

## Online Privacy Policy

Last Revised 4/2021

Effective 5/8/2021

At Texas Capital Bank, your online privacy is important to us. This Online Privacy Policy explains the collection, use, sharing, and protection of data and information that we gather from you when you use our website (“Site”) and the websites of partner institutions that directly link to this Policy. Our Online Privacy Policy covers the functions and services available through our Site and mobile application. By continuing to use our Site, you consent to the practices identified in this Policy.

### INFORMATION WE COLLECT

#### *Personal Information*

When you visit our Site, we may collect Personal Information about you that you provide to us, including but not limited to:

- First, middle, and last name
- Home or other physical address
- Email address
- Username associated with your account
- Telephone number
- Location information
- Company name
- Job title
- Details about devices used to access our websites or mobile applications such as IP address, browser information, device information, and operating system information. This is discussed further below.
- We may also collect information about the use of websites, mobile applications, social media presence, and internet-enabled services and platforms by automated means, such as cookies, web beacons, HTML5 localStorage, and other technologies. This is discussed further below.

#### *Cookies and Similar Technology*

We collect other information when you visit our Site or use our mobile application, or interact with our advertisements, even if you are not using our services or do not provide this information directly to us. We may collect a variety of information types in a variety of ways, including:

- Cookies: Cookies are small pieces of data that are stored by your internet browser directly on the device you are using. Cookies help track technical and navigational information such as time you spend on the Site, your browser type, and the specific pages that you have visited.
- Flash objects (also “Local Shared Objects”): Flash objects determine browser type to ensure that you can view all of the content on our Site, and they help us recognize you and your device when you revisit our Site.
- Web beacons: Web beacons are objects that are embedded in a webpage and usually invisible to the user. They track who is visiting our Site.
- IP Address: An IP Address is automatically assigned to your device by your Internet Service Provider and is automatically recorded and logged when you visit our Site.
- HTML5 localStorage: HTML5 localStorage in the browser is different from cookies, but can be used for the same purpose (to pair a tracking ID to a particular web server with your web browser so that the web server can identify your web browser over time).
- Other use: Tracking technologies that we may use from time to time and as technology changes.

### HOW WE USE YOUR INFORMATION

Collecting Personal Information and Other Online Information allows us to optimize the services we offer you. We use this information in a number of ways, including but not limited to:

- Processing applications and transactions
- Verifying your identity, including when you access your online account
- Responding to inquiries and communications from you
- Improving our business operations and developing new products and services
- Assessing and informing you about the services and products that might interest you
- Providing you important information about our Site
- Protecting the rights, property, or personal safety of Texas Capital Bank, its users, and/or the public
- Complying with legal requirements
- Other purposes we may specifically disclose at the time we collect information

#### **HOW WE SHARE YOUR INFORMATION**

We share information we collect from or about you in accordance with our [Customer Privacy Notice](#). This Notice describes the information collected and your choices regarding the sharing of this information.

We disclose Personal Information and Other Online Information as required by law and to third-party affiliates and servicers in connection with the processing, administration, and servicing of your account. These affiliates are only authorized to use and disclose your information as needed to perform services on our behalf or to satisfy legal requirements. At times, we may also disclose your information to meet legal requirements, cooperate with law enforcement authorities, or as we deem appropriate to prevent physical harm or financial loss.

In the event that assets of Texas Capital Bank are acquired by, sold to, or merged with another third party, we reserve the right to transfer your information in connection with this transaction.

#### **HOW WE PROTECT YOUR INFORMATION**

We maintain physical, electronic, and procedural safeguards as required by law to protect the information we collect from you through our Site from unauthorized access, disclosure, manipulation, or destruction.

#### **CHILDREN'S PRIVACY**

Our site is not directed at individuals under the age of thirteen (13), and we do not knowingly solicit, collect, or use Personal Information from children under 13 without parental consent. Children under 13 are prohibited by this Online Privacy Policy from providing Personal Information through our Site. We do not sell the Personal Information of minors under 16 years of age.

#### **KEEPING INFORMATION ACCURATE**

The accuracy of the information you provide to us is very important. Please log in to your account and update any account information you believe to be incorrect. If you cannot change or correct the information online, or you would rather make these changes offline, please use the Contact Us option on our website to call or write to us. Alternatively, you can use the contact information provided to you in your statements, records, or other account materials.

#### **SOCIAL MEDIA**

We utilize social media platforms such as Facebook and others to foster online sharing and collaboration among our customers. Note that any content you make available through those platforms (such as name, pictures, or opinions) are subject to the terms of use and privacy policies of those platforms, not this Policy. To better understand your rights and obligations, please review the policies of the specific website or platform you are using. Because we link to social media sites, and from time to time may include third-party advertisements, other parties may collect your personally identifiable information about your online activities over time and across different web sites when you visit this Site.

#### **TRACKING**

We collect data about your activities that does not personally or directly identify you when you visit our website, the website of entities for which we serve advertisements (our “Advertisers”), or the websites and online services where we display advertisements. This information may include the content you view, the date and time that you view this content, the products you purchase, or your location information associated with your IP address. We use the information we collect to serve you more relevant advertisements (referred to as “Remarketing”).

