is made. If we refuse to grant access or to correct the information, we will provide you with written reasons for the refusal, which will include details about the mechanisms you can use to complain about our refusal.

### **Privacy Complaints and Questions**

If you have any concerns or complaints about the way your personal information has been handled and treated or if you believe that your privacy has been breached, please contact us by sending us an email to [compliance@viridian.com](mailto:compliance@viridian.com), or using the contact details below, and setting out the nature of your complaint.

We will then investigate your complaint and endeavor to provide you with our response within a reasonable time of receiving your complaint. If, after receiving our response, you still consider that your privacy complaint has not been resolved, you may, if you reside in Australia, refer your complaint to the Australian Privacy Commissioner at: <http://www.oaic.gov.au> or, if you reside in the US, your local regulator.

### **Contact Us**

This Website is owned and operated by Viridian. If you have questions about this Privacy Policy, please contact us at 1-800-464-733 in Australia, 9:00am to 5:30pm AEST or 1-866-663-2508 in the US, 8:30 am to 6:30 pm, Eastern Standard Time.

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