

In my judgment, the proposed model form helps to clarify the privacy rules, except as follows:

- The different treatment of "joint marketing with other financial companies" and "for nonaffiliates to market to you" could appear inconsistent to a consumer; and
- The difference between "transactions and experiences" and "creditworthiness" should be explained by the addition of definitions of those terms.

Consequently, I recommend the changes shown on the attached.

METTE, EVANS & WOODSIDE
ATTORNEYS AT LAW

Example 1. Neptune Model Privacy Form

F A C T S	WHAT DOES NEPTUNE DO WITH YOUR PERSONAL INFORMATION?	
Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.	
What?	<p>The types of personal information we collect and share depend on the product or service you have with us. This information can include:</p> <ul style="list-style-type: none"> ■ Social Security number and income ■ account balances and payment history ■ credit history and credit scores <p>When you close your account, we continue to share information about you according to our policies.</p>	
How?	All financial companies need to share customers' personal information to run their everyday business—to process transactions, maintain customer accounts, and report to credit bureaus. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Neptune chooses to share; and whether you can limit this sharing.	
Reasons we can share your personal information	Does Neptune share?	Can you limit this sharing?
For our everyday business purposes—to process your transactions, maintain your account, and report to credit bureaus	Yes	No
For our marketing purposes—to offer our products and services to you	Yes	No
For joint marketing with other financial companies	Yes	No
For our affiliates' everyday business purposes—information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes—information about your creditworthiness	Yes	Yes (Check your choices, p. 3)
For our affiliates to market to you	Yes	Yes (Check your choices, p. 3)
For nonaffiliates to market to you	Yes	Yes (Check your choices, p. 3)
Contact Us	Call 1-800-XXX-XXXX or go to www.neptune.com/privacy	

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 except for
 joint marketing
 with other
 financial companies

F A C T S

WHAT DOES NEPTUNE DO WITH YOUR PERSONAL INFORMATION?

Sharing practices

<p>How often does Neptune notify me about their practices?</p>	<p>We must notify you about our sharing practices when you open an account and each year while you are a customer.</p>
<p>How does Neptune protect my personal information?</p>	<p>To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings.</p>
<p>How does Neptune collect my personal information?</p>	<p>We collect your personal information, for example, when you</p> <ul style="list-style-type: none"> ■ open an account or deposit money ■ pay your bills or apply for a loan ■ use your credit or debit card <p>We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.</p>
<p>Why can't I limit all sharing?</p>	<p>Federal law gives you the right to limit sharing only for</p> <ul style="list-style-type: none"> ■ affiliates' everyday business purposes—information about your creditworthiness ■ affiliates to market to you ■ nonaffiliates to market to you, <i>except for joint marketing with other financial companies</i> <p>State laws and individual companies may give you additional rights to limit sharing.</p>

Definitions

<p>Everyday business purposes</p>	<p>The actions necessary by financial companies to run their business and manage customer accounts, such as</p> <ul style="list-style-type: none"> ■ processing transactions, mailing, and auditing services ■ providing information to credit bureaus ■ responding to court orders and legal investigations
<p>Affiliates</p>	<p>Companies related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> ■ <i>Our affiliates include companies with a Neptune name; financial companies, such as Orion Insurance; and nonfinancial companies, such as Saturn Marketing Agency.</i>
<p>Nonaffiliates</p>	<p>Companies not related by common ownership or control. They can be financial and nonfinancial companies.</p> <ul style="list-style-type: none"> ■ <i>Nonaffiliates we share with can include mortgage companies, insurance companies, direct marketing companies, and nonprofit organizations</i>
<p>Joint marketing</p>	<p>A formal agreement between nonaffiliated financial companies that together market financial products or services to you.</p> <ul style="list-style-type: none"> ■ <i>Our joint marketing partners include credit card companies.</i>
<p><i>Transaction and experiences</i></p>	<p>[add definition]</p>
<p><i>Creditworthiness</i></p>	<p>[add definition]</p>