

## **PRIVACY POLICY**

Effective Date: December 23, 2016.

Welcome! This privacy policy (“Privacy Policy”) governs the websites <http://www.fengjr.us> and <http://www.fengjr.com> (including both mobile and online versions) (collectively, the “Site”), including your use of interactive features, platforms, investor marketplace, widgets, plug-ins, applications, content, downloads and/or other online services that we own and control and that post a link to this Privacy Policy (collectively with the Site, the “Service”), which are made available by Beijing Phoenix Lilita Information Technology Company and its subsidiaries and affiliates, including Beijing Phoenix Jinxin Investment Management Ltd. and Phoenix Capital Advisors, LLC (“Beijing Phoenix Lilita”, “we” “our” or “us”). This Privacy Policy does not apply to data we receive from third parties, unless we combine such data with Personal Information (defined below) that we have ourselves collected under this Privacy Policy. This Privacy Policy does not apply to our data collection activities offline or otherwise outside of our Service (unless otherwise stated below), and does not govern the data practices of third parties that may interact with our Service.

To the extent we provide you notice on our Service of different or additional privacy policies or practices (e.g., at the point of our collection), those additional terms shall govern such data collection and use.

In addition, please review the Service’s Terms of Use, which governs your use of the Service. By using our Service, you consent to our Privacy Policy and Terms of Use and our collection, use and sharing of your information and data, and other activities, as described below. If you do not agree to the terms of this Privacy Policy, please do not provide us with any Personal Information and do not use this Service.

### **1. What Information Does the Service Collect?**

#### **(a) Information You Provide to Us**

The Service connects accredited investors with investment opportunities and efficiently communicates with investors, distributes investment documents and centralizes ongoing investor relations. To effectuate these investing opportunities, we collect Personal Information (defined below) and Business Information (defined) from investors. On the Service, we may ask you to provide us with certain categories of information, such as: (1) personally identifiable information, which is information that identifies you personally, such as your first and last name, phone number, social security number, username and password, financial information, date of birth, home address and email address (“Personal Information”); and (2) business information, such as information about the company you work for, business contact information, your job title and company financial information (“Business Information”). We may collect this information through various forms and in various places on the Service, including if you register for an account, post an investment opportunity, through “contact us” forms, or when you otherwise interact with the Service. If we combine Business Information with the Personal Information we collect directly from you on the Service, we will treat the combined data as Personal Information under this Privacy Policy.

**(b) Information Collected and Stored As You Access and Use the Service**

In addition to any Personal Information or other information that you choose to submit to us via our Service, we and our third-party service providers may use a variety of technologies that automatically (or passively) store or collect certain information whenever you visit or interact with the Service (“Usage Information”). This Usage Information may be stored or accessed using a variety of technologies that may be downloaded to your personal computer, browser, laptop, tablet, mobile phone or other device (a “Device”) whenever you visit or interact with our Service. To the extent we associate Usage Information with your Personal Information we collect directly from you on the Service, we will treat it as Personal Information. This Usage Information may include:

- your IP address, UDID or other unique identifier (“Device Identifier”). A Device Identifier is a number that is automatically assigned to your Device used to access the Service, and our computers identify your Device by its Device Identifier;
- your Device functionality (including browser, operating system, hardware, mobile network information);
- the areas within our Service that you visit and your activities there, including remembering you and your preferences;
- your Device location;
- your Device characteristics; and
- certain other Device data, including the time of day, among other information. We may use various methods and technologies to store or collect Usage Information (“Tracking Technologies”). Tracking Technologies may set, change, alter or modify settings or configurations on your Device. A few of the Tracking Technologies used on the Service, include, without limitation, cookies, web beacons, embedded scripts, browser fingerprinting, entity tags, UTM codes, and recognition technologies that make assumptions about users and devices (and subsequent technology and methods later developed):

We may use Tracking Technologies for a variety of purposes, including:

**Strictly Necessary.** We may use cookies or other Tracking Technologies that we consider are strictly necessary to allow you to use and access our Service, including cookies required to prevent fraudulent activity, improve security or allow you to make use of Service functionality.

