

SCHEDULE 14A
Proxy Statement Pursuant to Section 14(a)
of the Securities Exchange Act of 1934

Filed by the Registrant

Filed by a Party other than the Registrant

Check the appropriate box:

- Preliminary Proxy Statement
- Confidential, for Use of the Commission Only (as permitted by Rule 14a-6(e)(2))
- Definitive Proxy Statement
- Definitive Additional Materials
- Soliciting Material Under Rule 14a-12

Exelixis, Inc.

(Name of Registrant as Specified in Its Charter)

Farallon Capital Partners, L.P.
Farallon Capital Institutional Partners, L.P.
Farallon Capital Institutional Partners II, L.P.
Farallon Capital Institutional Partners III, L.P.
Four Crossings Institutional Partners V, L.P.
Farallon Capital Offshore Investors II, L.P.
Farallon Capital (AM) Investors, L.P.
Farallon Capital F5 Master I, L.P.
Farallon Healthcare Partners Master, L.P.
Farallon Capital Management, L.L.C.
Farallon Partners, L.L.C.
Farallon Institutional (GP) V, L.L.C.
Farallon F5 (GP), L.L.C.
Farallon Healthcare Partners (GP), L.L.C.
Joshua J. Dapice
Philip D. Dreyfuss
Hannah E. Dunn
Michael B. Fisch
Richard B. Fried
Varun N. Gehani
Nicolas Giauque
David T. Kim
Michael G. Linn
Rajiv A. Patel

Thomas G. Roberts, Jr.
Edric C. Saito
William Seybold
Daniel S. Short
Andrew J. M. Spokes
John R. Warren
Mark C. Wehrly
Richard Bollini
Colby Clark
Cameron Hillyer
David A. Posner
Matthew Trentini
Tomas J. Heyman
David E. Johnson
Robert “Bob” Oliver, Jr.
Caligan Partners LP
Caligan Partners Master Fund LP

(Name of Person(s) Filing Proxy Statement, if other than the Registrant)

Payment of Filing Fee (check the appropriate box):

No fee required.

Fee computed on table below per Exchange Act Rule 14a-6(i)(4) and 0-11.

- 1) Title of each class of securities to which transaction applies:
- 2) Aggregate number of securities to which transaction applies:
- 3) Per unit price or other underlying value of transaction computed pursuant to Exchange Act Rule 0-11 (set forth the amount on which the filing fee is calculated and state how it was determined):
- 4) Proposed maximum aggregate value of transaction:
- 5) Total fee paid:

Fee paid previously with preliminary materials.

Check box if any part of the fee is offset as provided by Exchange Act Rule 0-11(a)(2) and identify the filing for which the offsetting fee was paid previously. Identify the previous filing by registration statement number, or the Form or Schedule and the date of its filing.

- 1) Amount Previously Paid:
- 2) Form, Schedule or Registration Statement No.:
- 3) Filing Party:
- 4) Date Filed:

On April 22, 2023, Farallon Capital Management, L.L.C. and certain of its affiliates (“Farallon”) launched a website (the “Website”) to communicate with shareholders of Exelixis, Inc. (the “Company”) in connection with Farallon’s solicitation of proxies for use at the Company’s 2023 annual meeting of shareholders (the “Annual Meeting”). The Website address is www.FocusEXEL.com. Attached below are the materials posted to the

Website as of the date hereof. Farallon’s letter to the board of directors of the Company, which is posted on the Website, was filed by Farallon with the United States Securities and Exchange Commission (the “SEC”) on Schedule 14A on April 5, 2023. Farallon’s preliminary proxy statement in connection with the Annual Meeting, which is posted on the Website, was filed by Farallon with the SEC on Schedule 14A on April 6, 2023.

FOCUS EXEL



Read Farallon's Letter to
Exelixis' Board of Directors



View Farallon's Preliminary
Proxy Statement



HOW TO VOTE

Farallon intends to file a definitive proxy statement and accompanying WHITE Proxy Card with the SEC to be used to solicit votes at Exelixis' 2023 Annual Meeting of Stockholders.



