

Michaud LeBel

S.E.N.C.R.L.

Policy pertaining to the protection of personal information

UPDATED ON NOVEMBER 1, 2024

**RIGUEUR
PROFESSIONNALISME
ENGAGEMENT**

TABLE OF CONTENTS

1.	Introduction.....	3
2.	Scope of the Policy.....	3
3.	Basic requirements	3
4.	Individual in charge	3
5.	Gathering of personal information.....	4
6.	Use and disclosure of personal information	5
7.	Consent	6
8.	Retention and destruction of personal information	7
9.	Legal newsletters.....	7
10.	Information provided by third-party social media	8
11.	Website / Cookies	8
12.	Service providers.....	10
13.	Security measures	10
14.	Accessing your personal information	10
15.	Rights, Recourses, and Remedies	11
16.	Complaint based on non-compliance of this Policy	12
17.	Updating the Policy	12

1. INTRODUCTION

Michaud LeBel, s.e.n.c.r.l. (hereinafter, « **Michaud LeBel** ») vows to protect the personal information it collects in the normal course of its business. As a multidisciplinary law firm, we collect and use daily, and disclose on occasion, personal information within the limits of attorney-client privilege and after due consideration of the privacy and proprietary nature of certain types of data.

2. SCOPE OF THE POLICY

This *Policy pertaining to the protection of personal information* (hereinafter, the « **Policy** ») explains, in general terms, how we collect, use, disclose, store, destroy and protect the personal information communicated or disclosed to us in the course of our professional activities.

The Policy also defines the rights the law confers on all owners of personal information – including the right to access such information and how to file a complaint based on non-compliance.

By providing Michaud LeBel with any kind of personal information (whether it be in person or through our Website, an investigation, electronic mail, phone, fax, or a third party), any individual authorizes Michaud LeBel as well as its attorneys, employees, and service providers (as the case may be) to handle and process such information in accordance with the provisions of this Policy.

3. POLICY REQUIREMENTS

The terms and conditions of this Policy has been developed in compliance with applicable privacy laws, including (without being limited to) the *Act to modernize legislative provisions as regards the protection of personal information* (SQ2021, ch. 25) and the *Act respecting the protection of personal information in the private sector* (RSQ., ch P-39.1). Michaud LeBel shall exercise absolute discretion whenever applying provisions of this Policy whose scope extends beyond the requirements of the law.

4. INDIVIDUAL IN CHARGE

Michaud LeBel, who is entirely responsible for the handling and processing of the personal information it collects or otherwise obtains, appointed the following individual as Privacy Officer:

Maxime Dixon-Dionne, attorney at law (partner)

1265 Charest Blvd. West (unit 1265)

Quebec (Quebec) G1N 2C9

Phone number: 418 688-2225

Fax number : 418 688-5524

E-mail address : mdixon.dionne@michaulebel.com

5. GATHERING OF PERSONAL INFORMATION

According to Canadian law, the expression « personal information » refers to any information one can use in order to identify a specific individual. Michaud LeBel may collect, use, and/or process several types of personal information in the course of its professional operations – including (without being limited to):

- Identification data such as a first or last name;
- Coordinates and contact information such as a name, a civic address, an e-mail address and a phone number;
- Biographical information such as a job position, the name of a current or former employer, photographs, and audio or video recordings;
- Confidential information that relates to one's status as a partner or shareholder, or to any interest one may hold in a company or another business;
- Marketing-related data and communication preferences as well as related information, such as food preferences, comments and survey responses;
- Billing-related and other financial information such as billing address, banking coordinates or payment information;
- Details pertaining to services, such as services we provided to you;
- Recruitment information, such as curriculum vitae, academic background, work experience, as well as details pertaining to professional affiliations, and other information likely to help Michaud LeBel make an informed decision when it comes to hiring a candidate or initiating a business relationship;
- Information regarding website usage and other technical information, such as details concerning website traffic, your interaction with online content and advertisements, or information collected through *cookies* and other tracking features;
- Identification and other background check data such as a copy of a driver's license, of a passport, or of an invoice issued by a public service provider, a title deed, or any proof of the origin of funds (that complies with the requirements of legislation directed against money laundering) which we might collect as part of a continuous monitoring procedure or before we initiate a new business relationship;
- Any other personal information provided.

