

Website Privacy Policy

1. Introduction

1.1 Scope. This Privacy Policy applies only to information we collect through electronic or digital means, including our website located at www.malibubungalowclub.com, certain The Malibu Bungalows Club affiliated sites accessible through this website, such as our mobile website, mobile applications (including, without limitation, the 24GO mobile app), and other electronic and digital means of communication that we control and that contain a link to this Privacy Policy (collectively referred to in this Policy as our “Digital Properties”). Unless disclosed otherwise, our affiliated sites are governed by this Privacy Policy.

Our Digital Properties may contain links to third party sites or are hosted on platforms or devices that are not owned or controlled by The Malibu Bungalows Club. Please be aware that we are not responsible for the privacy or other practices of such other sites. We encourage you to be aware when you leave our Digital Properties and to read the privacy statements of every website that you visit.

1.2 No Information from Children Under Age 13. If you are under the age of 13, please do not attempt to register at The Malibu Bungalows Club or provide any personal information about yourself to us.

1.3 Terms of Use. Please note that your use of our Digital Properties is also subject to our Terms of Use, or other applicable End User License Agreements associated with such Digital Properties.

2. Information We Collect

2.1 Information You Provide Us. You can provide information to us through various means using our Digital Properties. We collect both personal information, which is information that identifies you as an individual or relates to an identifiable individual, and non-personal information. The information we collect may include the following: Name, address, mobile telephone number, Email address, Credit, debit or other payment account number and related information (processor).

During the Malibu Bungalows Club online account creation process, you will select a username and password and provide information about your goals. If you participate in an online class, we may display your first name, last initial and your fitness goal to the instructor and those taking the class. If you purchase any products or services through our Digital Properties, we or our payment processors collect your credit card or debit card number and related information, as applicable.

We collect information from you when you purchase a membership and other services from us, including when you use the mobile app to purchase a membership and/or access other services.

If you choose to use your social media credentials to log into your Digital Properties account, certain personal information from your social media account may be shared with us, which may include personal information that is part of your profile. You may change your preferences or revoke your consent to have the social media platform share information with us by changing your settings within such platform.

2.2 Log Information We Collect from You Automatically. We collect certain information automatically as you use our Digital Properties, including your IP (Internet Protocol) address, browser type, computer type, type of mobile device (if used), the carrier for your mobile device, your computer operating system, the version of the Digital Properties that you access, the site from where you navigated to our Digital Properties, the time and date of using the Digital Properties, whether you are a repeat visitor,

how long you use the Digital Properties and the pages that you view. We may derive your approximate location from your IP address.

2.3 App Usage Data. When you download and use any of our mobile applications, we and our service providers may track and collect app usage data, such as the date and time the app on your device accesses our servers.

2.4 Cookies When you visit or use our Digital Properties, we send one or more “cookies” to your computer or other device. A cookie is a small file containing a string of characters that is sent to your computer when you visit a website. When you visit the website again, the cookie allows that site to recognize your browser. Cookies may store unique identifiers, user preferences and other information. You may opt out of most cookies through available links on our site.

Advertising and Third-Party Advertisers. You can also reset your browser to refuse or restrict most cookies or to indicate when a cookie is being sent. However, some website features or services may not function properly without cookies. Cookie based opt-outs must be performed on each device and browser that you wish to have opted-out. You must separately opt out in each browser on each device. We use cookies to improve the quality of our service, including for storing user preferences, tracking user trends, and providing relevant advertising to you based on your activities on Digital Properties and on other websites. Currently, we do not respond to browser 'do not track' signals.

2.5 Pixel Tags. We may use "pixel tags," which are small graphic files that allow us to monitor the use of our websites. A pixel tag can collect information such as the IP address of the computer that downloaded the page on which the tag appears; the URL of the page on which the pixel tag appears; the time the page containing the pixel tag was viewed; the type of browser that fetched the pixel tag; and the identification number of any cookie on the computer previously placed by that server. When corresponding with you via HTML capable email, we may use "format sensing" technology, which allows pixel tags to let us know whether you received and opened our email.

