

First New York (“FNY”, “we” and “our”) has created this Privacy Policy in order to demonstrate our commitment to your privacy and security. This Privacy Policy applies to all visitors of our website and customers of our services. To better protect your privacy, this Privacy Policy explains our online information practices and the choices you can make about the way your information is collected and used by FNY. We encourage you to read the entire policy so you fully understand how we collect, use and store your personal information.

Information We Collect and How We Collect it.

We collect the following information about you in three ways:

1. information you provide to us in applications and other forms, including your name, address, telephone number, e-mail address and other contact information;
2. information about your transactions with us; and
3. information we may receive from a consumer-reporting agency.

Information you provide.

When you interact with one of our services or communicate with us by any means you voluntarily provide information to us. For example, when you contact us, you provide us with your name, email address and phone number. Similarly, if you become an employee or member you provide us with your name, address, phone number and tax information. Whenever you provide information to us, we may use that information to communicate with you about your use of our services.

How We Use Information.

We use information in the following ways:

1. Consistent with purposes for which you provided us with information;
2. To respond to lawful process or lawful subpoena, to comply with any law, to protect the rights or property of FNY, or its service providers, partners, customers or users or to protect such parties from fraudulent, abusive or unlawful use of or subscription to, our services; and
3. To carry out our contractual obligations and enforce our rights arising from any contracts.

Information We Share.

We share your information with third party vendors and service providers when it is necessary for them to perform work on our behalf. We may disclose all of the information we collect, as described above, to companies that perform clearing services on our behalf or to

other financial institutions with whom we have service agreements. We share information with our affiliates and may share your information to a company that merges with, acquires or purchases the assets of FNY in which case that company may continue to process your information. We may also disclose your information to law enforcement or other government officials upon receipt of lawful process, upon lawful subpoena, in compliance with any law, and or to protect the rights or property of FNY or its service providers, partners, customers or users, or to protect such parties from fraudulent, abusive or unlawful use of, or subscription to, our services.

Except as otherwise provided in this Privacy Policy, we do not sell, rent, license or lease your information to third parties.

Information Security and Data Retention.

We have technical, physical and administrative safeguards in place to help protect against unauthorized access to, use and disclosure of the information that we collect or store, including your contact information. Our employees are trained on the importance of protecting privacy. Under our procedures and policies, access to sensitive information that could be used to identify you as an individual is authorized only for those who have a business need for such access, and sensitive information is retained only as long as necessary for business, accounting, tax or legal purposes.

Although we work hard to protect personal information that we collect and store, no program is 100% secure and we cannot guarantee that the safeguards we have in place will prevent every unauthorized attempt to access, use or disclose your personal information. If you become aware of a security issue, please contact us at itsupport@firstny.com. We will work with you to address any problems.

We hold your information, including all communications, as required by the laws and regulations that govern our services.

Third Party Links and Websites.

Please note that we are not responsible for the websites, apps or services of third parties. Our website may contain links to third party websites, apps or services. The collection, use and disclosure of information that you provide to those third party websites, apps and services are not governed by this Privacy Policy.

Your Choices & Controls.

You have control over the information that you receive from us. If you wish to change, update or delete information that you have provided to us for any reason, please contact us at itsupport@firstny.com to make those changes.