

PRIVACY POLICY

Last Updated: January 26, 2021

This Privacy Policy (“Policy”) governs your use of our online interfaces and properties (e.g., websites and mobile applications) owned and controlled by Werq, Inc., and the products and services made available therefrom (collectively, the “Services”). Defined terms used in this Policy have the meaning prescribed to them under our Terms of Use unless otherwise provided herein.

1. **Our Commitment.** We are committed to maintaining the privacy and security of your personal information, and we appreciate that health information may be particularly sensitive. Werq respects the privacy of all users of our Site and Services.
2. **Purpose.** This Policy discloses Werq’s information collection and dissemination practices in connection with the Services.
3. **Scope.** This Policy applies to all users of and visitors to our Services. Please remember that your use of the Services is also subject to our Terms of Use. This Privacy Policy does not address information that you provide to us in other contexts (e.g., through a business relationship not handled through our website).
4. **Information We Collect.** When you use the Services, we collect the information you provide, usage information, and information about your device. We may also collect information about you from other sources like third party services, and optional programs in which you participate, which we may combine with other information we have about you.

To the extent that Werq collects any personal information that constitutes “Protected Health Information” under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) you provide via the Services, such information will only be used and disclosed in accordance with HIPAA and any applicable Business Associate Agreement between Werq and any Covered Entity (as defined in HIPAA).

Below are the types of information we collect about you:

A. Information You Provide to Us

- i. **Account Registration.** When you create an account with Werq, we collect the information you provide us, such as your name, email address, phone number, birth date, and payment information. You may choose to share additional info with us for your profile, like your photo or saved addresses (e.g., home or work), and set up other preferences (such as your preferred pronouns).
- ii. **Personal Information.** Werq collects your personally identifiable information (“PII”), including health information, through the Services, when you choose to provide such information, such as when registering to become a Werq member so that you may receive information and updates regarding the Werq Services. PII can include your name, address, telephone number, e-mail address, social security number, date of birth, healthcare coverage, pharmacy, physician, prescription and over-the-counter medications, health conditions, National Provider Identifier (“NPI”) and photographs.

- iii. **Publicly Available Personal Information.** In order to better provide our suite of Services to assist you, Werq may request publicly available personal information about you that is maintained by the consumer data companies Acxiom and/or LexisNexis or other similar services. This publicly available personal information may be used by Werq to verify your identity in online transactions and to aid in tailoring the Services to your needs.
- iv. **Communications.** When you contact us or we contact you, we collect any information that you provide, including the contents of the messages or attachments you send us.

B. Information We Collect When You Use the Services

- i. **Location Information.** In order to facilitate accurate, efficient Services, Werq may collect location information (including GPS and WiFi data) depending on your device permissions. Where permitted, we collect your device's precise location when you open and use the Services
- ii. **Usage Information.** We may collect information about your interactions with the Services, including the pages and content you view and the dates and times of your use.
- iii. **Device Information.** We may collect information about the devices you use to access the Services, including device model, IP address, type of browser, version of operating system, identity of carrier and manufacturer, radio type (such as 4G), preferences and settings (such as preferred language), application installations, device identifiers, advertising identifiers, and push notification tokens.
- iv. **Address Book Contacts.** With permission, we may access and store the names and contact information of the people in your address book, for example, to help you refer friends to Werq.
- v. **Cookies, Analytics, and Third-Party Technologies.** We collect information through the use of "cookies", tracking pixels, data analytics tools like Google Analytics, SDKs, and other third-party technologies to understand how you navigate through the Services and interact with Werq advertisements, to make your Werq experience safer, to learn what content is popular, to improve your site experience, to serve you better ads on other sites, and to save your preferences. Cookies are small text files that web servers place on your device; they are designed to store basic information and to help websites and apps recognize your browser. We may use both session cookies and persistent cookies. A session cookie disappears after you close your browser. A persistent cookie remains after you close your browser and may be accessed every time you use the Services. You should consult your web browser(s) to modify your cookie settings. Please note that if you delete or choose not to accept cookies from us, you may miss out on certain features of the Services.

