

# Nightwing Code of Conduct

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# About Our Code

## **Why it Matters**

Our Code of Conduct, is intended to inspire, guide, and enable our best performance—individually and collectively. By helping us identify potentially challenging situations, the Code promotes ethical decision-making and conduct. The Code is not simply about avoiding bad outcomes; it is about how we do business. By setting standards and by guiding us in line with our values, the Code helps us to build a strong ethical culture and to achieve our business goals with integrity.

## **Who the Code Is for**

The Code applies to all employees, officers, and directors of Nightwing. It also applies in certain respects to business partners, such as suppliers, consultants, representatives, and agents. We are all expected to conduct ourselves according to the Code. When conduct is found to violate the Code, we hold ourselves accountable and disciplinary action is likely to occur—up to and including employment termination.

# Waivers

Waiver of all or part of this Code or other policies issued to implement it will be granted only in exceptional circumstances and only after approval by the Office of the General Counsel. Any waivers for directors and executive officers must be approved by both the General Counsel and the Board of Directors or a Board committee, and any waivers will be disclosed promptly as required by law, regulation, and company policy.

# Our Responsibilities

At Nightwing, we succeed together—with our colleagues, customers, and business partners. We each take responsibility for doing the right thing and help others do the same. We do this by:

- Upholding our core values;
- Understanding and complying with this Code and company policies;
- Following the letter and spirit of all applicable laws and regulations;
- Keeping our commitments to our stakeholders and leading by example;
- Reporting anything that is, or appears to be, a violation of our Code or our values;
- Cooperating with company investigations; and
- Never retaliating against anyone who makes a report in good faith or cooperates with an investigation.

## Special Responsibilities for Leaders and Supervisors

If we lead or supervise employees, or manage business partners, we:

- Lead by example, with awareness of how our behaviors and decisions influence others;
- Recognize that perception matters—we must always do the right thing and never give anyone reason for doubt about our motives or actions;
- Emphasize that the means are always as important as the ends;
- Promote a positive work environment, where everyone feels empowered to do the right thing, come forward with ideas, and raise questions or concerns without the fear of retaliation;
- Respond promptly and respectfully to questions and concerns, escalating where necessary to seek resolution;
- Regularly communicate the importance of following our Code and living our values;
- Never ask anyone—colleague or business partner—to do anything that violates the Code or our values;
- Promote awareness of and access to company policies and procedures relevant to our teams' work;
- Support ethics and compliance initiatives, including employee training, as essential business requirements;
- Are proactive in helping our team members understand their business responsibilities and ethical obligations, develop their leadership skills, and advance their careers and relationships;
- Refrain at all times from participating in or condoning conduct that would violate applicable laws, this Code, or company policy; and
- Never engage in or tolerate retaliation.

# Getting Help

If we ever see or suspect a violation of the law, this Code, or company policy, we are empowered to do something about it. There are many resources (listed below) to support all employees. Issues or concerns can also be reported anonymously (subject to local law).

**Nightwing has a strict policy prohibiting retaliation against anyone who in good faith raises ethical concerns, reports a possible violation of the law, this Code, or any company policy, or cooperates with an investigation.** Examples of retaliation include: firing, demotion, unfavorable assignments, reduction in pay, and harassment, or any other action that adversely affects an employee's job performance, working conditions, or career opportunity.

**Any employee who engages in retaliation may be subject to discipline, including possible employment termination.**

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**“In good faith” does not mean you have to know all the facts and be completely certain that a violation occurred. It means that you have sensible reasons to believe a violation may have occurred, and you are respectful and truthful in reporting it.**

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We want to make it as easy as possible for anyone to ask a question or report a concern, using whatever channel or resource feels most comfortable or convenient. **It is often worth speaking to your supervisor first.** We recognize this may not always be possible or appropriate. You can always raise your concern with:

- Another supervisor (of any level)
- Human Resources
- Office of General Counsel

If you have questions about the Code, need advice on a particular topic or issue, or are unsure about how to report a concern, consider contacting the Office of the General Counsel.

# What happens **if you raise a concern?**

When an actual or potential violation of the law, the Code, or company policy is reported or detected, the company will conduct a thorough investigation. We will make every effort to get all sides of the story in a timely, objective, and thorough way. We will maintain confidentiality to the greatest extent possible.

Nightwing commits to treating all parties involved in an investigation or audit with respect. To protect confidentiality or address other concerns, there may be times when the details of issues under investigation and the investigation findings are not shared with all parties. All employees and business partners must be truthful, transparent, and fully cooperative with audits and investigations. Cooperation may include participating in interviews, providing documents, or supporting an investigation as a subject matter expert on a particular topic.

If a violation has occurred or the subject of an audit or investigation has been untruthful or otherwise uncooperative, the company will take appropriate disciplinary measures. Such measures may include counseling, warnings, suspension, compensation adjustment, termination, and/or reimbursement of losses. Where possible illegal conduct is suspected, we will refer the matter to law enforcement for investigation and possible criminal prosecution. The Office of the General Counsel and Human Resources will participate in disciplinary processes to promote fair and consistent treatment for employees.

# Collaborating with Our Colleagues

## Treating Each Other with Respect

We listen and treat each other with respect and compassion to promote a positive work environment, where we can all feel empowered to give our best effort.

### Why it Makes Us Stronger

We collaborate most effectively and serve our customers best when we actively listen and communicate in a respectful and caring way. By considering the perspectives and feelings of others, we build trust and avoid misunderstandings. By speaking up about any unwelcome or inappropriate workplace behaviors, we can help prevent anyone from feeling disrespected, threatened, or intimidated. Through these actions, we create a positive and supportive work environment that empowers us all to achieve excellence.

### How We Make it Happen

Treating each other with respect means we:

- Stay mindful of how our words and actions might be received;
- Do not tolerate behavior that could be considered degrading or intimidating to others; or that could otherwise make them feel uncomfortable in our workplace;
- Listen actively and remain open to differing points of view on work issues;
- Address performance or behavioral issues privately, not in a large group or public setting;
- Engage Human Resources for guidance and support with difficult discussions;
- Remain vigilant for signs that others are being harassed or bullied;
- Avoid words or actions that degrade or disparage based on race, color, age, sex, or any other characteristic protected by law;
- Report any suspected harassment to a manager, Human Resources, the Office of the General Counsel, or any of the other resources available for speaking up—regardless of who is the direct target of the conduct; and
- Foster a culture in which anyone can comfortably raise a concern without fear of retaliation or retribution.

