

**Privacy Policy**  
**Golden will not be collecting/using/sharing HIPAA-protected information**

Last modified: January 1st, 2022

**Introduction**

Namaste New York LLC (d/b/a “Golden”, also referred herein as, “we,” or “our”) is committed to respecting your privacy and managing the personal data we collect as part of our business. This privacy policy (the “Privacy Policy”) explains the collection, use, and sharing of information from or about you in connection with your use of our website, heyitsgolden.com, (the “Site”) and your use and receipt of our related products and services (the Site and related products and services collectively, the “Services”). The purpose of this Privacy Policy is to inform you about the types of information we gather about you when you use the Services, how we may use that information, how and who we disclose it to, the choices you have regarding our use of the information, and your ability to control our disclosure of it. By using the Services, you consent to the use of the information that you provide to us in accordance with this Privacy Policy. We may update this Privacy Policy, from time to time, so please review this Privacy Policy regularly. If we materially alter our Privacy Policy, we will notify you of such changes by posting a notice on our Site or by providing such modified Privacy policy to you in connection with receipt of our Services. Your continued use of the Services will be deemed your acknowledgement of receipt of the updated policy. If you do not agree with the changes, then you should stop using the Services. This Privacy Policy is incorporated into and is a part of the Terms of Service for our Services.

**Children’s Privacy**

Our Site is not intended for children under sixteen (16) years of age. We do not use our Site to knowingly solicit personal information from or market to anyone under sixteen (16) years of age. If you are under sixteen (16) years of age you may not use this Site and should not provide any information on this Site, register on the Site, use any of the interactive features of this Site, or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use.

**Information We Collect About You and How We Collect It**

We collect several types of information from and about users of our Services, including information:

- by which you may be personally identified, such as name, address, e-mail address, telephone number, or any other information we collect from your use of the Services that is defined as personal or personally identifiable information under applicable law (“personal information”); and/or
- that is about you but individually does not identify you, such as about your internet connection, the equipment you use to access our Site, or details of your visit to our Site.

We collect this information:

- Directly from you when you provide it to us;

- Automatically as you navigate through the Site. Information collected automatically may include usage details, IP addresses, and information collected through cookies, web beacons, and other tracking technologies; and/or
- From third parties, for example, our business partners.

**Information You Provide to Us**

In addition to the personally identifiable information listed above, information we collect on our Site or through our Services generally may include:

- Information that you provide by filling in forms on our Site, such as the credit card and booking forms, which may include:
  - Credit card information, billing address or other payment information; and
  - Personal goals, needs, and preferences regarding the Services.
- Information provided when you report a problem with our Site.
- Records and copies of your correspondence (including email addresses), if you contact us, including via email or text/SMS messaging.
- Wellness information about yourself that you give voluntarily to Golden or to Golden Vendors (as defined below in the “Disclosure of Your Information” section), regarding your physical and mental health, goals, interests, feedback on the Services, certain Services you may be interested in, and any other information that may be collected from you by Golden or a Golden Vendor during or related to the Services (“Wellness Information”).
  - Wellness Information may include details collected during Services performed by a Golden Vendor and session notes about a Service you received and progress in your wellness journey.
  - NOTE: Wellness Information does not include protected health information (“PHI”) as defined under the federal Health Insurance Portability and Accountability ACT (“HIPPA”). Neither we nor Golden Vendors will solicit or collect PHI from you through the Services.
- Relationship information that helps us serve you such as the types of Services that may interest you, Services you have ordered in the past, and your transactions history.
- Your search queries on the Site.
- Finally, we may collect personal data from or about you in other ways not specifically described in this Privacy Policy. For example, we may collect information when you respond to a survey, set your preferences, contact us through customer services or by other means. Any information collected through these methods shall be used as provided in any announcement related to such item(s) and if there is not such an announcement, then in accordance with this Privacy Policy.

Please note that by submitting a telephone number to Golden, you agree that a representative of Golden can contact you at the number you provide, potentially using automated technology (including texts/SMS messaging) or a pre-recorded message. Your consent is not an obligation to receive any of our Services.

**Information We Collect Through Automatic Data Collection Technologies on the Site**

Like many websites, our Site may use “cookies” or other similar tracking technologies to collect information which will help us to improve the quality of our Services and to make it easier to navigate the Site. This information typically includes information about your computer and Internet connection, including your IP address, operating system, and browser type, the computer’s network name, and details of your visits to our Site, including traffic data, location data, and other communication data and the resources that you access and use on the Site. Although most web browsers automatically accept cookies, most computers allow you to change your browser setting to prevent acceptance of cookies. You may set most browsers to notify you if you receive a cookie or you may choose to block cookies with your browser. Please note that if you choose to erase or block your cookies certain features or parts of the Site may not work properly.