All third parties about whom you provide personal information (such as officers, directors, shareholders, beneficial owners, or clients) must (i) be informed that such information will

be disclosed, and (ii) consent to such disclosure. In fact, we might require that you provide us with proof of consent.

6. USE AND DISCLOSURE OF PERSONAL INFORMATION

Michaud LeBel may use personal information primarily to provide its clients with professional legal services and to represent them, which may include, but is not limited to:

- Initiating and maintaining a professional relationship with a client, provide him with legal services and advice, fulfill legal obligations, while avoiding any and all conflicts of interests;
- Attorney-client privilege, disclosing personal information to third parties to provide legal services in the course of legal proceedings, including litigation, arbitration, or mediation. Third parties may include, but are not limited to: an opposing or interested party, their attorney or legal representative, a foreign agent, a witness, a court official, a mediator, an arbitrator, a consultant, a claims adjuster or any other person;
- Initiating and maintaining a business relationship with a vendor, supplier, service provider, or other third party – which might involve, among other things, issuing invoices, manage accounts, processing payments, reviewing credit scores, and fulfilling contractual obligations;
- Sending invitations and other notices to the individuals and entities whose names appear on our mailing lists;
- Updating, improving, and managing databases and other systems that help us manage documents, know-how, technology, and previous occurrences;
- Reviewing applications received in the context of a hiring process for future members of the firm;
- Expanding and managing the firm's business and activities;
- Detecting and protecting against errors, instances of negligence, contractual breaches, theft, or fraud, and other irregularities in order to prevent their reoccurrence and to comply with insurance-related obligations;
- Providing personal information to business partners and/or third-party providers who offers website services, application development, hosting, maintenance or other services. These third parties may access or process personal information in connection with the services they provide. We limit the information we provide to these service providers to that which is reasonably necessary for them to perform their functions, and our contracts with these service providers require them to maintain the confidentiality of such information;

- Whenever required by law, forward personal information to government authorities and regulatory agencies;
- Otherwise comply with applicable statutes, laws, regulations, rules, and standards.

7. CONSENT

Whenever required by applicable privacy legislation, we request and secure the consent of each and every client (or other third party) whose personal information we must collect, use, or disclose.

We reasonably assume that any individual who contacts us directly, or willfully provides us with personal information, has consented to the gathering and use of personal information for the purposes for which it was collected.

We also assume that any client who retains our services agree to our law professionals and service providers collecting, storing, using, and disclosing, in a reasonable manner, their personal information while providing legal advice and/or participating in legal proceedings on their behalf.

Subject to the foregoing, we will not collect, use, or disclose any personal information without the explicit consent of their owner – unless such gathering, use, or disclosure is either required or permitted under the law or the authority of a government body, as in the following instances:

- A client provides us with personal information relating to a third party so we can provide them with legal advice or represent them in the course of legal proceedings;
- Disclosure is made compulsory under a summons or a court order;
- A regulatory agency or any other competent organization requests a disclosure;
- Personal information becomes part of the public domain (within the meaning of laws and regulations that pertain to the protection of personal information), such as when they are printed in court files, business directories or listings, or other public records;
- Investigating any alleged violation of a law, contract, or legal duty and that obtaining the subject's consent would likely compromise the investigation or the accuracy of the information we are seeking;
- We are compelled to disclose personal information to any competent authority;
- Any law, regulation, rule, standard, court, government agency, or other competent authority allowing us to disclose personal information.

In any event, professional and ethical requirements prevent us from disclosing any information which, from the outset, is protected under litigation or attorney-client privilege – unless the client explicitly waives such privilege or disclosure is rendered mandatory under a court order.

8. RETENTION AND DESTRUCTION OF PERSONAL INFORMATION

Michaud LeBel will retain personal information for as long as it has to under the relevant legislation. Once the applicable deadline has expired, we will destroy all personal information in a manner that ensures its privacy.