**Performance-Related.** We may use cookies or other Tracking Technologies that are useful in order to assess the performance of the Service, including as part of our analytic practices or otherwise to improve the content, ads, products or services offered through the Service.

**Functionality-Related.** We may use cookies or other Tracking Technologies that are required to offer you enhanced functionality when accessing the Service, including identifying you when you use our Service or keeping track of your specified preferences.

**Targeting-Related.** We may use Tracking Technologies to deliver content, including ads relevant to your interests on our Service and third-party services based on how you interact with our advertisements and/or content. This includes using Tracking Technologies to understand the usefulness to you of the content and ads that have been delivered to you.

There may be other Tracking Technologies now and later devised and used by us in connection with the Service. Further, third parties may use Tracking Technologies in connection with our Service, which may include the collection of information about your online activities over time and across third-party websites or online services as well as across your Devices. We may not control those Tracking Technologies and we are not responsible for them. However, you consent to potentially encountering third-party Tracking Technologies in connection with use of our Service and accept that our statements under this Privacy Policy do not apply to the Tracking Technologies or practices of such third parties.

**(c) Location-Based Information**

Our Service may use location-based services in order to locate you so we may verify your location, deliver you relevant content and ads based on your location as well as to share your location with our vendors as part of the location-based services we offer. You may be able to change the settings on your Device to prevent it from providing us with such information. Unless you provide consent, this location data is collected anonymously in a form that does not personally identify you and is used by us and our partners and licensees to provide and improve location-based products and services. You should consider the risks involved in disclosing your location information to other people.

**(d) Information Third Parties Provide About You**

We may, from time to time, supplement the information we collect directly from you on our Service with outside records from third parties for various purposes, including to enhance our ability to serve you, to tailor our content to you and to offer you opportunities that may be of interest to you. Further, we may use third parties to collect details about you from financial institutions. To the extent we combine information we receive from those sources with Personal Information we collect on the Service, it will be treated as Personal Information and we will apply this Privacy Policy to such combined information, unless we have disclosed otherwise. In no other circumstances do our statements under this Privacy Policy apply to information we receive about you from third parties, even if they have used our technology to collect it and share it with us.

**(e) Interactions with Third-Party Services**

The Service may include functionality that allows certain kinds of interactions between the Service and a third-party web site or application. The use of this functionality may involve the third-party operator providing certain information, including Personal Information, to us. For

example, we may provide third-party sites' interfaces or links on the Service to facilitate your sending a communication from the Service. For example, we may use third parties to facilitate emails, tweets or Facebook postings. These third parties may retain any information used or provided in any such communications or other activities and these third parties' practices are not subject to our Privacy Policy. We may not control or have access to your communications through these third parties. Further, when you use third-party sites or services, you are using their services and not our services and they, not we, are responsible for their practices. You should review the applicable third-party privacy policies before using such third-party tools on our Service.

#### **(f) California Do Not Track Disclosures**

Various third parties are developing or have developed signals or other mechanisms for the expression of consumer choice regarding the collection of information about an individual consumer's online activities over time and across third-party websites or online services (e.g., browser do not track signals). Currently, we do not monitor or take any action with respect to these signals or other mechanisms.

### **2. Information You Provide About a Third Party**

You may send someone else a communication from the Service, such as sending an investment opportunity to a friend. If so, the information you provide (names, email addresses, etc.) is used to facilitate the communication and is not used by us for any other marketing purpose unless we obtain consent from that person or we explicitly say otherwise. Please be aware that when you use any send-to-a-friend functionality on our Service, your contact information, name or username and message may be included in the communication sent to your addressee(s). Some of these tools may be third-party tools subject to third-party privacy policies.