We use Google Analytics, which uses cookies and similar technologies to collect and analyze information about the use of Digital Properties and report on activities and trends. This service may also collect information regarding the use of other websites, apps and online resources. You can learn about Google’s practices by going to www.google.com/policies/privacy/partners/, and opt out of them by downloading the Google Analytics opt-out browser add-on, available at <https://tools.google.com/dlpage/gaoptout>.

2.6 Physical Location. We may collect the physical location of your device by, for example, using GPS, cell phone tower, or Wi-Fi signals. We may use your device’s physical location to provide you with location-based services, content, and alerts and to learn when you have checked into one of our clubs. Please see our In-Club Privacy Policy to learn more about the data we collect when you check into one of our clubs. If you enable location tracking for GPS on your device, you may be able to review which clubs are near you and special offers related to your club. We may also share your device’s physical location, combined with information about what advertisements you viewed and other information we collect, with our marketing service providers to enable them to provide you with more localized content and to study the effectiveness of advertising campaigns. You may be able to allow or deny such uses and/or sharing of your device’s location by changing your device’s location and advertising settings or by clicking on the Do Not Sell My Personal Information link as described below, but if you choose to deny such uses and/or sharing, we and our marketing service providers may not be able to provide you with the location-based services, content and alerts.

2.7 Other Sources. We may receive information about you from other sources, such as public databases, commercially available sources, service providers, advisors and agents, advertising networks, data analytics providers, internet service providers, operating systems and platforms, social networks, employers, government entities and other third parties, including via referrals from other members or guests or in connection with purchases of any "Add-On" memberships that include you as a member.

2.8 Aggregated Information. We may aggregate or deidentify personal information. Aggregated or deidentified information does not identify and is not associated with you or any other user of our Digital Properties.

2.9 Verification Information. We may ask to check your Verification Information from time to time. However, we do not make copies of the Verification Information itself. If you prefer not to have The Malibu Bungalows Club indicate in our systems that you have provided your Verification Information, you will need to bring your Verification Information each time you visit.

Any Verification Information indications that we retain will be stored for a reasonable period, including as we determine necessary to comply with applicable law or to establish or defend our legal rights. Please note that options for providing Verification Information vary by jurisdiction based on federal, state, and local requirements and may change from time to time.

3. How We Use Your Information

3.1 To Provide Products, Services, and Information. As described above, we collect information from you so that we can provide products and services that you purchase or otherwise request using Digital Properties and information that you request from us. For example, we use your personal information to:

- Set-up your membership
- Provide services and products to you.
- Process payments for your membership and services, including credit card, debit card and bank account debit (ACH) transactions.
- Contact you regarding your membership and services, and other administrative information.
- Track member and guest use of our facilities
- Respond to your inquiries, comments, reviews, and ratings.
- Provide advertisements, newsletters, or other marketing or promotional and other information relating to materials to you regarding products and services that we provide or otherwise offer for sale.

3.2 Marketing Communications. We may use your information to send you marketing communications that we believe may be of interest to you. You can always opt-out of receiving marketing emails by using the opt-out feature provided with the email communications. To opt out of other means of marketing communications, including telephone, text, or other electronic communications from The Malibu Bungalows Club, contact your local club, text STOP or write to Member Services. You can opt out of interest-based advertising.

Advertising and Third-Party Advertisers below.

3.3 Our Business Purposes. We may use your information for our business purposes, such as data analysis, research, audits, fraud monitoring and prevention, developing new products and services, enhancing, improving, or modifying our Digital Properties, identifying usage trends, determining the effectiveness of our promotional campaigns, and operating and expanding our business activities.

3.4 Other Purposes. We may use non-personal information for any purpose, except where we are required to do otherwise under applicable law. In some instances, we may combine non-personally identifiable information with personal information (such as associating your name with your employer if you are a participant in a corporate sponsored program), in which case we will treat the combined information as personal information if it is combined.

4. How We Share Your Information

4.1 Our Third-Party Service Providers. We may share your information with our third-party service providers and agents who provide services such as website hosting, data analysis, order fulfillment, information technology and related infrastructure provision, customer service, email delivery, text messaging, credit card or other payment processing, auditing, and similar services.

