

Privacy Policy

Last Modified: December 9, 2017

Marcus by Goldman Sachs® Privacy Policy

1. GENERAL

Your privacy is important to us. We want you to understand how we may collect, use, share and keep information about you and the choices that are available to you. This Online Privacy Policy describes the types of information we may collect about you, the purposes for which we use the information, the circumstances in which we may share the information, the steps that we take to safeguard the information and to protect your privacy, our do not call policy; and other important privacy terms (as updated from time-to-time, this **"Online Privacy Policy"**) that apply when you visit the Marcus by Goldman Sachs website (www.marcus.com) and any associated websites, products, services or mobile applications (collectively, the **"Site"**). By using the Site, you are accepting the terms of this Online Privacy Policy and you are consenting to our collection, use, disclosure and protection of your information as described in this Online Privacy Policy.

As used throughout this Online Privacy Policy, the terms (1) **"Goldman Sachs," "we," "us" or "our"** means Goldman Sachs Bank USA and its affiliates, agents and assigns worldwide; (2) **"you" or "your"** means any user of the Site; (3) **"Products"** means the Online Savings Accounts and Certificate of Deposit Accounts (each an "Account"), loans, financial education materials and any other products or services provided through the Site; and (4) **"includes" or "including"** means "including but not limited to" or "includes but is not limited to."

As you review this Online Privacy Policy, please remember information you provide to us in connection with a Product may be governed by a separate notice called the Goldman Sachs Bank USA Privacy Notice. Please refer to that notice for additional information about our privacy practices and your rights and choices.

We may change this Online Privacy Policy from time-to-time. If we make changes to this statement, we will update the "Last Modified" date at the top of this page. Any changes to this Online Privacy Policy will become effective when posted unless indicated otherwise. Your continued use of the Site following the posting of any changes will mean that you accept those changes.

We may make links to websites or applications that are owned by third parties (**"third-party websites"**) available on the Site. Information collected by providers of such third-party websites is governed by their privacy policies, which we encourage you to review. These third-party websites operate independently from us and are not subject to this Online Privacy Policy or any of our privacy policies.

2. SOURCES OF INFORMATION

The personal information we collect about you comes primarily from the information that you provide to us during the course of your relationship with us. We may also collect information about your transactions and experiences with us relating to your use of the Site and/or the Products. In addition, depending on the Products that we provide to you, we may obtain additional information about you from third parties (for example, we may obtain your credit history from consumer reporting agencies or demographic information maintained by third parties).

When you interact with the Site on a social media platform, we may collect the personal information that you make available to us relating to that platform, including your account ID or username and other information included in your posts.

Finally, in the provision of Products to you, information may be collected about you indirectly through monitoring or other means (for example, recording of telephone calls, monitoring emails and information collected through your use of the Site). By communicating with us, you acknowledge that your communication may be overheard, monitored, or recorded without further notice or warning.

Information That You Provide

When you visit the Site, apply for a Product, establish a customer relationship with us, use a Product or otherwise interact with us, the typical information we may collect about you depends on the Product and may include:

- Your name, address, phone, email and other contact details and similar information;
- Your age and occupation;
- Your Social Security Number/ Individual Taxpayer Identification Number;
- Financial information (for example, information about your income and your full bank account numbers);
- Documents to verify your identity, occupation and income, such as photographs or copies of government IDs, checks, tax documents and other similar materials; and
- Other personal information that you disclose as part of any Product enrollment, Account application, loan application or in other communications with us.

Of course, you are not required to supply any of the personal information that we request. However, your failure to do so may result in our being unable to open or maintain an Account or to provide Products to you. You agree to promptly notify us if there are any changes to your personal information by updating your online account in the following manner:

- For Marcus Savings Products call us toll-free at 1-855-730-SAVE (1-855-730-7283) or write us at Goldman Sachs Bank USA, P.O. Box 1978, Cranberry Twp, PA 16066.
- For other Products (including Marcus Loans), please call us toll-free at 1-844-MARCUS2 (1-844-627-2872) or write us at Goldman Sachs Bank USA, P.O. Box 45400, Salt Lake City, UT 84145-0400.