### **3. How Do We Use the Information Collected?**

We may use your Personal Information, Business Information or Usage Information that is subject to this Privacy Policy:

- to determine an investor's suitability to be an investor on the Service;
- to provide you with information such as to send you electronic newsletters or to provide you with special offers or promotional and marketing materials on behalf of us or third parties, including to let you know about new products, services or upcoming events;
- to process and track your investments and other transactions you enter into using the Service;
- to verify your identity, including your accounts on the Service;
- manage risk, or to detect, prevent, and/or remediate fraud or other potentially prohibited or illegal activities;

- manage and protect our information technology infrastructure;
- to provide the Service, including the marketplace opportunities available on the Service;
- to improve the Service, marketing endeavors or our Service offerings;
- to customize your experience on the Service or to serve you specific content or ads that are relevant to you;
- to provide customer support, including to resolve disputes, collect fees and troubleshoot problems;
- to contact you with regard to your use of the Service and, in our discretion, changes to the Service and/or Service’s policies;
- to identify your product and Service preferences so that you can be informed of new or additional products, services and promotions;
- to enable you to participate in a variety of the Service’s features;
- to improve the overall experience at the Service;
- to comply with our legal and regulatory obligations;
- for internal business purposes; and
- for purposes disclosed at the time you provide your information or as otherwise set forth in this Privacy Policy.

#### **4. How and When Do We Share Information with Third Parties?**

We may share non-Personal Information, such as aggregated user statistics, with third parties. Further, we may share your Device Identifiers with third parties along with data related to you and your activities. We may share your Personal Information with Sponsors (as defined in the Terms of Use), borrowers, investors, banks, lenders, credit bureaus, agencies and payment processing service providers so they can assist with processing the investments and other transactions initiated from your Service account. Further, we may share your Personal Information with third parties such as business partners or others with whom we have marketing or other relationships for the third parties’ direct marketing purposes. If you are a California resident, you have the right to request additional information about this sharing, so please see Section (4)(f) below. In addition, we may share the information we have collected about you, including Personal Information, as disclosed at the time you provide your information and as described below or otherwise in this Privacy Policy. We may additionally disclose your information as follows:

**(a) When You Request Information From or Provide Information to Third Parties.** You may be presented with an option on our Service to receive certain information

and/or marketing offers directly from third parties or to have us send certain information to third parties or give them access to it. If you choose to do so, your Personal Information and other information may be disclosed to such third parties and all information you disclose will be subject to the third-party privacy policies and practices of such third parties. In addition, third parties may store, collect or otherwise have access to your information when you interact with their Tracking Technologies, content, tools, apps or ads on our Service or link to them from our Service. This may include using third-party tools such as Facebook, Twitter, Pinterest or other third-party posting or content sharing tools and by so interacting you consent to such third party practices. We are not responsible for the privacy policies and practices of such third parties and, therefore, you should review such third-party privacy policies and practices of such third parties prior to requesting information from or otherwise interacting with them.

**(b) Third Parties Providing Services on our Behalf.** We may use third-party vendors to perform certain services on behalf of us or the Service, such as: (i) to assist us in Service operations; (ii) to manage a database of customer information; (iii) hosting the Service; (iv) designing and/or operating the Service's features; (v) tracking the Service's activities and analytics; (vi) enabling us to send you special offers or perform other administrative services; (vii) process investments; and (viii) other services designed to assist us in maximizing our business potential. We may provide these vendors with access to user information, including Device Identifiers and Personal Information, to carry out the services they are performing for you or for us. Third-party analytics and other service providers may set and access their own Tracking Technologies on your Device and they may otherwise collect or have access to information about you, potentially including Personal Information, about you. We are not responsible for those third party technologies or activities arising out of them. However, some may offer you certain choices regarding their practices, and information we have been informed of regarding such choices is available at end of the policy. We are not responsible for the effectiveness of or compliance with any third parties' opt-out options.

