

Privacy Statement

This Site is owned and operated by Fresenius Medical Care North America (FRESENIUS MEDICAL CARE NA or FMCNA) . This Statement discloses the Privacy Statement (this "Statement") for this Site and describes how we collect, protect and use information we receive from visitors to our Site. FMCNA has created this Statement in order to inform you of our firm commitment to safeguarding the privacy and security of information you provide. **This Statement applies only to information collected through this Site and not to information collected offline or through any other websites (even if affiliated with FMCNA). In addition, this Statement is different and should not be confused with Fresenius Medical Care NA's Notice of Privacy Practices which can be accessed by clicking here**

The Privacy Statement and Terms of Use shall be governed by and construed in accordance with United States law, and FMCNA makes no representation that this Site is appropriate or available for use in locations outside of the United States.

By accessing or using this Site in any way, including, without limitation, browsing this Site, using any information, and/or submitting your personal information, you agree to and are bound by the terms, conditions, policies and notices contained on this page.

Last updated and effective as of December 20, 2010.

THE INFORMATION WE COLLECT

There are two kinds of information websites can obtain about you:

(1) *Anonymous Information:* "Anonymous Information" is aggregate data that websites use to administer their sites. It may include such information as your browser type or your Internet Protocol (IP) address. FMCNA may from time to time retain third parties to help us collect and aggregate Site customer information.

IP Addresses. An IP address is a unique string of numbers that is assigned to your computer by your Internet Service Provider. Web servers automatically identify your computer by its IP address. We use your IP address to help diagnose problems with our server, to administer our Site, avoid hacking attacks on the Site's server, and may use it to gather broad demographic information. We do not link IP addresses to any personally identifiable information, even if such information is voluntarily provided by a user.

Cookie Information. As is the case with many websites, our Site uses a technology called "cookies", which are small data files that are downloaded onto your computer. The use of cookies is standard on the Internet, and allows us to tailor your visits to our Site to your individual preferences. We may also contract with third party service providers who assign cookies to conduct site tracking for us. These companies use cookies solely to provide us with aggregate data about Site traffic. Although most web browsers automatically accept cookies, you can change your browser to prevent cookies or notify you whenever you are sent a cookie. Even without accepting a cookie, you can still access most of the features on our Site.

(2) *Personally Identifiable Information:* "Personally Identifiable Information" is any information that personally identifies you, such as your name, email address or your telephone number. We may ask you to provide us with personal information on a voluntary basis in certain areas of our Site. In particular, you may be asked to provide the following information:

Email Correspondence. Scattered throughout the Site are links or forms that can be used to contact FMCNA so you can comment, make a complaint, make suggestions and ask questions.

Your email address is required on this form so we can answer your questions. FMCNA may put information from email on file, but does not currently share, sell, license or transmit this information with third parties without express authorization from you. By providing us your e-mail address, you are requesting that we communicate with you in that manner. To withdraw your request for e-mail communications, or to unsubscribe, please contact webmaster@fmc-na.com

Newsletters and Other Communications. We offer visitors to this Site the opportunity to sign up to receive newsletters or other email communications from this Site, at your own request. In order to sign up for these communications, we ask for contact information, such as name and email address. We also may offer the opportunity for you to receive mailings from our partners that we think may be of interest to you.

HOW WE USE INFORMATION YOU PROVIDE

The information you share with us may be used in a few ways:

(1) *Anonymous Information:* Anonymous Information is used internally for Site administration, troubleshooting and to help improve the quality of this Site and its design. We may share such aggregated, non-personally identifiable information, such as demographics, with existing and prospective business partners, researchers and advertisers. We never connect aggregate information with Personally Identifiable Information, and none of the Anonymous Information we share will contain any information that identifies you individually.

(2) *Personally Identifiable Information:* Personally Identifiable Information collected by FMCNA may be used for purposes including administration of the Site and communications with you. In all cases, however, we will only use your information as permitted by law and our customer contracts. We also may disclose Personally Identifiable Information if we are required to do so by law or we in good faith believe that such action is necessary to (a) comply with the law or with legal process; (b) protect and defend our rights and property; (c) protect against misuse or unauthorized use of the Site; or (d) protect the personal safety or property of our users or the public. Please note that we may not provide you with notice prior to disclosure in such cases.

OPT-OUT

We support the right of our visitors to choose. You will be given the right to opt-out of receiving any promotional materials about FMCNA whenever you are asked to provide Personally Identifiable Information on this Site. If you do not opt-out at that time, but later decide that you do not wish to receive future communications of this nature you can contact us at webmaster@fmc-na.com or at the address provided below, indicating that you no longer want to receive information relating to this Site.

ACCESS AND CORRECTION

You have a right to know about the Personally Identifiable Information that FMCNA holds about you and gathered through this Site, including the right to correct, amend or delete the information that FMCNA has on file if it is incorrect. If you wish to exercise these rights please contact us by email or postal mail at the addresses below.

SECURITY

This Site incorporates safeguards to protect the security, integrity and privacy of the personal information we have collected. We have put in place reasonable precautions to protect information from loss, misuse and alteration, including Secure Socket Layer (SSL) technology and database encryption. While on a secure page, the lock icon on the bottom of Web browsers such

as Microsoft Internet Explorer and Mozilla Firefox becomes locked, as opposed to unlocked, or open, when you are just "surfing".