### **Third-Party Use of Cookies and Other Tracking Technologies**

Some content or applications, including advertisements, on the Site are served by third parties, including advertisers, ad networks and servers, content providers, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our Site. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content. We do not control these third parties’ tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

### **How We Use Your Information**

We use the information (including personally identifiable information) we collect from or about you (including without limitation, through technologies described in the preceding two sections) primarily to provide better and customized Services and customer service to you and other users of the Services. Golden also collects and processes personal information in the following ways:

- To present our Site and its contents to you.
- To identify you each time you wish to have a Service provided.
- To process credit card payments from you to pay for the Services.
- To provide you with information, or Services that you request from us.
- To respond to your queries and requests.
- To customize, measure and improve our Services and the content and delivery of our Services, including the Site.
- To assist you with managing your account and passwords.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.
- To send notices to you about our agreements with you, the Services or your transactions.
- To notify you about changes to our Site or any Services we offer or provide through it.
- In any other way we may describe when you provide the information.
- For any other purpose with your consent.

You may choose to exclude yourself from any mailings by contacting us at the contact information below.

### **E-mail**

We do not sell, trade or rent e-mail addresses to other organizations, or use or disclose them for marketing purposes, except as described below. We may generate e-mail for the following types of communication:

- i. Notification e-mail to which the individual may subscribe and unsubscribe.
- ii. Relationship e-mail regarding any Service you order from us.
- iii. Commercial e-mail or newsletter, which is sent to promote developments and articles of interest in our field (you may opt not to receive this type of e-mail).
- iv. Correspondence from our staff as a result of a communication initiated by you.

### **Disclosure of Your Information**

Golden will only share your personal information with third parties and Golden Vendors as described in this Privacy Policy. In order to provide the Services, Golden utilizes trusted employees and trusted independent contractors, involved in the administration and operation of our Services, such as massage therapists, yoga, pilates and meditation teachers, personal trainers, nutritionists, and wellness advisors (collectively known as “Golden vendors”). Golden may share with, or receive from them, personal information collected from you, including Wellness Information, for the sole purpose of offering you the best care and Service possible by disclosing your information for the purposes described in the above “How We Use Your Information” section. We have contracts with all Golden Vendors which provide that Golden Vendors 1) only use your information, and share it with us, as necessary in connection with the Services they perform for us and not for their own benefit; and 2) not disclose it to any other person or entity for any other reason, except where they are legally required to disclose. That said, Golden Vendors that are available through the Services are independent third parties that are not controlled by Golden and for which Golden is not liable. Golden does not and cannot guarantee the accuracy or completeness of any information shared between Golden and Golden Vendors nor can Golden guarantee that all Golden Vendors will handle your information in strict conformance with this privacy policy.

We may disclose aggregated information about our customers, and information that does not identify any individual, without restriction. In addition to the information shared with Golden Vendors above, we may also disclose your information to other third parties:

- i. Where we sell any or all of our business and/or our assets to a third party.
- ii. Where we are legally required to disclose your information.
- iii. When we are contractually obligated to disclose it.
- iv. To auditors, contractors or other advisors auditing any of our business processes.

Additionally, to comply with legal requirements, cooperate with law enforcement, prevent fraud and other crimes, and protect the legal rights of Golden and others, there are circumstances in which we may share the personal information we collect through the Services without notifying you when we, in good faith, believe disclosure is necessary to comply with the law or regulatory

requirements; to comply with a subpoena, court order, or other legal process; to cooperate with law enforcement or other governmental investigations (without necessarily requiring the law enforcement or government agency requesting the information to formally serve us with a subpoena); to prevent or investigate a possible crime, such as fraud or identity theft; to enforce a contract; to protect the legal rights, property or safety of Golden, our subsidiaries, affiliates, officers, directors, agents, and employees, independent contractors, licensors, suppliers, partners, successors, agents, and other users or the public in general or to protect your vital interests. We also reserve the right to report to appropriate law enforcement or government agencies any activities that we, in good faith, believe to be unlawful without providing notice to you.

### **Accessing and Correcting Your Information**

You may send us an email at [mwald@heyitsgolden.com](mailto:mwald@heyitsgolden.com) to request access to, correct or delete any personal information that you have provided to us, either through the Site or during or related to any Service. We may not accommodate a request to change information if we believe the change would violate any law or legal requirement or cause the information to be incorrect.