**(c) To Protect Our Rights.** We may access, use, preserve, transfer and disclose your information (including Device Identifiers and Personal Information) to third parties: (i) to satisfy any applicable law, regulation, subpoenas, governmental requests or legal process if in our good faith opinion such is required or permitted by law; (ii) to protect and/or defend the Service's Terms of Use <http://www.fengjr.us> and <http://www.fengjr.com> or other policies applicable to the Service, including investigation of potential violations thereof; (iii) to protect the safety, rights, property or security of the Service or any third party; and/or (iv) to detect, prevent or otherwise address fraud, security or technical issues. Further, we may use IP address or other Device Identifiers to identify users, and may do so in cooperation with third parties such as copyright owners, internet service providers, wireless service providers and/or law enforcement agencies, including disclosing such information to third parties, all in our discretion, subject to applicable law. Such disclosures may be carried out without notice to you.

**(d) Affiliates and Business Transfer.** We may share your information, including your Device Identifiers and Personal Information, Business Information and Usage Information with our parent, subsidiaries and affiliates. We also reserve the right to disclose and transfer all such information: (i) to a subsequent owner, co-owner or operator of the Service or applicable database; or (ii) in connection with a merger, consolidation, restructuring, the sale of

substantially all of our interests and/or assets or other corporate change, including, during the course of any due diligence process.

**(e) Your Connecticut Privacy Rights.** Connecticut law requires any person or entity that collects Social Security numbers from Connecticut residents in the course of business to create a privacy protection policy and to publish or display it publicly. It is our policy to protect the confidentiality of Social Security numbers in our possession from misuse and improper disclosure by maintaining and enforcing policies and physical and electronic safeguards against misuse and improper disclosure. Unlawful disclosure of Social Security numbers is prohibited, and access to them is limited to personnel who need access to such information in order to perform their job functions.

**(f) Your California Privacy Rights.** We may elect to share information about you with third parties for those third parties' direct marketing purposes. California Civil Code § 1798.83 permits California residents who have supplied personal information (as defined in the law) to us to, under certain circumstances, request and obtain certain information regarding our disclosure, if any, of personal information to third parties for their direct marketing purposes. If this law applies to you, you may obtain the categories of personal information shared by us and the names and addresses of all third parties that received personal information for their direct marketing purposes from us during the immediately prior calendar year (e.g., requests made in 2016 will receive information about 2015 sharing activities). To make such a request, please provide sufficient information for us to determine if this applies to you, attest to the fact that you are a California resident and provide a current California address for our response. To make such a request (limit one request per year), please send an email to: info@fengjr.us, with "California Privacy Rights" as the subject line or mail us a letter to: Phoenix Capital Advisors, LLC, 1300 El Camino Real, Suite 302, San Mateo, California 94402. You must include your full name, email address, and postal address in your request.

## **5. What About Information I Disclose Publicly or to Others?**

**(a) Public Information.** The Service may permit you to submit ideas, photographs, investment information, loan information, investing experience, company information video, audio recordings, computer graphics, pictures, data, information about your location, questions, comments, suggestions or other content, including Personal Information (collectively, "User Content"), such as on publicly available investment profiles. We or others may store, display, reproduce, publish, distribute or otherwise use User Content online or offline in any media or format (currently existing or hereafter developed) and may or may not attribute it to you. Others may have access to this User Content and may have the ability to share it with third parties. Please think carefully before deciding what information you share, including Personal Information, in connection with your User Content. Please note that we do not control who will have access to the information that you choose to make public, and cannot ensure that parties who have access to such publicly available information will respect your privacy or keep it secure. We are not responsible for the privacy or security of any information that you make publicly available on the Service or what others do with information you share with them on the Service. We are not responsible for the accuracy, use or misuse of any User Content that you disclose or receive from third parties through the Service.

**(b) Name and Likeness.** We may also publish your name, voice, likeness and other Personal Information that is part of your User Content, and we may use the content, or any portion of the content, for advertising, marketing, publicity and promotional activities. For full terms and conditions regarding User Content you submit to the Service, please review our Service's Terms of Use.