STAY INFORMED

SUBMIT

MEDIA CONTACT

Longacre Square Partners
Dan Zacchei / Charlotte Kiaie
Farallon@longacresquare.com

[DISCLAIMER](#), [COOKIE POLICY](#) AND [PRIVACY POLICY](#)

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FOCUS EXEL

Disclaimer, Cookie Policy and Privacy Policy

I. DISCLAIMER

Last updated April 21, 2023

This website and the information contained herein (collectively, the "Site") are being made available to all stockholders of Exelixis, Inc. ("Exelixis" or the "Company"). Except as otherwise set forth on this Site, the views expressed on this Site reflect the opinions of Farallon Capital Management, L.L.C. and certain of its affiliates ("Farallon"), and are based on publicly available information with respect to the Company. Farallon recognizes

I Agree

MEDIA CONTACT

Longacre Square Partners
Dan Zacchei / Charlotte Kiaie
Farallon@longacresquare.com

[DISCLAIMER, COOKIE POLICY AND PRIVACY POLICY](#)

[Edit site](#)

I. Disclaimer

Last updated April 21, 2023

This website and the information contained herein (collectively, the "Site") are being made available to all stockholders of Exelixis, Inc. ("Exelixis" or the "Company"). Except as otherwise set forth on this Site, the views expressed on this Site reflect the opinions of Farallon Capital Management, L.L.C. and certain of its affiliates ("Farallon"), and are based on publicly available information with respect to the Company. Farallon recognizes that there may be confidential information in the possession of the Company that could lead it or others to disagree with Farallon's conclusions. Farallon reserves the right to change any of its opinions expressed herein at any time as it deems appropriate and disclaims any obligation to notify the market or any other party of any such change, except as required by law. Farallon disclaims any obligation to update the information or opinions contained on this Site. For the avoidance of doubt, this Site is not affiliated with or endorsed by Exelixis.

Certain financial projections and statements made herein have been derived or obtained from filings made with the United States Securities and Exchange Commission ("SEC") or other regulatory authorities and from other third party reports. Neither Farallon nor any of its affiliates shall be responsible or have any liability for any misinformation contained in any third party SEC or other regulatory filing or third party report. Select figures presented on this Site have not been calculated using generally accepted accounting principles ("GAAP") and have not been audited by independent accountants. Such figures may vary from GAAP accounting in material respects and there can be no assurance that the unrealized values reflected within such materials will be realized.

This Site does not recommend the purchase or sale of any security, and should not be construed as legal, tax, investment or financial advice, and the information contained herein should not be taken as advice on the merits of any investment decision.

Not an Offer to Sell or Buy

The materials on this Site are provided merely as information and are not intended to be, nor should they be construed as, an offer to sell or a solicitation of an offer to buy any security. Funds and investment vehicles managed by Farallon currently beneficially own a significant number of shares of common stock, par value \$0.001 per share, of the Company ("Shares"). These funds and investment vehicles are in the business of trading – buying and selling – securities, and intend to continue trading in the securities of the Company. You should assume such funds and investment vehicles will from time to time sell all or a portion of their holdings of the Company in open market transactions or otherwise, buy additional Shares (in open market or privately negotiated transactions or otherwise), or trade in options, puts, calls, swaps or other derivative instruments relating to such Shares, regardless of the views expressed on this Site. Consequently,

Farallon's beneficial ownership of the Shares may vary over time depending on various factors, with or without regard to Farallon's view of the Company's business, prospects or valuation (including the market price of the Shares), including, without limitation, other investment opportunities available to Farallon, concentration of positions in the portfolios managed by Farallon, conditions in the securities markets and general economic and industry conditions. Farallon also reserves the right to take any actions with respect to investments in the Company as it may deem appropriate, including, but not limited to, communicating with the Company's management, the Company's board of directors, other investors and stockholders, stakeholders, industry participants, and/or interested or relevant parties about the Company or seeking representation constituting a minority of the Company's board of directors, and to change its intentions with respect to its investments in the Company at any time and disclaims any obligation to notify the market or any other party of any such changes or actions, subject, in each case, to applicable law.

None of the information on this Site is derived from non-public information of publicly traded companies. Although Farallon believes the statements made on this Site are accurate in all material respects and do not omit to state material facts necessary to make those statements not misleading, Farallon makes no representation or warranty, express or implied, as to the accuracy or completeness of those statements or any other written or oral communication it makes with respect to the Company and any other companies mentioned, and each of Farallon, the other Participants and their respective affiliates expressly disclaim any liability relating to those statements or communications (or any inaccuracies or omissions therein). Thus, stockholders and others should conduct their own independent investigation and analysis of those statements and communications and of the Company and any other companies to which those statements or communications may be relevant.

Cautionary Statement Regarding Forward-Looking Statements

Some of the materials on this Site contain forward-looking statements. All statements contained herein that are not clearly historical in nature or that necessary depend on future events are forward-looking, and the words "anticipate," "believe," "expect," "potential," "could," "opportunity," "estimate," "plan," and similar expressions are generally intended to identify forward-looking statements.