Automatically Collected Information

In addition to the information that you provide to us, we collect certain information automatically through your use of the Site or interaction with our advertisements. For example, we may collect data regarding your use of the Site directly or through our service providers using cookies, web beacons, page tags, pixels or similar tools that are set when you visit the Site or when you view an advertisement that we have placed on another site ("**Clickstream Data**"). Clickstream Data may include computer and connection information such as statistics on your page views, pathways to and from the Site, referral URL, ad data, IP address (which can be used to derive the location of your device), device identifiers, the type of operating system and browser you use, and other device settings. Clickstream Data also may include your browsing history, transaction history, your web log information and other information that may be aggregated and/or de-identified. Clickstream Data helps us suggest Products or service offerings that may be of interest to you. This information may be used by us (or third parties on our behalf) for the purposes described in this Online Privacy Policy or for other business purposes as permitted by law. For more

information about how this Site uses cookies, web beacons, page tags, pixels and similar choices and your rights and choices, please see Cookies and Other Tracking Technologies below.

Location Information

We may receive information about your location and your mobile device, including a unique identifier for your device. In addition, in some instances, location information can be derived from your IP address or through your wi-fi connection. You can change whether you share specific geo-location information in your device settings; however, some Products or features on the Site may not function properly without this information.

3. OUR USE OF YOUR INFORMATION

We use your information to provide you with Products and information and to help us personalize and continually improve the Site and Products, including fulfilling requests for information, processing applications, analyzing and compiling trends and statistics and communicating with you.

We may also use your information to:

- Administer, operate and manage your relationship and/or Products with us. This may include sharing such information internally as well as disclosing it to third parties, as described in this Online Privacy Policy and other privacy notices that we may provide to you in connection with specific Products;
- Contact you through various channels, including mail, telephone, text message, in-app and Site messaging, and email, in connection with your Products;
- Provide you with customized information and reports, tailored content and marketing messages;
- Authenticate your identity, including during the application process;
- Support our internal business operations, including assessing and managing risk and fulfilling our legal and regulatory requirements;
- Comply with contractual obligations, relevant industry standards and our policies;
- Mitigate fraud, enhance the security of your Products and our online services and manage institutional risk;
- Operate, evaluate and improve our business (including developing new Products and services; improving existing Products and services; performing data analytics; and performing accounting, auditing and other internal functions);
- Improve Site performance and personalize your experience with the Site;
- Notify you about changes to the Site, Products and policies;
- Perform analytics concerning your use of our online services, including your responses to our emails and the pages and advertisements you view;
- Respond to your requests and otherwise fulfill any purpose for which you provide to us;
- For any other purpose that we disclose at the time you provide, or when we collect, your information; and
- Other purposes permitted by applicable law.

In addition to the above, we may use data that we collect on an aggregate or anonymous basis for various business purposes, where permissible under applicable laws and regulations.

We also may use or combine information that we collect offline or that we receive from third-party sources for many reasons, including to enhance, expand and check the accuracy of our records. Additionally, data collected from a particular browser, device or application may be used with or to recognize you on another browser, device or application linked to you.

We provide you with certain communication choices relating to certain types of communications and information sharing. See the *Do Not Call Policy* below for more details on your telemarketing options. You may also receive a privacy notice in connection with certain Products that you receive from us describing certain communication choices associated with that Product. You can exercise your communications choices by following any instructions contained in our privacy notices or marketing materials, or:

- For Marcus Savings Products call us toll-free at 1-855-730-SAVE (1-855-730-7283) or write us at Goldman Sachs Bank USA, P.O. Box 1978, Cranberry Twp, PA 16066.
- For other Products (including Marcus Loans), please call us toll-free at 1-844-MARCUS2 (1-844-627-2872) or write us at Goldman Sachs Bank USA, P.O. Box 45400, Salt Lake City, UT 84145-0400.

If your relationship with us ends, we will continue to treat your personal information, to the extent we retain it, as described in this Online Privacy Policy or as set forth in the privacy notice for the applicable Product.

4. DISCLOSURES OF YOUR PERSONAL INFORMATION WITHIN GOLDMAN SACHS

In order to provide efficient and reliable Products and to improve product and service options available to you, more than one entity within Goldman Sachs may be given, or given access to, your personal information. For example, one Goldman Sachs entity might share your information with another in order to facilitate your transactions, assist in the Account application process, for the maintenance of your accounts or for other purposes permissible under applicable law. When we share your personal information in this way, we adhere to all applicable legal requirements regarding the sharing and protection of personal information. The privacy notice for an applicable Product may have information about your rights and choices regarding sharing your personal information within Goldman Sachs. Additional information on how your personal information is protected while within Goldman Sachs is provided below, under Information Security: How We Protect Your Privacy.

