

## Privacy Policy

This Privacy Policy is effective as of May 1, 2009.

WELL Street, Inc. (“WELL Street”, “our”, or “we” or “us”) respects your individual privacy and this Privacy Policy informs users (“you” or “your”) of our website about what information we collect about you and how we may use or disclosure your information. This privacy policy documents our adherence to industry standards for the protection of your personal information. This Privacy Policy applies to information collected through the site **wellstreetusa.com** (the “Site”) and information collected through other channels, and covers the following areas:

- What personally identifiable information is collected by WELL Street or by any third party through our site;
- How WELL Street uses this information;
- With whom WELL Street may disclose this information;
- What choices are available to you as a user of the Site with respect to collection, use and distribution of the information;
- What types of security procedures are in place to protect the confidentiality and integrity of information under our control; and
- How you can correct any inaccuracies in the information.

Any information (including personal and health information) that you reveal in a WELL Street public forum (such as in web chats, blogs and community forums) is NOT protected by this Privacy Policy. Third parties not related to WELL Street may see such postings. What you share or disclose in these public forums could be used by others in ways we are unable to control or predict, including to contact you for unauthorized purposes. In addition, if you access a third party website from a link or search tool on WELL Street or when you access the WELL Street website from a link on a third party website, any information you reveal on that website is not subject to this Privacy Policy. You should consult the privacy policies of each website you visit.

By using the Site, you are agreeing to the terms of this Privacy Policy.

### Personal Identifiable Information (Personal Information)

Personally Identifiable Information (or Personal Information) is information that we collect about you that can be used to identify or contact you, as well as other personal data, including, but not limited to, your assessment results and medical history.

While some of the Personal Information provided by you or collected by us in this Site may be health information, WELL Street is not subject to the Privacy and Security Rules applicable to a “covered entity,” as defined at 45 C.F.R. § 160.103, under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”). WELL Street may, however, be subject to some of the HIPAA rules and regulations as a “business associate” of a covered entity and will comply with such rules and regulations under those circumstances. Even though WELL Street is not subject to the HIPAA Privacy and Security Rules, it is our policy to maintain the privacy and security of your Personal Information in accordance with industry best practices; many of which are consistent with the principles underlying HIPAA.

### Information Collection and Use

WELL Street collects information on the Site at five different stages: anonymous information; subscription and registration profile; WELL Street resource tools; surveys; and public forums.

#### A. *Anonymous information.*

First, we collect anonymous, aggregate information (such as domain name or IP address) from all visitors to the Site. This type of information is never linked to any personally identifiable information and is only used for internal purposes to help us improve your user experience, including generating statistical reports about the use of our Site.

As an example, WELL Street may use “cookies” and/or “web beacons” to collect non-personal information about your use of our website or emails we send you. Cookies are small computer files that we transfer to your computer’s hard drive that allow us to know how often someone visits a website and the activities they conduct while on that website. Your internet browser software can be set to reject all cookies. Most browsers offer instructions on how to reset the browser to reject cookies. If you reject our cookie, certain functions and conveniences of our website may not work properly but you do not have to accept our cookie in order to productively use our website. Web beacons are tiny graphic image files imbedded in a web page or email that provide a presence on the web page or email and send back to its home server information from the user’s browser. The information collected by cookies and web beacons allows us to statistically monitor how many people are using our website or opening our emails.

#### B. *Subscription and Registration Profile*

Second, we require the submission of a working e-mail address for you to register to use the Site or receive notices about the Site. Registration for WELL Street does not require you to submit any other personal identifiers such as name, address, telephone number, or social security number. We use the Personal information that you provide through registration to deliver relevant

content and respond to questions from you and/or inform you of material changes to this Privacy Policy. We may also use this information to send you email with special promotions or newsletters with content that we think may be of interest to you. You can always opt-out of receiving email newsletters at the time you register or at any other time by clicking on the Email and Privacy tab on the Edit Profile page.

You may also elect to voluntarily submit additional Personal Information, for example your name, address, birthdate, or picture, in order to enhance your profile on the Site. Submission of these personal identifiers is strictly voluntary.

**C. WELL Street Resource Tools.**

WELL Street will collect other information, some of which may be Personal Information, which you voluntarily provide to us when you choose to register for and use some of the WELL Street services, such as wellness assessments and goal tracking. This may include, but is not limited to, specific information regarding medical conditions, lifestyle, diet, exercise habits, drug and alcohol usage, workplace matters and other relevant Personal Information relating to your wellness. We may also collect information you provide voluntarily through responses to surveys and questionnaires.

