

**Privacy Policy**  
**Ellen Batchelor.com and WholeBlueLiving.com**  
*Last updated April 2018*

We at Whole, LLC (“Whole,” “EllenBatchelor” “we,” “us,” or “our”) have created this privacy policy (this “Privacy Policy”) because we care as much as you do about how information you provide to us is used and shared. This Privacy Policy outlines our guidelines concerning the use of your personal information and our information collection and use practices: (i) online when you visit any of the Sites, including, without limitation, ellenbatchelor.com, wholeblueeating.com, wholeblueliving.com (the “Sites”); and (ii) offline when you provide information to us.

We will post any changes here so that you will always know our policies regarding what information we gather, and how we use and share that information. Refer back to this Privacy Policy regularly for any changes. This Privacy Policy is incorporated by reference to our Terms of Use.

**Information We Collect**

In the course of operating the Sites and/or interacting with you, we will collect (and/or receive) the following types of information. You may visit our site anonymously. In connection with the Services we may request personal information from you (such as your name, street address, telephone number, credit card number, e-mail address) in connection with your use of, or participation in the Sites or Services. We only collect personal information from you only if you voluntarily submit such information to us.

When you place an Order, you must provide us with certain information about the products and services you are seeking to purchase. Such information is collectively called the “Order Information.”

When you wish to purchase a product or service, you will be required to provide certain information in addition to the Personal Information and Order Information noted above. Such information may include a debit card number, credit card number, expiration date, billing address, activation codes, and similar information. Such information is collectively called the “Billing Information.” Although we will have access to the Billing Information, it will also be collected and processed by our third-party payment vendors pursuant to the terms and conditions of their privacy policies and terms of use.

We will never intentionally disclose any personal information to any third party without your permission (through opting-in or similar procedures) except as provided for herein or otherwise as permitted or required under Applicable Laws. We do not sell, trade, or otherwise transfer to outside parties your personal information, except as set forth herein.

We collect your information:

- To personalize your experience;
- To improve our Sites;
- To improve customer service; and



- To process transactions.

We may contact you based on the information you provide online in connection with the Services or use the information in connection with the performance of the Services. We will share information with necessary third parties for the purpose of carrying out the Services. Your participation in the Services constitutes your consent to such disclosure and use of such information.

In the event that your personal information is requested as part of our surveys, polls or promotions, such personal information may be added to your registration information.

If you give us your permission or otherwise “opt-in”, we may also use personal information for marketing and promotional purposes. We will give you an opportunity to “opt-in” at the time our request for your personal information is made. Please note, however, that under certain circumstances, if you initially do not choose to “opt-in” or if you later “opt-out,” you may not be eligible for certain benefits or Services for which personal information is required.

These policies have the following exceptions: We will release specific information to comply with any valid legal inquiry or process or any Applicable Laws. We will also release specific information in special cases, such as if there is an attempted breach of the security of the Sites or a physical or property threat to you or others. We may provide access to your personal information to our contractors who are performing services for us in connection with our Sites or the Services that you have requested.

Any information you provide when making a purchase will be shared with payment processors, financial gateways, credit card companies and any other necessary third parties.

If you publicly post personal information on our Sites that information can be collected and used by third parties. Although we strive to protect our users’ privacy, we cannot guarantee the security of information you post on the Sites and have no control over how such third parties may use your information. You disclose such information at your own risk. We strongly suggest that you never post your last name, address or telephone to our Sites.

You are responsible for maintaining the confidentiality of your account information and password. You shall be responsible for all uses of your account, whether or not authorized by you. You agree to notify us immediately of any unauthorized use of your account or password.

### **Nonpersonal Identification Information**

In addition to the information noted above, we may collect additional nonpersonal information (collectively, the “Other Information”) through the use of, without limitation, cookies, IP address tracking and web beacons. Such Other Information may include additional information about yourself that you voluntarily provide to us (e.g., via a survey), such as household income range, gender, product and service preferences, and other information that does not identify you personally.

