



Date: July 22, 2018

# Privacy Statement

## Privacy Policy

Cassels Brock & Blackwell LLP (Cassels Brock) is a full-service business law firm with offices in Toronto, Vancouver and Calgary. The lawyers and staff at Cassels Brock (sometimes referred to as “we”) are committed to protecting your privacy. This Privacy Policy outlines how we handle your personal information to protect your privacy.

### Privacy Legislation

Since January 1, 2004, all organizations collecting, using or disclosing personal information in Canada in the course of commercial activities have been required to comply with the *Personal Information Protection and Electronic Documents Act* (“**PIPEDA**”) and any applicable “substantially similar” provincial legislation. These obligations extend to lawyers and law firms, including Cassels Brock.

In addition, as a professional services firm, we have professional and ethical obligations to keep confidential the information we receive in the context of a lawyer-client and agent-client relationship.

### Personal Information

Personal information is defined in PIPEDA as information about an identifiable individual, but does not include the name, title or business address or telephone number of an employee of an organization. In other words, it does not include the information that one expects to find on a business card (other than an e-mail address which *is considered to be personal information*).

### Consent to Our Collection, Use and Disclosure of Personal Information

In most cases, we obtain your consent to collect, use and disclose your personal information. If you retain Cassels Brock, we assume that we have your implied consent to our collection, use and disclosure of your personal information for the purposes of providing legal services to you, your company or organization; however, at times we may ask for your express consent, either verbally or in writing. By providing your personal information to us, you agree that we may collect, use and disclose your personal information as outlined in this Privacy Policy.

### Withdrawal of Consent

You may withdraw your consent to our collection, use and disclosure of your personal information at any time, subject to legal and/or contractual restrictions and upon reasonable notice. However your withdrawal of consent to our collection, use and disclosure of your personal information may affect our ability to represent and provide legal advice to you, your company or organization.

You can ask us not to send e-mail marketing communications to you by following the opt-out instructions in each communication or you may let us know by contacting our marketing department at [unsubscribe@casselsbrock.com](mailto:unsubscribe@casselsbrock.com). If you prefer not to be contacted by other means, such as by regular mail or by phone, please provide those instructions to the lawyer or agent with whom you are dealing, or to our Privacy Officer, whose contact information is provided below.

### **Collection of Personal Information**

Generally we collect your personal information directly from you at the start of or during the course of your retainer with Cassels Brock. We may also obtain personal information about you from other sources, such as:

- other individuals within your company or organization, where we are representing the company or organization;
- your insurance company or other financial institution;
- your real estate agent in a property transaction;
- your legal counsel in another jurisdiction, if we were retained through the other law firm;
- from a government agency or registry;
- your employer, if we are acting for you; or
- your accountant.

### **Use of Personal Information**

We use your personal information to provide legal advice and services to you, your company or organization, to issue invoices and to maintain our database of clients.

We may also use your personal information so that we may communicate with you about recent developments in the law, keep you abreast of Cassels Brock news and invite you to our firm events.

### **Disclosure of Personal Information**

Generally, we do not disclose your personal information to third parties without your consent unless permitted or required by applicable law. There are some situations in which we may disclose your personal information without your consent. For example:

- when we are required or authorized by law to do so, for example if a court issues a subpoena;
- where it is necessary to establish or collect fees; or

- if the information is already on the public record and the disclosure is directly related to the purposes for which it was recorded on the public record.

In some cases, your consent will be implied. For example, when the legal services we are providing to you require us to give your information to a third party (such as to a lender in a real estate mortgage transaction in which we are representing you) we would rely on your implied consent to the disclosure. If our firm is sold or merged with another firm your consent will be implied to transfer your information to the successor firm in order to continue to provide services to you, unless you tell us otherwise. If we are required to contact our insurers in connection with a claim that you have against us, we will assume that we have your implied consent to the disclosure of your personal information to the insurer.

Lastly, from time to time we may transfer your personal information to the firm's service providers. Under PIPEDA, a transfer to a service provider is not considered to be a disclosure for which your consent is required; however, we will use contractual or other means to ensure that the third party service provider is bound by obligations regarding privacy that are consistent with this Policy and our obligations under PIPEDA. Examples of transfers to service providers would be situations in which we contract with third parties to provide us with services such as archival file storage or insurance. Other examples would include cases where we engage other service providers such as expert witnesses or law firms in other jurisdictions on your behalf. Service providers may be located in various countries, so please be aware that authorized officials of governments in those countries may be lawfully able to access your personal information without your knowledge or consent pursuant to the laws of such countries. To the extent that we are permitted to do so by applicable law, we will notify you if we are advised that this access has occurred.

### **Accuracy of Your Personal Information**

It is important that the personal information that we have on file be accurate and up-to-date. If, during the course of the retainer, any of your personal information changes, please inform us so that we can make any necessary changes. We may also ask you from time to time whether your personal information is up-to-date.

### **Safeguards**

Cassels Brock uses various administrative and technological safeguards to ensure that your personal information is protected against loss, theft, misuse, unauthorized access, disclosure, copying or alteration. These include: security of our physical premises; our professional obligations; security software and firewalls to prevent unauthorized computer access or "hacking"; and internal passwords that restrict access to our electronic files.

### **Access to your Personal Information**

You have a right to challenge the accuracy and completeness of your personal information and to have it amended, as appropriate. You also have a right to request access to your personal information and receive an accounting of how that information has been used and disclosed, subject to certain exceptions prescribed by law. For example, if the requested information would reveal personal information about another individual, your access may be limited or denied. If your request for access is denied, Cassels Brock will notify you in writing of the reason for the denial.

To request access or to amend your personal information, please contact the lawyer or agent with whom you

normally correspond or write to our Privacy Officer at the address below. Cassels Brock will respond within 30 days of receipt of your written request.

### **Challenging Compliance**

Cassels Brock will respond to inquiries about its policies and practices relating to its handling of your personal information. Inquiries should be directed to Cassels Brock's Privacy Officer using the contact information below. Cassels Brock will investigate all complaints and will respond within 30 days of receipt of a written inquiry. If the complaint is found to be justified, we will take appropriate measures to resolve it, including, if necessary, amending this Policy and its procedures.

### **Website Privacy**

Like most other organizations, we may monitor traffic patterns, site usage and related site information. Our website server will automatically collect IP addresses, and we may use a browser feature called a "cookie" to optimize your visit to our website. You may set your browser to turn cookies off during your use of any website and, in any event, when you close your browser the cookie is deleted. We do not link your IP address or cookies to other personally identifiable information.

By accessing and browsing our website, you agree that we may collect, use and disclose any personal information collected about you through our website as described in this Policy.

### **Privacy Officer**

If you have any questions or complaints about this Policy or the handling of your personal information, if you wish to withdraw your consent to our use of your personal information, or to request access to or update any information we have on file, please contact the lawyer or agent with whom you are dealing, or contact:

Deborah Glatter  
Cassels Brock & Blackwell LLP  
2100 Scotia Plaza  
Toronto ON M5H 3C2

[dglatter@casselsbrock.com](mailto:dglatter@casselsbrock.com)  
(416) 860-6606  
Toll Free (877) 869-5300, ext. 6606

### **Changes to this Privacy Policy**

We may change this Privacy Policy from time to time. Any changes will be posted on our website at [www.casselsbrock.com](http://www.casselsbrock.com) and will be made available upon request through your contact at Cassels Brock. Please check from time to time to ensure you are aware of our current policy. This Privacy Policy is effective June 9, 2009.