4.2 Advertising and Third-Party Advertisers. We may use third-party advertising companies to serve advertisements regarding goods and services that may be of interest to you when you access and use our Clubs, our Digital Properties and other websites and online services, based on information relating to your access to and use of our Digital Properties and other websites and online services on any of your devices, as well as on information received from you both online and offline and from third parties. To do so, these companies may place or recognize a unique cookie on your browser (including using pixel tags), and they may also use the information to measure the effectiveness of ads. In addition, they may use these technologies, along with information they collect about your online use, to recognize you across the devices you use, such as a mobile phone and a laptop. We may share Digital Properties usage and other information with third party advertisers and partners for the purpose of effectively targeting our online advertisements unless you opt out. Please note that California consumers can opt-out of the "sale" of their personal information under the California Consumer Privacy Act as described in

[Section 10. Important Additional Information for California Residents.](#)

You can learn about these advertising practices at www.aboutads.info and opt out of them in desktop and mobile browsers on the particular device on which you are accessing this Privacy Policy by visiting the Digital Advertising Alliance's (DAA) consumer opt-out page at <http://optout.aboutads.info>. You may download the App Choices app at www.aboutads.info/appchoices to opt out in mobile apps. You may also adjust your browser or mobile device settings to refuse or restrict cookies. However, some features or services may not function properly without cookies. Cookie based opt-outs must be performed on each device and browser that you wish to have opted-out. The DAA is a self-regulatory organization that provides educational content and opt-out tools to help Internet users learn about and exercise choice with respect to online interest-based advertising practices.

4.3 Legal Requests or Requirements and to Prevent Harm. We reserve the right to disclose your personal information as required by law and when we believe that disclosure is necessary to protect our rights and/or to comply with a judicial proceeding, court order, or legal process. We may also share personal information when we have a good faith belief it is necessary to prevent fraud or other illegal activity, to prevent imminent bodily harm, or to prevent harm to or protect the rights or property of, The Malibu Bungalows Club, the Digital Properties, our members, or others. This may include sharing information with other companies, lawyers, courts, or other government entities.

4.4 Sharing by You. If you post comments, information or other materials on our message boards, blogs, social media pages or other services, please note that any information you post or disclose through these services will become public information and may be available to users of the Digital Properties and to the public. We urge you to be very careful when deciding to disclose your personal information, or

any other information, on Digital Properties. If you are a resident of California, under 18 and a registered user of Digital Properties, you may ask us to remove content or information that you have posted to Digital Properties. Please note that your request does not ensure complete or comprehensive removal of the content or information, as, for example, some of your content may have been reposted by another user.

In addition, we may share information about you and your fitness activities, progress and goals with your personal trainer, research organization or other individual or entity you designate, if you choose to permit such sharing.

4.5 Sharing with Other Services. If you choose to connect our mobile application to a third-party fitness data platform (such as Apple Health or Fitbit), we will share your information with such platform, which may have information practices that are different from ours. You may revoke your consent to such sharing by accessing the settings for the relevant platform. Similarly, if you elect to connect your social media account to your Digital Properties account, your personal information may be shared with your friends associated with your social media account and with your social media account provider (which may have different information practices from ours). You may change your preferences by accessing the social media platform's settings.

4.6 Transfer in the Event of Sale or Change of Control. If the ownership of all or substantially all our business changes or we otherwise transfer assets relating to our business or Digital Properties to a third party, we may transfer your personal information to the new owner.

4.7 Other Sharing of Non-Personally Identifiable Information. We may share non-personally identifiable information with third parties for any purpose, except where we are required to do otherwise under applicable law.

5. Access to Your Information and Choices

You can access and update certain information we have relating to your online account by signing into your account and going to the member information area of our Digital Properties. To opt-out of marketing communications from The Malibu Bungalows Club, click on the unsubscribe in the message, text STOP (see the SMS Text Policy).