Other Information may also include information that we automatically collect when you use the Sites, including, without limitation. Nonpersonal information might include the browser you use, the type of



computer you use, your operating system or your internet service provider. Our systems may also automatically gather information about your location, the areas you visit and search terms you use on our Sites and about the links you may select from within our Sites to other areas of the web or elsewhere online. Specifically it may include items such as

- IP addresses, which may consist of a static or dynamic IP address and will sometimes point to a specific identifiable computer or device; browser type and language; referring and exit pages and URLs; date and time; amount of time spent on particular pages; what sections of the Sites you visit; and similar data; and
- Information about your device, including the type of device; universally unique ID (“UUID”); advertising identifier (“IDFA”); MAC address; operating system and version (e.g., iOS, Android or Windows); carrier and country location; hardware and processor information (e.g., storage, chip speed, camera resolution, NFC enabled); network type (WiFi, 3G, 4G, LTE); and similar data.
- Cookies Information that we collect using “cookie” technology. Cookies are small packets of data that a website stores on your computer’s or mobile device’s hard drive so that your computer will “remember” information about your visit. We may use both session cookies (which expire once you close your web browser) and persistent cookies (which stay on your computer until you delete them) to help us collect Other Information and to enhance your experience using the Sites. If you do not want us to place a cookie on your hard drive, you may be able to turn that feature off on your computer or mobile device. Please consult your Internet browser’s documentation for information on how to do this and how to delete persistent cookies. However, if you decide not to accept cookies from us, the Sites may not function properly.
- We use third-party analytics services (such as Google Analytics) to evaluate your use of the Sites, compile reports on activity, collect demographic data, analyze performance metrics, and collect and evaluate other information relating to the Sites and mobile and Internet usage. These third parties use cookies and other technologies to help analyze and provide us the data. By accessing and using the Sites, you consent to the processing of data about you by these analytics providers in the manner and for the purposes set out in this Privacy Policy.

For more information on Google Analytics, including how to opt out from certain data collection, please visit <https://www.google.com/analytics>. Please be advised that if you opt out of any service, you may not be able to use the full functionality of the Sites.

- We also may collect or receive information from third parties, such as Facebook and/or other third-party social media sites.

We use such information for our business purposes, to administer the Sites, to better manage advertising on the Sites, to understand how our users use our Sites and to improve our Sites.



We may aggregate and share non-personal information with our partners, suppliers, and other third parties, but we will not share any individual names, personal navigational or other personal information without your consent and we maintain control how your non-personal information will be used. For example, we may use a third-party advertising company to customize ads and share demographic and preference information to display advertisements appropriate for you. We may contract with a third-party web analytics provider to help optimize our Sites.

### **Acceptance of Terms**

By visiting any of the Sites, you are agreeing to the terms of this Privacy Policy and the accompanying Terms of Use, both of which govern your use of the Sites. By providing us information offline, you are also agreeing to the terms of this Privacy Policy.

### **Accessing and Modifying Personal Information and Communication Preferences**

If you have registered for the Sites, you may access, review, and make changes to your Personal Information, Billing Information, and certain Other Information by following the instructions found on the Sites. In addition, you may manage your receipt of marketing and non-transactional communications by clicking on the “unsubscribe” link located on the bottom of any Whole marketing email. Customers cannot opt out of receiving transactional emails related to their account or their Orders. We will use commercially reasonable efforts to process such requests in a timely manner. You should be aware, however, that it is not always possible to completely remove or modify information in our subscription databases.

### **How We Use and Share the Information**

We use the Personal Information, the Order Information, the Billing Information, and the Other Information (collectively, the “Information”) to provide our services; to process Orders; to administer our rewards and promotional programs; to maintain and improve the Sites and services to you; to solicit your feedback; and to inform you about our products and services and those of our third-party marketing partners.

We may also use and/or share Information as described below.

1. Whole, LLC will access, use, and share the Information as required to process your Orders and provide support to you.
2. In order to provide our services and administer our rewards and promotional programs, we may share the Information (excluding the Billing Information) with our third-party promotional and marketing partners, including, without limitation, businesses participating in our various programs.
3. With your permission, third-party applications or services may access your Personal Information. We use standard OAuth (open authorization) to enable you to give permission to share your Personal Information with other Sites and services, such as Facebook and Twitter (e.g., when you agree to a pop-up requesting you to allow another application to access your account information). We also use OAuth to allow us to share information about you that is stored by us without sharing your security credentials.