California residents may have additional personal information rights and choices. Please see Your California Privacy Rights Section for more information.

### **External Links**

For your convenience, we may provide links to websites owned and operated by unrelated third parties. Such third-party sites should have their own privacy policies, which we recommend you review prior to interacting with such websites. This Privacy Policy applies only to the personal information collected through this Services and you agree that Golden has no liability with respect to such third-party sites or their privacy practices.

### **Data Storage and Security**

The information we collected from you may be transferred to, and stored at, a destination separate from our company, however, only Golden and not the third party storage provider processes such information. All data you provide to us is stored on servers located in the United States. When information is stored on the servers of third-party providers hired to provide the hosting, our agreements with such parties require that they not use, disclose, or share such information except if they are legally required to do so.

To prevent unauthorized access, maintain data accuracy, and ensure the correct use of information, we have commercially reasonable standard measures in place to safeguard and secure information and data we collect through the Services. It is important that you understand, however, that no website or database is completely secure or “hacker proof” and we cannot guarantee security of the information you submit to us. Any transmission of personal information is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Site. Where we have given you, or where you have chosen, a password which enables you to access certain parts of the Site, you are responsible for keeping this password confidential. We ask you not to share this password with anyone and you acknowledge and agree that you are liable for any damage or loss caused by use of the Services under your password.

### **Contacting Us; Opting Out**

At your request and where the law requires us to do so, we will make good faith efforts to confirm what personal information we hold about you, update your information, remove and delete your information, fulfill specific opt out requests, and/or correct any inaccuracies in such personal information if you contact us at [mwald@heyitsgolden.com](mailto:mwald@heyitsgolden.com) to submit such requests. We may decline to process a request that is unreasonable, jeopardizes the rights or privacy of others, is impractical or for which access is not otherwise required. Please contact us at [mwald@heyitsgolden.com](mailto:mwald@heyitsgolden.com) if you have any comments or questions about this Privacy Policy or to report any violations of the Privacy Policy. We will endeavor to respond to you within 24 to 48 hours in most cases.

### **Governing Law and Jurisdiction**

This Privacy Policy is governed under the laws of the State of New York without regard to its conflict of law provisions.

Any claim, legal proceeding or litigation arising in connection with this Privacy Policy shall be brought solely within the courts of the State of New York located in the County of New York and you hereby expressly waive any challenge to the jurisdiction of such courts.

### **Your California Privacy Rights**

If you reside in California and have provided personally identifiable information to us, you may request information about our disclosure of certain categories of personal information to third parties for their direct marketing purposes under California's Shine the Light law. Such requests must be submitted to us at one of the following addresses: [mwald@heyitsgolden.com](mailto:mwald@heyitsgolden.com) or P.O. Box 1261, Weston, CT 06883.

If you are a resident of California, effective January 1, 2020, you have the following rights under the California Consumer Privacy Act of 2018 ("CCPA"):

- a) to know what categories of personal information about you we have collected and used, including how the personal information was collected;
- b) to know what categories of personal information is being sold or disclosed and if it is being sold or disclosed to third parties and a list of categories of information that are sold; or, if applicable: to know that your personal information has not been sold.
- c) to opt out of the sale of your personal information;
- d) to access your personal information, including the right to download or transfer personal information collected during the previous 12 months;
- e) to request that your personal information be deleted; and
- f) to equal service and equal price for goods or services even if you exercise your rights under the CCPA.

California residents have the right to opt-out of the sale of their personal information under CCPA, we do not sell personal information to any third parties, and therefore, we have not included a "Do Not Sell My Personal Information" link on our Site. If our practices change, we will update this Privacy Policy and take any other necessary action to comply with applicable law.

If you are a California resident and you want to exercise any of your rights as set forth above, please contact us at [mwald@heyitsgolden.com](mailto:mwald@heyitsgolden.com) or P.O. Box 1261, Weston, CT 06883. For all requests, it is helpful to put the statement “California Privacy Rights” in the body of your request, describe the nature of your request, and provide your name, street address, city, state, and zip code. In your request, you need to attest to the fact that you are a California resident and provide a current California address for our response. For more information [click here](#)

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not as a result of such exercise of rights:

- Deny you any Services
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties
- Provide you a different level or quality of Services
- Suggest that you may receive a different price or rate for Services or a different level or quality of Services