The projected results and statements contained herein that are not historical facts are based on current expectations, speak only as of the date of these materials and involve risks, uncertainties and other factors that may cause actual results, performances or achievements to be materially different from any future results, performances or achievements expressed or implied by such projected results and statements. Assumptions relating to the foregoing involve judgments with respect to, among other things, future economic competitive and market conditions and future business decisions, all of which are difficult or impossible to predict accurately and many of which are beyond the control of Farallon.

Though certain material on this Site may contain projections, nothing on this Site is intended to be a prediction of the future trading price or market value of securities of the Company. Accordingly, there is no assurance or guarantee with respect to the prices at which any securities of the Company will trade, and such securities may not trade at prices that may be implied herein. The estimates, projections and potential impact of the opportunities identified by Farallon herein are based on assumptions that Farallon believes to be reasonable as of the date of the materials on this Site, but there can be no assurance or guarantee (i) that any of the proposed actions set forth on this Site will be completed, (ii) that the actual results or performance of the Company will not differ, and such differences may be material, or (iii) that any of the assumptions provided in this Site are accurate.

Therefore, there can be no assurance that the projected results or forward-looking statements included herein will prove to be accurate and therefore actual results could differ materially from those set forth in, contemplated by, or underlying these forward-looking statements. In light of the significant uncertainties inherent in the projected results and forward-looking statements included herein, the inclusion of such information should not be regarded as a representation as to future results or that the objectives and strategic initiatives expressed or implied by such projected results and forward-looking statements will be achieved. Farallon will not undertake and specifically declines any obligation to disclose the results of any revisions that may be made to any projected results or forward-looking statements herein to reflect events or circumstances after the date of such projected results or statements or to reflect the occurrence of anticipated or unanticipated events.

Quotations and Third Party Statements

Farallon has neither sought nor obtained the consent from any other third party to use any statements or information contained herein that have been obtained or derived from statements made or published by such third parties, nor has it paid for any such statements. Any such statements or information should not be viewed as indicating the support of such third parties for the views expressed herein. Farallon does not endorse third-party estimates or research which are used on this Site. No warranty is made that data or information, whether derived or obtained from filings made with the SEC or any other regulatory agency or from any third party, are accurate. Past performance is not an indication of future results.

This Site may contain links to articles and/or videos (collectively, "Media"). The views and opinions expressed in such Media are those of the author(s)/speaker(s) referenced or quoted in such Media and, unless specifically noted otherwise, do not necessarily represent the opinions of Farallon.

Concerning Intellectual Property

All registered or unregistered service marks, trademarks and trade names referred to on this Site are the property of their respective owners, and Farallon's use herein does not

imply an affiliation with or endorsement by, the owners of these service marks, trademarks and trade names.

CERTAIN INFORMATION REGARDING THE PARTICIPANTS

The Farallon Parties (as defined below), together with the other Participants, intend to file a definitive proxy statement and accompanying white proxy card with the SEC to be used to solicit proxies for votes regarding the election of nominees to the Board of Directors and other proposals that may come before the Company's 2023 annual meeting of stockholders.

THE PARTICIPANTS STRONGLY ADVISE ALL STOCKHOLDERS OF THE COMPANY TO READ THE DEFINITIVE PROXY STATEMENT AND OTHER PROXY MATERIALS AS THEY BECOME AVAILABLE BECAUSE THEY WILL CONTAIN IMPORTANT INFORMATION, INCLUDING ADDITIONAL INFORMATION REGARDING THE PARTICIPANTS. SUCH PROXY MATERIALS WILL BE AVAILABLE AT NO CHARGE ON THE SEC'S WEBSITE AT [HTTP://WWW.SEC.GOV](http://www.sec.gov), AS WELL AS ON FARALLON'S WEBSITE AT [HTTP://WWW.FOCUSEXEL.COM](http://www.focusexel.com). IN ADDITION, THE PARTICIPANTS IN THIS PROXY SOLICITATION OR MACKENZIE PARTNERS, INC., FARALLON'S PROXY SOLICITOR, WILL PROVIDE COPIES OF THE PROXY STATEMENT WITHOUT CHARGE, WHEN AVAILABLE, UPON REQUEST.