5. DISCLOSURES OF YOUR PERSONAL INFORMATION TO THIRD PARTIES

We only share your personally identifiable information with third parties as described below. In addition, we may share information that does not specifically and personally identify you, such as aggregated information, device identifiers or other unique identifiers to third parties.

We will not sell information that personally identifies you to any third party for their own marketing purposes.

Third-Party Service Providers: We may share your personal information with non-affiliated companies that perform support services for us or in connection with any Product that you apply for or may receive from us ("**Third-Party Service Providers**"). Third-Party Service Providers that assist us are required to protect any non-public personally identifiable information that they receive from us and to use that information only for the purposes that we instructor for other business purposes as permitted by law.

Law Enforcement, Legal Process and Emergency Situations: Your personal information may be disclosed to third parties as permitted by, or to comply with, applicable laws and regulations. Examples include responding to a subpoena or similar legal process, protecting against fraud and cooperating with law enforcement or regulatory authorities. We may also disclose your information if we believe it is necessary or appropriate to protect our rights, property or safety or the rights, property or safety of our employees, customers or others, or to enforce our contractual rights.

Sale, Assignment or Change of Control: In the event of a merger, divestiture, restructuring, reorganization, dissolution or other sale or transfer of any or all of our assets or liabilities, some of the personal information that we hold may be among the assets or liabilities transferred to a buyer or other successor. We may transfer to another entity or its affiliates or service providers some or all information about you in connection with, or during negotiations of, any merger, acquisition, sale of assets or liabilities or any line of business, change in ownership control or financing transaction.

6. COOKIES AND OTHER TRACKING TECHNOLOGIES

Like many websites, we use tracking technologies such as cookies, web beacons and similar technologies. We may also use these technologies to, when applicable, record your preferences, track your use of the Site across multiple devices, measure exposure to our online advertisements, monitor traffic, analyze use of the Site, for security purposes, to display information more effectively, to personalize a user's experience, and to improve the Site and make the Site easier to use.

You have choices to limit some tracking mechanisms that collect information when you use the Site. Many web browsers automatically accept cookies, but you can usually modify your browser's setting to decline cookies if you prefer. If you choose to decline cookies, certain features of the Site may not function properly or may not remain accessible to you. In addition, you may also render some web beacons unusable by rejecting or removing their associated cookies. Note that, if you choose to remove cookies, you may remove opt-out cookies that affect your advertising preferences.

For more information about your choices, see *Interest-Based Advertising* below.

Cookies

Cookies are small text files that may be placed on your device when you visit the Site or when you view advertisements that we have placed on other websites. Cookies allow your browser to remember some specific information which the web server can later retrieve and use. When you quit your browser, some cookies are stored in your computer's memory, while some expire or disappear.

Tags, Pixels, Web Beacons, Clear GIFs

A web beacon, also known as an Internet tag, pixel tag or clear GIF, is typically a one-pixel, transparent image located on a webpage or in an email. These may be used when you are served with advertisements, when you interact with advertisements outside of our online services or when you interact with our communications. They are generally used to transmit information back to a web server.

Interest-Based Advertising

Interest-based advertising refers to collecting information about your online activities over time and across different websites, devices, and other online services to deliver advertisements to users of that device based on their web-viewing behavior. We use interest-based advertising to deliver advertisements and other targeted content to you. To facilitate interest-based advertising, we partner with third-party advertising companies who also use these tracking tools to provide advertisements on the Site or other websites. These third parties may use these technologies to collect information about you when you use the Site and your other online activities. They may collect information about your online activities over time and across different websites and other online services. They may also use persistent identifiers to track your Internet usage across other websites and devices in their networks beyond the Site. They may use this information to provide you with interest-based advertising or other targeted content.

We, and many of the third-party advertisers that place tracking tools on the Site, are members of the Interactive Advertising Bureau's *Self-Regulatory Program for Online Behavioral Advertising*. Some of our ads that are displayed on third-party websites will feature an Ad-Choices icon inside the ad. Clicking on the AdChoices icon inside the ad will provide you with an opportunity to opt out of interest-based advertising by the third parties that participate in the program. In addition, you can learn more about the options available to limit these third parties' collection and use of your information by visiting our [opt-out page](#) and the websites for the [Network Advertising Initiative](#) and the [Digital Advertising Alliance](#), as well as the webpages for [Facebook's ad preferences tool](#) and [privacy policy](#).

