

In-Shape Health Clubs, Inc. Privacy Policy

Your use of the In-Shape Health Clubs, Inc. (“ISHC”) website, www.inshapeclubs.com (the “Website”) is subject to, among other things, this Privacy Policy, which may be amended from time-to-time in ISHC’s sole and absolute discretion. This policy describes how ISHC uses and collects personally identifiable information obtained by ISHC when you visit the Website. ISHC encourages you to read this privacy policy and those of all websites you visit. By using the Website, accepting and agree to be bound by this Privacy Policy, and you expressly consent to ISHC’s use and disclosure of your personal information in the manner described in this policy. You should review this policy regularly.

Information Collected

ISHC may collect your personal information for a multitude of purposes including, but not limited to:

- Registering for, updating and/or managing your member account.
- Requesting membership and other information.
- Sending emails or other forms of communication.
- Purchasing products and services.
- Scheduling personal training sessions and classes.
- Registering to receive information and updates about ISHC, its policies, class schedules, products and services.
- Registering for events or programs.

The personal information that ISHC collects through the Website may include names, email addresses, mailing addresses, phone numbers, and other information that might be reasonably necessary or related to your inquiry or request or to provide products and services to you. Such information might include billing information, such as your credit card number and billing address, in the event you make a purchase through the Website.

How ISHC May Use Your Personal Information

ISHC will only use personal information provided by you in the way ISHC specified when the information was collected. You can always request that ISHC not send you promotional emails and other emails not essential to your membership by sending a request to us at memberservices@inshapeclubs.com. ISHC may use personal information provided in the following ways:

- To open and manage member accounts.
- To process, validate and verify membership in connection with requested services, purchases or other transactions that may be requested.
- To provide the ability to contact members in connection with billings, membership issues and related information.
- To respond to customer service inquiries.

- To send emails with respect to ISHC's Clubs, member policies, class schedules, events and similar matters.
- To provide information about membership promotions, new products and services and special offers, including those offered by trusted third-party providers.
- To understand more about individual members and users of the Website, so that ISHC can customize information about its services, products and offers on the Website to user's preferences.
- To enhance existing products and services, and develop new features, products and services.
- To conduct member surveys in order to provide better services and products to our members and other users.

Sharing Your Personal Information

ISHC may share your personal information within ISHC, with any of our subsidiaries or with third-party contractors for purposes of data processing or storage. ISHC may also share your personal information with authorized third-party agents or contractors in order to perform a requested service or transaction. However, ISHC only provides such third-party agents with the minimum amount of personal information necessary to complete the requested service or transaction. ISHC may need to disclose your personal information when required by law, when legally useful to defend ISHC, or to comply with a current judicial proceeding, court order or legal process affecting the Website. Other than as described herein, ISHC does not share, sell or rent your personal information to third-parties for marketing purposes without permission.

Unsubscribing

If you take advantage of services on ISHC's Website, you may receive email messages about ISHC, class schedules, information regarding products, services and special offers. Such email messages will contain instructions on how you can unsubscribe from future email messages from ISHC. You may also opt-out of receiving promotional communications by contacting Member Services at: 6 South El Dorado, Suite 600, Stockton, CA 95202, (209) 472-2450, memberservices@inshapeclubs.com.

Even if you opt-out from receiving promotional and related types of emails from ISHC, you will continue to receive communications from ISHC relating to your member account. In addition, ISHC may use any contact information you previously provided to communicate with you about changes in memberships, policies and procedures, in connection with purchases, or to advise you of other important matters.

Non-Personal Information

When you use the Website, ISHC may collect non-personal information through cookies, server log files and "pixel tags." This information is used to improve the Website.

- **Cookies.** ISHC's Website uses "cookies," which are data that a web server transfers to an individual computer for recordkeeping purposes. Cookies help facilitate users' access to and

use of a website. Cookies allow the Website's server to recognize a users computer and any settings that were previously entered on ISHC's Website.

- **Server Log Files.** Your computer is automatically assigned an Internet Protocol (IP) address by your Internet Service Provider (ISP), which serves allows your computer to be identified. Whenever you visit the Website, your IP number is identified and logged automatically in ISHC's server log files, along with the time of your visit and the pages within our site that you visited. The purpose of tracking an IP address is to calculate the usage levels of the Website, help diagnose problems with servers, and to administer the site.
- **Pixel Tags.** The Website may use "pixel tags," "web beacons," "clear GIFs" or similar means to compile statistics about site usage and response rates. This allows ISHC to monitor usage trends of the Website.

Security of Your Personal Information

ISHC is committed to safeguarding your privacy on its Website to help protect your personal information from unauthorized access, use or disclosure. However, ISHC we cannot ensure the security of the information that you transmit.

Links to Other Websites

The Website may contain links to other websites operated and controlled entirely by third-parties that are neither affiliated with nor partners with ISHC. These sites are governed by their own privacy policies, and ISHC is not responsible for their content or their privacy practices. Before submitting any information on third-party websites, you should thoroughly review and understand their privacy policies.

Children's Privacy

ISHC does not knowingly collect personal information from children under the age of 13. If ISHC becomes aware that it has received or collected personal information about a minor, ISHC will delete that data from its systems.

Contacting ISHC

If you have any questions about this privacy policy, you may contact ISHC at: 6 South El Dorado, Suite 600, Stockton, CA 95202, (209) 472-2450, memberservices@inshapeclubs.com.

Effective Date

This privacy policy is effective as of June 30, 2009.

Your California Privacy Rights

Under California law, California residents who provide personal information in obtaining products or services for personal, family or household use are entitled to request and obtain from ISHC once a calendar year information about the customer information we shared, if any, with other businesses for direct marketing uses. If applicable, this information includes categories of customer information shared and the names and addresses of the businesses that received such information from ISHC.

To obtain this information please send an email message to memberservices@inshapeclubs.com and specify that you are requesting California privacy information from us. ISHC will provide the requested information to you at your e-mail address in response. ISHC will only provide you with the information required by California law to be disclosed to you.

For an explanation of ISHC's privacy practices please review the privacy statement listed above.