

MYERS WEINBERG LLP PRIVACY POLICY

Your Privacy Rights

From January 1, 2004 all businesses engaged in commercial activities must comply with the *Personal Information Protection and Electronic Documents Act* (the "Act") and the Canadian Standards Association *Model Code for the Protection of Personal Information* which it incorporates. These obligations extend to law firms and apply to Myers Weinberg LLP. The Act gives you rights concerning the privacy of your personal information. Myers Weinberg LLP is responsible for the personal information we collect and hold. To ensure accountability, we have developed this policy.

We have designated our office manager, Nadine Conn as the official responsible for the day-to-day care and control of personal information.

What Personal Information do we collect?

Personal information is any information that identifies you or by which your identity could be deduced. We require this personal information in order to provide legal services.

Website Privacy

Currently, Myers Weinberg LLP does not utilize any technology that allows us to collect personal information about you when you visit the website. For example, we do not use cookies, nor do we keep track of who is accessing our website.

If you choose to send us personal information through an e-mail from the website or through our "contact us" link, it will be protected as set out below in this privacy policy. If you send us information in the course of our relationship with you as a client, it is subject to solicitor client privilege.

Why Does Myers Weinberg LLP Need Personal Information?

Myers Weinberg LLP provides legal services to a wide range of clients. In doing so, we may produce direct marketing materials concerning our services and developments in the law.

For each client, we collect information about the client's legal issue including anything the client might have done or said that might affect their legal situation, so that we can advise the client as to their legal rights and responsibilities, their options for addressing the issue and to then carry out their instructions.

In the course of providing legal advice to clients, we may also collect personal information about non-clients who have dealings and disputes with our clients.

How do we collect your Personal Information?

We collect information only by lawful and fair means and not in an unreasonably intrusive way. Wherever possible, we collect your personal information directly from you at the start of a retainer and in the course of our representation.

Sometimes we may obtain information about you from other sources, for example:

- Your insurance company.
- Your real estate agent in a property transaction.
- From a government agency or registry.
- Your accountant.

Consent

In most cases, we will ask you to specifically consent if we collect, use or disclose your personal information. Normally, we would ask for your consent in writing or orally. Sometimes, your consent may be implied through your conduct with us.

Use of Your Information

We use your personal information to provide legal advice and services to clients, to administer a client's file (time and billing database), to comply with audits of our trust accounts by the Law Society of Manitoba, and to include you in any direct marketing activities. If you tell us that you no longer wish to receive information about our services or about new developments in the law, we will not send any further material.

In addition, for time to time, our firm may contact you requesting additional personal information to assist us in maintaining our contact or mailing lists, or to assist us in representing you.

Myers Weinberg LLP does not disclose your personal information to any third party to enable them to market their products and services. For example, we do not provide our client mailing lists to third parties.

Disclosure of your Personal Information

In the course of acting for clients, we will from time to time disclose such of your personal information to opposing lawyers, government agencies, accountants, consultants and others as we, in our sole discretion, deem necessary or advisable and acting in accordance with the principles of solicitor and client confidentiality and the rules of The Law society of Manitoba and for the sole purpose of providing adequate and timely representation.

Under certain circumstances Myers Weinberg LLP will disclose personal information, such as:

- When we are required or authorized by law to do so, for example if a court issues a subpoena.
- When the legal services we are providing to you require us give your information to third parties (for example, a lender in a real estate mortgage transaction) your consent will be implied, unless you tell us otherwise.
- Where it is necessary to establish or collect fees.
- If we engage a third party to provide administrative services to us (for example computer back-up services or archival file storage) and the third party is bound by our privacy policy.

- If we engage expert witnesses or consultants on your behalf.
- If we retain other law firms in other jurisdictions on your behalf.
- If the information is already publicly known.

Updating Your Information

Since we use your personal information to provide legal services to you, it is important that the information be accurate and up-to-date.

If during the course of our retainer any of your information changes, please inform us so that we can make any necessary changes.

Is My Personal Information Secure?

Myers Weinberg LLP takes all reasonable precautions to ensure that your personal information is kept safe from loss, unauthorized access, modification or disclosure. Among the steps taken to protect your information are:

- Premises security.
- Deploying technological safeguards like security software and firewalls to prevent hacking.
- Internal password and security policies.

Access to Your Personal Information

You may ask for access to any personal information we hold about you.

Summary information is available on request. More detailed requests which require archive or other retrieval costs may be subject to our normal professional and disbursement fee.

Correcting Error

If Myers Weinberg LLP holds information about you and you can establish that it is not accurate, complete and up-to-date, Myers Weinberg LLP will take reasonable steps to correct it.

Can I be Denied Access to My Personal Information?

Your rights to access your personal information are not absolute.

We may deny access when:

- Denial of access is required or authorized by law (for example, when a record containing personal information about you is subject to a claim of legal professional privilege by one of our clients).

- Information relates to existing or anticipated legal proceedings against you.
- When granting you access would have an unreasonable impact on other people's privacy.
- When to do so would prejudice negotiations with you.
- To protect our firm's rights and property.
- Where the request is frivolous or vexatious.

If we deny your request for access to, or refuse a request to correct information, we shall explain why.

Myers Weinberg LLP does not use your Social Insurance Number as a way of identifying or organizing the information we hold about you.

Can I request anonymity?

Whenever it is legal and practicable, we may offer the opportunity to deal with general inquiries without providing your name (for example, by accessing general information on our website).

Changes to this Privacy Policy

Since Myers Weinberg LLP regularly reviews all of its policies and procedures, we may change our Privacy Policy from time to time.

Requests for Access

If you have any questions, or wish to access your personal information, please write to our Privacy Officer, Nadine Conn at: Myers Weinberg LLP, 724-240 Graham Avenue. Winnipeg Manitoba, R3C OJ7

Tel: (204) 942-0500 ext 201 Fax: (204) 956-0625 E-mail: nconn@myersfirm.com

If you are not satisfied with our response, the Privacy Commissioner of Canada can be reached at 112 Kent Street, Ottawa Ontario, K1A 1H3 (800) 282-1376

Fax and Email Communications

At this time, our Fax and Email transmissions are not encrypted and are vulnerable to interception by unauthorized parties and are not secure. We are not yet equipped to receive encrypted fax or email. The most secure way to communicate is by mail or delivery.

If you communicate with us by fax and/or email, we shall deem this to your authorization for us to communicate with you by the same means and that you assume the risks of unauthorized interception and disclosure of any of your confidential information that may result from such means of communication.