We will try to comply with your request(s) as soon as reasonably practicable. If you opt-out of receiving marketing-related messages from us, we may still send you administrative messages so that you continue to receive important information (for example, transactional messages relating to your membership, purchases, and club information).

6. Cross-Device Use

We and our third-party service providers, including Google, may use the personal information that we collect about you (whether directly from our Digital Properties, from our mobile applications, through your device(s), or from a third party) to help us and our third-party service providers identify other devices that you use (e.g., a mobile phone, tablet, other computer, etc.). We, and our third-party service providers, may use the information we learn about you to serve targeted advertising on your devices and to send you emails. To opt-out of cross-device advertising, you may follow the instructions set forth in Section 4.2 **Advertising and Third Party Advertisers** above or if you are a California resident, please see [Section 10 Important Additional Information for California Residents](#) below. Please note, if you opt-out of these targeted advertising cookies, you opt-out will be specific to the web browser, app, or device from which you accessed the opt-out. If you use multiple devices or web browsers, you will need to opt-out for each browser or device that you use.

7. Social Plugins.

We use Facebook and Instagram social plugins on our Digital Properties. When you view Digital Properties that contains a plugin, your browser will create a direct link to the third parties' servers. If you are logged into your social media account, the social media platform will record the visit to your social media account. Please visit the social media platform's privacy policy for more information.

8. Security of Your Information

We seek to use physical, technical, and administrative security measures designed to protect your personally identifiable information. However, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account you might have with us has been compromised), please immediately notify us.

You should take steps to protect against unauthorized access to your password, phone, and computer by, among other things, signing off after using a shared computer, choosing a robust password that nobody else knows or can easily guess, and keeping your log-in and password private. We are not responsible for any lost, stolen, or compromised passwords or for any activity on your account via unauthorized password activity.

9. Changes to Our Privacy Policy

If we decide to change our Privacy Policy, we will post those changes to the Privacy Policy on this page, and other places we deem appropriate so that you are aware of what information we collect, how we use it, and under what circumstances we disclose it. We reserve the right to modify this Privacy Policy at any time, so please review it frequently. Any changes to this Privacy Policy will become effective when we post the revised Privacy Policy on our Digital Properties. Your use of the Digital Properties following these changes means that you accept the revised Privacy Policy.

10. Important Additional Information for California Residents

This section of our Privacy Policy includes information for California residents, as required under California privacy laws, including the California Consumer Privacy Act ("CCPA"). California privacy laws require that we provide California residents information about how we use their personal information, whether collected online or offline (Please see our In-Club (Offline) Privacy Policy and worker and applicant policies for more information.), and this section is intended to satisfy that requirement.

Under the CCPA, "personal information" is any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular California resident or household.

California Residents' Rights

California law grants California residents' certain rights and imposes restrictions on business practices as set forth below.

Right to Non-Discrimination. We do not discriminate against California residents for exercising their rights under the CCPA.

Right to Opt-out. California residents have the right to opt-out of our sale of their personal information by clicking [Do Not Sell My Personal Information](#) or contacting us via 1 (888) 914-9661 PIN 036085 (toll free).

Right to Opt-In. We do not sell personal information about residents who we know are younger than 16 years old without opt-in consent.

Notice at Collection. We are required to notify California residents, at or before the point of collection of their personal information, the categories of personal information collected and the purposes for which such information is used. Please see our In-Club (Offline) Privacy Policy and worker and applicant policies for more information.

Verifiable Requests to Delete and Requests to Know. Subject to certain exceptions, California residents have the right to make the following requests, at no charge, up to twice every 12 months:

Right of Deletion: California residents have the right to request deletion of their personal information that we have collected about them, subject to certain exemptions, and to have such personal information deleted, except where necessary for any of a list of exempt purposes.

Right to Know – Right to a Copy: California residents have the right to request a copy of the specific pieces of personal information that we have collected about them in the prior 12 months and to have this delivered, free of charge, either (a) by mail or (b) electronically in a portable and, to the extent technically feasible, readily useable format that allows the individual to transmit this information to another entity without hindrance.

