



PRIVACY POLICY

Avante, LLC, 808 Janneys Lane, Alexandria, Virginia, 22302 (“Avante”) recognizes the importance of privacy and the sensitivity of personal information. Avante is subject to various state and federal laws regarding privacy.

This Privacy Policy outlines how Avante safeguards and manages the personal information that you submit to it. Avante is the data controller of personal information that it may collect, process and hold about you, unless it advises you otherwise.

Your Privacy Rights

Under applicable law, Avante is required to collect, use and disclose personal information only by lawful and fair means. To ensure this accountability, Avante has developed this policy, and trained its staff about its policies and practices.

What is “personal information”?

Personal information is any information that identifies you, or by which your identity could be deduced.

What Types of Services and Products does Avante Offer?

Avante offers the following services and products:

a. Nutrition Coaching. Avante offers general nutritional coaching and general support for deep health, fitness, performance, recovery, and overall well-being through an evidence-based approach. Its services help clients develop eating behaviors that help improve body composition and general health. Avante does this through an in-depth assessment as well as a variety of subscription based coaching services, as advertised on its website and related documents. These services are offered both in-person, online, and through electronic communication.

b. CrossFit Class Coaching. As a holder of a CrossFit Level 1 Trainer certificate, Rodrigo—as part of his coaching practice—coaches CrossFit classes as an independent contractor.

c. Avante Apparel & Merchandise. On occasion, Avante may offer apparel and merchandise for sale through its online store that may be fulfilled by a third-party vendor.

What types of personal information do we collect?

If you sign up for Avante’s nutrition coaching program, you will be required to provide your name, email address, and mobile phone number. At the time of registration for an initial assessment you will be asked to provide payment card information (including your credit card number, expiry date, and CVC/CVV) in order to register; however, this payment card information is sent directly to our payment card processor. Avante only receives a random electronic token over an encrypted connection from the payment processor that confirms the transaction has been completed. We do not receive a copy of your payment card information.

As a part of your nutrition coaching pursuant to the Precision Nutrition methodology, you will need to provide additional information such as alternate contact information, your full home address, date of birth, gender, ethnicity, physical measurements or attributes, and other more detailed information about your lifestyle (including but not limited to: employment, preferences, habits, personal routine) in order to create a program account. Avante will also collect limited medical information about your health and well-being in order to better assess and develop a structured coaching program to help you meet your fitness and health goals. This additional information is considered sensitive data, and is treated as such, requiring your explicit consent for us to collect this information. We will also require confirmation from you that your doctor has approved your following our program or if you are not able to provide this confirmation, we will require that you sign this a medical waiver, which will be supplied to you at the time of collection of your personal information.

As a tool to help you assess your progress, Avante may ask you to upload photographs of yourself periodically and to provide your measurements, including girth measurements and weight. Uploading of photographs is optional and you can request that they be anonymized. The measurement recording feature is similarly optional. You can choose to stop uploading photos or providing measurements at any time. Should you choose to upload photos or measurements, these photos will only be viewed by Avante coaching staff and will not be otherwise used or disclosed unless you provide your express permission for Avante to do so.

Children

Avante's products and services are not intended for or available to children under the age of 18 years without specific parental permission. If you are under the age of 18 years without parental permission, please exit the website.

When will we collect personal information from you?

Avante will collect information that you provide to us when you:

- register and create an account for any nutrition coaching service;
- register and create an account as requested by Simply Practice, Avante's chosen client portal;
- make changes to your user profile;
- send email messages, queries, or other information to Rodrigo, your Avante provider.

Wherever possible, Avante collects personal information directly from you.

Where applicable, we may also obtain information about you from other sources.

Your use of third-party networks remains subject to the terms and conditions and policies you have agreed to with such third-party network providers.

Why do we collect and use your personal information?

We collect personal information from you to:

- Learn about you and your fitness goals and other related objectives to help you achieve them;
- Create a unique profile on Avante's website and relevant third party providers in order to provide appropriate services for client preferences.
- Better understand your preferences and tailor offers and services to you based on those preferences;
- Conduct research and contribute publications to medical and scientific journals aimed at furthering the field of exercise and nutrition science (this data is aggregate or rendered anonymous);
- Better understand Avante's website usage and trends, to improve its service performance, and build knowledge around user attitudes and motivations around health and fitness;
- Process transactions for goods and services that you have purchased from us.