## Did You Know?

Nightwing does not tolerate harassment under any circumstances. We want our people to be protected from it. Harassment is words or actions that create an intimidating, hostile, or offensive work environment. In the United States and many other countries, harassment is illegal when it is based on some legally protected characteristic of the employee, such as:

- Age
- Sex
- Sexual orientation
- Gender identity or expression
- National or ethnic origin or citizenship
- Social origin, including caste
- Religion or creed
- Disability
- Military or veteran status
- Marital status
- Any other category protected by applicable law

Whether in person or online, harassment is not just what is intended but how others perceive it. It can be, for example:

1. **What a person says or writes**, including racial, ethnic, or gender-based slurs, jokes, or stereotypes as well as threatening, loud, or abusive language;
2. **What a person does**, such as unwelcome touching, making sexual advances, blocking someone's path, ignoring someone, or deliberately humiliating someone; and
3. **What a person displays**, such as placing lewd photos or derogatory slogans on a workstation or sharing them electronically.

## Values in Action

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**Q One of my coworkers is quiet and shy but is frequently subjected to lewd jokes by our supervisor. I can ignore the jokes, which I think are based on ignorance rather than malice. My coworker has never complained but seems uncomfortable. What should I do?**

**A** If you are comfortable doing so, you can start by speaking with your coworker about the situation. If your coworker is unwilling to make a report, but you believe you have witnessed inappropriate or potentially harassing behavior, you should speak up with your concern. Since your supervisor is involved, you should consider speaking with another supervisor or manager or your Human Resources representative. Alternatively, if you wish to report the situation confidentially or anonymously, you may also contact the Ethics Hotline. An investigation can be conducted discreetly and confidentially. You might end up protecting the coworker or someone else who is not comfortable with the behavior, but afraid to report. You could even prevent a more serious incident in the future.

# Keeping Everyone Safe and Well

Nothing is more important to us than the safety and well-being of every person in and around our workplaces.

## Why it Makes Us Stronger

Our work helps keep people and places safe across the world. This begins with each of us taking personal responsibility for our own health and safety in the workplace and that of those around us. When we think about safety first, it allows us to focus on doing excellent work without the worry of being harmed. Our responsibility extends to environmental, health, or safety issues that could pose risks beyond our immediate work area or facility. This helps us maintain the confidence and trust of the communities in which we operate.

## How We Make it Happen

Keeping everyone safe and well in our workplace and the communities in which we operate means that we:

- Follow all safety guidelines, policies, and laws;
- Promptly report all injuries, hazards, threats, and near misses so they can be investigated, addressed, and prevented in the future;
- Look out for each other and help others to work safely;
- Promote well-being by encouraging healthier choices around work-life, health, and wellness to empower employees to be well so we can perform at our best;
- Comply with all company procedures related to physical security, including access to facilities and use of employee badges;
- Prohibit drugs, alcohol, weapons, or violence in the workplace;
- Follow all applicable environmental laws, stay current on permits, report any incidents, and safely dispose of hazardous waste;
- Seek out opportunities to conserve energy, water, and materials; and
- Expect our key suppliers to increasingly employ sustainable practices.

## Values in Action

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### **Q** How does the alcohol and drug use/abuse policy affect my use of prescription drugs?

**A** The most important thing to remember is that it is never acceptable for an employee's possession or use of alcohol or drugs to adversely affect job performance, conditions in the workplace, or reflect unfavorably on the company. Some prescription medicines can affect work performance. Ask your doctor if that is possible in your case. It is important to find out whether the medication could impair judgment or awareness in a way that leads to unsafe working conditions. By discussing this with your supervisor, the Office of the General Counsel, or Human Resources, you can be sure you are properly evaluated and observed, for the sake of everyone's safety.

## Values in Action

Continued...

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**Q** I think I have identified an unsafe condition in our work area that poses a risk to employee safety. However, fixing this may slow down production. What should I do?

**A** Production deadlines are important, but health and safety matter even more. You should raise your concern immediately with your supervisor or the designated Environment, Health & Safety (EH&S) professional.

## View on Drugs and Alcohol

All company entities and employees worldwide must comply with applicable laws and regulations regarding possession or use of alcohol, drugs, and other controlled substances. Nightwing prohibits the use, sale, purchase, transfer, possession, or presence in one's system of illegal drugs while on company premises. Local management has the authority to decide whether alcohol can be served in connection with company-sponsored events. It is never acceptable to be impaired by drugs or alcohol while on company property, while participating in company-sponsored events, or while conducting company business.

# Valuing Our Diverse Talents, Ideas, and Contributions

The diverse talents and perspectives of our workforce bring collective strength, wisdom, and innovation.

## Why it Makes Us Stronger

We seek to hire, develop, and retain the best talent and allow everyone to contribute their best efforts. This is critical in positioning us as the global leader in aerospace and defense and defining the future of our industries. The knowledge, skills, and insights that our workforce gives us fuel innovation and help us create smart, sustainable solutions for our customers and the world. By striving to be a diverse and inclusive organization, we elevate our ability to collaborate with, and go the extra mile for, our customers, business partners, and communities—everywhere we do business.

## How We Make it Happen

Valuing our diverse talents, ideas, and contributions means that we:

- Actively seek out alternative opinions and approaches, encouraging others to speak up;
- Listen respectfully to each other so we can consider and benefit from thoughts and ideas different from our own;
- Speak up when we think a point of view is being missed; and
- Ask for and be receptive to feedback on how we might improve or do things differently.

## Values in Action

**Q** I'm one of only two women on my team, both well qualified and experienced. We have noticed that our new male supervisor invariably calls first on the men in team meetings. When we do speak up with suggestions or questions, we feel like our supervisor is humoring us rather than taking our contributions seriously. I'm afraid that raising the issue with him will simply confirm his prejudices about women; but his attitude is draining our energy and enthusiasm. How can I bring about a change that will allow everyone on the team to contribute?

**A** No one at Nightwing should face any obstacle in contributing as part of the team. Even if unintentional, your supervisor's behavior is at odds with our values of respect and collaboration. It also sets a bad example that undermines our commitment to diversity and inclusion. If you feel comfortable doing so, let the supervisor know how much you want to contribute; also tell him that changing his approach to running meetings could be beneficial to everyone. If you would rather not confront your supervisor, speak to a more senior manager, or contact Human Resources or the Office of General Counsel.