In fact, Michaud LeBel has designed and implemented a *Policy Pertaining to the Retention and the Destruction of Personal Information* that complies with the requirements of section 19 of the *Règlement sur la comptabilité et les normes d'exercice professionnel des avocats* (chapter B-1, r. 5).

The data we collect is stored virtually by third-party service providers who are bound by the same privacy standards we ourselves observe. They may also be stored within our offices, in hard copy format. Either way, Michaud LeBel has adopted an *IT Security Policy* that ensures computer hardware security (and, consequently, the safety of the confidential information it has in its custody).

9. LEGAL NEWSLETTERS

While publishing and distributing newsletters by means of the *Mailchimp* application, we resort to the contact information provided by individuals who subscribed through our website or following an invitation from members, clients, or suppliers of the firm.

Most of our databases contain coordinates provided by businesses, whereas a few others might refer to individuals.

You may, at any time, unsubscribe from our mailing list (or refuse to be contacted altogether) by sending an e-mail to that effect to infolettre@michaudlebel.com or by clicking on the « Unsubscribe » link you will find at the end of every newsletter we publish.

To learn more about the privacy policies implemented by our supplier *Mailchimp*, please consult their [Privacy Policy](#).

10. INFORMATION PROVIDED BY THIRD-PARTY SOCIAL MEDIA

We may, by subscribing through external services or by granting access to third-party social media services, collect personal information that is already associated with an account managed by the third-party social media – such as a name, an e-mail address, or a contact list.

Michaud LeBel does business with the following third-party social media:

- Google;
- LinkedIn.

Whenever third-party social media provides such personal information or data (when subscribing or otherwise), Michaud LeBel is allowed to use, stock, and share them in any way or manner compliant with the provisions of this Policy.

11. WEBSITE / COOKIES

Usage data is collected automatically when using the Michaud LeBel website. Usage data may include information such as a device's Internet protocol address (e.g. IP address), browser type, browser version, pages of the service visited, time and date of a visit, duration, unique device identifiers and other diagnostic data.

By accessing the Website through or via a mobile device, we may collect certain information automatically, including, but not limited to, the type of mobile device at hand, its specific identifiers and IP address, the operating system and browser it uses and other diagnostic parameters.

We may also collect information that the browser sends each time a visit is made to the Website or via a mobile device.

We use cookies and other similar tracking features in order to keep track of our Website's activity and to store certain types of data. The tracking features used are Web beacons, HTML beacons, and script files that allow us to follow information and improve user experience.

- **Cookies / Browser cookies.** A cookie is a small file that is installed onto a computer or mobile device. It is always possible to configure your browser so cookies will be systematically rejected, or a warning can be issued whenever a cookie is sent. Understand, however, that by refusing cookies you might be prevented access from certain parts or features of our Website. The Website will send cookies to your computer or device unless your browser is configured to reject them.

- **Web beacons.** Certain sections of our Website and of our e-mails may contain small electronic files known as Web beacons (also called clear GIFs, single-pixel GIFs, and clear pixels) that allows Michaud LeBel, among other things, to determine how many users visited specific pages from our Website or opened an e-mail and other related website statistics (for example, to classify pages according to popularity, and to confirm the integrity of the server and of the system as a whole).

Cookies may be « permanent » (i.e., remain on a computer or device even after logging out) or « session-based » (i.e., automatically deleted the moment your browser is closed).

We use permanent cookies as well as session-based cookies for the following purposes:

Essential cookies

Category : Session-based cookies

Managed by : Third parties

Purpose : These cookies, as they allow us to identify users and to prevent the unauthorized (if not fraudulent) use of accounts, are a prerequisite to accessing most parts and functions of the Website. Please understand that we will *not* be able to provide you with any kind of services, and we only use these cookies to provide these specific services.

Acceptance of cookies

Category : Permanent cookies

Managed by : Third parties

Purpose : These cookies confirm whether or not users have accepted the use of cookies on the Website.

Functional cookies

Category : Permanent cookies

Managed by : Third parties

Purpose : These cookies record some of the choices made by users of the Website – including when it comes to connection data and preferred language. From a strictly practical standpoint, they spare users the hassle of confirming the same parameters upon each and every visit.

