

WESTERN STATES EQUIPMENT COMPANY DATA GOVERNANCE STATEMENT

This Western States Equipment Company Data Governance Statement (“**Statement**”) describes the practices of Western States Equipment Company (together with our Affiliates, “**Dealer**,” “**we**,” “**us**” or “**our**”) for collecting information from each of our customers relating to machines, products or other assets and their associated worksites (collectively “**Assets**”). We collect this information through online and offline means including: (1) applications and platforms for use on or through computers, APIs, and mobile devices; telematics or other devices on Assets, whether manufactured by Caterpillar, Inc. or by other companies (“**Devices**” and, together with the Applications, “**Digital Offerings**”); and (3) our service providers, and customers. As used in this Data Governance Statement, “**you**” means the Customer and each of its employees, agents and representatives.

You should regularly review this Statement carefully to understand what information our digital offerings receive, generate and transmit—and what we do with that information. By providing System Data, Operations Data, or Personal Information (each as defined below) to us, you agree to the terms and conditions of this Statement, including our collection, use and sharing of that information.

1 WHAT INFORMATION WE MAY COLLECT

“**Personal Information**” is any information about a specific individual or that identifies or may identify a specific individual.

“**System Data**” is information that is ingested or used by or generated through Digital Offerings, which may include:

- **Device, Asset and Component Information**, including model number, serial number, order number, software and hardware version numbers, performance, and configuration, including work tools or other peripheral devices attached to Assets.
- **Electronic Data**, including sensor logs, trends, histograms, event data, other alerts, digital state data, fault codes, idle time, daily and cumulative fuel consumption, emissions data, service meter hours, electronic data files downloaded manually or automatically from an Asset, troubleshooting data, and other data, depending on the customer and Asset and communication channel used by a Device.
- **Inspection Data**, including results of inspections using Dealer, Caterpillar, or third-party inspection system.
- **Device Location Information**, including the physical location of an Asset (e.g., determined using satellite, GPS, cell phone tower, Bluetooth or Wi-Fi signals).
- **Fluid Data**, including analysis results of fluid samples (such as oil, hydraulic and coolant fluids) obtained using Dealer, Caterpillar, or third-party tools.
- **Event Recorder Data**, including location, speed, direction and associated video recordings, use of controls and positive train control information.
- **Service and Maintenance History**, including work orders (records of all maintenance, repair, parts purchases, replacement and modification to an Asset), component life (history of usage and wear life of a component), maintenance schedule, planned maintenance, warranty coverage data, maintenance and repair contracts, service intervals (scheduled interval for planned maintenance of component replacement activities for an Asset), component lists (lists of parts that make up an Asset) and service

letters (describing special service actions recommended by Dealer or Caterpillar to correct a known problem with an Asset).

- **Site and Environmental Conditions**, including the type of work being done, condition of roads or tracks, altitude, climate and material tracking.
- **Patterns of Use**, including any user-defined information relating to a product you provide to us through a Digital Offering.

“Operations Data” is additional information we may collect from, which may include:

- Information contained in invoices and service contracts.
- Information about customers, including certain Personal Information relating to such customers or their dealer sales representatives.
- Work order data, including information about the customer, Asset involved, problem identified, and repairs performed
- Dealer hierarchy data, including information about dealer inventory reporting and replenishment processes.
- Information used by Dealer to manage a fleet of Assets (either owned or rental) including customers of Dealer and worksites.
- Dealer component data, including information relating to management and replenishment of parts inventory, and customer purchases, returns and replacements.

Information collected by Dealer may simultaneously constitute System Data, Personal Information, and Operations Data, or any combination thereof. If you submit any System Data, Operations Data, or Personal Information, including System Data that may relate to Devices on Assets that are not manufactured by Caterpillar, you represent that you have the authority to do so and to permit Dealer to use the information in accordance with this Data Governance Statement.

2. HOW WE MAY COLLECT INFORMATION

We and our service providers may collect information in a variety of ways, including:

- **Through Devices:** We may receive information via cellular or satellite link, or radio or Ethernet connection from Assets equipped with a Device, which may include System Data (such as information relating to the Device or Asset) or Personal Information (such as from information generated by fatigue monitoring devices, on-board camera and proximity detection systems, and in-cab monitoring technology). Some information may be collected automatically, such as fault codes, hours of operation and fuel levels.
- **Through Applications and Online:** We may collect information through Applications (e.g., when you enter maintenance information) or when you use our or Caterpillar's websites, online services or platforms. We may also receive information through other online means, such as when you initiate a data transmission through on-site servers or email inspection information to us. We may also collect information typically collected through websites and mobile applications, such as browser and device information, application usage data, information collected through cookies, pixel tags and other technologies, IP addresses and location information.
- **Offline:** We may collect information when you interact with us or Caterpillar, attend a

trade shows, place an order or contact customer service.

- **From Component Manufacturers and OEMs:** We may obtain System Data from manufacturers of the components in your Assets or of Assets manufactured by others you use. This information may be provided to us automatically.
- **Through Wearable Technology:** We may collect information through wearable technology, such as fatigue monitoring devices or RFID tags embedded in hardhats or safety vests.
- **From Asset Owners, Distribution Networks and Others:** We may receive additional information from Asset owners, operators and other persons who have management responsibility for an Asset.
- **From Other Sources:** We may receive your information from other sources, such as public databases, joint marketing partners, social media platforms (including from people with whom you are friends or are otherwise connected) and from other third parties. We may collect or generate information from troubleshooting data, from your service providers (such as fluid analysts and site inspectors) or from maintenance, inspection or warranty records.