The Participants in the proxy solicitation are anticipated to be: (1) Farallon Capital Partners, L.P., a California limited partnership ("FCP"), (2) Farallon Capital Institutional Partners, L.P., a California limited partnership ("FCIP"), (3) Farallon Capital Institutional Partners II, L.P., a California limited partnership ("FCIP II"), (4) Farallon Capital Institutional Partners III, L.P., a Delaware limited partnership ("FCIP III"), (5) Four Crossings Institutional Partners V, L.P., a Delaware limited partnership ("FCIP V"), (6) Farallon Capital Offshore Investors II, L.P., a Cayman Islands exempted limited partnership ("FCOI II"), (7) Farallon Capital (AM) Investors, L.P., a Delaware limited partnership ("FCAMI"), (8) Farallon Capital F5 Master I, L.P., a Cayman Islands limited partnership ("F5MI"), (9) Farallon Healthcare Partners Master, L.P., a Cayman Islands exempted limited partnership ("FHPM" and together with FCP, FCIP, FCIP II, FCIP III, FCIP V, FCOI II, FCAMI and F5MI, the "Farallon Funds"), (10) Farallon Capital Management, L.L.C., a Delaware limited liability company ("Farallon Capital Management"), (11) Farallon Partners, L.L.C., a Delaware limited liability company ("Farallon General Partner"), (12) Farallon Institutional (GP) V, L.L.C., a Delaware limited liability company ("FCIP V General Partner"), (13) Farallon F5 (GP), L.L.C., a Delaware limited liability company ("F5MI General Partner"), (14) Farallon Healthcare Partners (GP), L.L.C., a Delaware limited liability company ("FHPM General Partner"), (15) Joshua J. Dapice ("Dapice"), (16) Philip D. Dreyfuss ("Dreyfuss"), (17) Hannah E. Dunn ("Dunn"), (18) Michael B. Fisch ("Fisch"), (19) Richard B. Fried ("Fried"), (20) Varun N. Gehani ("Gehani"), (21) Nicolas Giauque ("Giauque"), (22) David T. Kim ("Kim"), (23) Michael G. Linn ("Linn"), (24) Rajiv A. Patel ("Patel"), (25) Thomas G. Roberts Jr. ("Roberts"), (26) Edric C. Saito ("Saito"), (27) William Seybold ("Seybold"), (28) Daniel S. Short ("Short"), (29) Andrew J.M. Spokes ("Spokes"), (30) John R.

Warren ("Warren"), (31) Mark C. Wehrly ("Wehrly" and together with Dapice, Dreyfuss, Dunn, Fisch, Fried, Gehani, Giauque, Kim, Linn, Patel, Roberts, Saito, Seybold, Short, Spokes and Warren, the "Farallon Owner Individuals" and the Farallon Owner Individuals together with Farallon Capital Management, Farallon General Partner, FCIP V General Partner, F5MI General Partner and FHPM General Partner, the "Beneficial Owners"; and the Beneficial Owners together with the Farallon Funds and the Farallon Non-Owner Individuals (as defined below), the "Farallon Parties"), (32) Richard Bollini ("Bollini"), (33) Colby Clark ("Clark"), (34) Cameron Hillyer ("Hillyer"), (35) David A. Posner ("Posner"), (36) Matthew Trentini ("Trentini" and together with Bollini, Clark, Hillyer and Posner, the "Farallon Non-Owner Individuals"), (37) Tomas J. Heyman ("Mr. Heyman"), (38) David E. Johnson ("Mr. Johnson"), (39) Robert "Bob" Oliver, Jr. ("Mr. Oliver" and together with Mr. Heyman and Mr. Johnson, the "Nominees"), (40) Caligan Partners LP, a Delaware limited partnership ("Caligan IM"), and (41) Caligan Partners Master Fund LP, a Cayman Islands exempted limited partnership (the "Caligan Fund" and together with Mr. Johnson and Caligan IM, the "Caligan Parties", and the Caligan Parties together with the Farallon Parties and the Nominees, the "Participants").

As of the date hereof, the Participants beneficially own (within the meaning of Rule 13d-3 under the Securities Exchange Act of 1934), in the aggregate, 24,316,000 shares of common stock, par value \$0.001 per share, of the Company (the "Common Stock"). Of the 24,316,000 shares of Common Stock beneficially owned in the aggregate by the Participants: (a) 23,466,000 shares of Common Stock are beneficially owned by the Farallon Parties, in the aggregate, and (b) 850,000 shares of Common Stock are beneficially owned by the Caligan Parties, in the aggregate. As of the date hereof, neither Mr. Heyman nor Mr. Oliver beneficially owns any shares of Common Stock or any other securities of the Company.