Performance-tracking cookies

Category : Permanent cookies

Managed by : Third parties

Purpose : These cookies provide details on how many users visit the Website and on the purposes for which the latter is being used. The information collected via these cookies may directly or indirectly identify individual visitors. This is because the information collected is generally linked to a pseudonymous identifier associated to the device used

to access the Website. We may also use these types of cookies to help us evaluate how users of the Website react to new pages, features, and/or functions.

reCAPTCHA

We use an undetectable « Captcha » service (known as reCAPTCHA), which in practice is operated by Google.

ReCAPTCHA service may, for security purposes, collect information from your computer or mobile device.

Any and all information that is collected by means of the reCAPTCHA service is retained and stored in compliance with Google's own privacy policy – whose content is available at <https://www.google.com/intl/en/policies/privacy>.

12. SERVICE PROVIDERS

If we enter into agreements with service providers, agents or contractors in matters relating to the storage, processing and management of personal data, such as data processing, document storage and software support services, as well as office services, in accordance with our Policy, we will require such parties, either by contract or otherwise, to provide comparable protection for personal information while processing or managing the information.

We keep a record of all work performed and services rendered in accordance with regulatory requirements and professional standards. These records may include personal information. Our records are stored in such a way as to protect them from inappropriate and unauthorized access.

13. SECURITY MEASURES

In order to ensure that we protect the confidential information we hold, Michaud LeBel have implemented an Information Security Policy. We protect the personal information in our files against loss, alteration, unauthorized access and inappropriate use, through the use of secure facilities, password protection, standard security tools, and well-defined internal policies and practices.

Although we endeavour to use commercially reasonable efforts to protect personal information, it must be remembered that no means of electronic transmission or storage is 100% foolproof. Hence, we cannot represent nor guarantee their absolute security.

14. ACCESSING YOUR PERSONAL INFORMATION

Any individual who wishes to have access to personal information we hold on their behalf must contact our Privacy Officer in writing.

We shall agree to such requests for access to personal information, in paper or electronic format, subject to the exceptions mentioned in applicable privacy legislation. These exceptions include the following:

- Information that is protected under litigation or attorney-client privilege;
- Information obtained in the course of a formal conflict settlement process;
- Information that relates to another individual, insofar as revealing it would be equivalent to disclosing confidential business information;
- Information already disclosed to law enforcement authorities but that cannot, under applicable law, be communicated to anybody else.

If you have any questions about access to your personal information, or if you wish to notify us of any inaccuracies or changes in your personal information, please contact the Privacy Officer at mdixon.dionne@michaudlebel.com, as indicated above.

15. RIGHTS, RECOURSES, AND REMEDIES

Michaud LeBel is committed to respecting the confidentiality of your personal data and to guarantee you the possibility of exercising your rights.

You may, in accordance with this Policy and the relevant legislation:

- **Request access to your personal information.** The right to access, update, correct or delete the information we have about you. You may, whenever such an option is available, review, rectify, update, and even delete the personal information we have on file by accessing the « Parameters » menu of your user account. You have the right to correct any incomplete or inaccurate information we hold about you. Should you find yourself unable to perform such actions by yourself, please get in touch with our Privacy Officer. Doing so will also allow you to receive a copy of the personal data we hold about you.
- **Request the deletion or destruction of your personal information.** You may require us to delete or withdraw personal data when there is no valid reason for us to continue processing it.
- **Request the return or transfer of your personal information.** You may require us to return your personal information or to entrust it to a third party of your choosing.
- **Withdraw your consent.** You may, at any given time, withdraw the consent you have given to the handling and use of your personal information – in which case some of the legal services we provide may become unavailable to you.

16. COMPLAINT BASED ON NON-COMPLIANCE OF THIS POLICY

Michaud LeBel will respond to complaints from individuals or questions about our compliance with this Policy and applicable privacy legislation. We will investigate and attempt to resolve justified complaints.

Please direct to our Privacy Officer (whose contact information can be found on page 3) any question, preoccupation, or complaint you may have regarding this Policy or the gathering, use, storage, retention, process, or disclosure of your personal information.

17. UPDATING THE POLICY

We may, at any given time and at our sole and absolute discretion, update this Policy by posting an amended version of it on our Website.
