

WELLD DATA USE POLICY

Last Modified: June 8, 2017

Effective Date: June 8, 2017

Welld Health, LLC, a Delaware limited liability company (referred to in this Welld Data Use Policy as “*Welld*”, “*we*”, “*us*”, or “*our*”) respects the safety, privacy, and rights of our End Users and other third parties, and we require each of our End Users to do the same. Except as otherwise defined herein, all terms used in this Welld Data Use Policy (this “*Data Use Policy*”) have the meanings set forth in the Welld End User License Agreement, located at www.welldhealth.com/legal/eula (the “*EULA*”). **Please read this Data Use Policy, the EULA, and the Privacy Policy carefully to understand our policies for how you may access and use the Welld Service and the Account Information of our End Users.**

1. Overview. In general, you must not access, use, or disclose any Account Information of End Users in any way that infringes or violates the rights or privacy of any End User or any other person, that violates the law, or that is likely to do any of those things. As used in this Data Use Policy, “*Authorizing Organization*” means a Licensed Participant (as defined in the EULA) that has authorized you to access and use the Welld Service on its behalf, and “*Connected End User*” means an End User who has established a Welld Connection (as defined in the EULA) with your Authorizing Organization such that your Authorizing Organization is a Connected Party (as defined in the EULA) of such End User.

2. Generally. You agree that you will access, use, and disclose Account Information of End Users only in accordance with the terms of the EULA, the Privacy Policy, and this Data Use Policy, and as authorized by your Authorizing Organization. You agree that you will not access, use, or disclose (or attempt to access, use, or disclose) the Account Information of any End User who is not a Connected End User, except that you may perform searches in the Welld System and view Identity Verification Information (as defined in the Privacy Policy) for the sole purpose of verifying an End User’s identity in the course of initiating or accepting a Welld Connection on behalf of your Authorizing Organization.

3. Health Information. As used in this Data Use Policy, “*Health Information*” means an End User’s Program Results (as defined in the EULA), an End User’s Connected Device Data (as defined in the EULA) other than Activity Data (as defined in the EULA), and any information that relates to the past, present, or future physical or mental health or condition of an End User, the provision of health care to an End User, or the past, present, or future payment for the provision of health care to an End User. You agree that you will (a) access the Health Information of End Users only after you have completed HIPAA compliance training provided through your Authorizing Organization, and (b) only access, use, and disclose such Health Information in strict accordance with the EULA, the Privacy Policy, this Data Use Policy, HIPAA, and all applicable laws and regulations.

4. Authorized Uses. If you have been assigned one of the following roles by your Authorizing Organization (whether a Participating Fitness Club, a Participating Employer, or a Participating Physician), you acknowledge that you are only authorized to access and use the Account Information of other End Users in strict accordance with the authorized uses, permissions, and prohibitions for that role. If you have been assigned more than one of the following roles by your

Authorizing Organization, then (a) you are only authorized to access and use the Account Information of End Users in strict accordance with the authorized uses, permissions, and prohibitions of each role when acting in that role, and (b) if one assigned role permits access and/or use of such Account Information but another assigned role prohibits access and/or use of such Account Information, then you may only access and/or use such Account Information when acting in the capacity of the role that permits such access and/or use.

4.1. Intake Coordinator. The Intake Coordinator is responsible for managing the End Users enrolled in a Program Tracks or Challenges at a Participating Fitness Club. Participant Representatives may perform this function at one or more licensed facilities of a Participating Fitness Club. The Intake Coordinator may only access Health Information of End Users who have established a Welld Connection with the Participating Fitness Club, and only in connection with the Participating Fitness Club provision of services to the End User.

4.2. Corporate Outreach Coordinator. The Corporate Outreach Coordinator manages the relationship between a Participating Fitness Club and its various corporate partners. This role manages employee enrollment and adherence on behalf of the Participating Fitness Club for Participating Employers.

4.3. Physician Outreach Coordinator. The Physician Outreach Coordinator manages the relationship between Participating Physicians and Participating Fitness Clubs and tracks the referring Participating Physicians' participants within referred Program Tracks. The Physician Outreach Coordinator may share Health Information with the referring Participating Physicians as needed to demonstrate the results of the Program Tracks. This role does not manage End User Accounts or Account Information on a day-to-day basis.

4.4. Sales Coordinator. The Sales Coordinator is tasked with enrolling End Users into Program Tracks. This role is prohibited from viewing or sharing Health Information or adding End Users to the Welld System.

4.5. Organization Admin. The Organization Admin role has the authority to manage all aspects of Welld for a Licensed Participant (including multiple facilities that are part of a Licensed Participant). The Organization Admin can also perform the functions of the Intake Coordinator, the Corporate Outreach Coordinator, the Physician Outreach Coordinator, and the Sales Coordinator (if applicable to the Licensed Participant). The Organization Admin has the authority to manage the addition of new staff and roles for all Participant Representatives on behalf of the Authorizing Organization.

4.6. Company Admin. The Company Admin can view Account Information (excluding Health Information) for End Users who have established a Welld Connection. Company Admins can also assign Activity Challenges to their respective supervised locations and assign the HR Manager role to other Participant Representatives. The Company Admin is expressly prohibited from viewing, or attempting to view, Health Information of End Users.

4.7. HR Manager. The HR Manager can perform the same functions as the Company Admin, but cannot assign the Company Admin role or the HR Manager role to other Participant Representatives.

5. Updates to this Data Use Policy. We may modify this Data Use Policy from time to time. Changes to this Data Use Policy will be made and will become effective as described in Section 11.2 of the EULA.