Of the 23,466,000 shares of Common Stock owned, in the aggregate, by the Farallon Parties, such shares of Common Stock may be deemed to be beneficially owned as follows: (a) 23,466,000 shares of Common Stock may be deemed to be beneficially owned by Farallon Capital Management by virtue of it being the investment manager for each of the Farallon Funds; (b) 22,620,792 shares of Common Stock may be deemed to be beneficially owned by Farallon General Partner by virtue of it being the general partner of FCP, FCIP, FCIP II, FCIP III, FCOI II, and FCAMI and the sole member of FCIP V General Partner and FHPM General Partner; (c) 442,347 shares of Common Stock may be deemed to be beneficially owned by FCIP V General Partner by virtue of it being the general partner of FCIP V; (d) 845,208 shares of Common Stock may be deemed to be beneficially owned by F5MI General Partner by virtue of it being the general partner of F5MI; (e) 12,507,800 shares of Common Stock may be deemed to be beneficially owned by FHPM General Partner by virtue of it being the general partner of FHPM; (f) 23,466,000 shares of Common Stock may be deemed to be beneficially owned by Spokes by virtue of being a Senior Managing Member of Farallon Capital Management and Farallon General Partner, and a Senior Manager of FCIP V General Partner, F5MI General Partner, and FHPM General Partner; and (g) 23,466,000 shares of Common Stock may be deemed to be beneficially owned by each of Dapice, Dreyfuss, Dunn, Fisch, Fried, Gehani, Giauque, Kim, Linn, Patel, Roberts, Saito,

Seybold, Short, Warren and Wehrly by virtue of being a Managing Member of Farallon Capital Management and Farallon General Partner, and a Manager of FCIP V General Partner, F5MI General Partner, and FHPM General Partner. By virtue of their relationships to the Farallon Funds, each of the Farallon Owner Individuals may be deemed to have shared voting power and shared dispositive power with regard to the shares of Common Stock owned by the Farallon Funds. For the avoidance of doubt, none of the Farallon Non-Owner Individuals owns any shares of Common Stock, beneficially or otherwise.

Of the 23,466,000 shares of Common Stock owned, in the aggregate, by the Farallon Parties, such shares of Common Stock are directly owned as follows: (a) 1,959,620 shares of Common Stock (including the 1,000 shares of Common Stock held in record name) are directly owned by FCP; (b) 2,450,882 shares of Common Stock are directly owned by FCIP; (c) 649,197 shares of Common Stock are directly owned by FCIP II; (d) 332,586 shares of Common Stock are directly owned by FCIP III; (e) 442,347 shares of Common Stock are directly owned by FCIP V; (f) 4,059,527 shares of Common Stock are directly owned by FCOI II; (g) 845,208 shares of Common Stock are directly owned by F5MI; (h) 218,833 shares of Common Stock are directly owned by FCAMI; and (i) 12,507,800 shares of Common Stock are directly owned by FHPM.

Of the 850,000 shares of Common Stock owned by the Caligan Parties: (a) 850,000 shares of Common Stock are directly held, in the aggregate, by the Caligan Fund and certain accounts managed by Caligan IM; (b) 850,000 shares of Common Stock may be deemed to be beneficially owned by Caligan IM by virtue of it serving indirectly as the investment manager of the Caligan Fund and certain managed accounts; and (c) 850,000 shares of Common Stock may be deemed to be beneficially owned by Mr. Johnson by virtue of him being the Managing Partner of Caligan IM.

Each of the Farallon Parties expressly disclaims beneficial ownership of any shares of Common Stock beneficially owned by the Caligan Parties. Each of the Caligan Parties expressly disclaims beneficial ownership of any shares of Common Stock beneficially owned by the Farallon Parties. Each of Mr. Heyman and Mr. Oliver expressly disclaims beneficial ownership of any shares of Common Stock beneficially owned by the Farallon Parties or the Caligan Parties.

II. Cookie Policy

Last updated April 21, 2023

INTRODUCTION

Farallon Capital Management, L.L.C. (“we” or “us” or “our”) may use cookies, web beacons, tracking pixels, and other tracking technologies when you visit this website www.FocusEXEL.com, including any other media form, media channel, mobile website, or mobile application related or connected thereto (collectively, the “Site”) to help customize the Site and improve your experience.

We reserve the right to make changes to this cookie policy (this “Cookie Policy”) at any time and for any reason. We will alert you about any changes by updating the “Last Updated” date of this Cookie Policy. Any changes or modifications will be effective immediately upon posting the updated Cookie Policy on the Site, and you waive the right to receive specific notice of each such change or modification.

You are encouraged to periodically review this Cookie Policy to stay informed of updates. You will be deemed to have been made aware of, will be subject to, and will be deemed to have accepted the changes in any revised Cookie Policy by your continued use of the Site after the date such revised Cookie Policy is posted.