C. Information We Collect from Third Parties

- i. **Third Party Services.** Third party services provide us with information needed for core aspects of the Services, as well as for additional services, programs, loyalty benefits, and promotions that can enhance your Werq experience. These third-party services can

include insurance partners, financial service providers, marketing providers, and other businesses. We may obtain the following information about you from these third-party services:

- Information to make the Services safer;
- Information about your participation in third party programs that provide insurance coverage and financial instruments, such as insurance, payment, transaction, and fraud detection information;
- Information to operationalize loyalty and promotional programs, such as information about your use of such programs; and
- Information about you provided by specific services, such as demographic and market segment information.

2. **How We Use Your Information.** We use your personal information to: provide the Services; maintain the security and safety of the Services and its users; build and maintain the Werq community; provide customer support; improve the Services; and respond to legal proceedings and obligations.

A. **Providing the Services.** We use your personal information to provide an intuitive, useful, efficient, and worthwhile experience on our platform. To do this, we use your personal information to: verify your identity and maintain your account, settings, and preferences; calculate prices and process payments; communicate with you and collect feedback about your experience using the Services; facilitate additional services and programs with third parties; and maintaining the security and safety of the Services and its users.

B. **Maintaining Safety and Security.** To do this, we use your personal information to: authenticate users; find and prevent fraud; and block and remove unsafe or fraudulent users from the Services.

C. **Building and Maintaining the Werq Community.** Werq works to be a positive part of the community. We may use your personal information to: communicate with you about events and promotions; personalize and provide content, experiences, communications, and advertising to promote and grow the Services. Werq may also use your PII to deliver advertisements and marketing communications to you that we believe may be of interest.

D. **Customer Support.** We work hard to provide the best experience possible, including supporting you when you need it. To do this, we use your personal information to: investigate and assist you in resolving questions or issues you have regarding the Services; and provide you support or respond to you.

E. **Improving the Services.** We are always working to improve your experience and provide you with new and helpful features. To do this, we use your personal information to: perform research, testing, and analysis; develop new products, features, partnerships, and services; prevent, find, and resolve software or hardware bugs and issues; and monitor and improve our operations and processes, including security practices, algorithms, and other modeling.

F. **Responding to Legal Proceedings.** Sometimes the law, government entities, or other regulatory bodies impose demands and obligations on us with respect to the services we seek to provide. In such a circumstance, we may use your personal information to respond to those demands or obligations.

3. **How We Share Your Information.** We do not sell your personal information. To make the Services work, we may need to share your personal information with other users, third parties, and service providers. This section explains when and why we share your information.

A. **Sharing with Healthcare Providers.** It may be necessary to share your personal information with your doctors, insurance provider, or members of your team in order to provide effective Services.

B. **Sharing With Third-Party Service Providers for Business Purposes**

i. Werq may share the following categories of your personal information to provide you with the Services:

- Personal identifiers, such as your name, address, email address, date of birth, government identification number, or NPI;
- Financial information, such as bank routing numbers, tax information, and any other payment information you provide us;
- Internet or other electronic network activity information, such as your IP address, type of browser, version of operating system, carrier and/or manufacturer, device identifiers, and mobile advertising identifiers; and
- Location data.

ii. We have not shared or sold any such PII or personal information over the past twelve months.

iii. We may disclose those categories of personal information to service providers to fulfill the following business purposes: maintaining and servicing your Werq account; processing or fulfilling deliveries; providing you customer service; processing Recipient transactions; processing Driver applications and payments; verifying the identity of users; detecting and preventing fraud; processing insurance claims; providing Driver loyalty and promotional programs; providing marketing and advertising services to Werq; providing financing; providing requested emergency services; providing analytics services to Werq; and undertaking internal research to develop the Services.