Lawful Bases for Processing of Personal Information

We use the personal information we collect about you:

(a) to fulfil a contract, or take steps linked to a contract, in particular, in order to: provide you with our products and services, including their billing, payment processing, activation, supply,

maintenance, support, trouble shooting, deactivation and upgrade or update as well as resolution of disputes over products and services; or enter into, and perform, an employment contract with you;

(b) where this is necessary for purposes which are in our, or third parties', legitimate interests. These interests are:

- understanding and meeting your usage needs and preferences for Avante's products and services notably by:
 - using information collected to ensure that Avante's products and services are technically functioning as intended;
 - fulfilling or enforcing any agreements or notices that are associated with any of Avante's particular products or services;
 - managing or responding to your inquiries;
- identifying the features or products and services that are most valued and to identify gaps or shortfalls in Avante's product and services offerings so it can develop new products and services and enhance existing ones;
- managing Avante's business and operations, for example:
 - to detect, monitor, investigate, mitigate, or attempt to prevent fraud and technical or security issues or to protect Avante's products, services and property;
 - to allow for business continuity and disaster recovery operations;
 - to enforce Avante's legal rights;
 - for statistical purposes; and
 - managing the recruitment process, in particular: making informed decisions on recruitment and ensuring your suitability for the role or to keep you in mind for future roles; answering your enquiries; and improving our recruitment processes and activities.

(c) to meet legal and regulatory requirements, all applicable laws and to respond to emergency situations, including:

- responding to court orders, warrants or other lawful requests or legal processes;
- detecting, preventing and suppressing unauthorized or detrimental use of our site, products or services; and
- providing emergency assistance in situations that may threaten the life or physical safety of you or others.

(d) where you give us your consent, for example:

- The collection of potentially sensitive categories of data, like race/ethnicity and health-related data;
- Collecting basic browser and operating system information to help us improve our products and services;
- Allow your data to be used anonymously for research purposes
- Recording your IP address to monitor and confirm access to our systems;
- Deriving and storing your time zone from an address you provide; and

You may withdraw your consent at any time by contacting us using the details provided below.

Disclosure of your Personal Information

We do not sell, rent or otherwise disclose any additional personal information to any third-party to enable them to market their products and services, except that, Avante uses Simply Practice as its Client Portal for HIPAA-compliant data and document storage, as well as client communication.

Except as described above, any information provided to any other third-parties will only be provided at the aggregate or de-identified level such that no individual can be uniquely identified or linked to the information.

Under certain circumstances, Avante will disclose your personal information:

- when it is required or authorized by law to do so, for example if a court issues a subpoena;
- when you have consented to the disclosure;
- when the services Avante provides to you require it to give your information to a third-party your consent will be implied, unless you tell us otherwise;
- to a potential successor to Avante's business and its professional advisors in connection with a merger or sale involving all or part of its business or as part of a corporate reorganization or stock sale or other change in corporate control;
- for the purpose of completing the transaction and continuing to provide services to you; or
- where it is necessary to establish or collect amounts owed to Avante.

Transfer to Service Providers

In addition to the disclosures listed above, Avante transfers information to its service providers for processing and/or storage. Avante requires that its service providers use reasonable safeguards to protect personal information under their control from loss, theft and unauthorized modification and disclosure. Avante's service providers are only permitted to use your personal information in order to provide these services to Avante; for example, the following types of information are provided to our service providers for processing and/or storage:

Information automatically collected through the website: The information automatically collected about you that is provided to our service providers may include, but is not limited to: device ID, device type, browser type and version, geo-location information, computer and connection information, statistics on page views, traffic to and from our website, ad data, IP address and standard web log information.

Avante may need to transfer your personal information outside of your country of residence in the following circumstances:

- Where you have requested a service that is fulfilled by one of Avante's affiliated entities located in another jurisdiction;

- Where Avante works with a service provider that processes or stores personal information on our behalf outside of your country of residence.

Our Privacy Officer, who is available at rodrigo.caruco@avantemindset.com can provide further information about Avante's policies and practices regarding service providers in different jurisdictions and further information about how these service providers, collect, use, disclose or store personal information on Avante's behalf.

Cookies and Web Beacons

Information about your use of Avante's services, as evidenced through cookies, locally stored objects, and web beacons may be disclosed to Avante's service providers. Cookies are small bits of information that are transferred to and stored in separate files within your computer or phone's browser. A cookie may remain on your computer or phone after the session finishes (until the cookie expires or is deleted by you).

In addition, Avante provides the following information to third-party analytics service providers:

- Information about your activities on our website, including responses to any surveys we may administer; and
- Information about authorized use of cookies and other tracking technologies used to collect your information while on our website.

Avante currently uses third-party analytics and performance analysis partners, and a variety of advertising and marketing platforms.

Your Choices About Your Personal Information

At any time, if permitted by and subject always to the provisions of applicable data protection law, you can contact Avante to: stop receiving direct marketing (including, emails and hard copy materials) from Avante; access your personal information; where we have asked for your consent to processing, to withdraw this consent; close your account; amend or update your personal information, where possible, to ensure that it remains accurate, complete and up to date; erase your personal information; restrict your personal information; port your personal information; or object to some processing that is based on our legitimate interests, by contacting Rodrigo at rodrigo.caruco@avantemindset.com. You can always unsubscribe from receiving promotional emails from us by simply clicking the "unsubscribe" link provided at the bottom of every promotional email from Avante. Avante will honour your request within ten business days of receipt.