# Promoting Equal Opportunity

We provide everyone with the same chance to succeed based on their merits and measurable skills, without discrimination.

## Why it Makes Us Stronger

We are transparent and fair in our efforts to attract talented colleagues and develop their potential. We focus on the right fit for skills and experience as well as for our values and culture. Promoting equal opportunity allows us to recruit and retain the best people for the job and optimize our pursuit of excellence. When we feel treated fairly on our merits, we are likely to be more engaged and productive; this supports the company's drive to create innovative and dependable products.

## How We Make it Happen

Promoting equal opportunity means that we:

- Base hiring and promotion decisions on qualifications, aspirations, and performance—never on favoritism or bias;
- Prohibit discrimination based on characteristics protected by applicable law, including:
  - Ancestry
  - Race
  - Color
  - Religion (including religious dress) or creed
  - National, ethnic or social origin, including caste
  - Sex, sexual orientation, or gender identity or expression
  - Genetic information
  - Age
  - Disability
  - Military or veteran status
  - Medical condition
  - Marital status
  - Citizenship status
- Provide reasonable accommodations for disabled employees or those with specific religious requirements, as necessary; and
- Help each other develop and reach our full potential.

## Values in Action

**Q** One of the candidates for an open business development position is highly qualified, but he is also legally deaf. I'm concerned about possible communication issues with colleagues and customers. Can this factor into my hiring decision?

**A** Absolutely not. If you believe this is the best candidate, we should hire him. As the hiring manager you should consult with HR on any reasonable accommodations that may be needed to support the employee and mitigate or eliminate any potential issues.

# Protecting Personal Information

We protect the privacy of personal information by not disclosing it to anyone without a legitimate business need and legal right to receive it.

## Why it Makes Us Stronger

In the digital age, data privacy is more important than ever. When it is necessary to share personal information, everyone has a right to expect that it will be kept safe—out of the hands of anyone who might misuse it. In the wrong hands, personal information (also known as personal data or personally identifiable information, or “PII”) could be used to steal identities or commit fraud.

Nightwing needs to collect, store, use, and share personal information to help us run our business. We need it for many different purposes: managing our relationships with customers and business partners; administering employee benefits; and complying with legal requirements, among other things. By treating personal information with proper protections, we meet our legal obligations, while protecting each other and our company’s reputation.

## How We Make it Happen

Protecting personal information means that we:

- Follow all policies and procedures covering personal information and privacy;
- Maintain the accuracy of personal information;
- Collect, use, and process personal information only for legitimate business purposes;
- Share personal information only with those with a business need and legal right to receive it;
- Follow and comply with all applicable personal information and data privacy laws; and
- Contact our Privacy Professional for questions regarding interpretation or compliance with applicable policies and laws concerning the protection of personal information.

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**Q** As part of my responsibilities, I have to handle the personal information of employees and business partners from around the world. I routinely receive and work on spreadsheets with first and last names, work and home addresses, work and home phone numbers, and government-issued identification numbers. May I share these spreadsheets with an approved Nightwing vendor by email or by loading them onto a thumb drive and sending it by registered mail?

**A** Under various privacy laws in different jurisdictions, the sharing and/or transfer of the personal information contained in your spreadsheets requires the completion of a Privacy Impact Assessment and Third Party Review. We will also need to review contract terms to protect the data, possibly notifying Data Protection Officers and/or works councils. When sending the data, make sure it is properly encrypted (or otherwise secured appropriately) before transmission. If in doubt, you should contact your Privacy Professional for guidance.

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**Personal information means information relating to an identified or identifiable individual. It does not include anonymous, aggregated information about multiple individuals. The definition is broad and can include: first and last name; government-issued ID number; credit card number or other financial information; health and wellness information; nationality, country of origin or ethnicity; or biometric data (fingerprints, retinal scans, facial recognition). Specific jurisdictions may have different definitions for personal information. Nightwing is respectful of applicable privacy law requirements in all countries in which we do business.**

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# Excelling for Our Customers

## Dealing Honestly and Fairly

We are fair, truthful, and transparent in all our business dealings.

### Why it Makes Us Stronger

We have built a reputation with our customers and business partners for integrity and honesty, and we are proud to carry that reputation into the future, as we continue building relationships based on trust.

Truthful and accurate communication of information about our products and services is essential to meeting our commitments to our customers; they deserve candid assessments of our products' capabilities and limitations. Being fair and truthful with our business partners promotes dependable relationships that help us serve our customers and deliver safe, reliable products and services. Our competitors respect us for our commitment to competing fairly, honestly, and on the merits of our products, services, and people.

### How We Make it Happen

Dealing honestly and fairly in the marketplace means that we:

- Market and sell our products truthfully, based on their merits;
- Prepare bid proposals based on properly estimated cost and pricing data;
- Always maintain the integrity of the bidding process and negotiate contracts in good faith;
- Focus on the positive attributes of our products and services rather than disparaging competitors;
- Do not, without authorization, use intellectual property, proprietary information, or sensitive data that the company does not own—and report any suspected instances of improper access or use;
- Comply with the letter and spirit of all applicable laws and regulations; and
- Require all our representatives, consultants, and business partners to comply with these requirements.

### Values in Action

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**Q** I work at a customer site and am authorized to access the customer's computer system. May I search the customer's computer system to learn how the customer evaluated the incumbent contractor for a program on which the company is bidding?

**A** No. You may obtain only publicly available information about the incumbent or information that the customer is willing and permitted to share. Your access to the customer's computer system does not authorize you to retrieve non-public information from this source to support the company's bid for this program. Unauthorized access could lead to the company being disqualified from bidding on the program and you being disciplined. Customer trust is at the heart of our business and never worth compromising.

## Serving Government Customers

We value our government customers and comply fully with the special rules and regulations that apply to each of them.

### Why it Makes Us Stronger

We work closely with many government entities worldwide. Each has specific rules and regulations we must understand and follow in serving them. Those spell out how we compete for and obtain contracts; which costs can be included in our prices; and what we deliver. By competing fairly for contracts on the merits of our products and offerings, and by complying with applicable laws, regulations, and contract requirements, we serve our government customers well; and we give them confidence that they have chosen the right supplier.

