

# Berry Petroleum Corporation

## Privacy Notice for California Residents

**Effective Date:** January 1, 2020

**Updated:** January 22, 2020

Berry Petroleum Corporation and its affiliates (Berry) adopts this **Privacy Notice for California Residents** to comply with the California Consumer Privacy Act of 2018 (CCPA). Any terms defined in the CCPA have the same meaning when used in this notice. This notice applies to all “consumers” as to Berry as such are defined under the CCPA; except this notice does not apply to employment-related personal information collected from California-based employees, job applicants, contractors, or similar individuals (to whom this notice does apply, "consumers" or "you").

### Information We Collect

Berry may collect information that identifies, relates to, describes, references, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer, household, or device ("**personal information**").

In particular, Berry has collected the following categories of personal information from its consumers within the last twelve (12) months:

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.  Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic	YES

	information (including familial genetic information).	
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	NO
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	NO
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations.	NO
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	NO
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

Personal information does not include:

- Publicly available information from government records.
- Deidentified or aggregated consumer information.

- “Deidentified” means when the information cannot reasonably identify, relate to, describe, be capable of being associated with, or be linked, directly or indirectly, to a particular consumer, if the business using deidentified information: (1) implemented technical safeguards that prohibit reidentifying the consumer to whom the information may pertain; (2) implemented business processes that specifically prohibit reidentifying the information; (3) implemented business processes to prevent inadvertent release of deidentified information; and (4) makes no attempt to reidentify the information.
- Information excluded from the CCPA's scope, such as:
  - 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 California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.
- Your personal information if you do not reside in the State of California.

Berry obtains the categories of personal information listed above from the following categories of sources:

- Directly from you. For example, from forms you complete.
- Indirectly from you. For example, from observing your actions on our website.

### **Use of Personal Information**

We may use or disclose the personal information we collect for one or more of the following business purposes:

- To fulfill or meet the purpose for which you provided the information.
- To provide, support, personalize, and develop our website, products, and services.
- To create, maintain, customize, and secure your account with us.
- To process your requests, transactions, and payments and prevent transactional fraud.
- To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- To help maintain the safety, security, and integrity of our website, products and services, databases and other technology assets, and business.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of Berry's assets, whether as a going concern or as

part of bankruptcy, liquidation, or similar proceeding, in which personal information held by Berry is among the assets transferred.

Berry will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

### **Sharing Personal Information**

Berry may disclose your personal information to a third party for a business purpose. When we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- Service providers
- Government agencies
- Potential counterparties in mergers, acquisitions or divestiture transactions
- Internet cookie data recipients, like Google Analytics

### ***Disclosures of Personal Information for a Business Purpose***

In the preceding twelve (12) months, Berry has disclosed the following categories of personal information for a business purpose:

Category A: Identifiers.

Category B: California Customer Records personal information categories.

Category C: Protected classification characteristics under California or federal law.

Category F: Internet or other similar network activity.

Category K: Inferences drawn from other personal information.

We disclose your personal information for a business purpose to the following categories of third parties:

- Service providers, including but not limited to banks for the purpose of processing any required payment to you
- Government agencies
- Potential counterparties in mergers, acquisitions or divestiture transactions
- Internet cookie data recipients, like Google Analytics

### ***Sales of Personal Information***

In the preceding twelve (12) months, Berry had not sold personal information.

### **Your Rights and Choices**

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

### ***Access to Specific Information and Data Portability Rights***

You have the right to request that Berry disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request (see *Exercising Access, Data Portability, and Deletion 0*), we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources of the personal information we collected about you.
- Our business purpose for collecting that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we disclosed your personal information for a business purpose, identifying the personal information categories that each category of recipient obtained.

### ***Deletion Request Rights***

You have the right to request that Berry delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (see *Exercising Access, Data Portability, and Deletion 0*), we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*).
6. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
7. Comply with a legal obligation.
8. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

### ***Exercising Access, Data Portability, and Deletion Rights***

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- **Email:** CCPA@bry.com
- **Postal Address:**  
Berry Petroleum Corporation  
Attn: Legal Department  
  
16000 N. Dallas Parkway, Suite 500  
Dallas, TX 75248

Only you, or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

### ***Response Timing and Format***

We endeavor to respond to a verifiable consumer request within forty-five (45) days of our receipt. If we require more time, we will inform you of the reason and extension period in writing.

We will deliver our written response by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding our receipt of the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

### **Non-Discrimination**

We will not discriminate against you for exercising any of your CCPA rights.

### **Changes to Our Privacy Notice**

Berry reserves the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will post the updated notice on our website and update the notice's effective date. **Your continued use of our website following the posting of changes constitutes your acceptance of such changes.**

### **Contact Information**

If you have any questions or comments about this notice, the ways in which Berry collects and uses your information described here, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

- **Email:** [CCPA@bry.com](mailto:CCPA@bry.com)
- **Phone:** (661) 616-3962
- **Postal Address:**  
Berry Petroleum Corporation  
Attn: Legal Department  
16000 N. Dallas Parkway, Suite 500  
Dallas, TX 75248