## **6. Ads and Information About You**

We and third parties such as network advertisers and ad exchanges may serve advertisements on the Service or across the Internet and may use third party analytics service providers to evaluate and provide us and/or third parties with information about the use of these ads on third party sites and viewing of ads and of our content. Network advertisers are third parties that display advertisements, which may be based on your activities across the Internet and mobile media ("Behavioral Ads"). Behavioral Ads enable us to target advertisements to you for products and services in which we believe you might be interested. If you object to receiving Behavioral Ads from us on third party sites, you can learn more about your ability to limit Behavioral Ads below. Our third party ad network and exchange providers, the advertisers and/or traffic measurement services may themselves set and access their own technologies on your Device and track certain behavioral Usage Information via a Device Identifier. These third party technologies may be set to, among other things: (a) help deliver advertisements to you that you might be interested in; (b) prevent you from seeing the same advertisements; and (c) understand the usefulness of the advertisements that have been delivered to you. You acknowledge and agree that associated technology may access and use your Device and may set or change settings on your Device in connection with the associated operations. Note that any images (or any other parts of content) served by third parties in association with third-party ads or other content may serve as web beacons, which enable third parties to carry out the previously described activities. Statements regarding our practices do not apply to the methods for collecting information used by these third parties or the use of the information that such third parties collect. We do however work with third parties to make efforts to have you provided with information on their practices and any available opportunity to exercise choice. The relevant third party's terms of service, privacy policy, permissions, notices and choices should be reviewed regarding their collection, storage and sharing practices. We make no representations regarding the policies or practices of third party advertisers or advertising networks or exchanges or related third parties.

Some third parties may offer you certain choices regarding their practices, and information we have been informed of regarding such choices is available at end of policy. Further, while sites use a variety of companies to serve advertisements, you may wish to visit [http://www.networkadvertising.org/optout\\_nonppii.asp](http://www.networkadvertising.org/optout_nonppii.asp), which provides information regarding this practice by Network Advertising Initiative ("NAI") members, and your choices regarding having this information used by these companies, including the "opt-out" procedures of NAI members. Opting out of one or more NAI members only means that those NAI members no longer will be allowed under their own rules to deliver Behavioral Ads to you, but does not mean you will no longer receive any targeted content and/or ads. Also, if your browsers are configured to reject cookies when you visit this opt-out page, or you subsequently erase your cookies, use a different Device or change web browsers, your NAI opt-out may not, or may no longer, be effective. You may also opt-out of receiving Behavioral Ads on participating sites and services

by visiting the Digital Advertising Alliance (“DAA”) website at <http://www.aboutads.info/choices>. Similar limitations may apply to the DAA opt-out. We are not responsible for effectiveness of or compliance with any third parties’ opt-out options or programs.

## **7. Does Third-Party Content, Links to Third-Party Sites, and/or Third-Party Apps Appear on the Service?**

When you are on the Service you may be directed to other sites and apps that are operated and controlled by third parties that we do not control such as merchants who directly sell products and services to you. We are not responsible for the data collection and privacy practices employed by any of these third parties or their sites or apps and they may be tracking you across multiple online services and may be sharing the results of that tracking with us and/or others. These third parties may have their own terms of service, privacy policies or other policies and ask you to agree to the same. For example, if you “click” on a link, the “click” may take you off the Service onto a different location. These other online services may associate their Tracking Technologies with you, independently collect information about you, including Personal Information, and may or may not have their own published privacy policies. We are not responsible for these third-party privacy policies or the practices of third-party owners. Be sure to review any available policies before submitting any personally identifiable information to a third-party application or otherwise interacting with it and exercise caution in connection with these applications. We also encourage you to note when you leave our Service and to review the third-party privacy policies of all third-party locations and exercise caution in connection with them. [How Do I Change My Information and Communications Preferences?](#)