### How We Make it Happen

Serving government customers means that we:

- Recognize that government contracts often have very different requirements from commercial contracts (with severe penalties for non-compliance);
- Adhere to all contract terms and the required bidding, pricing, and quality standards;
- Charge time, travel, material, and other expenses accurately, claim only allowable costs, and follow appropriate accounting practices;
- Comply with all company processes and procedures to ensure appropriate accounting practices;
- Ensure all proposals, quotes, invoices, tests, certifications, communications, and any other government-required documentation are current, accurate, and complete;
- Don't seek or use unauthorized information about competitors or competing bids;
- Follow applicable laws, regulations, and rules, including:
  - U.S. Procurement Integrity Act
  - Federal Acquisition Regulation (FAR) and applicable FAR supplements, such as the Defense Federal Acquisition Regulation Supplement (DFARS)
  - International Traffic in Arms Regulations (ITAR)
  - Those that apply from countries other than the United States
- Comply with restrictions on gifts, gratuities, job offers, etc., to government officials and their relatives;
- Protect classified information through rigorous security measures and immediately report any escapes; and
- Safeguard government property and government-designated information through proper storage, tracking, and security.

**Values in  
Action**

**Q** Next month, we are hosting foreign government customers at our facility for a product demonstration. May we pay for their meals at a restaurant and for tickets to a professional sporting event?

**A** We compete fairly and not on the basis of any improper advantage. You will need to obtain pre-approval of proposed business courtesies from the Office of the General Counsel.

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**Q** I work on government contracts in a direct-charging position. I need to leave two hours early today to take a sick relative to a medical appointment. I will make up the time later in the week. Can my supervisor enter a full day's time for me today if I work an extra two hours on another day?

**A** No. Neither you nor your supervisor should enter time incorrectly. Accurate time charging is critical when performing a government contract. Time entries often form the basis of bills submitted to the government, so mischarging time is the same as stealing from a customer. Even if you work additional hours on another day, company records will not be accurate without the correct time for each day. We all need time off from time to time to address personal commitments; so, ask your supervisor how to adjust your schedule appropriately—and then accurately record your time.

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## Competing Fairly and Legally

We compete vigorously, yet always fairly and legally, wherever we do business.

### Why it Makes Us Stronger

Competition makes us better. Free markets drive us to be more efficient and innovative and to deliver better products and services. This is good for us, and for our customers, who receive better value. Anti-competitive practices, on the other hand, distort the marketplace. Collusion between competitors—to fix prices, carve up markets, or rig bids, for instance—leads to excessive prices and substandard products and services. When these practices involve government contracts, they also cheat taxpayers; and they harm government customers if they result in the purchase of substandard products or services used for national defense.

No matter where we do business, anti-competitive activities are always a violation of our values. They can also result in severe civil or criminal penalties for companies and individuals. We compete fairly and legally, not only because it is good for our business and reputation but because it is the right thing to do.

### How We Make it Happen

Competing fairly and legally means that we:

- Act independently and not in coordination with competitors, unless there is a legitimate business arrangement, such as a joint venture or teaming relationship;
- Never share details of bids or quotes with anyone other than the customer, unless it is lawful and there is a specific business need to know (e.g., due to teaming or subcontractor arrangements where non-disclosure agreements are in place);
- Avoid even the appearance of improper agreements with competitors;
- Consult with the Office of the General Counsel before engaging in commercial practices that could have the effect of harming competition, such as (but not limited to):
  - Exchanging information with competitors
  - Bundling or tying arrangements
  - Price discrimination
  - Predatory pricing
  - Exclusive dealing contracts
  - Refusing to supply our competitors
  - Non-compete clauses
- Seek approval before participating in trade associations and other groups that require frequent contacts with competitors; and
- Immediately report competition concerns to the Office of the General Counsel.

## Values in Action

**Q** I was at an industry conference networking event recently. During the hosted reception, I was in conversation with a group of people from a few companies. A competitor mentioned a new marketing campaign her company is promoting on YouTube. Some of the videos have already been posted, so they're public. I still felt uncomfortable about the topic and decided to leave the conversation. Was that the right thing to do?

**A** Conferences and trade shows are valuable opportunities to promote our products and help us stay current in our industry. At the same time, they can also create situations that may lead to competition law violations—often inadvertently. While discussing public ads is not necessarily a violation, the conversation could have easily turned to the long-term marketing strategy that prompted the campaign, or to future plans. You did the right thing by moving on. If you ever find yourself in a situation that makes you concerned about competition laws, you should express that you think the conversation may be inappropriate, excuse yourself, and contact the Office of General Counsel as soon as possible.

### RED ALERT

## Talking to Competitors

When you interact with competitors or potential competitors, do not, either seriously or in jest, discuss:

- Prices, discounts, markups, credit terms, or any conditions of sale;
- A company's costs, margins, capacity, production, inventory, or distribution;
- Anything that directly or indirectly relates to a company's bidding procedures or plans;
- Allocation of customers, territories, or products;
- Nonpublic business, strategic, or marketing plans;
- Customer-specific information;
- Refusing to do business with third parties (such as customers, or suppliers); and
- Agreeing not to hire or solicit employees or confidential HR information, such as wages and benefits.

## Gathering Competitive Intelligence

We gather information and learn about the marketplace and our competitors only through legal and ethical means.

### **Why it Makes Us Stronger**

In a challenging and dynamic global marketplace, it is important for us to learn all we can about our competition through appropriate means. This helps us hone and differentiate our products; it allows us to recognize industry trends and to anticipate changing customer needs. As important as this information is, we would never violate the law or compromise our integrity to seek or obtain competitively sensitive or other nonpublic proprietary information. Instead, we treat our customers and competitors the way we want them to treat us: fairly and honestly.

### **How We Make it Happen**

Gathering competitive intelligence legally and ethically means that we:

- Seek information through public sources, such as news media, industry surveys, financial reports, and publicly accessible internet sites;
- Ask customers how we can be more competitive—but never ask for confidential information about our competitors or their strategies;
- Educate employees and job applicants never to reveal or use any nonpublic proprietary information obtained or developed during prior employment at another organization;
- Never induce anyone to breach their confidentiality obligations;
- Never use deception, theft, or invasive tactics to obtain competitive intelligence;
- Do not use unsolicited information that we suspect is proprietary or stolen;
- Seek legal guidance before sharing questionable material; and
- Communicate to any third parties who collect competitive information for us the importance of following our legal and ethical standards.