Security of information communicated by or to us over the Internet is of utmost concern to us; however, no data transmission over the Internet can be guaranteed to be 100% secure. Please note that your email, like most, if not all, non-encrypted Internet communications, may be accessed and viewed by other Internet users, without your knowledge and permission, while in transit to us. For that reason, to protect your privacy, please do not use email to communicate information to us that you consider sensitive or confidential. While we strive to protect your personal information, FMCNA cannot ensure or warrant the security of any information you transmit to us or through this Site. Once we receive your transmission, we will use reasonable efforts to ensure its security on our internal systems. Depending on the nature of the inquiry, your communication may be discarded or archived. If you wish, you may contact us instead via telephone at the numbers provided throughout our Site.

DISCLOSURE OF INFORMATION THROUGH BUSINESS TRANSFERS

As we continue to develop our business, we may buy, merge or partner with other companies or businesses, and in so doing, acquire customer information. In such transactions, user information may be among the transferred assets. Similarly, in the event that a portion or substantially all of FMCNA assets are sold or transferred to a third party, customer information (including Personally Identifiable Information) would likely be one of the transferred business assets.

OUR COMMITMENT TO CHILDREN'S PRIVACY

Protecting the privacy of children is very important to us. The Children's Online Privacy and Protection Act of 1998 ("COPPA") defines a "Child" as anyone under the age of 13. FMCNA strictly adheres to COPPA. For that reason, we do not collect or maintain information obtained through our Site from those we actually know are under 13, and no part of our Site is structured to attract anyone under 13. If you are under 13, you should not use this site.

EXTERNAL LINKS

This Site may provide links to various websites that we do not control. When you click on one of these links, you will be transferred out of our Site and connected to the website of the organization or FMCNA that you selected. We are not responsible for the nature, quality or accuracy of the content or opinions expressed on such websites, and such websites are not investigated, monitored or checked for quality, accuracy or completeness by us. Inclusion of any linked website on this Site does not imply or express an approval or endorsement of the linked website by us, or of any of the content, opinions, products or services provided on these websites. Even if an affiliation exists between our Site and a third-party website, we exercise no control over linked sites. Each of these linked sites maintains its own independent privacy and data collection policies and procedures. While FMCNA expects its partners and affiliates to respect the privacy of our users, FMCNA cannot be responsible for the actions of third parties. If you visit a website that is linked to from our Site, we encourage you to consult that website's privacy policy before providing any personal information and whenever interacting with any website.

CONSENT AND MODIFICATIONS TO PRIVACY STATEMENT

This Site is controlled, operated and administered entirely within the United States. By using this Site, you signify your agreement to the terms of this Statement. If you do not agree with this Statement, please do not disclose any personal information through this Site. This Policy and the use of this Site are governed by State law. Any claim related to the Site or this Statement shall be brought in a federal or state court in City, State, within one year after the claim arises. Users of the Site consent to the exclusive jurisdiction and venue of such courts as the most convenient

and appropriate for the resolution of disputes concerning this Policy. This Statement and the notices outlined herein are not intended to and do not create any contractual or other legal rights in or on behalf of any third party.

SPECIAL NOTICE TO CALIFORNIA RESIDENTS

Under the California Civil Code, residents of the State of California that have provided any Personally Identifiable Information to FMCNA have the right to request a list of all third parties to which FMCNA has disclosed Personally Identifiable Information during the preceding year for direct marketing purposes. Alternatively, the law provides that if FMCNA has a privacy policy that gives either an opt-out or opt-in choice for use of Personally Identifiable Information by third parties (such as advertisers or affiliated companies) for marketing purposes, FMCNA may instead provide you with information on how to exercise your disclosure choice options. FMCNA qualifies for the alternative option; it has established this Statement that provides you with details on how you may either opt-out or opt-in to the use of your Personally Identifiable Information by third parties for direct marketing purposes.

If you are a California resident and request information about how to exercise your third party disclosure choices, please send a request to webmaster@fmc-na.com with a preference on how our response to your request should be sent.

MODIFICATIONS TO PRIVACY STATEMENT

FMCNA may modify this Statement and the related Privacy Policy at any time, at its discretion, and modifications are effective upon being posted on this Site. You are responsible for reviewing this Statement periodically to ensure that you are aware of any changes to it.

ACCOUNT REVISIONS, REVOKING AND DELETING PERSONAL INFORMATION

We welcome your questions, comments and all feedback pertaining to your privacy or any other issue with regard to this Site.

At any time, you may ask us to cease further use of your email address to send you correspondence, and direct us to delete any Personally Identifiable Information you have supplied. Although it is not always possible to remove or modify such information, we will make reasonable efforts to do so. If you have given us information for one of those third parties we mentioned above and we have already passed it on, we may not be able to delete or change the information.

In the event that you have given us Personally Identifiable Information in the past and then have second thoughts or want to update it, or if you have any other questions regarding this Statement or this Site, you may contact us at:

Address:

Fresenius Medical Care NA
920 Winter Street
Waltham, MA 02451