USE OF COOKIES

A “cookie” is a string of information which assigns you a unique identifier that we store on your computer. Your browser then provides that unique identifier to use each time you submit a query to the Site. We may use cookies on the Site to, among other things, record registration information, record your user preferences, keep you logged into the Site, and track the pages you visit. Cookies help us understand how the Site is being used and improve your user experience.

TYPES OF COOKIES

The following types of cookies may be used when you visit the Site:

Analytics Cookies

Analytics cookies monitor how users reached the Site, and how they interact with and move around once on the Site. These cookies let us know what features on the Site are working the best and what features on the Site can be improved.

Our Cookies

Our cookies are “first-party cookies”, and can be either permanent or temporary. These are necessary cookies, without which the Site won't work properly or be able to provide certain features and functionalities. Some of these may be manually disabled in your browser, but may affect the functionality of the Site.

Personalization Cookies

Personalization cookies are used to recognize repeat visitors to the Site. We use these cookies to record your browsing history, the pages you have visited, and your settings and preferences each time you visit the Site.

Security Cookies

Security cookies help identify and prevent security risks. We use these cookies to authenticate users and protect user data from unauthorized parties.

Site Management Cookies

Site management cookies are used to maintain your identity or session on the Site so that you are not logged off unexpectedly, and any information you enter is retained from page to page. These cookies cannot be turned off individually, but you can disable all cookies in your browser.

Third-Party Cookies

Third-party cookies may be placed on your computer when you visit the Site by companies that relate to the operation of the Site. These cookies allow the third parties to gather and track certain information about you. These cookies can be manually disabled in your browser.

CONTROL OF COOKIES

Most browsers are set to accept cookies by default. However, you can remove or reject cookies in your browser's settings. Please be aware that such action could affect the availability and functionality of the Site.

For more information on how to control cookies, check your browser or device's settings for how you can control or reject cookies, or visit the following links:

[Apple Safari](#)
[Google Chrome](#)
[Microsoft Edge](#)
[Microsoft Internet Explorer](#)

[Mozilla Firefox](#)
[Opera](#)
[Android \(Chrome\)](#)
[Blackberry](#)
[Iphone or Ipad \(Chrome\)](#)
[Iphone or Ipad \(Safari\)](#)

OTHER TRACKING TECHNOLOGIES

In addition to cookies, we may use web beacons, pixel tags, and other tracking technologies on the Site to help customize the Site and improve your experience. A "web beacon" or "pixel tag" is a tiny object or image embedded in a web page or e-mail. They are used to track the number of users who have visited particular pages and viewed e-mails, and acquire other statistical data. They collect only a limited set of data, such as a cookie number, time and date of page or e-mail view, and a description of the page or e-mail on which they reside. Web beacons and pixel tags cannot be declined. However, you can limit their use by controlling the cookies that interact with them.

REMARKETING

In connection with your use of the Site, we may use third party vendor re-marketing tracking cookies, including the Google Adwords tracking cookie. Consequently, we may continue to display ads relating to this Site to you across the Internet, specifically on the Google Content Network (GCN). We respect your privacy and we do not collect any identifiable information through the use of Google's or any other third party's remarketing system. Third party vendors, including Google, may use cookies to serve ads based on a user's prior visits to the Site. The third-party vendors whose services we may use, including Google, may place cookies on web browsers in order to serve ads based on past visits to this Site. This allows us to continue to make you aware of developments with respect to the Site.

PRIVACY POLICY

For more information about how we use information collected by cookies and other tracking technologies, please refer to our Privacy Policy below. This Cookie Policy is part of and is incorporated into our Privacy Policy. By using the Site, you agree to be bound by this Cookie Policy and our Privacy Policy.

CONTACT US

If you have questions or comments about this Cookie Policy, please contact: privacy@farcap.com.

III. Privacy Policy

Last updated April 21, 2023

This privacy policy (“Privacy Policy”) sets forth the privacy practices of Farallon Capital Management, L.L.C. (“Farallon,” “we,” “our,” or “us”) with respect to our collection, use, sharing, and disclosure of Personal Information (as defined herein) collected through this website (the “Site”), how it is used, and the circumstances under which it may be shared and disclosed. This Privacy Policy constitutes a legally binding agreement between you and Farallon that conditions your use of the Site, where and as permitted by applicable law.

If you are a California resident, please also read our Privacy Notice for California Consumers below.

1. Personal Information We Collect

When you visit the Site and during our ordinary business activities, Farallon may collect or ask you to provide certain nonpublic personal information (“Personal Information”) in order to help us manage our relationship with you as it relates to this Site. The Personal Information we may collect from you in connection with your use of this Site may include personally identifiable information, including your name, e-mail address, age and gender.

