

Privacy Policy

Effective date: June 1, 2010

This Policy sets out the privacy practices of Breakwater Investment Management, LLC (“Breakwater”) for the BREAKWATERFUND.COM website (the “Site”). This Policy does not apply to any information in the Breakwater “Deal Room,” which is protected by a separate agreement between Breakwater and its clients.

Information We Collect

We may collect and store information, including personally identifiable information (such as your name, e-mail address, and phone number), that you voluntarily supply to us while on the Site. This includes information you electronically submit when you contact us with questions and unique identifiers such as user name and password.

We also collect and store non-personally identifiable information that is generated automatically as you navigate through the Site (such as your IP address, browser type, referring/exit pages, and operating system). We may also use standard features found in browser software called “cookies” and “web beacons” to enhance your experience on the Site, gather general statistical data, or track the performance of our e-mail marketing communications over time.

Information Sharing

We will never sell your information to any third parties.

We may share your personal information with our trusted affiliates, such as US Capital Partners, Inc. and Breakwater Structured Growth Opportunities Fund, LP. We may also share such information with our third-party service providers, such as to send you our HTML-formatted e-mail messages. If you do not wish your personally identifiable information to be used or shared by our affiliates, please let us know by e-mail at info@breakwaterfund.com.

We may occasionally release information about visitors if required to do so by law or if we believe in good faith that such disclosure is reasonably necessary: (a) to comply with legal process; (b) to investigate fraud; (c) to respond to a government request; or (d) to protect the rights, property, or personal safety of you, our Site, us, our affiliates, our officers, directors, employees, representatives, other users, and/or the public.

E-mails

If you provide us with your contact details, we will contact you to respond to your questions or your request for further information. In doing so, you also expressly consent that Breakwater or its affiliates may send you e-mails, including commercial emails about products and services we think will be of interest to you. If you no longer wish to receive these emails, simply follow the unsubscribe instructions included in them or let us know by e-mail at info@breakwaterfund.com.

Changes to Our Privacy Policy

If we make any material changes to this Policy, we will notify you by e-mail (sent to the e-mail address specified in your account) or by means of a notice on this Site prior to the change becoming effective. We encourage you to periodically review this page for the latest information on our privacy practices.

Contacting Us

Breakwater welcomes your questions and comments about privacy. If you would like to reach us, please write or e-mail us using the contact details below:

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Suite 3430
Los Angeles, CA 90067

E-mail: info@breakwaterfund.com