Please note that if you request that Avante erase certain of your personal information, we may no longer be able to provide you with the products or services you have contracted for. For example, if you request that we erase your log-in credentials we will no longer be able to provide you with access to an online account on our website or app).

If you have questions about the withdrawal of your consent, please contact our managing member, Rodrigo Caruco, at rodrigo.caruco@avantemindset.com.

If you contact Avante to do any of the things listed above, we may require you to provide sufficient personal information to allow us to identify you before disclosing the existence, use and disclosure of your personal information. The personal information so requested will only be used for the purpose of properly identifying you.

If you contact us about your personal information, we will respond to your request within the period required by law and at minimal cost or no cost to you in accordance with local laws. Summary information is available on request. More detailed requests that require archive or other retrieval costs may be subject to our normal administrative fees.

There may be instances where we cannot comply with your request to access your rights in respect of your personal information because of exceptions contained in local laws. For example, we may need to refuse access if denial of access is required or authorized by law; if access would interfere with the safety, health or privacy of others or if access would result in a breach of confidentiality.

We keep your personal information as long as is reasonably necessary for us to complete our dealings with you, or as may be required by law, whichever is longer. For example, we may retain your personal information after we have completed our dealings with you in the following situations: judicial proceedings, to comply with local laws respecting record retention and to comply with appropriate and adequate corporate record-keeping practices. As a result, we might not be able to comply with all requests to destroy personal information.

If we cannot comply with your request to exercise your rights in respect of your personal information, we will notify you in writing to explain why and, where applicable, provide you with the relevant sections of legislation dealing with the procedure to be followed should you wish to challenge our determination.

Where we require your personal information to comply with legal or contractual obligations, then provision of such data is mandatory: if such data are not provided, then we will not be able to manage our contractual relationship with you, or to meet obligations placed on us. In all other cases, provision of requested personal data is optional.

If you have unresolved concerns you also have the right to complain to data protection authorities. The relevant data protection authority will be the supervisory authority of the country: (i) of your habitual residence; (ii) of your place of work; or (iii) in which you consider the alleged infringement has occurred.

Privacy Shield

Avante is subject to the investigatory and enforcement powers of the U.S. Federal Trade Commission.

Avante complies with the US Department of Commerce Privacy Shield for the collection, use, and storage of all personal data, including data from EU subjects. Avante is strongly committed to the Principles set forth in Privacy Shield, and has certified to the US Department of Commerce that it adheres to the Privacy Shield Privacy Principles of Notice, Choice, Accountability for Onward Transfer, Security, Data Integrity, Purpose Limitation, Access, Recourse, Enforcement, and Liability. In the case of conflicts between Precision's Privacy Policy and Privacy Shield's Principles, Privacy Shield's Principles shall apply.

In the context of an onward transfer of personal information to a third party, Avante has responsibility for the processing of personal information it receives under the Privacy Shield and subsequently transfers to a third party acting as an agent on its behalf. Avante shall remain liable under the Principles if its agent processes such personal information in a manner inconsistent with the Principles, unless the organization proves that it is not responsible for the event giving rise to the damage.

Is My Personal Information Secure?

Avante takes all reasonable precautions to ensure that your personal information is kept safe from loss, unauthorized access, modification or disclosure. Among the steps taken to protect your information are:

- premises security;
- restricted file access to personal information;
- deploying technological safeguards such as security software and firewalls to prevent hacking or unauthorized computer access; and
- internal password and security policies.

Note that Avante does not use your Social Insurance Number, Social Security Number or any other government issued identification, as a way of identifying or organizing the information we hold about you.

Communicating with Us

You should be aware that email is not a 100% secure medium, and you should be aware of this when contacting us to send personal or confidential information.

Changes to this Privacy Policy

Since Avante regularly reviews all of its policies and procedures, we may change our Privacy Policy from time to time. We will post updated versions of this Privacy Policy on our website <https://www.avantemindset.com>. Please check back often for updates. Where the changes are material and we have your current email on file, we will notify you of the changes by email. Your continued use of our services following posting (in the case of non-material changes) and receipt of our email (in the case of material changes) means that you provide your

consent to the collection, use and disclosure of your personal information as set out in the updated Privacy Policy.

Request for Access

If you have any questions, or wish to access your personal information, please write to our Managing Member at: rodrigo.caruco@avantemindset.com.

Or by mail at:

808 Janneys Lane
Alexandria, VA 22302

Web Site

Our website contains links to other sites operated by third parties. These sites are not governed by our Privacy Policy.

On our website, like most other commercial websites, we may monitor traffic patterns, site usage and related site information in order to optimize our web service. We may provide aggregated information to third parties, but these statistics do not include any identifiable personal information.