C. **For Legal Reasons and to Protect the Services.** We may share your personal information in response to a legal obligation, or if we have determined that sharing your personal information is reasonably necessary or appropriate to: comply with any applicable federal, state, or local law or regulation, civil, criminal or regulatory inquiry, investigation or legal process, or enforceable governmental request; respond to legal process (such as a search warrant, subpoena, summons, or court order); enforce our Terms of Use; cooperate with law enforcement agencies concerning conduct or activity that we reasonably and in good faith believe may violate federal, state, or local law; or exercise or

defend legal claims, protect against harm to our rights, property, interests, or safety or the rights, property, interests, or safety of you, third-parties, or the public as required or permitted by law.

- D. **In Connection with Sale or Merger.** We may share your personal information while negotiating or in relation to a change of corporate control such as a restructuring, merger, or sale of our assets.
- E. **Upon your Direction.** With your permission or upon your direction, we may disclose your personal information to a third party for other purposes.

4. How We Use and Share Your Health Information. Consistent with applicable federal and state regulations, Werq may use your health information for purposes of providing you treatment, obtaining payment for your care and offering certain Services. In some circumstances, your health information may be used or disclosed for these purposes without your written consent.

- A. **To Provide Treatment.** Werq may use your health information to coordinate care, both pre- and post-admission, with other healthcare practitioners and providers involved in your care or treatment. For example, physicians involved in your care will need information about your condition in order to prescribe appropriate treatment or medications.
- B. **To Obtain Payment from Your Insurer.** Werq may be required by your Healthcare Provider or health insurer to provide information regarding your health care status so that your insurer will reimburse you or your Healthcare Provider.
- C. **For Appointment Reminders.** Werq may use and disclose your health information to contact you as a reminder that you have an appointment with your Healthcare Provider.
- D. **When Legally Required.** Werq will disclose your health information when it is required to do so by any federal, state or local law.
- E. **When There Are Risks To Public Health.** Werq may disclose your health information for public activities and purposes in order to:
 - i. Prevent or control disease, injury or disability, report disease, injury, vital events such as birth or death and the conduct of public health surveillance, investigations and interventions.
 - ii. Report adverse events, product defects, to track products or enable product recalls, repairs and replacements and to conduct post-marketing surveillance and compliance with requirements of the Food and Drug Administration.
 - iii. Notify a person who has been exposed to a communicable disease or who may be at risk of contracting or spreading a disease;
 - iv. Prevent or lessen a serious and imminent threat to your health or safety or to the health and safety of the public, if Werq, in good faith, believes that such disclosure is necessary.
- F. **To Report Abuse, Neglect or Domestic Violence.** Werq may disclose your health information to a health oversight agency for audits, civil administrative or criminal investigations, inspections, licensure or disciplinary action. Werq, however, may not disclose your health information if you

are the subject of an investigation and your health information is not directly related to the investigation.

- G. **In Connection With Judicial And Administrative Proceedings.** Werq may disclose your health information in the course of any judicial or administrative proceeding in response to an order of a court or administrative tribunal as expressly authorized by such order or in response to a subpoena, discovery request or other lawful process.
 - H. **For Law Enforcement Purposes.** As permitted or required by state law, Werq may disclose your health information to a law enforcement official for certain law enforcement purposes as follows:
 - i. As required by law for reporting of certain types of wounds or other physical injuries pursuant to the court order, warrant, subpoena or summons or similar process;
 - ii. For the purpose of identifying or locating a suspect, fugitive, material witness or missing person;
 - iii. Under certain limited circumstances, when you are the victim of a crime;
 - iv. In an emergency in order to report a crime.
 - I. **To Coroners And Medical Examiners.** Werq may disclose your health information to coroners and medical examiners for purposes of determining your cause of death or for other duties, as authorized by law.
 - J. **For Worker's Compensation.** Werq may disclose protected health information as authorized by and to the extent necessary to comply with laws relating to Workers' Compensation or other similar programs established by law that provide benefits for worker-related injuries or illnesses without regard to fault.
 - K. **For Specified Government Functions.** In certain circumstances, the federal regulations authorize Werq to use or disclose your health information to facilitate specified government functions relating to military and veterans, national security and intelligence activities, protective services, and medical suitability determinations.
 - L. **Authorization To Use Or Disclose Health Information.** Other than as stated above, Werq will not disclose your health information without your written authorization. Werq will not disclose or sell your health information for research and/or marketing purposes without your express written authorization. If you or your representative authorizes Werq to use or disclose your health information, you may revoke that authorization in writing at any time.
5. **How We Store and Protect Your Information.** We retain your information for as long as necessary to provide you and our other users the Services. This means we keep your profile information for as long as you maintain an account. We retain transactional information, such as payments, for at least seven years to ensure we can perform legitimate business functions, such as accounting for tax obligations. We take reasonable and appropriate measures designed to protect your personal information, but no security measures can be 100% effective, and we cannot guarantee the security of your information, including against unauthorized intrusions or acts by third parties.

