

Cushing Asset Management, LP d/b/a NXG Investment Management (“NXG”) recognizes the importance of protecting your personal and financial information when you visit our website located at www.nxgim.com (“Website”). The following information is designed to help you understand the information collection practices on this Website.

By visiting this Website, you are accepting the policies and procedures described below (“Privacy Policy”). If you do not agree to this policy, please do not use this Website.

INFORMATION COLLECTION AND USE: The personally identifiable information you submit to our Website is used only to provide you with information on NXG products and services. The types of personal information that may be collected at our Website include: investor type, name, address, e-mail address and telephone number. We will not sell, share or rent your personally identifiable information to others in contravention of this Privacy Policy.

AGGREGATE INFORMATION: We may collect and record certain usage information, such as the number and frequency of visitors to our Website. This information may include the websites that you access immediately before and after your visit to our Website, the Internet browser you are using and your Internet Protocol (IP) address. If we use such data at all it will be on an aggregate basis, and we will not disclose to third parties any information that could be used to identify you personally.

“Cookies” are small files placed on your hard drive. Each website that you visit can send its own cookie to your browser if your browser preferences allow it. You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is sent. Each browser is different, so check the “Help” menu of your browser to learn how to change your cookie preferences. You are always free to decline our cookies if your browser permits, although in that case you may not be able to use certain features on our Website. In addition, a number of companies offer utilities designed to help you visit websites anonymously.

Cookies or other technology help us to provide customized services and information. We use cookies to tell us how and when pages in our Website are visited, what our users’ technology preferences are (such as what type of web browser they use) and whether our Website is functioning properly.

Additionally, you may encounter cookies or other similar devices on our Website that are placed by third parties. We do not control the use of cookies by third parties.

COMPLIANCE WITH LAWS: NXG does not automatically collect personally identifiable information from visitors to our Website. We will not provide any personally identifiable information to any other persons, except (a) if we are required to make disclosures to the government or private parties in connection with a lawsuit, subpoena, investigation, similar proceedings or regulatory examination, (b) to comply with applicable laws or regulations, (c) to enforce these Terms, or (d) to share information with our affiliates or service providers in connection with providing services to you. We can (and you authorize us to) disclose any such information in those circumstances.

E-MAIL AND MARKETING: NXG does not sell its customers' e-mail addresses, nor will we provide your personal information to third parties for their marketing purposes. NXG will not send you e-mail messages without first receiving your permission. It is our policy to include instructions for unsubscribing from these permission-based programs. We recommend that you do not send us any individual personal information via nonsecure methods of correspondence, including via public electronic communication channels, such as Internet e-mail, which are generally not secure.

BUSINESS TRANSFERS: If all or some of the business, stock or assets of NXG are acquired or merged with another business entity, we will share all or some of your information with this entity to continue to provide service to you. You will receive notice of such an event and the new entity will inform you of any changes to the practices in this Privacy Policy. If the new entity wishes to make additional use of your information, you may decline such use at such time.

THIRD PARTY WEBSITES: NXG may establish links between this Website and one or more websites operated by third parties. NXG has no control over any such other websites, the contents therein or the products/services offered. Your access to and use of such linked websites is governed by the terms of use and privacy policies of those sites, and shall be at your own risk. NXG disclaims responsibility for the privacy policies and customer information practices of third-party internet websites hyperlinked from our Website.

SECURITY: No data transmission over the internet can be 100% secure, so NXG cannot ensure or warrant the security of any information you submit to us on this Website.

THE CALIFORNIA CONSUMER PRIVACY ACT: The California Consumer Privacy Act ("CCPA") imposes certain obligations on NXG (together, "we" or "us") and grants certain rights to California residents ("California Resident," "you" or "your") with regard to "personal information." If you are a California Resident, please review the following information about your potential rights with regard to your personal information under the CCPA. The rights described herein are subject to exemptions and other limitations under applicable law.

Terms used herein have the meaning ascribed to them in the CCPA. NXG is a "business." "Personal information" under the CCPA means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a California resident or a household. It does not include deidentified information, aggregate consumer information or publicly available information, as those terms are defined in the CCPA.

Purposes for Collecting and Using Personal Information

We may collect or use personal information of clients in our products and services for the following business or commercial purposes: (i) performing services on behalf of a fund or separately managed account, including maintaining or servicing accounts, providing investor relations services, processing subscriptions and withdrawals, verifying information, processing payments or providing similar services; (ii) performing our contractual obligations to a California Resident as a subscriber to a fund or investor in a separately managed account, including providing updates on a fund's or account's performance, providing tax reporting and other operational matters; (iii) detecting security incidents and protecting against malicious, deceptive, fraudulent, or illegal

activity, including preventing fraud and conducting “Know Your Client,” anti-money laundering, terrorist financing, and conflict checks; and (iv) enabling or effecting commercial transactions, including using bank account details to remit funds and process distributions.

Personal Information We Collect

In the preceding 12 months, we may have collected the following categories of personal information from or about a California Resident: (i) identifiers and similar information, such as name, address, date of birth, email address, social security number, driver’s license number, passport number, online identifiers or other similar identifiers; (ii) additional information subject to Cal. Civ. Code § 1798.80(e), including your education, credit card number, state identification card number, signature, or bank account or other financial information; (iii) characteristics of protected classifications under federal or certain state laws, including gender, national origin, or marital status; (iv) commercial information, including records of products or services purchased, obtained, or considered, or other purchasing histories or tendencies, including funds invested, investments considered, or sources of wealth; (v) internet or other electronic network activity information, including interactions with our Website or use of certain online tools; (vi) professional or employment-related information, including occupation, compensation, employer, and title; and (vii) inferences drawn from any of the information identified above to create a profile reflecting your preferences or similar information, including your potential interest in investing in new funds.

