

Last Updated and Effective as of: May 25, 2018

This privacy policy is for Jody K

Jody K is operated by Jody Hill, (hereinafter, “we”, “our” or “us”). We respect your privacy and are committed to protecting your information. The privacy policy below discloses our practices regarding information collection and usage solely for the website located at www.jodykhill.com

This privacy policy aims to give you information on how we collect and processed your information through your use of this website, including any data you may provide through this website when you use our Service or contact us using the contact information below.

INFORMATION COLLECTION

Your provision of your personal information to us is completely voluntary. “Personal information” is information that can specifically identify you. We do not collect personal information unless you submit that information to us. Categories of personal information we may collect include:

- *Identity Data*, which includes name or other similar identifiers.
- *Contact Data*, which includes address, email address and telephone numbers.

Additionally, we may also collect certain others types of information that, along with Identity Data and Contact Data, may be considered and specifically named “personal data” in certain jurisdictions, including the European Union (“EU”), such as:

- *Financial Data*, which includes credit card, debit card or other payment card details.
- *Transaction Data*, which includes details about payments to and from you.
- *Technical Data*, which includes internet protocol (IP) address, location data, your login data, and device and browser information.
- *Profile Data*, which includes your username and password, avatar (if you upload one) and other info you share with us on our Website.
- *Usage Data*, which includes information about how you use our Website and advertising we serve on those sites.
- *Marketing and Communications Data*, which includes your preferences in receiving marketing from us

IF YOU ARE SITUATED IN THE EU, PLEASE SEE THE SECTION “ADDITIONAL EU DISCLOSURES” THAT PERTAIN TO OUR COLLECTION, USE AND DISCLOSURE OF YOUR PERSONAL DATA AND ADDITIONAL RIGHTS YOU HAVE UNDER APPLICABLE LAW.

We use different methods to collect data from and about you including through:

Direct interactions: You may give us your information by registering or contacting us. This includes information you provide when you:

- create an account on our website;
- subscribe to our service or publications;
- purchase product(s) on our website(s)
- request marketing to be sent to you; or
- give us feedback.

Automated technologies or interactions: As you interact with our website, we may automatically collect Technical Data and Usage Data about you. Some of the ways in which we or our website may collect are further described below:

- **Cookies and other technologies:** The website may use cookies, a type of technology that installs a small amount of information on a website user's computer or other device to permit a website to, for example, recognize future visits using that computer or device. The website may use other similar technologies (including, without limitation, tracking pixels, as described further below, and other anonymous identifiers) to gather information about you, such as IP addresses and location data, to customize your visit, to enable us to enhance our service, or for other purposes. We use the following cookies: (i) Strictly necessary / technical cookies that are required for the operation of our website, including log-in, shopping cart and e-billing. (ii) Analytical / performance cookies to see how users interact with our website so that we may improve functionality. (iii) Functional cookies to recognize you when you return and to personalize content. (iv) Targeting / advertising cookies to tailor advertising to you based on how you interact with our website.
- **Interest-Based Advertising:** We may engage third-party vendors to use your information in connection with their own information to deliver targeted advertising to you when you visit our website or other websites. Cookies, described above, may be used in this process. For example, if you are searching for information on a particular product, our vendor may cause an advertisement to appear on other websites you view with information on that product. This form of advertising is called "behavioral advertising". We believe that such advertising is helpful because you will see ads that are relevant to your interests. However, if you would like to opt-out of these interest-based advertisements, please see the Opt-Out section below.
- **Clickstream Data:** As you use the Internet, a trail of electronic information is left at each website you visit. This information, sometimes referred to as "clickstream data," can be collected and stored by a website's server. For example, clickstream data can tell the type of computer and browsing software you use and the address of the website from which you linked to the website. The website may collect and use clickstream data as a form of

aggregate information to anonymously determine how much time visitors spend on each page of our website, how visitors navigate throughout the Website and how we may tailor our website to better meet the needs of visitors. This information often will be used to improve our website and our services. Any collection or use of clickstream data will be anonymous and aggregated and will not intentionally contain any personal information.

INFORMATION USE AND SHARING

Subject to the section titled “Additional EU Disclosures”, we use information held about you to perform our services and for other purposes outlined below.

Specifically, we use your information for a variety of purposes:

- Where we need to perform the contract we are about to enter into or have entered into with you.
- To perform specific services that you have requested.
- To respond to your direct inquiries.
- Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
- To send you marketing materials (see below)
- Where we need to comply with a legal or regulatory obligation.

