



Data Law – About Our Practices & Your Data

At Per Diem Plus, we believe customers deserve to understand our policies for responding to government requests for their data. In addition to the detailed frequently asked questions (FAQs) below, there are some core policies we adhere to across our services:

- Per Diem Plus does not provide any government with direct and unfettered access to our customers' data.
- If a government wants customer data, it must follow applicable legal process. It must serve us with a warrant or court order for content, or a subpoena for subscriber information or other data.
- All requests must target specific accounts and identifiers.
- Per Diem Plus reviews all requests to ensure they are valid, rejects those that are not valid, and only provides the data specified.

Q: What is the process for disclosing customer information in response to government legal demands?

- A: Per Diem Plus requires an official, signed document issued pursuant to local law and rules. Specifically, we require a subpoena or equivalent before disclosing data, and only disclose content to law enforcement in response to a warrant (or its local equivalent). Per Diem Plus reviews government demands for customer data to ensure the requests are valid, rejects those that are not valid, and only provides the data specified in the legal order.

Q: Is rejecting a request the only way Per Diem Plus resists government requests?

- A: No. We may seek to narrow the scope of requests. When a request addresses our commercial services, we always attempt to redirect the government to obtain the information directly from our customer. Except in the most limited circumstances, we believe that government agencies can go directly to business customers for per diem data information about one of their employees and that they can do so without undermining their investigation. If needed, we may also file a formal legal challenge in court seeking to modify or quash a legal order.

Q: Does Per Diem Plus provide any data to governments absent a formal legal request?

- No.



Q: Does Per Diem Plus notify users of its consumer services, such as Per Diem Plus – Owner Operators, when law enforcement or another governmental entity in the U.S. requests their data?

- A: Yes. Per Diem Plus gives prior notice to users whose data is sought by a law enforcement agency or other governmental entity, except where prohibited by law. We may withhold notice in exceptional circumstances, such as emergencies where notice could result in danger, or where notice would be counterproductive (e.g., where the user’s account has been hacked). Per Diem Plus also provides delayed notice to users upon expiration of a valid and applicable nondisclosure order unless Per Diem Plus, in its sole discretion, believes that providing notice could result in danger to identifiable individuals or groups or be counterproductive.

Q: Does Per Diem Plus notify its enterprise customers when law enforcement or another governmental entity requests their data?

- A: Yes. Per Diem Plus gives prior notice to its enterprise customers of any third-party requests for their data, except where prohibited by law. We also provide our enterprise customers with notice upon expiration of a valid and applicable nondisclosure order. Except in the most limited circumstances, we believe governments can obtain information directly from our enterprise customers without jeopardizing investigations. For the same reason, we believe that our enterprise customers can, except in the most exceptional circumstances, be notified about government requests for their data.

Q: Does Per Diem Plus disclose additional data as a result of the CLOUD Act?

- A: No. The CLOUD Act amends U.S. law to make clear that law enforcement may compel U.S.-based service providers to disclose data that is in their “possession, custody, or control” regardless of where the data is located. This law, however, does not change any of the legal and privacy protections that previously applied to law enforcement requests for data – and those protections continue to apply. Per Diem Plus adheres to the same principles and customer commitments related to government demands for user data.

Q: Does Per Diem Plus provide customer data in response to legal demands from civil litigation parties?

- A: Per Diem Plus may receive legal demands for customer data from civil litigation. Per Diem Plus does not respond to private requests other than those received through a valid legal process. Per Diem Plus adheres to the same principles for all requests from civil proceeding legal requests as it does for government agencies



requests for user data, requiring nongovernmental civil litigants to follow the applicable laws, rules and procedures for requesting customer data.

- If a nongovernmental party wants customer data, it needs to follow applicable legal process — meaning, it must serve us with a valid subpoena or court order for content or subscriber information or other noncontent data. For content requests, we require specific lawful consent of the account owner and for all requests we provide notice to the account owner unless prohibited by law from doing so. We require that any requests be targeted at specific accounts and identifiers. Per Diem Plus's reviews civil proceeding legal requests for user data to ensure the requests are valid, rejects those that are not valid, and only provides the data specified in the legal order.

If you have any questions, concerns or comments regarding this Policy or any other security concern, contact us at: Per Diem Plus, LLC, 943 E. Ivanhoe St, Phoenix, AZ 85295 or by telephone at 314-488-1818.