In the preceding 12 months, we may have disclosed for a business purpose all of the above categories of personal information to all of the categories of third parties discussed below in “Sharing Personal Information with Third Parties.”

Sources of Personal Information

We may collect personal information about you directly from you and/or your intermediaries through sources such as: (i) account applications, subscription agreements, and other forms or related documentation; (ii) written, electronic, or verbal correspondence with us or our service providers; (iii) investor transactions; (iv) an investor’s brokerage or financial advisory firm, financial advisor, or consultant; or (v) from information captured on applicable websites. In addition, we may collect personal information from different sources, such as: (i) our affiliates, our service providers, or our affiliates’ service providers; (ii) public websites or other publicly accessible directories and sources, including bankruptcy registers, tax authorities, governmental agencies and departments, and regulatory authorities; or (iii) credit reporting agencies, sanctions screening databases, or from sources designed to detect and prevent fraud.

Sharing Personal Information with Third Parties

We do not sell your personal information. We may disclose personal information to third parties in circumstances where we believe in good faith that disclosure is required or permitted under law, to cooperate with regulators or law enforcement authorities, or to protect our rights or property. We also may disclose personal information about you or your accounts to a third party at your request or direction or with your consent.

For these reasons, we may disclose any of the categories of personal information discussed above in “Personal Information We Collect” to any of the following categories of third parties: (i) investors and investors’ intermediaries in connection with investments and transactions; (ii) third parties who deliver our communications, including postal services; (iii) third parties who assist with our information technology and security programs; (iv) third parties who assist with fraud prevention, detection and mitigation; (v) third parties as needed to complete a transaction, including financial institutions; (vi) third parties in connection with legal or regulatory matters, including government or regulatory agencies, courts, opposing counsel and parties to litigation; (vii) third parties in connection with the sale or transfer of all or any relevant portion of our business or assets; (viii) our lawyers, accountants, auditors, and consultants; and (ix) other third parties as permitted or required by law.

We also may disclose your personal information to our service providers, other entities that have agreed to limitations on the use of your personal information, or entities that fit within other exemptions or exceptions in or as otherwise permitted by the CCPA.

California Residents’ Rights under the CCPA

If your personal information is subject to the CCPA, you may have certain rights concerning that information, subject to applicable exemptions and limitations, including the right to: (i) be informed, at or before the point of collection, of the categories of personal information to be collected and the purposes for which the categories of personal information shall be used; (ii) not be discriminated against because you exercise any of your rights under the CCPA; (iii) request that we delete any personal information about you that we collected or maintained, subject to certain exceptions (“Request to Delete”); (iv) opt-out of the “sale” (as that term is defined in the CCPA) of your personal information if a business sells your personal information (we do not); (v) opt-out of the “sharing” (as that term is defined in the CCPA) of your personal information if a business shares your personal information with third parties (we do not); (vi) limit the use and disclosure of sensitive personal information where required by the CCPA (“Right to Limit”) (please note that we are not using your sensitive personal information for purposes that would require that we provide you with a Right to Limit); (vii) correct inaccurate personal information (“Request to Correct”); and (viii) request that we, as a business that collects personal information about you and that discloses your personal information for a business purpose, disclose to you (“Request to Know”): (a) the categories of personal information we have collected about you; (b) the categories of sources from which we have collected the personal information; (c) the business or commercial purpose for collecting the personal information; (d) the categories of third parties with which we disclose personal information about you; and (e) the specific pieces of personal information we have collected about you.

The CCPA does not restrict our ability to do certain things like comply with other laws or comply with regulatory investigations. In addition, the CCPA does not apply to certain information like personal information collected, processed, sold or disclosed pursuant to the federal Gramm-Leach-Bliley Act and its implementing regulations. We also reserve the right to retain, and not to delete, certain personal information after receipt of a Request to Delete from you where permitted by the CCPA or another law or regulation.

How to Submit a Request under the CCPA

You may submit a Request to Know, Request to Correct or a Request to Delete (“Consumer Rights Request”), as described above, through the following telephone number (214) 692-6334, by email to info@nxgim.com with “CCPA Rights Request” in the subject line or through our Website at the following link <https://www.nxgim.com/#contact>.

We are only required to respond to verifiable Consumer Rights Requests made by you or your authorized agent. When you submit a Consumer Rights Request, we may ask that you provide clarifying or identifying information to verify your request. Such information may include, at a minimum, depending on the sensitivity of the information you are requesting and the type of request you are making, your name and email address. Any information gathered as part of the verification process will be used for verification purposes only.

You are permitted to designate an authorized agent to submit a Consumer Rights Request on your behalf and have that authorized agent submit the request through the provided methods. We may deny requests from authorized agents who do not submit proof that they have been authorized by you to act on your behalf. We may also require that you directly verify your own identity with us and directly confirm with us that you provided the authorized agent permission to submit the request.

Contact for More Information

If you have any questions or concerns about this Privacy Policy, please contact us (telephone: (214) 692-6334; facsimile: (214) 219-2353).

CHANGES TO THIS PRIVACY POLICY: NXG reserves the right to change, modify, add, or remove portions of this Privacy Policy at any time for any reason. Such changes shall be effective immediately upon posting. We suggest that you review this policy periodically for changes. The current version of this Privacy Policy can be accessed from the link on our homepage, or at the bottom of our other Website pages. You acknowledge that by accessing our Website after we have posted changes to this Privacy Policy, you are agreeing to the terms of the Privacy Policy as modified.

CONTACT US: Please direct any questions regarding this Privacy Policy to info@nxgim.com

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