6. **Your Rights and Choices Regarding Your Data.** As explained more below and on our Site, Werq provides ways for you to access and delete your personal information as well as exercise other data rights that give you certain control over your personal information.

A. **All Users**

- i. **Email Subscriptions.** You can always unsubscribe from our commercial or promotional emails by clicking unsubscribe in those messages.
- ii. **Text Messages.** You can opt out of receiving text messages by contacting us as provided below (“Contact Us”). Note that opting out of receiving texts may impact your use of the Services.
- iii. **Push Notifications.** You can opt out of receiving push notifications through your device settings. Please note that opting out of receiving push notifications may impact your use of the Services (such as receiving a notification that your delivery has arrived).
- iv. **Profile Information.** You can review and edit certain account information you have chosen to add to your profile by logging in to your account settings and profile.
- v. **Location Information.** You can prevent your device from sharing location information through your device’s system settings. But if you do, this may impact Werq’s ability to provide you our full range of features and services.
- vi. **Cookie Tracking.** You can modify your cookie settings on your browser, but if you delete or choose not to accept our cookies, you may be missing out on certain features of the Services.
- vii. **Do Not Track.** Your browser may offer you a “Do Not Track” option, which allows you to signal to operators of websites and web applications and services that you do not want them to track your online activities. The Services do not currently support Do Not Track requests at this time.
- viii. **Deleting Your Account.** If you would like to delete your Werq account, please visit our Site. In some cases, we will be unable to delete your account, such as if there is an issue with your account related to trust, safety, or fraud. When we delete your account, we may retain certain information for legitimate business purposes or to comply with legal or regulatory obligations. For example, we may retain your information to resolve open insurance or payment claims, or we may be obligated to retain your information as part of an open legal claim. When we retain such data, we do so in ways designed to prevent its use for other purposes.
- ix. **Exercising Your Rights.** You may exercise rights through your account on our Site. In addition, you may write to us to exercise rights. Please include your full name, email address, and phone number associated with your use of the Services, along with why you are writing, so that we can process your request in an efficient manner. To respond to some rights we will need to verify your request either by asking you to log in and authenticate your account or otherwise verify your identity by providing information about

yourself or your account. Authorized agents can make a request on your behalf if you have given them legal power of attorney or you provide signed permission, verification of your identity, and confirmation that you provided the agent permission to submit the request.

- x. **Response Timing and Format.** We aim to respond to a consumer request for access or deletion within thirty days of receiving that request.
- B. **California Residents.** If you live in California, you have the right to: (1) request that we disclose what Personal Information we collect, use, disclose, and sell; (2) request deletion of Personal Information; (3) opt-out of the sale of Personal Information; and (4) not receive discriminatory treatment by Werq for exercising these rights. Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your Personal Information. To make a request on your behalf, an authorized agent may Contact Us in writing with proof of your written and signed permission to do so. Please note, we may require you to verify your identity and confirm that you gave permission.

i. *Requests to Know.* California residents have the right to request that we disclose the following information:

- Specific Personal Information Werq has collected about you;
- Categories of Personal Information Werq has collected about you, disclosed about you for a business purpose, or sold;
- Categories of sources from which the Personal Information is collected;
- Categories of third parties with whom Werq shares or to whom Werq sells Personal Information; and
- The business or commercial purpose for collecting and selling Personal Information.