3. HOW WE MAY USE INFORMATION

We may use collected information for the following purposes:

- **TO PROVIDE SERVICES TO YOU AND OTHERS:**
 - To allow you or Caterpillar to monitor the status of Assets, to provide you use of Applications, to complete and fulfill purchases, and to communicate with you regarding your purchase or rental and provide you with related customer service.
 - To fulfill customer support agreements, perform maintenance and repairs and deliver rental Assets or parts.
 - To make recommendations regarding safety, Asset health, maintenance, worksite efficiency and productivity training for operators.
 - To enhance the safety of machine operations, including by tracking proximity to Assets, other objects or humans.
 - To enable remote technician services, such as remote troubleshooting, and remote tuning.
 - To provide you with location-based services and content.
- **TO ENABLE COMMUNICATIONS:**
 - To manage the connection to the Asset or Device.
 - To allow you and other users of Applications to communicate with each other through Applications.
 - To send administrative or contractual information, for example, information regarding the terms and conditions of using Digital Offerings, warranty policies or service contracts.
 - To provide you with information about new products and services and to send you marketing communications that we believe may be of interest to you.
- **FOR GENERAL BUSINESS PURPOSES:**
 - To conduct market research.
 - To perform data analytics, audits, improving products, developing new products,

enhancing, improving or modifying our Digital Offerings, identifying usage trends and operating and expanding our business activities and for statistical analysis based on aggregated and de-identified data, such as benchmarking reports.

- To provide services to customers, manage workflow, monitor repairs, project future maintenance and service, and troubleshoot issues.
 - To validate effectiveness of recommendations, resolve complaints, and fulfill orders.
 - To manage inventory so we can provide you parts and services.
 - To manage a fleet of owned or rented Assets.
 - To maximize the efficiency of operations and increase sales.
 - To develop digital applications.
- **OTHER USES:**
 - For additional uses as agreed by you and us.
 - With respect to audiovisual data that identifies an individual or physiological data for an identifiable individual, we will use that data only to provide products and services to our customers, including to make recommendations regarding safety, Asset health, maintenance, worksite efficiency and productivity training for operators, and to improve our products and services.

4. HOW WE MAY DISCLOSE INFORMATION

We may disclose information:

- To the entities directly or indirectly controlling, controlled by or under common control with Caterpillar Inc. ("**Affiliates**") for the purposes described herein, or in the Caterpillar, Inc. Data Governance Statement.
- To Caterpillar to permit them to use System Data and Personal Information to maintain relationships with you, provide services to you and send marketing communications to you.
- To Asset owners, to permit them to manage their use of their Asset.
- To our service providers who provide services such as data analytics, information technology and related infrastructure provision, application development, platform hosting, customer service, product development, auditing, advisory and other services.
- To component manufacturers, to permit them to study the use of their products, to improve their products and to develop new products.
- To agents, service providers or other third parties contracted by or engaged in business with Asset owners, who have management responsibility for the Asset.
- To a third party in the event of reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our or any of our Affiliate's business, Assets or stock (including in connection with any bankruptcy or similar proceedings).
- To additional recipients as agreed by you and us.

Location Data: We may share location information with our Affiliates and Caterpillar to enable them to provide you with localized content and services. In some instances, you may be permitted to allow or deny such uses and/or sharing of your Device's location, but if you do, we and/or our Affiliates and Caterpillar may not be able to provide you with the applicable services and content.

We may use or disclose information, as we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to lawful requests from public and government authorities, including public and government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our Affiliates and Caterpillar; (f) to protect our rights, privacy, safety or property, and/or that of our Affiliates, Caterpillar, you or others, including for purposes of information security; and (g) to allow us to pursue available remedies or limit the damages that we may sustain.

De-identified or Aggregated Information: We may use and disclose de-identified or aggregated information (*i.e.*, information that does not identify you or any other user of the Digital Offerings) for any purpose, except where we are required to do otherwise under applicable law.

5. REMOTE SERVICES AND UPDATES

We may use System Data to remotely:

- Examine and update Devices that we provide (e.g., to update system settings or to manage the communications carriers used to connect to Caterpillar).
- Update software that controls machine operations for your Caterpillar Asset, and we may push the software update files to the Asset in preparation for an update.

6. SECURITY

We use reasonable organizational, technical and administrative measures designed to protect information within our organization. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of your account has been compromised), please immediately notify us in accordance with the “*Contacting Us*” section below.

7. OTHER IMPORTANT INFORMATION

Third Party Content: This Statement does not address, and we are not responsible for (i) the privacy, information or other practices of any third party operating any website or online service to which a Digital Offerings links (e.g., a products Applications may include, for your convenience, a hyperlink to local weather information provided by a third party with whom we have no business relationship) and (ii) Personal Information controlled by a third party, such as a supplier, service provider, or customer, even if such Personal Information is collected or otherwise processed by Dealer.

Further, the inclusion of a link in a Digital Offering does not imply endorsement of the linked site or service by us or by our Affiliates.

Cross Border Transfers: Your information may be stored and processed in any state or country where we operate or where our service providers operate, and by using a Digital Offering or otherwise providing data to us consistent with this Statement you consent to the transfer of information to countries outside of your country of residence, including the United States, which may have data protection rules that are different from those of your country.

Sensitive Information: Our Digital Offerings are not designed for you to send us sensitive Personal Information such as social security numbers, information related to racial or ethnic origin,

political opinions, religion or other beliefs, or genetic characteristics, criminal background or trade union membership. We request that you refrain from sending such information on or through Digital Offerings or otherwise to us.

8. UPDATES TO THIS DATA GOVERNANCE STATEMENT

We may change this Data Governance Statement. Any changes will become effective when we post the revised Data Governance Statement to our website or provide the same to you. Your use of Digital Offerings following these changes means that you accept the revised Data Governance Statement.

9. CONTACTING US

If you have any questions about this Statement, please contact us at 208-888-2287.