4. We may employ other companies and individuals to perform functions on our behalf. Examples may include providing technical assistance, Order fulfillment, customer service, and marketing assistance. These other companies will have access to the Information only as necessary to perform their functions and to the extent permitted by law.
5. In an ongoing effort to better understand our Visitors, customers, and our products and services, we may analyze the Order Information and Other Information in aggregate form in order to operate, maintain, manage, and improve the Sites and/or our products and services. This aggregate information does not identify you personally. We may share this aggregate data with our affiliates, agents, and business partners. We may also disclose aggregated user statistics in order to describe our products and services to current and prospective business partners and to other third parties for other lawful purposes.
6. We may share some or all of your Information with any of our parent companies, subsidiaries, joint ventures, or other companies under common control with us.
7. As we develop our businesses, we might sell or buy businesses or assets. In the event of a corporate sale, merger, reorganization, sale of assets, dissolution, or similar event, the Information may be part of the transferred assets.
8. To the extent permitted by law, we may also disclose the Information: (i) when required by law, court order, or other government or law enforcement authority or regulatory agency; or (ii) whenever we believe that disclosing such Information is necessary or advisable, for example, to protect the rights, property, or safety of Whole, LLC or others.

#### **How We Protect the Information**

We take commercially reasonable steps to protect the Information from loss, misuse, and unauthorized access, disclosure, alteration, or destruction. Please understand, however, that no security system is impenetrable. We cannot guarantee the security of our databases, nor can we guarantee that the Information that you supply will not be intercepted while being transmitted to and from us over the Internet. In particular, e-mail sent to or from the Sites may not be secure, and you should therefore take special care in deciding what information you send to us via email.

#### **Security Policy**

By using the Sites, you assume the risk of an unauthorized security breach. Even though we take prudent and reasonable measures to secure your personal information, our servers, and our physical premises, we cannot guarantee that our efforts will be completely effective.

#### **Opt-Out**

We include detailed unsubscribe/opt-out instructions as appropriate. If you need further assistance with unsubscribing or opting-out of any of the Services, email customer service at [support@ellenbatchelor.com](mailto:support@ellenbatchelor.com) for assistance. Upon request and to the extent practicable, we will make reasonable efforts to remove your information from our databases. However, be aware we may be unable to remove your information from the records of any third party who have received with your information in accordance with this Privacy Policy.

At our discretion, we may determine that your lack of engagement in the Services indicates your desire



to opt-out of the Services. For example, you may be removed from our email list if you have not opened an email from us for a certain period of time. You may opt-in again at any time.

### **Important Notice to Non-U.S. Residents**

It is important to note that the Sites and their servers are operated in the United States. If you are located outside of the United States, please be aware that any Information you provide to us will be transferred to the United States. By using the Sites and by providing us Information when using our services, you hereby irrevocably consent to this transfer and our use of the Information and data provided by you in accordance with this Privacy Policy.

### **Privacy of Children**

We do not knowingly collect Personal Information from children under the age of 13 through the Sites. If you are under 13, please do not give us any Personal Information. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Policy by instructing their children to never provide Personal Information through the Sites without their permission. If you have reason to believe that a child under the age of 13 has provided Personal Information to us, please contact us, and we will endeavor to delete that information from our databases.

### **California Residents**

Whole, LLC does not monitor, recognize, or honor any behavioral advertising opt-out or do not track mechanisms, including general web browser "Do Not Track" settings and/or signals.

### **External Websites**

The Sites may contain links to third-party websites. We have no control over the privacy practices or the content of any of our business partners, advertisers, sponsors, or other websites to which we provide links. As such, we are not responsible for the content or the privacy policies of those third-party websites. You should check the applicable third-party privacy policy and terms of use when visiting any other websites.

### **Additional Information**

For more information on protecting your privacy, please visit [www.ftc.gov/privacy](http://www.ftc.gov/privacy).

### **How to Contact Us**

If you have questions about this Privacy Policy, please contact us via email at [support@ellenbatchelor.com](mailto:support@ellenbatchelor.com) with "Privacy Policy" in the subject line.