Subject to the section titled “Additional EU Disclosures”, we may share the information we collect about you with certain third parties in the following ways:

- To use certain services on our website, payment card information may be requested. We may ask you for credit card, debit card, or other payment information. By submitting your payment information through our websites, to the extent permitted by applicable law, you expressly consent to the sharing of your information with third-party payment processors, and other third-party service providers.
- Third parties to whom we may choose to sell, transfer, or merge parts of our business or our assets. Alternatively, we may seek to acquire other businesses or merge with them, if we are part of a bankruptcy proceeding or other change in control.
- Third parties to whom we need to share your information to investigate suspected fraud, harassment or other violations of any law, rule or regulation, or the policies for the website.

THIRD-PARTY LINKS AND SOCIAL NETWORKING SERVICES

This website may include links to third-party websites, plug-ins and applications. Clicking on those links or enabling those connections may allow third parties to collect or share data about you. We do not control these third-party websites and

are not responsible for their privacy statements. When you leave our website, we encourage you to read the privacy policy of every website you visit.

The Website may integrate with social networking services. You understand that we do not control such services and are not liable for the manner in which they operate. While we may provide you with the ability to use such services in connection with our Website, we are doing so merely as an accommodation and, like you, are relying upon those third-party services to operate properly and fairly. You should be aware that information which you voluntarily include and transmit online in a publicly accessible blog, social network or otherwise online may be viewed and used by others. We are unable to control such uses of your information, and by using such services you assume the risk that the information provided by you may be viewed and used by third parties.

DATA SECURITY

We have put in place appropriate security measures to prevent information about you from being accidentally lost, used or accessed in an unauthorized way, altered or disclosed; however, due to the inherent open nature of the Internet, we cannot ensure or warrant the security of any information provided online. We have put in place procedures to deal with any suspected data breach that will affect you and will notify you and any applicable regulator of a breach where we are legally required to do so.

DATA RETENTION

We will only retain your information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. To determine the appropriate retention period for your information, we consider the amount, nature, and sensitivity of the information, the potential risk of harm from unauthorized use or disclosure of your information, the purposes for which we process your information and whether we can achieve those purposes through other means, and the applicable legal requirements.

In some circumstances you can ask us to delete your data: see Request erasure below for further information.

In some circumstances we may anonymize information about you (so that it can no longer be associated with you) for research or statistical purposes in which case we may use and retain this information indefinitely without further notice to you.

ADDITIONAL EU DISCLOSURES

Our role as data controller and data processor

Jody K generally acts as the data controller of your information submitted through our website.

If you are situated in the EU and have any complaints regarding our privacy practices as data controller, you have the right to make a complaint at any time to your local Supervisory Authority. We would, however, appreciate the chance to deal with your concerns before you approach your Supervisory Authority so please contact us in the first instance. Please see our contact details below in the section titled "Contact Us". If you are situated in the EU and have a complaint, please contact our privacy manager at jody@positionmovement.com.

Provision of personal data and failure to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you and you fail to provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you (for example, to provide you with our services). In this case, we will not be able to provide services to you.

Legal basis for our processing of your personal data

Below are the types of lawful basis that we will rely on to process your personal data:

- *Legitimate Interest* means the interest of our business in conducting and managing our business to enable us to give you the best service/product and the best and most secure experience. We make sure we consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting us at jody@positionmovement.com
- *Performance of Contract* means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.
- *Comply with a legal or regulatory obligation* means processing your personal data where it is necessary for compliance with a legal or regulatory obligation that we are subject.

Change of purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to get an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us at jody@positionmovement.com. If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process your

personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Collection of personal data from third party sources

We also collect personal data about you from various third parties and public sources.

- If you register for our services using Facebook, Twitter or other social media sites, we will import your information from those social media sites.
- As discussed above, we also obtain information through automated technologies (see section titled “Information Collection”)

Withdrawing your consent

If we are relying on your consent to process your personal data, you have the right to withdraw your consent at any time. You have the right to withdraw your consent at any time by contacting us at jody@positionmovement.com

Use of your personal data for marketing purposes

We strive to provide you with choices regarding certain personal data uses, particularly around marketing and advertising:

- Promotional offers from us: We may use your personal data to form a view on what we think you may want or need, or what may be of interest to you. This is how we decide which products, services and offers may be relevant for you (we call this marketing). You will receive marketing communications from us if you have requested information from us or used our services and, in each case, you have not opted out of receiving that marketing.
- Third-party marketing: We will get your express opt-in consent before we share your personal data with any company outside our company for marketing purposes.