## Preventing Bribery and Corruption

We succeed on the strengths of our people and products—never through bribery or other corrupt practices.

### Why it Makes Us Stronger

We win business and select business partners honestly and fairly. This builds trust and tells the world we will only do business the right way.

Corruption is not a victimless crime. Apart from breaking the law, those who pay or receive bribes are feeding a problem that hurts millions around the world. Corruption prolongs poverty and hinders access to basic services; it destabilizes markets and entire economies; and in the worst cases, it undermines the rule of law. We do not tolerate corruption.

### How We Make it Happen

Preventing bribery and corruption means that we:

- Win on the merits of our products, services, and business terms;
- Never offer or accept bribes, kickbacks, or anything of value that could improperly influence—or appear to influence—a business decision;
- Take special care not to promise or provide anything of value to public officials or anyone else to gain a business advantage (*See the section on Gifts & Entertainment*);
- Apply company policies and our values when it comes to giving and receiving business gifts and entertainment and seek guidance from the Office of the General Counsel if unsure about the correct course of action;
- Record all transactions completely, accurately, and truthfully;
- Follow the letter and spirit of anti-corruption laws everywhere we do business;
- Choose business partners carefully and hold them to our high ethical standards;
- Never use a third party to do anything improper on our behalf, including making improper payments, because we cannot do it ourselves; and
- Immediately report any corruption or bribery concerns to the Office of the General Counsel.

**RED ALERT**

## **Suspicious Transactions**

When choosing business partners to assist our operations, we watch out for:

- ❗ Past allegations of improper payments;
- ❗ Demands to receive commissions before a transaction is complete;
- ❗ Demands for fees that are disproportionate to services provided;
- ❗ Suggestions that we work with specific people due to a “special relationship;”
- ❗ Conflicts of interest that could improperly influence customers or officials;
- ❗ Involvement of a new third party that has not been previously vetted by Nightwing; and
- ❗ Requests to record an expense dishonestly, or differently, from what it is.

**RED ALERT**

**Gifts &  
Entertainment**

Nightwing believes in competing fairly. We do this on the strength of our products and services, not with gifts, hospitality, or sponsorships. This is a key part of our approach to ethical conduct. Always remember that:

Various countries have laws that prohibit certain business-related gifts and hospitality;

Perceptions are powerful:

- What one person might see as modest may strike someone else as excessive;
- Our receiving gifts or hospitality could lead others to think we are acting improperly.

The risk of a poor perception increases if there is a pattern of frequent giving;

It is never acceptable to link a gift, hospitality, or sponsorship to:

- Seeking business
- Retaining business
- Obtaining an improper business advantage

Improper giving can lead to disciplinary action and expose you and the company to criminal prosecution.

**The Bottom  
Line on Gifts  
& Hospitality**

We may offer and accept gifts, hospitality, and sponsorship only if they:

- Are appropriate according to the above standards and local culture;
  - Serve a legitimate business purpose;
  - Do not compromise our judgment;
  - Are accurately recorded in our books and records; and
  - Are consistent with applicable Nightwing policies and procedures and all necessary approvals are obtained.
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## Values in Action

Continued...

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**Q** A supplier that is bidding on an open contract sent my department six bottles of wine as a festive gift. Is it OK for me to accept them and distribute them to my team?

**A** You should seek guidance from the Office of the General Counsel prior to accepting. Unsolicited gifts may be acceptable provided they are not expensive and would be no more than common courtesy. However, it's vital to avoid any perception of improper influence on our decision making. Your role in the supplier evaluation and selection process, and your relationship with the vendor, will be important factors in determining whether or not you can accept the gift.

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**Q** I am scheduled to moderate a panel discussion at a conference in Orlando. An executive from one of our top customers is on the panel; he'll be speaking about his experience of using our latest product. The company agreed to pay for one night's hotel accommodation for him because he is based in Los Angeles. He has asked if we could pay for a couple of extra nights so he can take his family to Disneyland. Given the client relationship and the fact that the additional cost is only a few hundred dollars, is it OK for me to authorize it?

**A** No. Offering excessive gifts or favors to satisfy non-business, personal requirements of customers is never acceptable. It may be acceptable to cover hotel expenses to facilitate the client's participation in the panel discussion. However, covering the extra nights would involve providing something of value that has no business justification. It could reasonably appear to be a bribe, which creates significant risk for the company. You should consult with the Office of the General Counsel to make sure that we take appropriate steps communicating our policies with the customer as well as preserving any internal records we may wish to keep.

# Protecting Our Reputation and Other Assets

## Avoiding Conflicts of Interest

We make smart choices in the best interests of our company, unaffected by personal interests or relationships.

### Why it Makes Us Stronger

Our focus on integrity and trust demand that we never allow personal interests and relationships to interfere with making the best decisions for Nightwing. Using good judgment to do what is right for our business helps us maintain excellence; it also enables us to collaborate and innovate without distraction.

Even the appearance of a conflict of interest can be a problem because it could lead others to think we are not acting properly. Conflicts of interest can be avoided or addressed if promptly disclosed and properly managed.

### How We Make it Happen

Avoiding conflicts of interest means that we:

- Proactively identify situations that could put the company's interests and our own into possible conflict;
- Disclose actual or potential conflicts consistent with company policy and applicable laws and regulations;
- Remove ourselves from the decision-making process when a conflict may exist;
- Don't allow the desire to help friends and family to influence our decisions at work;
- Are not influenced by the prospect of financial gain for ourselves or our family members;
- Win business and build relationships based on trust and mutual value—never through inappropriate gifts or hospitality;
- Show loyalty to Nightwing by not keeping for ourselves opportunities gained through the use of company position or resources; and
- Give our best effort at work every day, not allowing outside jobs or other activities to hinder our contributions to our business.

All actual and potential conflicts must be disclosed for review. If you have a conflict of interest concern, seek guidance from your local Human Resources representative or the Office of the General Counsel.

## **Do I Have a Conflict of Interest?**

Conflicts may arise when we have business, financial, or close personal relationships with our current, former, or potential:

- Competitors
- Customers
- Employees
- Suppliers
- Regulators

Here are some examples of situations in which a conflict of interest might arise and must be disclosed:

- Former employment with the U.S. government;
- Former employment with a competitor, supplier, or customer;
- A second job (dual employment);
- Direct or indirect supervision of a family member, close friend, intimate partner, etc., at Nightwing or a supplier, or vendor;
- Having a financial interest in a private business that competes with or derives income from Nightwing;
- Serving on a non-Nightwing governing or advisory board; and
- Personal development of inventions, innovation, software, or intellectual property.