Additionally, we will track your use of our Site across multiple devices, monitoring your activity to personalize and improve your experience. All platform pixels, including those with our advertising networks, will be capturing anonymized user data including, without limitation: conversion activity, impression/click data, general media buy data, and unique identifiers, such as cookie IDs and Ad IDs (ad server only).

We also use Microsoft’s Universal Event Tracking (UET) feature which collects anonymized user data from advertising destination to provide Microsoft Advertising. Please review link for more information:

<https://privacy.microsoft.com/en-us/privacystatement>

You can exercise your opt-out rights through the below resources:

- To opt out of Google’s use of cookies, you can visit Google’s Ads Settings:  
<https://www.google.com/settings/ads/plugin>
- To opt out of a third-party vendor’s use of cookies, visit the Network Advertising Initiative opt-out page (<http://www.networkadvertising.org/choices/>) or visit the Digital Advertising Alliance (DAA) opt-out page (<http://optout.aboutads.info/?c=2&lang=EN>)

Texas Capital Bank will not respond to web browser “do not track” signals.

Please note that not all tracking will stop even if you delete cookies.

#### **CHANGES TO THE ONLINE PRIVACY POLICY**

Our Online Privacy Policy is subject to change. We will inform you of these changes by posting the Policy to this page and revising the date listed at the top of the page. By continuing to use our Site following the posting, you consent to the modified Online Privacy Policy. Any changes will be effective only after the effective date of the change and will not affect any dispute arising prior to the effective date of the change.

#### **ADDITIONAL RIGHTS**

Applicable laws may give you additional rights that are not described in this Online Privacy Policy.

#### ***Your California Privacy Rights***

If you are a California resident, California law may provide you with additional rights regarding our use of your Personal Information. To learn more about your California privacy rights, visit the CCPA Privacy Statement attached.

#### **QUESTIONS**

For any questions regarding this Policy, please call us at 1-877-839-2265 or email us at [clientsupport@texascapitalbank.com](mailto:clientsupport@texascapitalbank.com).

## PRIVACY STATEMENT – CALIFORNIA

This privacy statement for California residents supplements the information contained in the Online Privacy Policy and applies solely for visitors, users, and others who reside in the state of California (“consumers” or “you”). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (“CCPA”). Any terms defined in the CCPA have the meaning when used in this notice.

### INFORMATION WE COLLECT/USE/DISCLOSE/SELL

We collect the following information from consumers within the last twelve (12) months:

Personal Information Categories & Sources	Business/Commercial Purpose (i.e., How we use it)	Disclosed to Other Parties (i.e., How we share it)
<p><b>Identifiers, such as,</b> Name and alias Postal address Email Internet protocol address Social Security number Tax ID Driver’s license, passport information, government issued identification, other photo identification Other similar personal identifiers to identify you</p> <p>We collect this information from you, governmental entities, and other third parties or data brokers. We also collect this information from our commercial clients. We also generate identifiers internally such as a customer identification number.</p>	<p><b>Purpose</b> Security, Performing Services, Auditing</p> <p>Identification of customer and validation of information provided to us to open an account; to provide the services to you and our clients as requested; monitoring security, identity authentication and banking activities; to comply with legal and regulatory requirements, fulfilling, maintaining, and servicing accounts; providing marketing to you of our products and services; and internal reporting and analytic purposes.</p>	<p>We share this information with our service providers, business partners, and those whom you instruct us to share this information.</p> <p>We also share this information as necessary to comply with legal or regulatory requirements with parties such as government authorities.</p>
<p><b>Signature, telephone number, bank account number, credit card number, debit card number, or any other financial information, including credit scores</b></p> <p>We collect this information from you, governmental entities, and other third parties or data brokers.</p> <p>We also collect this information from our commercial clients. We generate account numbers.</p>	<p><b>Purpose</b> Security, Performing Services, Auditing</p> <p>Identification of customer and validation of information provided to us to open an account; to provide the services to you and our clients as requested; monitoring identity authentication and banking activities; to comply with legal and regulatory requirements, fulfilling, maintaining, and servicing accounts; providing marketing to you of our products and services; and internal reporting and analytic purposes.</p>	<p>We share this information with our service providers, business partners, and those whom you instruct us to share this information.</p> <p>We also share this information as necessary to comply with legal or regulatory requirements with parties such as government authorities.</p>
<p><b>Personal characteristics</b> such as date of birth, citizenship status, gender, age, and marital status.</p>	<p><b>Purpose</b> Security, Performing Services, Auditing</p>	<p>We share this information with our service providers and to governmental authorities as required for any legal and regulatory requirements.</p>