2. Sources of Personal Information

We may collect Personal Information from:

- Your communications with us;
- Your transactions with us;
- Services providers; and
- Affiliates.

3. How We Use Personal Information

We may use Personal Information collected in connection with your use of the Site for the following business purposes:

- To process your requests and inquires;
- To confirm your identity;
- To communicate with you;
- To protect the security and integrity of the Site;

- To prevent or investigate fraud or other unlawful activity, and detect security incidents; and
- To comply with and enforce applicable legal requirements.

4. How We Share Personal Information

Your privacy is important to us. Farallon will not disclose any Personal Information collected in connection with your use of the Site to nonaffiliated third parties, except as may be reasonably required in connection with the above-noted business purposes or as permitted or required by law. Notwithstanding the above, Farallon may disclose the Personal Information to Longacre Square Partners ("Longacre"), who is responsible for creating and maintaining the Site on behalf of Farallon, and Webflow, the website design platform used by Longacre. We do not sell any Personal Information.

You have the right to direct Farallon not to disclose your Personal Information to a nonaffiliated third party. If you would like to exercise your right to opt out of this Privacy Policy, you must provide a written statement exercising that right. This right to opt out may be exercised at any time and will remain in effect until written notice revoking said right is received by Farallon from you. However, in the event Farallon encounters circumstances where it is compelled by law to disclose your Personal Information, Farallon must provide, to non-affiliated third parties, your Personal Information even if you have exercised your right to opt out.

5. How We Protect Personal Information

Farallon seeks to carefully safeguard Personal Information. We will use commercially reasonable efforts to ensure that Personal Information is kept secure and safe from any loss or unauthorized disclosure or use. We restrict access to your Personal Information to employees or other personnel, including Longacre and Webflow, requiring that Personal Information in connection with the operation of the Site.

6. Notice for Residents of the European Economic Area and United Kingdom

Your personal information will be processed in the United States, and other countries outside the European Union and the United Kingdom ("Third Countries"), that may not offer the same level of data protection as that afforded by the European Union's General Data Protection Regulation, and the same as it applies in the United Kingdom ("GDPR"). We will process personal data (or ensure that it is processed) in such Third Countries subject to appropriate safeguards and in accordance with the requirements of applicable law, which may include having appropriate contractual undertakings in legal agreements with service providers who process personal data on our behalf in such Third Countries.

Your rights. You may have certain rights under the GDPR in respect of the personal data we hold and which you may exercise. These rights are:

- to request access to your personal data;
- to request rectification of inaccurate or incomplete personal data;
- to request erasure of your personal data (a "right to be forgotten");
- to restrict the processing of your personal data in certain circumstances;
- to object to our use of your personal data, such as where we have considered such use to be necessary for our legitimate interests (e.g. in the case of certain types of direct marketing activities);
- where relevant, to request the portability of your personal data;
- where you have given consent to the processing of your data, to withdraw your consent by contacting Farallon on the e-mail below; and
- to lodge a complaint with the competent supervisory authority.

7. Retaining Your Information

Longacre and Webflow will retain the anonymized data we collect from cookies as well as any names and e-mail addresses you provide us with for as long as necessary to comply with our regulatory or other legal obligations or until such time as the Site is terminated, at which point any and all data we have collected will be deleted; provided, however, you may request your name and e-mail address be deleted sooner by e-mailing us at privacy@farcap.com.

8. Contact Us

If you have any questions or comments about this Privacy Policy, please contact Farallon at privacy@farcap.com.

IV. Privacy Notice For California Consumers

Last updated: April 21, 2023

This notice contains disclosures required by the California Privacy Rights Act (“CPRA”). Terms defined in the CPRA have the same meaning when used in this notice. This notice is only relevant to California residents (“consumers” or “you”), which may include users of this website. Consumers with disabilities may access a printable copy of this notice in pdf format by [clicking here](#).

Information We Collect Through this Site. In the past 12 months, we may have collected and shared for a business purpose the following categories of personal information (“Personal Information”) through this Site:

Category	Examples	Shared for Business Purpose
Identifiers	A real name, alias, e-mail address, postal address, other contact details, Internet Protocol (IP) address, account name, copies of identification documents, Social Security number, driver’s license number, tax identification or passport number, or other similar personal identifiers.	YES
Other personal information categories, as listed in the California Customer Records Statute	A signature, telephone number, employment, bank account number, information about assets or net worth, credit history, information on investment activities or any other financial information.	NO
Protected classification characteristics under California or federal law	Age (40 years or older), race, citizenship, marital status, sex, veteran or military status.	YES