**D. Surveys**

On a regular basis WELL Street may request information from you via surveys. Participation in these surveys is voluntary and it is your choice whether or not to disclose your information. The requested information typically includes contact information (such as name and address) and demographic information (such as gender and age). Personal information is not shared with third parties unless we give you prior notice and you are given the opportunity to opt-out of such information sharing programs.

**E. Public Forums**

As a service to our users, WELL Street features bulletin boards and similar public forums, such as web chats and blogs, where users can share information or where users can post questions for other community members to answer. You should be aware that any information shared in a bulletin board, online discussion, or other public forum is public information and may be seen, disclosed to or collected by third parties that do not adhere to nor are subject to our Privacy Policy. You should think carefully before disclosing any Personal Information in any public forum.

**Personal Information of Children Under 13**

WELL Street complies with the requirements of the Children's Online Privacy Protection Act (COPPA) and the FTC's Rule interpreting COPPA (16 CFR § 512). This Site is not directed to children and we do not knowingly collect any personally identifiable information from children under 13 years of age through this Site.

**Disclosure of Your Personal Information**

Unless we receive your permission, WELL Street will not sell, rent, or share Personal Information to or with any third party not affiliated with or owned by WELL Street, with the following exceptions:

- **Third Party Wellness Providers:** WELL Street may disclose your Personal Information to third parties who provide disease management, health management, behavioral coaching, or similar wellness-related services ("Third Party Wellness Providers"), subject to any contractual restrictions or conditions between WELL Street and such Third Party Wellness Providers. These Third Party Wellness Providers are separate and distinct entities completely independent from WELL Street. These Third Party Wellness Providers may contact you to market their services to you. If you agree to accept the services offered by the Third Party Wellness Provider, such agreement is solely between you and the Third Party Wellness Providers. WELL Street is not responsible for the privacy practices of the Third Party Wellness Providers.
- **Provision of Service:** WELL Street may disclose your Personal Information with third parties to provide you with a product or service that you have requested from us.
- **Agents and Contractors:** In order to provide you with the services on the Site, we may disclose your information to our agents, contractors, or service providers who perform services on our behalf, such as incentive fulfillment, web hosting, or data storage. These third parties may also collect information on our behalf. WELL Street will ensure that any agent, contractor, or service provider to whom we share information agrees to the same restrictions and conditions that apply through this Privacy Policy to WELL Street with respect to such information.
- **Covered Entities:** WELL Street may disclose your personal information to a "covered entity", as defined at 45 C.F.R. § 160.103, under HIPAA, if necessary to comply with a business associate agreement, as defined at 45 C.F.R. § 160.103, entered into by WELL Street with a covered entity.
- **Use and Disclosure of Aggregate Information:** We may store information that we collect through log files to create a profile of our users. Log files record internet protocol (IP) addresses, browser types, internet service provider (ISP), referring/exit pages, platform type, date/time stamp, and number of clicks to analyze trends, administer the Site, track a customer's

movement in the aggregate, and gather broad demographic information for aggregate use. IP addresses, etc. are not linked to personally identifiable information. A profile is stored information detailing how individual customers use the Site.

WELL Street may provide to third parties, including to our corporate sponsors, non-personal information about you in a profile that does not allow you to be identified or contacted and that is combined with the non-personal information of other users (“Aggregate Information”). For example, we might inform third parties regarding the number of users of our website and the services they utilize while on our website. Depending on the circumstances of each instance, we may or may not charge third parties for this Aggregate Information. We also may not limit the third parties’ use of the Aggregate Information, except that we do require third parties to whom we disclose Aggregate Information to agree that they will not attempt to make this information personally identifiable by combining it with other databases or otherwise.

**Disclosure of Personal Information As Required By Law:** We will disclose Personal Information when required by law, or if we have a good-faith belief that such action is necessary to (a) comply with a current judicial proceeding, a court order or legal process served on us, (b) protect and defend our rights, (c) protect the rights, property, and other interests of our users or others, or (d) if necessary to avert a serious threat to a user’s or another’s health or safety.

**Business Structure Transitions:** In the event WELL Street goes through a business transition, such as a merger, acquisition by another company or sale of a portion of its assets, your personal information may be part of the assets transferred. The information transferred or shared remains subject to the promises made in any previously applicable privacy policy, unless you agree to new terms.

### **Sharing Information with Corporation Customers**

In many instances, our services are made available to end-users (like you) through the websites of our corporate customers (e.g., employers, health plans and consultants). Unless we receive your permission, we do not share with our corporate customers any of your Personal Information that we may collect. However, we may share Aggregate Information (as described above) with such corporate customers. Such information is never disclosed in a level of detail sufficient to permit the identification of any particular individual.

