

## Subpoena Policy

Effective Date: December 10, 2024

### 1. Purpose

This policy establishes the procedures Ifaya LLC (also referred to as the "Company") will follow when served with a subpoena, particularly as it pertains to the Company's specialized operations in surplus funds, unclaimed funds, and tax lien excess proceeds recovery. The policy ensures compliance with applicable laws while maintaining the integrity of its processes and protecting its clients' interests.

### 2. Scope

This policy applies to all subpoenas received by Ifaya LLC, including those seeking information or testimony related to surplus funds claims, unclaimed funds recovery, or tax lien excess proceeds, and extends to interactions with government agencies, financial institutions, or courts.

### 3. Definitions

- **Surplus Funds Recovery:** The process of identifying and recovering excess funds generated from foreclosure or tax lien sales on behalf of rightful claimants.
- **Unclaimed Funds:** Funds held by government agencies, courts, or third parties that belong to individuals or entities who have not yet claimed them.
- **Excess Proceeds:** Surplus funds resulting from the sale of a property at auction that exceed the amount owed on liens or judgments.
- **Custodian of Records:** The designated individual responsible for maintaining, organizing, and producing Company records in compliance with subpoenas.

### 4. Receipt of Subpoena

1. **Designated Contact:** Subpoenas should be directed to the Company's legal contact:
  - a. Name/Title: Jillian T. Timothy
  - b. Address: 12448 Flatlands Avenue, Brooklyn, NY 11239
  - c. Email: [jillian.timothy@ifaya-llc.com](mailto:jillian.timothy@ifaya-llc.com)
2. **Initial Handling:**
  - a. Subpoenas received by employees or agents must be immediately forwarded to the designated legal contact.
  - b. Note the date and time of receipt and refrain from discussing or responding to the subpoena.

### 3. **Unique Records Notification:**

- a. If a subpoena involves client-specific surplus fund claims or tax lien recovery records, employees must flag the relevant case details.

## 5. **Legal Review**

- Subpoenas are reviewed by the Company's legal counsel to determine:
  - Validity, enforceability, and jurisdiction.
  - Relevance to the Company's specific recovery processes.
  - Whether the requested information contains privileged, confidential, or sensitive data, particularly:
    - Proprietary methods used by Ifaya LLC in fund recovery.
    - Client communications or contractual agreements.

## 6. **Notification**

### 1. **Client Notification:**

- a. For subpoenas related to a specific client or claimant, Ifaya LLC will notify the client, if legally permissible, to:
  - i. Provide a copy of the subpoena.
  - ii. Discuss the scope of information to be disclosed.
  - iii. Allow the client to object or take independent legal action, as applicable.

### 2. **Partner Notification:**

- a. Notify any relevant partners, including government agencies or financial institutions involved in the affected case, if the subpoena directly impacts joint operations or contractual obligations.

### 3. **Internal Escalation:**

- a. Notify internal teams, including the Surplus Funds and Unclaimed Funds Departments, when records or processes unique to the Company's operations are requested.

## 7. **Unique Processes in Subpoena Responses**

### 1. **Verification of Claim-Related Documents:**

- a. The Custodian of Records will verify all documents related to the surplus funds, unclaimed funds, or tax lien recovery process.
- b. Priority will be given to ensuring accuracy and compliance with governing laws, such as state surplus fund statutes and unclaimed property regulations.

### 2. **Review of Proprietary Data:**

- a. Any subpoena requesting internal methodologies, client acquisition strategies, or proprietary databases (e.g., client prospect lists or surplus fund tracking systems) will be subject to heightened legal review.
  - b. Disclosure of proprietary information will only occur under compulsion of law, and redaction will be applied where possible.
3. **Multi-Jurisdictional Cases:**
- a. For cases involving multiple jurisdictions (e.g., surplus funds held in different states), the Company will consult local legal counsel to ensure compliance with state-specific regulations.

## 8. Response to Subpoena

1. **Preparation and Authentication:**
  - a. All records and documents will be compiled, reviewed for relevance, and authenticated as needed.
  - b. Records may include:
    - i. Property auction records.
    - ii. Court filings related to tax lien excess proceeds.
    - iii. Claimant identification and proof of entitlement.
2. **Redaction and Privacy Protection:**
  - a. Personal and sensitive information, such as Social Security numbers, banking details, and unrelated claimant records, will be redacted unless otherwise mandated.
3. **Certificate of Compliance:**
  - a. Responses may include a Certificate of Compliance or other attestations to validate the records provided.

## 9. Confidentiality and Data Protection

- Subpoena responses will adhere to applicable privacy and data protection laws, including:
  - **State Surplus Funds Regulations:** Governing the disclosure of auction-related proceeds.
  - **Unclaimed Property Laws:** Protecting the confidentiality of unclaimed fund beneficiaries.

## 10. Costs and Reimbursement

- Ifaya LLC reserves the right to seek reimbursement for the costs incurred in producing subpoenaed records, particularly when requests require:

- Retrieval of archived or extensive records.
- Substantial staff time to compile and review case-specific details.

## **11. Recordkeeping and Retention**

- All subpoenas, related correspondence, and responses will be logged and retained for a minimum of [Insert Retention Period] or as required by law.
- Subpoena logs will include:
  - Date of receipt.
  - Actions taken (e.g., client notifications, legal reviews).
  - Specific documents or records provided.

## **12. Training and Awareness**

1. **Employee Training:**
  - a. Employees will receive training on how to handle subpoenas, with specific focus on the unique aspects of surplus funds and tax lien excess proceeds recovery.
2. **Annual Policy Review:**
  - a. The policy will be reviewed annually to incorporate changes in laws or Company processes related to surplus and unclaimed funds.

### **Contact for Questions**

For questions about this policy, contact Jillian T. Timothy at [jillian.timothy@ifaya-llc.com](mailto:jillian.timothy@ifaya-llc.com).