

COLONIAL AMERICAN BANK  
NOTICE OF YOUR  
FINANCIAL PRIVACY RIGHTS

**I. OUR MISSION STATEMENT**

At the Bank, the basis of each customer's relationship is trust. Our customers have chosen to do business with Colonial American Bank, and we are obligated to honor that relationship with great care, beginning with the information that our customers have chosen to share with us. We believe that customer privacy should not be compromised. At the same time, we want to offer our customers the array of financial products and on-line services needed to accomplish their financial goals. We believe we can do both. The following describes our commitment to safeguard and protect our customers' and former customers' financial and personal information:

This is our privacy notice for our customers. When we use the words "you" and "your" we mean the following types of customers:

- \* All of our present and former consumer customers who have had a continuing relationship with us, such as:
  - \* Deposit account
  - \* Loan account
  - \* Credit card
  - \* Safe Deposit Box
  - \* Retail Installment contract we hold and service
  - \* Self-directed Individual Retirement Account where we act as custodian or trustee

We will tell you the sources for nonpublic personal information we collect on our customers. We will tell you what measures we take to secure that information.

We first define some terms.

**WE, OUR, and US** means the Bank.

**NONPUBLIC PERSONAL INFORMATION** means information about you that we collect in connection with providing a financial product or service to you. Nonpublic personal information does not include information that is available from public sources, such as telephone directories or government records.

An **AFFILIATE** is a company we own or control, a company that owns or controls us, and a company that is owned or controlled by the same company that owns or controls us. Ownership does not mean complete ownership, but means owning enough to have control.

A **NONAFFILIATED THIRD PARTY** is a company that is not an affiliate of ours.

**THE INFORMATION THAT WE COLLECT**

We collect nonpublic personal information about you from the following sources:

- \* Information we receive from you on applications or other forms
- \* Information about your transactions with us
- \* Information about your transactions with nonaffiliated third parties
- \* Information from a consumer reporting agency

We do not disclose any nonpublic personal information about you to anyone, except as authorized by law.

## **THE CONFIDENTIALITY, SECURITY AND INTEGRITY OF YOUR NONPUBLIC PERSONAL INFORMATION**

We restrict access to nonpublic personal information about you to those employees who need to know that information to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations.

### **II. Exceptions**

There are certain situations when the Bank may share nonpublic personal information with third parties in order to administer and process customer's transactions or to provide customers with services and products or to better serve our customers. The sharing of nonpublic personal information is permitted and in certain situations does not require a confidentiality agreement or an opt out notice. These exceptions are described below.

#### **A. Exceptions to the Opt Out Requirements for Service Providers and Joint Marketing**

The opt out requirements do not apply if our Bank provides nonpublic personal information about a consumer to a nonaffiliated third party to perform services for the Bank. This opt out requirement also does not apply, if the nonaffiliated third party functions on the Bank's behalf. However, the Bank must provide the initial notice as required, and must enter into a contractual agreement with the third party.

This contractual agreement requires the third party to maintain the confidentiality of the information, and limits the third party's use of the information solely for the intended purposes or as otherwise permitted by law.

#### **B. Exceptions to the Opt Out Requirements for Processing and Servicing Transactions**

The requirements for initial notice, for opt out, and for service providers and joint marketing do not apply if the Bank discloses nonpublic personal information for the following purposes:

1. As necessary to effect, administer, or enforce a transaction requested or authorized by the consumer.
2. To service or process a financial product, or service requested or authorized by the consumer.
3. To maintain or service the consumer's account with the Bank, or with another entity as part of a private label credit card program or other extension of credit on behalf of such entity.
4. In connection with a proposed or actual securitization, secondary market sale (including sales of servicing rights), or similar transaction related to a transaction of the consumer.

For more information about other exceptions to the privacy notice and opt out requirements please view our Privacy Policy at [www.colonialamericanbank.com](http://www.colonialamericanbank.com).