## Values in Action

**Q** I'd like to take a part-time job. A coworker said the company will need to review and approve a request from me. Is that true? What steps do I need to take before accepting the job?

**A** Yes, the company will need to conduct a conflict of interest check. We need to know that:

- Your part-time work will not involve a competitor, customer, or business partner, or otherwise potentially affect the company's business interests;
- No company time, information, or resources will be used in your second job; and
- The extra time and energy spent on a second job will not interfere with your work at Nightwing.

You can initiate the conflict of interest check by contacting the Office of the General Counsel. Most requests of this kind are routine. However, if there are any issues that affect the decision, these will need to be resolved before you can accept the job. If you can accept, it would be a good idea to let the other employer know about your current job obligations. This will help them satisfy any conflict of interest requirements they might have. Under no circumstances may you share Nightwing proprietary data with your new employer. You may not introduce or access your new employer's data on Nightwing assets.

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**Q** I have a niece who just graduated with a degree in aeronautics. If we hired her, she would not report to me. Can I recommend her for a position?

**A** Yes, you can recommend her for a position. Some of our best hires come from employee referrals. To avoid the appearance of anything improper, you must disclose your relationship to Human Resources and the hiring manager. You should not participate or intervene in the hiring process to ensure she is evaluated solely on her own merits.

## Creating, Maintaining, and Disclosing Accurate Books and Records

We keep accurate books and records, which helps us to operate effectively and provide timely and truthful information to those who rely on it.

### Why it Makes Us Stronger

Whether preparing the company's annual report or completing a timesheet, we are playing a role in upholding the company's commitment to accurate record keeping and financial integrity. We are all accountable for ensuring that our records—in whatever form—are complete, accurate, and up to date. This allows us to make sound business decisions based on the right information. Even more importantly, it protects our reputation for integrity—customers, shareholders, financial analysts, regulators, and others count on us to be truthful. Misstating financial results or incorrectly describing transactions may be forms of fraud and can lead to serious civil and criminal penalties.

### How We Make it Happen

Creating, maintaining, and disclosing accurate books and records means that we:

- Record all assets, liabilities, revenues, expenses, and business transactions completely, accurately, in the proper period, and in a timely manner;
- Prepare books and records to conform to generally accepted accounting principles, our policies, and our internal controls system;
- Never set up secret or unrecorded cash funds or other assets or liabilities;
- Use appropriate and accurate wording when creating records;
- Correct any errors promptly, notifying those affected;
- Do not conceal or destroy documents or records that are subject to investigation or may be needed in legal proceedings;
- Comply with Legal Hold notices;
- Maintain and eliminate company records in compliance with our records retention and management policies;
- Accurately record any gifts or hospitality given or received, and any sponsorships, consistent with company policies; and
- Speak up when we have questions or concerns about accurate financial reporting, accounting, or financial integrity.

**Values in  
Action**

**Q** Even though our records management policies allow us to dispose of some records after a certain amount of time, I have been keeping most of mine indefinitely—especially electronic records like emails—just to be safe. Is that OK?

**A** Probably not. The company's records management policies do not "allow" disposal of records—they typically require disposal after a certain amount of time. There are certain documents that must be retained, such as those involved in ongoing or potential legal cases or subject to a formal Legal Hold. It is important that you review the records you have retained and ensure that they are disposed of in the appropriate time frame and in the right way. By not disposing of records on time, you are not only violating company policy, you could be overtaxing storage systems, creating inefficiencies, and possibly leaving us vulnerable to legal issues.

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**Q** Our customer has asked me to shift the cost of additional software programs—which weren't negotiated under the contract—to an account used to pay for maintenance agreements; those would be charged to the contract. My supervisor agreed, but I am uncomfortable assigning these costs as requested.

**A** Charging the contract for costs that are clearly out of scope is inappropriate. You should discuss your concern with your supervisor or a program, contracts, or finance leader. They can help ensure these costs are accurately charged or other options are explored. If you are uncomfortable raising the issue within your reporting chain or program, you can also seek advice from Human Resources or the Office of the General Counsel.

## Protecting Our Intellectual Property and Confidential Business Information

We safeguard our intellectual property and confidential information from misuse, misappropriation, destruction, and loss.

### Why it Makes Us Stronger

Nightwing's intellectual property (IP) are the result of the hard work we each put in every day; they form a platform for innovation and growth. Protecting our IP and confidential information is crucial to delivering on our commitment to excellence and to the future of our business.

### How We Make it Happen

Protecting our intellectual property means that we:

- Access and use the company's IP and confidential information only as required to perform our duties;
- Share confidential information only with those who are authorized and have a business need to know it;
- Follow all policies and procedures and take reasonable steps to prevent unauthorized use or disclosure of IP;
- Promptly disclose to the company any inventions we create in the course of our work so they may be evaluated in time for patenting, and assist the company in protecting such inventions, including assigning the rights to such inventions to the company so that it may protect them;
- Ensure agreements governing intellectual property protection and license rights are in place before collaborating with third parties;
- Do not discuss confidential matters when there is a risk of being overheard;
- Take care outside the workplace to ensure that documents and electronic devices are secured and not visible to others;
- Never use confidential information for personal gain or to benefit anyone outside the company;
- Remember that the obligation to protect the company's confidential information continues after leaving the company; and
- Promptly report concerns involving suspected data/IP loss to the Office of the General Counsel.

## **Did You Know?**

**Intellectual Property** includes, for example:

- Ideas and inventions
- Trademarks, trade names, and logos
- Works of authorship (such as illustrations, writings, drawings, documentation, and software)
- Proprietary information, both of a technical and business nature, including:
  - Technical data and designs
  - Business, marketing, sales, procurement, and pricing plans
  - Business strategies
  - Merger and acquisition information
  - Contract details
  - Financial information

The company protects its intellectual property through a variety of legal means, including: contracts; patents; trade secrets; registered and unregistered trademarks; copyrights; and design rights.

## Respecting Others' Intellectual Property and Commercial Rights

We respect the intellectual property and commercial rights of others as we would want them to respect ours.

### Why it Makes Us Stronger

We respect the intellectual property (IP) and commercial rights of others. It would violate our values of trust and respect to take credit for or steal any ideas that are not our own. In addition, the use of others' protected rights without permission is against the law and could expose us to legal, financial, and reputational risk.

