

## BLUESCAPE PRIVACY POLICY

Last updated: July 10, 2020

We at Bluescape, including our affiliated entities, respect your concerns about privacy. This Privacy Policy describes how we process the Personal Data:

- that we collect on [www.bluescapedgroup.com](http://www.bluescapedgroup.com) and other websites or applications that may link to this privacy policy (the “Sites”);
- where you visit our premises
- where you are a contact at one of our suppliers or other business partners; and
- through other data collection points or notices that reference private policy.

We provide information on the types of Personal Data we collect, how we use the information, with whom we may share it and the choices available to you regarding our use of the information. We also describe the measures we take to protect the security of the information and how you can contact us about our privacy practices. “**Personal Data**” is any information that relates to, describes, identifies or can be used, directly or indirectly, to identify an individual, such as name, address, date of birth, personal identification numbers, sensitive personal information, and economic information).

### **INFORMATION WE OBTAIN**

#### **Information that you give us**

The types of information we collect concerning individuals includes:

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1. business and personal contact information (such as name, postal and email addresses, and telephone number); and
2. other information you provide to us (such as information provided by contact our Investor Relations ).

### **Information We Obtain By Automated Means**

When you visit our sites or open our emails, we may collect certain information by automated means (such as by cookies, web server logs, web beacons and JavaScript). The information we collect in this manner includes your IP address, network location, browser characteristics, device characteristics, operating system, referring URLs, information on actions taken on our Sites, and dates and times of website visits. Cookies are files that websites send to your computer or other Internet-connected device to uniquely identify your browser or to store information or settings on your device. We also may use these and similar technology in emails we send you to collect certain information, such as whether you opened or clicked on links in our email.

Our Sites may use cookies (such as HTTP, HTML5 and Flash cookies) as well as other types of local storage (such as browser-based or plugin-based local storage). Some of these cookies may be placed by third parties such as our service providers. Your browser may tell you how to be notified when you receive certain types of cookies and how to restrict or disable certain cookies. You also may be able to delete your Flash cookies or adjust your Flash cookie settings by visiting the Adobe Flash Website Storage Settings Panel and Global Storage Settings Panel. Please note, however, that without

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cookies you may not be able to use all of the features of our Sites or other websites and online services.

In conjunction with gathering information through cookies, our web servers may log information such as your device type, operating system type, browser type, domain, and other system settings, as well as the language your system uses and the country and time zone in which your device is located. We also may record information such as the address of the web page that referred you to our Sites and the IP address of the device you used to connect to our Sites. We may log information about your interaction with the Sites, such as which pages you visit. To control which web servers collect information by automated means, we may place tags on our web pages called “web beacons”, which are small files that link web pages to particular web servers and their cookies. We also may send instructions to your device using JavaScript or other computer languages to gather the sorts of information described above and other details about your interactions with the Sites.

We may use third-party web analytics services on our Sites, such as those of Google Analytics. These service providers help us analyze how visitors use the Sites. The information obtained for this purpose (including your IP address and other information collected by automated means) may be disclosed to or collected directly by these service providers.

The providers of third-party plugins and widgets on our Sites, such as embedded videos and social media sharing tools, may use automated means to collect information regarding your use of the Sites and your interactions

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with the plugins and widgets. This information is subject to the privacy policies or notices of the providers of the plugins and widgets.

### **HOW WE USE THE INFORMATION WE OBTAIN**

We may use, disclose or otherwise handle the information described in this Privacy Policy for the following purposes to:

- operate, evaluate, develop, promote, and improve our business (including developing new services; enhancing, improving and analyzing our services; managing our communications; managing our premises; and performing accounting, auditing and other internal functions);
- In addition, we use information collected through cookies, web beacons, web server logs and other automated means for purposes such as (i) customizing our users' visits to our Sites, (ii) delivering content tailored to our users' interests and the manner in which our users browse our Sites, and (iii) managing our Sites and other aspects of our business.
- We may also use the information in other ways for which we provide specific notice at the time of collection.

We will only process your Personal Data as necessary so that we can pursue the purposes described above. Where we process your Personal Data for our legitimate interests as a business or those of a third party, we do so only where we have concluded that our processing does not prejudice you or your privacy in a way that would override our legitimate interest in pursuing those purposes.

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When we collect Personal Data from you, unless indicated otherwise, you should assume that, if we ask you for information, we need it for our business or compliance purposes. In limited circumstances, we are required to collect Personal Data to comply with a legal obligation and/or might ask you to provide information which is purely voluntary; in either case, this will be indicated to you.

If you are a former employee, worker, contractor or member of Bluescape, we will continue to process your Personal Data for a reasonable period following the end of your employment or engagement for our legitimate business and/or our legal compliance purposes and/or for the establishment or defence of a legal claim. Further, in some instances, we may process your data to perform our obligations under the contract between us (e.g. to pay you your final salary payment after your termination date). We only carry out such processing where we have concluded that our processing does not prejudice you or your privacy in a way that would override our legitimate interests in pursuing those purposes. Your data will be retained and deleted in accordance with our retention policies and procedures (as discussed further below).

