

## **Bastion, LLC Privacy Statement**

**©2023 Bastion. All rights reserved.**

*Effective: June 8, 2022*

This Privacy Statement explains how Bastion, LLC and its affiliates ("Bastion", "we" or "us") collects and uses your personal information to provide our services to you. This Privacy Statement applies to personal information we collect when you use the Bastion Service or when you otherwise interact with us. This Privacy Statement does not apply to websites, applications, or services that display or link to other privacy statements.

We may change this Privacy Statement from time to time. If we make changes, we will notify you by revising the date at the top of this page. If we make material changes, we will provide you with notice through the Services or through other means, such as email. We encourage you to review the Privacy Statement whenever you access the Services or otherwise interact with us to stay informed about our privacy practices and the ways in which you can exercise choice over these practices. The practices described in this Privacy Statement are subject to applicable laws in the locations in which we operate; this means that we only engage in the practices described below in a particular location if permitted under the laws of that location. Capitalized terms used but not defined in this Privacy Statement have the meanings given to them in the Terms of Service.

### **How Do We Collect and Use Your Information?**

The information we collect varies based on how you interact with us, which Services you use, and the choices you make. We collect and process information about you with your consent and/or as necessary to provide the products and services you use, operate our business, meet our contractual and legal obligations, protect the

security of our systems and our customers, or fulfill other legitimate interests.

We collect information about you in various ways when you use our Services, including information you provide directly, information collected automatically, and information collected via third-party data sources.

When you are asked to provide information, you may decline. But if you choose not to provide information that is necessary for certain products or features, those products or features may not be available or function correctly.

The table below sets forth how we may collect and use your personal information.

## **Category Of Personal Data**

### **Processing Purpose**

#### **Information You Provide to Us**

We collect information you provide directly to us, as follows:

##### **Account Information**

includes personal information we collect when you create an account, create or edit your profile, or list your Coaching Services through Bastion. Account information includes your name, email address, postal address, phone number, date of birth, personal information, availability, and any other account-related information you choose to provide.

We use this information to

- create and register your account on Bastion;
- provide, maintain and improve our Services;

- enable communications between you and other users of the Services;
- send you technical notices, updates, security alerts and support and administrative messages;
- present you with content that is relevant to you;
- communicate with you about products, services, offers, promotions, rewards, and events offered by Bastion and others, and provide news and information we think will be of interest to you.

### **Communication Information**

includes the content of any communications you send and receive through the Services, such as messages or reviews (including private reviews), communications you send and receive when you participate in any other interactive features of the Services, or your communications to or from Bastion (including the content of any recorded telephone calls).

We use this information to

- provide, maintain and improve our Services;
- detect, investigate and prevent fraudulent transactions and other illegal or unauthorized activities and protect the rights and property of Bastion and others;
- respond to your comments, questions and requests and provide customer service.

### **Content and Files**

includes the profile photos, user photos, facility photos, videos, documents, and other files you record or upload through the Services.

We use this information to

- create and register your account on Bastion;

- provide, maintain and improve our Services;
- enable communications between you and other users of the Services;
- detect, investigate and prevent fraudulent transactions and other illegal or unauthorized activities and protect the rights and property of Bastion and others.

## **Payment & Tax Information**

includes payment information you provide to us, such as the amount and type of services purchased, the date and time of a transaction, and payment card information. (Payment card transactions are processed by our third-party payment processors.)

If you are a Coach, we and our third-party payment processors may also collect certain payment disbursement information to distribute your revenue from the Fitness/ Nutrition Services you provide via Bastion.

If you are a Coach, we may also collect your tax identification number.

We use this information to

- facilitate and process transactions and send you related information, including booking and payment confirmations and tax documentation (where required);
- facilitate revenue distribution to Coaches and for related accounting purposes;
- detect, investigate and prevent fraudulent transactions and other illegal or unauthorized activities and protect the rights and property of Bastion and others.

## **Identification Information**

If you are a Coach, we may collect certain personal information from you for purposes of verifying your identity or assisting with your

creation of a Stripe payment account (if Stripe is available in your region). In addition,

- our third-party background check provider collects your social security or social insurance number to conduct a background check;

We use this information to

- conduct a Background Check prior to you listing your Fitness/Nutrition Services on Bastion;
- detect, investigate and prevent fraudulent transactions and other illegal or unauthorized activities and protect the rights and property of Bastion and others;
- create a payment disbursement account with our third-party payment processor on your behalf.

## **Other Information**

includes all other personal information you provide to us, such as when you submit a job application, participate in a promotion, complete a survey, communicate with us via third party social media sites, request customer support, provide us with contact information for a referral, or otherwise communicate with us.

We use this information to

- respond to your comments, questions and requests and provide customer service;
- communicate with you about products, services, offers, promotions, rewards, and events offered by Bastion and others, and provide news and information we think will be of interest to you;
- facilitate contests, sweepstakes and promotions and process and deliver entries and rewards;
- fulfill your referral requests;

- carry out any other purpose described to you at the time the information is collected.