If you choose to opt-out, a cookie will be placed on your browser or device indicating your decision. This cookie is specific to a particular device and browser, so if you use different browsers or devices, you will need to opt-out on each. In addition, because the opt-out is facilitated via cookies, if you clear your cookies you will need to opt-out again.

Additional Technology

We use Google Analytics, a web analytics service provided by Google, Inc. ("**Google**"), on the Site. Google Analytics uses cookies or other tracking technologies to help us analyze how users interact with and use the Site, compile reports on the

Site's activity and provide other services related to Site activity and usage. The technologies used by Google may collect information such as your IP address, time of visit, whether you are a return visitor and any referring website. The Site does not use Google Analytics to gather information that personally identifies you. The information generated by Google Analytics will be transmitted to and stored by Google and will be subject to Google's privacy policies. To learn more about Google's partner services and to learn how to opt out of tracking of analytics by Google, click <https://www.google.com/policies/privacy/partners/>.

In addition to Google Analytics, we use the Google Maps API to help pre-fill in address information. To learn more about Google's privacy practices, click <http://www.google.com/policies/privacy>.

7. INFORMATION SECURITY: HOW WE PROTECT YOUR PRIVACY

We take the security of your personal information seriously. We seek to limit access to your personal information to authorized employees, agents, contractors or vendors. We also maintain physical, electronic and procedural safeguards designed to protect the information against loss, misuse, damage or modification and unauthorized access or disclosure while in our possession.

8. OTHER IMPORTANT INFORMATION

You must be an individual of at least eighteen (18) years of age and reside in the United States or on a United States military base, or in a United States Territory in order to use the Site. If you do use the Site outside of the United States, you understand and consent to the transfer of your personal information to, and the collection, processing and storage of your personal information in, the United States and elsewhere. The laws in the United States and these countries regarding personal information may be different from the laws of your state or country.

9. OTHER PRIVACY POLICIES OR STATEMENTS

This Online Privacy Policy provides a general statement of the ways in which we protect your personal information through the Site. We may, however, in connection with other specific Products, provide you with privacy notices, disclosures, policies or terms that supplement this Online Privacy Policy, such as the [Goldman Sachs Bank USA Privacy Notice](#). Please refer to that notice for additional information about our privacy practices and your rights and choices. To the extent that there is a conflict between this Online Privacy Policy and any privacy notice, disclosure, policies or terms relating to any Product, the privacy notice, disclosure, policies or terms relating to the Product will govern.

10. DO NOT TRACK SIGNALS

Your browser or device may include Do Not Track functionality. The Site is not built to respond to Do Not Track signals. That means that, even if your browser is set to "Do Not Track," our information collection and disclosure practices (including the choices that we provide to customers) will continue to operate as described in this Online Privacy Policy.

11. DO NOT CALL POLICY

Goldman Sachs Bank USA ("**GS Bank**") does not place marketing telephone calls to numbers appearing on a state or federal do not call list (unless permitted by applicable law) or to the number of a person who has requested not to receive telemarketing calls made by or on behalf of GS Bank. If you ask not to receive telemarketing calls from us, you will be placed on our internally-maintained do not call list and will not be called during any future telemarketing campaigns. Any request to be placed on our internally-maintained do not call list will be processed within a reasonable amount of time, not to exceed 30 days. GS Bank employees involved in GS Bank's telemarketing campaigns receive training on how to use our internally-maintained do not call list, and how to document, process and honor requests to be placed on our internally-maintained do not call list. It is our policy to honor a do not call request for five (5) years from the time the request is made. However, some states have do not call laws that require us to honor such a request for a longer period of time, and it is our policy to comply with those laws when applicable. Subject to applicable law, if you communicate with us by telephone, we may monitor or record the call. We reserve the right to revise this Do Not Call Policy.

Marcus by Goldman Sachs® is a brand of Goldman Sachs Bank USA, which is a wholly-owned subsidiary of The Goldman Sachs Group, Inc., New York State-chartered bank and a member of the Federal Reserve System and FDIC. All savings deposit products provided by Goldman Sachs Bank USA.