Commercial information	Account activity, records of products or services purchased, obtained, or considered, or other purchasing histories.	NO
Internet or other similar network activity	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
Professional or employment-related information	Current or past job history.	NO
Inferences drawn from other personal information	Profile reflecting a person's preferences, characteristics and interests.	YES
Sensitive Personal Information	A consumer's Social Security number, driver's license, state ID card, or passport number; account log-in or debit/credit card number in combination with any access code, password, or account credentials; precise geolocation; racial/ethnic origin, religious/philosophical beliefs, or union membership; contents of mail, e-mail, and text messages; genetic data; biometric information; protected health information; or sex life or sexual orientation.	NO

Personal Information does not include information that is publicly available, de-identified/aggregated, or subject to the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") or the Gramm-Leach-Bliley Act ("GLBA").

We collect Personal Information from the following categories of sources:

- Your communications with us;
- Our agents and service providers;
- Our affiliates;
- Information generated through use of our website; and
- Entities we do business with.

We also may receive your personal data from other third parties or sources, such as the administrator, publicly accessible databases or registers, tax authorities, governmental agencies and supervisory authorities, credit agencies, fraud prevention and detection agencies, or publicly accessible sources, such as the Internet.

We do not knowingly collect, solicit or sell Personal Information from anyone under the age of 16 without the prior consent of a parent or guardian.

Purpose for Collection and Use of Personal Information. We may collect or use Personal Information for one or more of the following purposes:

- Providing information about our products and services;
- One or more of the following business purposes:
 - Performing services (for us or our service provider) such as account servicing, processing orders and payments, and analytics;
 - Auditing related to our interactions with you (e.g., auditing compliance);
 - Legal compliance;
 - Detecting and protecting against security incidents, fraud, and illegal activity;
 - Debugging;
 - Internal research for technological improvement;
 - Internal operations; and
 - Activities to maintain and improve our services.

Sharing Personal Information. We may disclose Personal Information in one or more of the categories identified above to:

- Agents and service providers, including, but not limited to: the administrator, brokers, auditors, legal advisors, law firms, financial advisors, consultants and placement agents;
- Affiliates;
- Business partners;
- Legal or government regulatory authorities and/or self-regulatory organizations as required by applicable law; and
- In connection with a potential business transfer.

In the past 12 months, we have not sold any Personal Information we collect to third parties, and we have shared the categories of Personal Information we collect only as set forth above.

Length of Time. We will keep your Personal Information for as long as necessary to comply with our regulatory or other legal obligations.

Rights of California Consumers. The CPRA provides a California consumer the following rights, subject to certain exceptions and limitations:

- The right to request: (a) the categories and specific pieces of Personal Information we collect about you; (b) the categories of sources from which we collect your Personal Information; (c) our business or commercial purposes for collecting, selling or sharing your Personal Information; (d) the categories of Personal Information disclosed for a business purpose and the categories of persons to whom it was disclosed; and (e) the categories of your Personal Information (if any) that we have either sold, shared, or disclosed.

- For certain categories of Personal Information, the right to request a list of what we disclosed to third parties for their own direct marketing purposes in the past 12 months and the names and addresses of those third parties.
- The right to request that we delete your Personal Information, subject to certain exceptions.
- The right to opt out of our sale(s) (if any) of your Personal Information.
- The right to request we correct any inaccurate Personal Information maintained about you.
- The right to limit our use of your sensitive Personal Information to only use that is necessary to perform the services expected or provide the goods reasonably expected.
- The right not to receive discriminatory treatment for exercising your CPRA rights.

You may submit requests relating to your exercise of CPRA rights to us via: phone at 1 (833) 506-0472; or e-mail at privacy@farcap.com.

We may need to request additional information from you to verify your identity or understand the scope of your request. In verifying requests, we will require you to provide, at a minimum your name and e-mail address. We will use the information you submit and the information we have in our systems to try to verify your identity and to match the Personal Information we have collected about you, if any, to your identity. We endeavor to respond to a verifiable request within 45 days of its receipt. If we require more time, we will inform you of the reason and extension period in writing. We will deliver our written response by mail or electronically, at your option.

You may designate an authorized agent to make a CPRA request on your behalf. In such case, we will ask the agent to provide proof that you have given the agent signed permission to act on your behalf. In addition, we may ask you to (1) verify your identity directly with us in the manner described above and (2) directly confirm with us that you have provided the agent permission to make the request on your behalf.

You may only make a verifiable request for access or data portability twice within a 12-month period.

Questions

If you have questions regarding this notice, please contact us at privacy@farcap.com.