### How We Make it Happen

Respecting others' intellectual property and commercial rights means that we:

- Follow all policies and procedures that protect intellectual property and other confidential business information;
- Report suspected theft or misuse of proprietary data or intellectual property;
- Do not acquire, use, or disclose the proprietary information of our customers, business partners, competitors, or other third parties without authorization;
- Do not bring to the company or use IP or proprietary information gained through prior employment;
- Avoid copying the work of others—including, for example, images, publications, videos, or other content found on the internet—unless we have a license to do so;
- Respect others' patent rights, trade secrets, and proprietary information;
- Follow applicable intellectual property license agreements and other contractual terms related to the use or disclosure of others' proprietary information;
- Recognize third-party copyrights, logos, trademarks, trade names, and designs in our marketing and other publications; and
- Investigate and report suspected counterfeit products (which raise concerns about product performance and safety as well as IP), trademark misuse, or IP concerns.

## Safeguarding Company Assets

We protect Nightwing's reputation and other assets because they are the launchpad for our future success.

### Why it Makes Us Stronger

The reputation of our businesses, assets, and products has been developed over many decades of innovation—and by doing things the right way. Our journey into the future requires that we maintain these habits and take care of what we'll need along the way. We all have a responsibility to be good stewards of the company's assets—physical, financial, and intangible. When we protect them from damage, loss, waste, and misuse, we serve our customers and shareholders well; we also secure the foundation for our future growth.

### How We Make it Happen

Safeguarding company assets means that we:

- Use company assets with care and only for business purposes;
- Prevent loss, waste, destruction, theft, and abuse of company resources;
- Limit personal use of company communications equipment and systems and never access inappropriate or restricted content;
- Report circumstances where we suspect company assets are at risk and cooperate with all audits and investigations;
- Ensure that business transactions are authorized by management and subjected to internal review and approval processes;
- Design and follow internal controls that help ensure accurate financial reporting and full compliance with laws and regulations;
- Prevent financial assets from being used for money laundering or terrorist financing by remaining alert to warning signs and following international regulations; and
- Follow internal controls and procedure for international travel with company laptops and other electronic assets.

## **Protecting Assets Through Cyber Defense**

We protect Nightwing's intellectual property and our ability to conduct business in the face of cyberattacks by maintaining good cyber hygiene.

Maintaining good cyber hygiene means that we:

- Think before we click on links or attachments in emails from external sources;
- Never bypass security controls;
- Ensure that our workstations, servers, networked factory equipment, and all other devices connected to our networks are patched as quickly as possible;
- Obtain formal approvals to ensure our monitoring services have the information they need to protect the device;
- Change all default passwords, especially on operational technology such as factory equipment; and
- Report any suspicious activity.

## **Money Laundering Red Flags**

Potential red flags for money laundering include, but are not limited, to:

- Customers making payments through multiple accounts;
- Requests for payments to be made to personal or offshore accounts rather than usual company accounts;
- Requests for payments to be made at odd times or in unusual amounts; and
- Requests for numerous payments that are all below \$10,000.

Report any misuse of company assets to a supervisor or the Office of the General Counsel.

## Preventing Insider Trading

We never use or share inside information about Nightwing or another company for the purpose of trading securities.

### Why it Makes Us Stronger

Through our work, we may have access to information about Nightwing or other companies that could be potentially useful to investors. Honoring our value of trust means showing that we can always be relied on to protect information entrusted to us. “Inside information” (sometimes called material, nonpublic information) consists of details that an investor would consider important in making an investment decision. Using this information for our own benefit or sharing it for the benefit of others is called insider trading. It is illegal because it provides an unfair advantage and distorts financial markets. The insider trading laws in the U.S. and other countries are enforced aggressively, which can mean heavy fines and imprisonment for those convicted.

### How We Make it Happen

Preventing insider trading means that we:

- Never use inside information to trade shares in any publicly traded company—unless and until such information has been made public;
- Do not share inside information with anyone outside the company, including family members, relatives, or friends;
- Share inside information with colleagues only on a need-to-know basis;
- Take care to protect inside information from accidental disclosure (e.g., by securing confidential documents and by not discussing sensitive company information in public places); and
- Avoid “tipping”—passing along material, non-public information about any company to anyone who may be tempted to make investments or trades based on the information provided.

### Values in Action

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**Q** I am aware the company is about to select a business partner that will profit substantially from our business. Can I buy publicly traded stock issued by the business partner?

**A** Not without approval from the Office of the General Counsel. You are in possession of non-public information about the imminent selection decision, which may be material to the business partner. Because insider trading rules are complex and driven by the specific facts of a situation, you should consult with the Office of the General Counsel before you trade in Nightwing stock or the stock of a business partner—especially if you have any questions as to whether you possess material, non-public information about that company.

## Communicating Clearly and Responsibly

We strengthen our brand and stakeholder relationships through clear, truthful, and consistent communications.

### Why it Makes Us Stronger

We communicate truthfully, accurately, and consistently with customers, investors, and other stakeholders. This shows respect and builds trust, and it helps us remain accountable to those we serve.

We are all ambassadors of Nightwing. Whether in person, by email, phone, or on social media, we communicate thoughtfully and respectfully. We recognize policy or legal limitations on what we may be permitted to say to external parties, and we let colleagues with the proper authority and experience handle external inquiries, such as media requests.

### How We Make it Happen

Communicating clearly and responsibly means that we:

- Are courteous and professional in all our communications, no matter what the medium;
- Never disclose classified, confidential, proprietary, or export/import-controlled information without authorization;
- Politely decline to provide details we are not authorized to disclose;
- Do not speak for the company unless specifically authorized;
- Refer media inquiries to Global Communications personnel; and
- Assume that anything we say to media representatives is on the record and could be taken out of context or distorted.

# Working with Our Business Partners

## Selecting and Collaborating with the Right Partners

We choose our business partners based on merit and shared values and treat them fairly.

### Why it Makes Us Stronger

We seek business partners who can help us achieve our goals by working collaboratively to provide expertise, resources, efficiency, and innovation. This helps us deliver excellent, reliable products on time and on budget. We expect partners to share our high ethical and safety standards and our passion for making a positive impact in the world.