## **Information Collected Automatically When You Use the Services**

When you access or use the Services, we may automatically collect information about you, as follows:

### **Usage Information**

We collect log information about your use of the Services, including the type of browser you use, access times, pages viewed, your IP address and the page you visited before navigating to our Services, and information regarding your interactions with our sites and applications.

We use this information to

- present the Services to you on your device;
- select a language and region in which to present the Services to you;
- provide, maintain and improve our Services;
- send you technical notices, updates, security alerts and support and administrative messages;
- detect, investigate and prevent fraudulent transactions and other illegal or unauthorized activities and protect the rights and property of Bastion and others;
- communicate with you about products, services, offers, promotions, rewards, and events offered by Bastion and others, and provide news and information we think will be of interest to you;
- link or combine with information we get from other sources to help understand your needs and provide you with better service.

## **Device Information**

We collect information about the computer or mobile device you use to access our Services, including the hardware model, operating system and version, unique device identifiers, Bastion app version, mobile network information, and whether notification and location permissions are enabled.

## **Location Information**

We may collect information about the location of your device each time you access or use certain features of our mobile applications or otherwise consent to the collection of this information. For more details, please see “Your Choices” below.

## **Cookie Information**

We use various technologies to operate our Services and collect information, including cookies and web beacons (collectively, “Cookies”). Most browsers are set to accept cookies. To learn more about how we use Cookies and how to manage your preferences, please read our Cookie Policy.

## **Inferences**

We infer new information from other information we collect, including using automated means to generate information about your likely preferences or other characteristics. For example, we infer your city, state, and country location based on your IP address.

## **Information We Collect from Third Parties**

We may collect information about you from third parties, as follows:

### **Social Media Information**

If you create or log into your account through a social media site, we will have access to certain information from that site, such as your name, account information and friends lists, in accordance with the authorization procedures determined by such social media site.

We use this information to

- allow you to log in to the Bastion Service and to help create a public profile for you;
- allow you to share certain content related to your use of the Services with your friends, followers or contacts on that social media site.

### **Other Third-Party Information**

includes information we receive (sometimes for a fee) from other sources, including partners with whom we offer co-branded services or engage in joint marketing activities, agencies that conduct background check or identity verification services, and publicly available sources.

We may use this information on its own or in combination with information you provide to us directly to contact you, send you promotional materials, personalize our Service, prepopulate online forms, and better understand the demographics of our users.

### **All Information Set Forth Above**

All Information Set Forth Above

We use this information to

- provide, maintain and improve our Services;
- detect, investigate and prevent fraudulent transactions and other illegal or unauthorized activities and protect the rights and property of Bastion and others;
- defend ourselves from potential litigation or legal claims;
- comply with any applicable legal obligations;
- carry out any other purpose described to you at the time the information is collected.

## **How Do We Share Your Information?**

We may share the personal information we collect with third parties as follows or as otherwise described in this Privacy Statement:

- when you make or accept a booking;
- when you sign up for and participate in the interactive areas of our Services, such as creating a user profile or writing a review (note that if you are a Coach, your profile is discoverable to anyone who searches the Site or enters your unique profile URL into their browser);
- with vendors, consultants, business partners, and other coaches who need access to such information to carry out work on our behalf;
- in response to a request for information if we believe disclosure is in accordance with, or required by, applicable law, regulation or legal process;
- if we believe your actions are inconsistent with our user agreements or policies, or to protect the rights, property or safety of Bastion, its employees, its users, or the public;
- in connection with, or during negotiations of, any merger, sale of company assets, financing, acquisition, divestiture, bankruptcy, dissolution, or other transaction or proceeding involving sale, transfer or divestiture of all or a portion of our business or assets to another company, to the extent permitted under applicable law;
- between and among Bastion and our current and future parents, affiliates, subsidiaries and other companies under common control and ownership;
- on an aggregated and anonymized basis; and
- with your consent or at your direction.

## **Social Sharing Features**

The Services may offer social sharing features and other integrated tools (such as the Facebook “Like” button), which let you share actions you take on our Services with other media, and vice versa. Your use of such features enables the sharing of information with your friends or the public, depending on the settings you establish with the entity that provides the social sharing feature. For more information about the purpose and scope of information collection and processing in connection with social sharing features, please visit the privacy policies of the entities that provide these features.

## **Advertising and Analytics Services Provided by Third Parties**

We may allow others to provide analytics services and/or serve advertisements on our behalf across the Internet. These entities may use cookies, pixel tags, web beacons or other similar technologies to collect information about your use of our websites and third-party websites. To learn more about how these third parties use these technologies and how to manage your preferences, please read our Cookie Policy. Note that if you opt-out of third-party advertising cookies, you will still see online ads, but they will not be personalized.