Personal Information Categories & Sources	Business/Commercial Purpose (i.e., How we use it)	Disclosed to Other Parties (i.e., How we share it)
<p>We collect this information from you and our commercial clients. We may also collect this information from governmental entities and other third parties or data brokers.</p>	<p>Identification of customer and validation of information provided to us to open an account; to provide the services to you and our clients as requested; monitoring identity authentication and banking activities; to comply with legal and regulatory requirements, fulfilling, maintaining, and servicing accounts; providing marketing to you of our products and services; and internal reporting and analytic purposes.</p>	
<p><b>Commercial information</b>, such as records of personal property, products and service purchased, obtained or considered, purchasing or consuming histories or tendencies.</p> <p>We collect this information from our commercial clients and other third parties or data brokers.</p>	<p><b>Purpose</b> Performing Services</p> <p>We collect information provided on loan documentation which may be periodically updated through credit reporting.</p>	<p>We share this information with our service providers and business partners.</p>
<p><b>Biometric information</b></p>	<p>We don't collect.</p>	<p>None.</p>
<p><b>Internet or other electronic network activity information</b>, including device and browser type, Internet Service Provider</p> <p>We track certain tags during interactions with: Website, sign-up and online banking platforms, and Email interactions</p> <p>We also use platform pixels from advertising networks.</p> <p>We collect this information when you engage with our website and mobile applications or interact with our digital ads.</p>	<p><b>Purpose</b> Security, Performing Services, Auditing Interactions with Consumers, Internal Research for Tech Development</p> <p>Monitoring account security and activities; we collect this information as part of your use of our site or mobile application and providing marketing of our products and services; we review platform usage to identify opportunities for customer experience, re-marketing to consumers who have expressed interest in services and products, and to perform targeted marketing to consumers who fit profiles of interested prospects.</p>	<p>We share this information with our service providers.</p>
<p><b>Geolocation data</b>, such as device location.</p> <p>We collect from your activity on our digital properties (e.g. through online platforms or mobile applications).</p>	<p><b>Purpose</b> Security, Performing Services</p> <p>Monitoring account security and activities; we may also collect this information as part of performing our services to you.</p>	<p>We share this information with our service providers.</p>
<p><b>Audio, electronic, visual, or similar information</b></p>	<p><b>Purpose</b> Security, Performing Services</p>	<p>We share this information with our service providers.</p>

Personal Information Categories & Sources	Business/Commercial Purpose (i.e., How we use it)	Disclosed to Other Parties (i.e., How we share it)
	We may collect audio and visual information for security and customer service purposes.	
<b>Professional or employment-related information</b> , such as employment history and related information.  We collect this information from you and from our commercial clients as well as other third parties	<b>Purpose</b> Performing Services  Identification of customer and validation of information provided to us; to provide the services to you and our clients as requested; providing marketing to you of our products and services; and complying with legal and regulatory requirements.	We share this information with our service providers and business partners.
<b>Education information</b>  We collect this information from you if you provide it to us or is provided by our commercial clients.	<b>Purpose</b> Performing Services  To provide the services to you and our clients as requested.	We share this information with our service providers.
<b>Inferences</b> <b>We generate these internally.</b>	<b>Purpose</b> <b>Security, Performing Services</b>  We may monitor banking activities and behaviors for security purposes and to better understand your needs and satisfaction with our services, to improve our marketing programs, and to develop and offer more relevant services and products.	We share this information with our service providers by using their functionality to build profiles for our internal use.

Personal Information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.
- Information excluded from the CCPA’s scope, like:
  - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
  - Personal Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or the California Financial Information Privacy Act (FIPA), and the Driver’s Privacy Protection Act of 1994 (DPPA).

**YOUR RIGHTS, INCLUDING ACCESS, DELETION, AND OPT-OUT**

You have the right to request that we disclose to you what information we collect, use, disclose, and sell. You also have the right to request that a business delete any Personal Information about you which the business has collected about you. To submit either of the above requests, you may contact us by calling 1-877-839-2265 submitting via email at [clientsupport@texascapitalbank.com](mailto:clientsupport@texascapitalbank.com), or by sending a message through your password-protected online portal at <https://securelogin.texascapitalbank.com>. Please note that, for your protection, any request sent to us relating to your Personal Information will be subject to the following verification procedure: (1) You may be verified by your submission made through your password-protected online portal or by verifying identification points with client support. (2) We reserve the right to deny your request if we cannot verify your identity. (3) Where we deny your

request in whole or in part, we will endeavor to inform you of the denial, provide an explanation of our actions, and provide the reasons for the denial.

We do not sell your Personal Information. We shall not discriminate against you for exercising any of your above rights.

You may designate an authorized agent to make a request to exercise your rights on your behalf. Your authorized agent must be able to provide to us proof that you have authorized the agent to act on your behalf. For your protection, we reserve the right to deny any request from an agent who does not submit proof that they have been authorized to act on your behalf.

**CHANGES TO OUR PRIVACY NOTICE**

We reserve the right to amend this privacy statement at our discretion and at any time. When we make changes to this privacy statement, we will post an updated version on the website homepage. Any changes will be effective only after the effective date of the change and will not affect any dispute arising prior to the effective date of the change.