### How We Make it Happen

Selecting and collaborating with the right partners means that we:

- Seek to do business with partners who best meet our needs and share our values;
- Evaluate partners on clear performance measures, such as quality, price, service, reliability, and availability;
- Conduct risk-based due diligence to ensure potential partners are qualified and reputable before onboarding;
- Monitor business partner performance on an ongoing basis;
- Expect our partners to uphold our values and comply with anti-bribery conventions and all other applicable laws;
- Treat all current and potential partners fairly and with integrity, regardless of the transaction value or length of the relationship;
- Avoid any conflicts of interest (or the appearance of them) by avoiding the selection of a partner based on friendships, family relationships, or financial interest;
- Do not accept inappropriate gifts, entertainment, or any kind of favoritism, which might compromise selection of the best partners for Nightwing;
- Formalize relationships in writing to provide transparency and accountability; and
- Seek opportunities for small, disadvantaged, minority-owned, woman-owned, veteran-owned, and historically under-used businesses.

# Engaging With Our Communities

## Contributing to Our Communities

We are active partners in our communities, volunteering our time, resources, and talents to help communities prosper.

### Why it Makes Us Stronger

We draw strength and inspiration from our local communities—the places where we work and live. We encourage growth and vitality through positive engagement with our neighbors. This promotes mutual respect and trust while enhancing our reputation and recruiting efforts.

### How We Make it Happen

Contributing to our communities as responsible corporate citizens means that we:

- Encourage and celebrate the active roles we take in our communities as volunteers, mentors, and charity workers;
- Support worthwhile civic and charitable causes, vetting them to ensure legitimacy;
- Avoid conflicts of interest in our community involvement;
- Obtain proper approval before donating company funds or making contributions in the company's name; and
- Avoid pressuring others to contribute to charitable causes or to seek anything in return for community contributions.

### Values in Action

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**Q** Next weekend, I'm going to volunteer at a fundraiser for a charity I know the company has long supported. Is it OK if I present myself as an Nightwing employee?

**A** Even though the company supports this charity, you can only represent us officially if you have prior authorization to do so. Consult your manager for advice on getting approval. He or she may also be able to help you apply to have the company officially support the event if there is enough time.

## Engaging in the Political Process

We engage thoughtfully in the political process, advocating for our interests while bringing positive change to our communities.

### Why it Makes Us Stronger

We participate responsibly in the political process. We understand and respect the legal limitations on corporations. As part of our commitment to work-life balance, we encourage our employees to participate in civic and political affairs as active and informed citizens. Contributing our private time or financial support to political activities helps us stay engaged and invested in our communities' well-being and future.

### How We Make it Happen

Participating actively and responsibly in the political process means that we:

- Avoid contacting U.S. or non-U.S. government officials on any legislative, regulatory, policy, or electoral matter without express authorization;
- Comply with all legal limitations on corporate contributions to parties, political committees, and individual candidates;
- Obtain advance approval from the Office of the General Counsel to make political contributions on the company's behalf or use corporate funds (where permitted by law);
- Engage the Office of the General Counsel if we plan to run for elected office, to avoid potential conflicts of interest;
- Understand and follow the rules on political lobbying, including public disclosure and reporting requirements;
- Never apply improper influence on a government agency, representative, or legislator to produce an outcome favorable to the company;
- Make it clear when engaging in politics as private citizens that our views and actions are our own, not those of Nightwing; and
- Use our personal information and assets (not Nightwing resources), including laptops and mobile phones, when engaging in political activities.

**Values in  
Action**

**Q** A coworker and I want to stay late at the office and make telephone calls on behalf of a political candidate we are supporting. May we do that if we use our personal mobile phones?

**A** While the company supports your commitment to making a difference, your personal political activities must remain separate from the company. Even though your campaign work may be outside of normal work hours and avoids use of company phones, you are still making use of company premises. Aside from the cost of utilities, this could create a reasonable impression on the part of others that the company has endorsed the candidate.

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**Q** At a recent conference, I chatted with an attendee who works for a government agency. Currently, her department is studying regulatory changes that I realize might impact our business prospects in an important new market. Can I call her and ask to set up a meeting so that we can learn more?

**A** Your contact with this government employee could potentially take you into the area of lobbying. Since this is a complex and highly regulated activity, you should first consult with the Office of the General Counsel. That should clarify whether local lobbying laws come into play and how you might proceed, if appropriate. We are all accountable for understanding the laws and regulations that apply to our business.

## Using Social Media Responsibly

We embrace the responsible use of social media for business purposes and make sure our individual online activities do not harm the company's good name.

### **Why it Makes Us Stronger**

Social media has transformed how we connect, share information, and influence opinion. In business, it enhances our ability to have honest, direct, and meaningful exchanges with customers and other stakeholders. In our personal lives, it brings us closer to family, friends, and new opportunities. We must use these tools responsibly because information can spread quickly and unpredictably online, making it difficult to control or remove.

We respect every individual's right to free speech and creative expression. We also have a duty to protect the company's reputation and interests. The sensitive nature of our products and services demands particular caution in what we share online. By pausing to consider the nature and potential impact of what we are about to post, we protect ourselves, our colleagues, and those we serve from harm.

### **How We Make it Happen**

Using social media responsibly means that we:

- Exercise good judgment and personal responsibility in our online activities;
- Are open and honest about our identities as employees of Nightwing, and make it clear when we are expressing personal opinions, not the company's views;
- Never post classified, export-controlled, or other confidential or proprietary information online;
- Permit only authorized employees to post approved information on behalf of the company;
- Do not disclose nonpublic information about our company, customers, or business partners without appropriate authority and approval;
- Never post content that is false, malicious, obscene, or otherwise offensive or illegal; and
- Ensure that time and effort spent on social media does not interfere with job responsibilities and is conducted on personal time.

**Values in  
Action**

**Q** I write a blog and post on various websites about industry topics I find interesting. Should I be explicit about my employment with the company?

**A** Yes. Being transparent in this way not only honors the importance we place on trust and integrity, it may also enhance your credibility. When posting online, you should add the following disclaimer: "The opinions expressed are my own and do not represent the views of Nightwing."

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**Q** I'm aware that Nightwing has recently produced a video showcasing a breakthrough propulsion technology. Can I tweet a link to the video, or should I leave that to our Communications team?

**A** Nightwing encourages employees to retweet or repost company content to amplify our messaging and raise awareness of our innovations. However, creating new content on the company's behalf should be left to our Marketing and Communications team