**8.** You are responsible for maintaining the accuracy of the information you submit to us, such as your contact information provided as part of registration. The Service may allow you to review, correct or update Personal Information you have provided through the Service’s registration forms or otherwise by updating your Service account, and you may provide registration updates and changes by contacting us by email at: [info@fengjr.us](mailto:info@fengjr.us). If so, we will make good faith efforts to make requested changes in our then active databases as soon as reasonably practicable (but we may retain prior information as business records). Please note that it is not always possible to completely remove or delete all of your information from our databases and that residual data may remain on backup media or for other reasons. When you edit your Personal Information or change your preferences on the Service, information that you remove may persist internally for our administrative purposes. You may cancel or modify our email marketing communications you receive from us by following the instructions contained within our promotional emails. This will not affect subsequent subscriptions and if your opt-out is limited to certain types of emails the opt-out will be so limited. Please note that we reserve the right to send you certain communications relating to your account or use of our Service, such as administrative and Service announcements and these transactional account messages may be unaffected if you choose to opt-out from receiving our marketing communications. If you have any questions about the Privacy Policy or practices described in it, you should contact us in the following ways: Postal Mail: Phoenix Capital Advisors, LLC, 1300 El Camino Real, Suite 302, San Mateo, California 94402; Email: [info@fengjr.us](mailto:info@fengjr.us).

## **9. What about the Transfer of Information to the United States?**

Our Service is operated outside of the United States and intended for users located in and outside the United States. If you are located outside of the United States, please be aware that information we collect, including Personal Information, will be transferred to, and processed, stored and used in the United States. The data protection laws in the United States may differ from those of the country in which you are located, and your Personal Information may be subject to access requests from governments, courts, or law enforcement in the United States according to laws of the United States. By using the Service or providing us with any information, you consent to the transfer to, and processing, usage, sharing and storage of your information, including Personal Information, in the United States as set forth in this Privacy Policy.

## **10. What Should Parents Know About Children?**

We understand the importance of protecting children's privacy in the interactive world. We are a general audience service and do not use the Service to knowingly collect personal information from children under the age of thirteen (13) that requires parental notice and consent under the Children's Online Privacy Protection Act ("COPPA") without such parental consent. If you are a child under thirteen (13) years of age, you are not permitted to use the Service and should not send any information about yourself to us through the Service. In the event that we become aware that we have collected personal information from any child, we will dispose of that information in accordance with COPPA and other applicable laws and regulations. If you are a parent or guardian and you believe that your child under the age of thirteen (13) has provided us with personal information without COPPA-required consent, please contact us at: [info@fengjr.us](mailto:info@fengjr.us).

## **11. What about Security?**

We work hard to incorporate commercially reasonable safeguards to help protect and secure your Personal Information. However, no data transmission over the Internet, mobile networks, wireless transmission or electronic storage of information can be guaranteed to be 100% secure. Please note that we cannot ensure the security of any information you transmit to us, and you use our Service and provide us with your information at your own risk.

## **12. What about Changes to the Privacy Policy?**

We reserve the right to change this Privacy Policy at any time. Any changes will be effective immediately upon the posting of the revised Privacy Policy and your use of our Service indicates your consent to the privacy policy posted at the time of use. However, we will not use your previously collected Personal Information in a manner materially different than represented at the time it was collected without your consent. To the extent any provision of this Privacy Policy is found by a competent tribunal to be invalid or unenforceable, such provision shall be severed to the extent necessary for the remainder to be valid and enforceable.

The following third parties that collect information from you on the Service have given us notice that you may obtain information on their policies and practices, and in some instances opt-out of certain of their activities, as follows:

Party	Service	For More Information	Use of Tracking Technologies	Privacy Choices
Google Analytics	Analytics	<a href="http://www.google.com/analytics/learn/privacy.html">http:// www.google.com/analytics/learn/privacy.html</a>	Yes	<a href="https://tools.google.com/dlpage/gaoptout/">https://tools.google.com/dlpage/gaoptout/</a>

PLEASE NOTE: We are not responsible for third-party policies or practices. We try to keep this information current, and will add to and subtract from the chart above as appropriate, but it is provided as a courtesy and may not be current or accurate. Please contact the relevant third parties regarding their privacy and data security policies and practices.

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