## **Information Security**

Bastion takes reasonable measures designed to help protect information about you from loss, theft, misuse and unauthorized access, use, disclosure, alteration and destruction. Please be aware that no method of transmission over the Internet or through mobile applications is 100% safe. Therefore, although we use commercially reasonable means to protect your information, we cannot guarantee its absolute security.

## **Transfer and Location of Information**

The information we collect may be stored and processed in your region, in the United States, or in any other country where we or our

affiliates, subsidiaries, or service providers maintain facilities. The processing locations are chosen in order to operate efficiently, to improve performance, and to create redundancies in order to protect information in the event of an outage or other problem. We take steps designed to ensure that the information we collect under this statement is processed according to the provisions of this statement and applicable law wherever the information is located.

## **Information Retention**

We retain information for as long as necessary to provide the products and fulfill the transactions you have requested, or for other essential purposes such as complying with our legal obligations, resolving disputes, and enforcing our agreements. Because these needs can vary for different information types in the context of different products, actual retention periods can vary based on criteria such as user expectations or consent, the sensitivity of the information, the availability of automated controls that enable users to delete information, and our legal or contractual obligations.

## **Your Choices**

### **Managing Your Account**

You may update, correct or delete certain information about you at any time by logging into your account through our website or our mobile application and navigating to the 'Profile' link. If you need assistance, you may contact us at [service@bastion.com](mailto:service@bastion.com)

If you wish to request deactivation of your account or cannot access certain information we have using the above methods, please contact us using the contact information below. We may decline requests that are prohibited by law, could adversely affect the privacy

or other rights of another person, are not required to be honored by applicable law, or where we are unable to authenticate you as the person to whom the information relates.

## **Location Information**

When you first install or launch any of our mobile applications that collect location information, you will be asked to consent to the application's collection of this information. We require location information to use certain features of our Services, so if you do not consent to this collection, you cannot use those features. If you initially consent to our collection of location information, you can subsequently stop the collection of this information at any time by changing the preferences on your mobile device. If you do so, certain features of our mobile applications will no longer function. You may also stop our collection of location information by following the standard uninstall process to remove our mobile application from your device.

## **Emails**

You may choose whether you wish to receive marketing emails from Bastion by updating your "Notifications" preferences under "Account Settings" in your online Bastion profile. If you receive marketing emails and you wish to opt-out, you may also do so by clicking "Unsubscribe" in those emails. If you opt out of receiving marketing emails, we may still send you Service-related emails, such as those about your account or your ongoing business relationship with us.

## **Mobile Push Notifications/Alerts**

We may send push notifications or alerts to your mobile device. You can deactivate these messages at any time by changing the notification settings on your mobile device.

## **Text Messages**

With your consent as required by applicable law, we may send marketing and/or service-related text messages to your mobile device. You may opt out of receiving these messages by following the prompt in an individual message or updating your “Notifications” preferences under “Account Settings” in your online Bastion profile or through our mobile application. However, if you are a Coach in the U.S., certain Fitness/Nutrition Services that you provide (as detailed in the Bastion Service) may require you to receive service-related messages. If you do not want to receive these service-related text messages, then in addition to adjusting your Notifications preferences, you must withdraw from providing such Fitness/Nutrition Services.

## **Cookies**

Refer to our Cookie Policy for information on how to manage your choices with cookies used on our website.

## **California Privacy Rights & Notices**

If the processing of your personal information is subject to the California Consumer Privacy Act (the “CCPA”), you have certain rights with respect to that information:

- **Right to Know.** You can request access to the personal information we collected about you in the last 12 months. You can also request information about the categories of personal information we collected, the sources of collection, the purposes for collection and sharing of this information, the categories of information we shared, and the categories of third parties with whom we shared this information. Note that we have provided much of this information above in this Privacy Statement.

- **Right to Request Deletion.** You can request that we delete personal information under certain circumstances, subject to a number of exceptions.
- **Right to Opt-Out.** You can opt-out from any sharing of your personal information with third parties to the extent that such sharing constitutes a “sale” of that data under the CCPA. You can find more information on these practices, including how to exercise your opt-out right, in our Cookie Policy.
- **Right to Non-Discrimination.** You will not be discriminated against by Bastion for exercising rights set out in the CCPA.

In the past 12 months, we have disclosed, for a business purpose, data from each of the categories of personal information we maintain to our business partners and vendors, as described in the table above.

The CCPA defines the “sale” of personal information very broadly, and some of our use of third-party cookies and tracking technologies as described in this Privacy Statement may be considered a “sale” under that definition. Specifically, in the past 12 months, we have allowed our advertising and analytics providers to collect IP addresses, cookie IDs, and mobile IDs through our sites and apps when you use our online services. We do not otherwise “sell” personal information.

We do not knowingly collect or sell personal information of minors under 16 years of age.