### **ONLINE TRACKING AND INTEREST-BASED ADVERTISING**

We and third parties acting on our behalf (such as Facebook, Twitter and LinkedIn) may collect information about your online activities over time and across third-party websites to provide you with advertising about products and services tailored to your interests. Where required by applicable law, we

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will obtain your consent for the processing of your Personal Data for direct marketing purposes.

You may see our ads on other websites or mobile apps because we participate in advertising networks. Ad networks allow us to target our messaging to users by considering demographic data, users' inferred interests and browsing context. These networks track users' online activities over time by collecting information through automated means (such as by cookies, web server logs, web beacons and other similar technologies). The networks use this information to show ads that may be tailored to individuals' interests, to track users' browsers or devices across multiple websites or apps, and to build a profile of users' online browsing activities. The information our ad networks may collect includes data about users' visits to websites and apps that participate in the relevant ad networks, such as the pages or ads viewed and the actions taken on the websites or apps. This data collection takes place both on the Sites and on third-party websites and apps that participate in the ad networks. This process also helps us track the effectiveness of our marketing efforts.

### **INFORMATION WE DISCLOSE TO OTHERS**

We do not disclose Personal Data we obtain about you through the Sites or other channels covered by this Privacy Policy, except as described in this Privacy Policy. We may share your Personal Data with our affiliates and subsidiaries. Depending on the nature of our relationship with you, we also share Personal Data with service providers who perform services on our behalf, our financial and transaction counterparties, our professional

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advisors, and your agents and representatives. We do not authorize these persons to use or disclose the information except as necessary for the purposes for which it is provided or to comply with legal requirements. We also may disclose information about you (i) if we are required to do so by law or legal process, (ii) to law enforcement authorities, regulators and/or other government entities and/or other competent authorities based on a lawful disclosure request, or (iii) when we believe disclosure is necessary or appropriate to prevent harm or financial loss, or in connection with an investigation of suspected or actual fraudulent or illegal activity. We reserve the right to transfer Personal Data we have about you in the event that we sell or transfer all or a portion of our business or assets (including in the event of a reorganization, spin-off, dissolution or liquidation).

In addition, we may share anonymous/aggregated information with third parties, such as service providers, in order to facilitate our business operations.

Information collected through third-party plug-ins and widgets on the Sites (such as information relating to your use of a social media sharing tool) is collected directly by the providers of the plug-ins and widgets. This information is subject to the privacy policies of the providers of the plug-ins and widgets, and Bluescape is not responsible for those providers' information practices.

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### YOUR RIGHTS AND CHOICES

We offer you certain choices in connection with the Personal Data we collect from you. To update your preferences or submit a request, please contact us as indicated in the “How to Contact Us” section of this Privacy Policy. To the extent provided by the law of your jurisdiction or otherwise applicable to our processing of your information, you may request access to the Personal Data we maintain about you or request that we correct, amend, delete or block the information by contacting us as indicated below. Where provided by law, you may withdraw any consent you previously provided to us or object at any time on legitimate grounds to the processing of your Personal Data, and we will apply your preferences going forward. You can also lodge a complaint about our processing of your Personal Data with the body regulating data protection in your country.

These rights, subject to certain limitations, may include:

**Rights of access, correction and deletion.** You may have a right of access to the Personal Data that we hold about you, and to some related information, including the purpose for processing the Personal Data, the categories of recipients of that Personal Data to the extent it has been transferred internationally, and, where the Personal Data has not been collated directly from you, the source (the “**category information**”). You may also have the right to require any inaccurate Personal Data to be corrected or deleted.

**Right to object, and portability.** You can object to our use of your Personal Data for direct marketing purposes at any time and you may have the right to object to our processing of some or all of your Personal Data (and require it to be deleted) in some other circumstances. In some circumstances, you

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may also have a “data portability” right to require us to transfer your Personal Data to you or a third party, in a data portable format.

We review and verify requests to protect your Personal Data, and will action data protection requests fairly and in accordance with applicable data protection laws and principles.

If you wish to exercise any of these rights, please contact us as set out below.

### **HOW WE PROTECT PERSONAL DATA**

We maintain administrative, technical and physical safeguards designed to protect Personal Data we obtain through the Sites against accidental, unlawful or unauthorized destruction, loss, alteration, access, disclosure or use.

### **LINKS TO OTHER WEBSITES**

Our Sites may provide links to other websites for your convenience and information. These websites may operate independently from us. Linked websites may have their own privacy notices or policies, which we strongly suggest you review. To the extent any linked websites are not owned or controlled by us, we are not responsible for their content, any use of the websites, or the privacy practices of the websites.

### **UPDATES TO OUR PRIVACY POLICY**

This Privacy Policy may be updated periodically and without prior notice to you to reflect changes in our Personal Data practices. We will post the

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updated version on the Sites and indicate at the top of the Notice when it was most recently updated. Please check for any updates regularly.

### **HOW TO CONTACT US**

If you have any questions or comments about this Privacy Notice, or if you would like us to update information we have about you or your preferences, please email us at [BluescapeIR@bluescapepartners.com](mailto:BluescapeIR@bluescapepartners.com).

You also may write to:

Bluescape Resources Company LLC

Attn: Legal & Compliance

200 Crescent Court, 19 Floor

Dallas, Texas, 75201