To see how you can opt out of marketing communications, please see the section titled “Opt-Out” found at the bottom of all of our email communications.

Rights of EU Data Subjects

Under certain circumstances, you have rights under data protection laws in relation to your personal data. you have the right to:

- Request access to your personal data (commonly known as a “data subject access request”). This enables you to receive a copy of the personal data we hold about you and to check that we are lawfully processing it.
- Request correction of the personal data that we hold about you. This enables you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us.
- Request erasure of your personal data. This enables you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to

processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with local law. Note, however, that we may not always be able to comply with your request of erasure for specific legal reasons which will be notified to you, if applicable, at the time of your request.

- Object to processing of your personal data where we are relying on a legitimate interest (or those of a third party) and there is something about your particular situation which makes you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- Request restriction of processing of your personal data. This enables you to ask us to suspend the processing of your personal data in the following scenarios: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- Request the transfer of your personal data to you or to a third party. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.
- Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide certain products or services to you. We will advise you if this is the case at the time you withdraw your consent.

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, we may refuse to comply with your request in these circumstances.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not

disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response. We try to respond to all legitimate requests within one month. Occasionally it may take us longer than a month if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated. To exercise your rights, please contact us at jody@positionmovement.com.

OPT OUT

Opting out of messages from us

To opt-out of any future promotional messages from us, you should send an unsubscribe request to us at jody@positionmovement.com. If you do not want your personal information or personal data shared with any third party who may use such information for direct marketing purposes, then you may opt-out of such disclosures by sending an email to jody@positionmovement.com. We will process your request within a reasonable time after receipt. Please note that if you opt out in this manner, certain aspects of the Website may no longer be available to you.

Opting out of cookies

If you want to stop or restrict the placement of cookies or flush any cookies that may already be on your computer or device, please refer to and adjust your web browser preferences. By deleting our cookies or disabling future cookies you may not be able to access certain areas or features of our Website or some of its functionality may be affected. Cookies and similar items are not used by us to automatically retrieve personally identifiable information from your device without your knowledge.

DATA RELATING TO CHILDREN

Our Website is designed for those 18 years of age and older. We do not knowingly collect information from anyone under the age of 13 (or such other age as may be restricted under local law). If we are made aware that we have received such information, or any information in violation of our policy, we will use reasonable efforts to locate and remove that information from our records.

CROSS BORDER TRANSFERS

Our website is maintained in the United States. If you are visiting from the regions with laws governing data collection and use that may differ from those in the United States, please note that you may be transferring your information to the United States and in other countries around the world. You freely and specifically

give us your consent to export and use your information within the United States and in other countries as specified in this Privacy Policy. You understand that data stored in the United States may be subject to lawful requests by the courts or law enforcement authorities in the United States. If you are situated in the EU, whenever we transfer your personal data to processors outside of the EU, we ensure appropriate and suitable safeguards are used in such transfer. We may use specific contracts approved by the European Commission which give personal data the same protection it has in the EU.

CALIFORNIA PRIVACY

If you are a California resident this section applies to you. Under California Law, California residents have the right to request in writing from businesses with whom they have an established business relationship, (a) a list of the categories of personally identifiable information, such as name, email address and mailing address and the type of services provided to the customer that a business has disclosed to third parties (including affiliates that are separate legal entities) during the immediately preceding calendar year for the third parties' direct marketing purposes and (b) the names and addresses of all such third parties. To request the above information, please contact us at jody@positionmovement.com. If you do not want your personally identifying information shared with any third party who may use such information for direct marketing purposes, then you may opt out of such disclosures by sending an email to us at jody@positionmovement.com.

UPDATES TO THIS PRIVACY POLICY

We reserve the right, at our discretion, to change, modify, add, or remove portions from this privacy policy at any time. However, if at any time in the future we plan to use your information in a way that materially differs from this privacy policy, we will post such changes here or email you. We encourage you to periodically review the website for the latest information on our privacy practices. You are bound by any changes to the privacy policy when you use the website after such changes have been first posted.

CONTACT US

If there are any questions regarding this privacy policy, you may email jody@positionmovement.com or via snail mail to Jody K, P.O. Box 900862, Sandy, UT 84090 ~ USA