To make such a request, please Contact Us by email, telephone, or submit the request through your Werq account. In order to verify your request, Werq may require you to provide additional information to confirm the identity of the consumer.

ii. *Requests to Delete.* California residents have the right to request that we delete Personal Information about you that we collected and maintain, subject to certain exceptions. To make such a request, please Contact Us by email, telephone, or submit the request through your Werq account. In order to verify your request, Werq may require you to provide additional information to confirm the identity of the consumer. Once we verify your request, we will delete and direct our service providers to delete your Personal Information, unless an exception applies.

iii. *Opt-Out of the Sale of Personal Information.* California residents have the right to opt-out of the sale of your Personal Information. To make such a request or to opt-out, please Contact Us by email.

iv. *“Shine the Light” Request.* California residents may also have the right to request certain information regarding our disclosure of Personal Information to third parties for their direct marketing purposes. To make such a request, please Contact Us.

B. **Nevada Residents.** Nevada residents may have the right to opt-out of the sale of Personal Information we have collected or will collect. To make such a request, please Contact Us.

7. **Children’s Data.** Werq is not directed to children, and we don’t knowingly collect personal information from children under the age of 13. If we find out that a child under 13 has given us personal information, we will take steps to delete that information. If you believe that a child under the age of 13 has given us personal information, please Contact Us.

8. **Links to Third Party Websites.** The Services may contain links to third-party websites. Those websites may have privacy policies that differ from ours. We are not responsible for those websites, and we recommend that you review their privacy policies. Please contact those websites directly if you have any questions about their privacy policies.

9. **Changes to This Privacy Policy.** We may update this policy from time to time as the Services change and privacy law evolves. If we update this Policy, we will do so online, and if we make material changes, we will let you know through the Services or by some other method of communication. When you use Werq, you are agreeing to the most recent terms of this Policy.

10. Users Outside the United States

A. **Consent to US Processing.** If you are a resident of the European Economic Area (EEA), in order to provide our products and services to you, we may send and store your personal information (also commonly referred to as personal data) outside of the EEA, including to the United States. Accordingly, your personal information may be transferred outside of the country where you reside or are located, including to countries that may not or do not provide the same level of protection for your personal information. Where such transfers occur, we take reasonable steps to protect your information in any such country to the extent feasible under applicable law. By using and accessing our Services, users who reside or are located in countries outside of the United States agree and consent to the transfer to and processing of personal information on servers located outside of the country where they reside, and that the protection of such information may be different than required under the laws of their residence or location.

B. **GDPR Disclaimer.** The Werq platform is not intended to be used by individuals residing in the European Union, is not advertised or directed towards individuals residing in the European Union. The provisions contained in this Privacy Policy may or may not be compliant with European Union law, including its General Data Protection Regulation ("GDPR"), or affiliated or similar laws. However, we make good faith efforts to comply with GDPR, and to that end we expressly provide that European Union residents have a right to consent to how Werq uses your data. Above, we have described the data points we collect and how this information may be used. We never abuse your information. Under GDPR you have the right to ask for all the data collected on you by written request. Your data is stored in a secure database. It will take up to 72 hours to retrieve and send you collected data. The data will be provided in the form on a spreadsheet and sent via personal email. Your right to be forgotten refers to your right to have your information wiped from our

database. If you wish for your information to be removed please Contact Us and we'll confirm your information is removed via email within 72 hours.

11. Contact Us. If you have any questions or concerns about your privacy or anything in this Policy, including if you need to access this policy in an alternative format, we encourage you to contact us.

Werq, Inc.

33 Irving Pl
New York, New York 10003
support@werq.com
Tel: 347-903-4966



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