Right to Know – Right to Information: California residents have the right to request that we provide them certain information about how we have handled their personal information in the prior 12 months, including the:

- categories of personal information collected.
- categories of sources of personal information.
- business and/or commercial purposes for collecting and selling their personal information.
- categories of third parties with whom we have disclosed or shared their personal information.
- categories of personal information that we have disclosed or shared with a third party for a business purpose.
- categories of personal information collected; and
- categories of third parties to whom the residents’ personal information has been sold and the specific categories of personal information sold to each category of third party.

Submitting Requests. Requests to exercise these rights may be submitted by clicking [Do Not Sell My Personal Information](#), or contacting us. We will respond to verifiable requests received from California consumers or authorized agents as required by law. When you submit a request to know or a request to delete, we will take steps to verify your request by matching the information provided by you with the information we have in our records. In some cases, we may request additional information to verify your request or where necessary to process your request. If we are unable to adequately verify a request, we will notify the requester. Authorized agents may initiate a request on behalf of a California individual (and we may confirm this request with the individual), and authorized agents will be required to provide proof of their authorization as permitted by applicable law.

Categories of Personal Information. The table below identifies the categories of personal information (as defined by the CCPA) we have collected about consumers in the past 12 months.

Categories	Description
Identifiers	Includes direct identifiers, such as name, alias user ID, username, account number or unique personal identifier; email address, phone number, address, and other

Categories	Description
	contact information; IP address and other online identifiers; and other similar identifiers.
Customer Records	Includes personal information, such as name, account name, user ID, contact information, employer, account number, and financial or payment information (held by our payment processor), that individuals provide us to purchase or obtain our products and services. For example, this may include information collected when an individual registers for an account, purchases or orders our products and services, or enters into an agreement with us related to our products and services.
Commercial Information	Includes records of products or services purchased, obtained, or considered, or other purchasing or use histories or tendencies. For example, this may include demographic information that we receive from third parties to better understand and reach our customers.
Usage Data	Includes browsing history, clickstream data, search history, wireless access information, access logs and other usage data and information regarding an individual's interaction with our Digital Properties and other services, and our marketing emails and online ads.
Geolocation Data	Includes location information about a particular individual or device. For example, if you check into one of our facilities.
Audio, Video and Electronic Data	Includes audio, electronic, visual, thermal, olfactory, or similar information such as, video, photographs, and images (e.g., that you provide us or post to your profile) and call recordings (e.g., of customer support calls).
Professional information	Includes professional and employment-related information (such as current and former employer(s) and position(s), business contact information). For example, if your employer sponsors your membership plan.
Biometric information	We do not collect biometric information online. Please see our In-Club (Offline) Privacy Policy for more information.

Sources of Personal Information. We may collect information from the sources described in Section 2.7 **Information We Collect** above.

Purposes and Categories. For more information about the business and commercial purposes for which we collect, use, disclose and/or sell personal information and the third parties with whom we may disclose or sell your personal information, please see Section 3. **How We Use Your Information** and Section 4. **How We Share Your Information** above. Please note that under the CCPA, a "sale" includes

disclosing or making available personal information to a third-party in exchange for monetary compensation or other benefits or value. Under this strict definition, when browsing information is available to third party ad companies (through third party tags on our Digital Properties) to improve and measure our ad campaigns and reach users with more relevant ads and content, we may “sell” certain categories of personal information including Usage Data and Identifiers to third party advertising networks and data analytics providers. Click [Do Not Sell My Personal Information](#) to opt out of the sale of your personal information.

Categories of Personal Information disclosed for a business purpose: Identifiers, Customer Records, Commercial information, Usage Data, Geolocation Data Audio, Video and Electronic Data, Professional Information, and Inferences.

Categories of third parties to whom Personal Information has been disclosed for a business purpose include service providers, advisors and agents, advertising networks, data analytics providers, internet service providers, operating systems and platforms, social networks, employers, and government entities and law enforcement.

Contact Us. Please note that you can make some changes by logging into your account directly. If you have any questions about this policy, please contact us by writing to Member Services and send us a letter by mail at the following address: The Malibu Bungalows Club, P.O. Box 8219, Calabasas, CA 91372.