WELL Street cannot and does not control the collection and usage of Personal Information by our corporate customers through mechanisms that are not within our control or supervision. We can offer no assurance that the privacy practices of such corporate customers will be similar to ours. To the extent that you are accessing the Site through an employee or health plan beneficiary portal or other third party website, we strongly encourage you to review and understand the privacy policies of such organizations prior to providing information to them or us that you consider to be sensitive or personal in nature.

### **Additional Uses of Your Personal Information**

- **Administrative Notices:** WELL Street reserves the right to send you specific administrative notices about your registration or subscription or to contact you if required by law. You may not opt-out of these kinds of communications.
- **Emails and Newsletters:** During program registration and at various times as you use the Site, you may have the option of receiving emails or newsletters directly from WELL Street or third parties who are participating in research, marketing surveys, and similar activities. You may elect to opt-in or opt-out of these communications by placing a check mark beside a statement that expresses a preference for receiving these communications or participating in these activities. In order to provide you with enhanced functionality and services, we may seek your permission to share your Personal Information with contractors and/or Third Party websites. You are not obligated to opt-in to such programs.

Additional information about our other services and products will be sent to you only if you have expressly chosen to receive such information. If you do not wish to receive website newsletters or additional information you may remove yourself from communication lists easily by following instructions within the newsletters.

- **Third Party Products and Services:** We may also enter into arrangements with our partners and other vendors where we agree to promote third-party products and services directly (e.g. through targeted mailings, telephone calls or other communications) to our users without sharing your Personal Information. You have the option of remove yourself from these lists easily by following the instructions that will accompany any such communications.

### **Links**

This Site contains links to other sites, including links to sponsors and partners (including our corporate customers). WELL Street is not responsible for the privacy practices or content of these other sites. We encourage you to be aware when you leave our Site

and to read the privacy statements of each and every Web site that collects personally identifiable information. This Privacy Policy applies solely to information collected by our Site.

### **Security**

WELL Street maintains administrative, physical, and technical safeguards to reasonably and appropriately protect the confidentiality, availability, and integrity of your Personal Information. For example, we maintain data in secure locations with access limited to authorized personnel and all of our employees are kept up-to-date on our security practices. We delegate the task of physically safeguarding our repository of user data to the SolidSpace data center in Winston-Salem, N.C. While we encrypt sensitive data, such as Personal Information, using SSL or VPN whenever it is transmitted over the Internet, we cannot completely ensure the privacy of e-mail communications to and from our Site because they are not encrypted and, therefore, not secure.

Given the nature of the Internet and the fact that network security measures are not infallible, we cannot guarantee the security of your information. We maintain notification procedures as part of our information security policy, to be used in the event we become aware of a material data security breach. If we are required to provide notice to you of a data security breach, the notice will be provided in electronic form at the email address you have provided to WELL Street.

Compliance with our security policies is periodically audited by our Chief Technology Officer and we continually assess the adequacy of, and where appropriate improve, our security controls and procedures. WELL Street employees and our third party service providers must abide by this policy and those who violate it are subject to corrective action, up to and including termination of employment or other legal action as permitted by law.

When registering for access to a secure area of the Site, we will ask you to select a username and password. We recommend that you do not divulge your password to anyone. We will never ask you for your password in an unsolicited phone call or in an unsolicited email. Also, remember to sign out of the registered Site and close your browser window when you have finished your work. This is to ensure that others cannot access your personal information and correspondence when accessing your computer.

If you have any questions about the security at our Site, you can send a message to member support at [info@wellstreetusa.com](mailto:info@wellstreetusa.com).

### **Correcting, Updating, and Deleting Personal Information**

Users are able to self administer key privacy settings via the website in order to keep their Personal Information private. You can always contact us in order to delete any of your Personal Information from our systems or if your Personal Information on the website is incorrect. We will make the requested correction or deletion within two (2) business days.

You should be aware that, if our website was made available to you by a corporate customer that is sponsoring your usage of the website, your eligibility to receive promotional benefits from such parties, if any such benefits are offered, may be adversely affected by your election to remove your Personal Information from our systems. You must contact the sponsoring organization directly for further information.

### **Notification of Changes**

If we decide to change our Privacy Policy, we will post the changes on this page with an updated effective date, and we may post a notice on the Site's main page and other pages to alert you about the change.

If the privacy policy changes materially so that we are going to use your personally identifiable information in a manner different from that stated at the time of collection, we will notify you by either sending you an email or by posting a notice on the Site's main page. However, if you deleted and deactivated your account, then you will not be contacted.

### **Contact Information**

If you have any questions or concerns about this Privacy Policy, please contact us at:

WELL Street, Inc.  
207 Ravine Forest Avenue  
P.O. Box 155  
Lake Bluff, IL 60044

Phone: (847) 847-5540  
Email: [info@wellstreetusa.com](mailto:info@wellstreetusa.com)