

## 5K Your Way 2018 Sweepstakes Official Rules

**NO PURCHASE IS NECESSARY TO ENTER OR WIN. A PURCHASE WILL NOT INCREASE YOUR CHANCES OF WINNING. ALL FEDERAL, STATE, LOCAL, AND MUNICIPAL LAWS AND REGULATIONS APPLY. VOID WHERE PROHIBITED.**

**Sponsor.** The 5K Your Way 2018 Sweepstakes (the “Sweepstakes”) is sponsored by Aaptiv Inc., One WTC, Suite 49A, New York, NY 10007 (the “Sponsor”).

**Agreement to Official Rules.** Your participation in this Sweepstakes constitutes your full and unconditional agreement to and acceptance of these Official Rules (the “Official Rules”) and the decisions of the Sponsor, which are final and binding. Winning a prize is contingent upon fulfilling all requirements set forth herein.

**Sweepstakes Period.** The Sweepstakes begins at 12:00am and ends 11:59pm on October 27, 2018 (the “Sweepstakes Period”). All entries must be submitted and received during the Sweepstakes Period in whatever time zone the entrant is in. Odds of winning depend on the number of entries received during the Sweepstakes Period.

**Eligibility.** The Sweepstakes is open to (i) legal residents of the United States, Canada (excluding Quebec), Netherlands, Norway, Singapore, United Kingdom, and New Zealand (ii) who are eighteen (18) years or older at the time of entry with an active Aaptiv subscription (“Entrants”). Employees, officers, and directors (including immediate family members and members of the same household) of Sponsor are not eligible to participate. Sponsor, in its sole discretion, shall determine the eligibility of Entrants, the time of entry, and whether entries qualify.

**How to Enter.** During the Sweepstakes Period, eligible participants can enter the Sweepstakes by doing the following:

- 1. RSVP to the Virtual Event at
- <https://www.eventbrite.com/e/aaptivs-5k-your-way-tickets-49738627574>
- Post evidence of completion (for example a sweaty selfie or confetti screenshot of the race day playlist) using #Aaptiv5kYourWay on Instagram or Facebook.

Alternate entry method: Mail a 3x5 postcard with your name, address and “Enter Me in the 5K Your Way 2018 Sweepstakes” to Sponsor, ATTN: Maya Hutchinson. Postcards must be received during the Sweepstakes Period.

One entry per person. In the event of a dispute as to any Entrant, the authorized account holder of the account will be deemed to be the Entrant. The “authorized account holder” is the natural person assigned the account by Sponsor. Each potential winner may be required to show proof of being the authorized account holder. Sponsor shall have the right to determine the identity of a potential winner in its sole discretion.

**Drawing and Notification.** On or about 12:00pm ET October 29, 2018, winners will be selected by random chance selection from among all eligible Entries received. There will be a total of one

grand prize winner and ten runner-up prize winners (“Prize Winners”).

Each potential prize winner will be contacted via email, will be required to provide a mailing address, and may also be required to sign and return an Affidavit of Eligibility, Liability and Publicity Release (except where prohibited by law) and/or an IRS W-9 Form (the “Release Forms”) within seven (7) calendar days of notification by Sponsor. The prize may be forfeited and may be awarded to another Entrant who is randomly selected if: (i) any prize notification or any prize is returned as undeliverable; (ii) Sponsor is unable to contact a potential winner within five (5) days of the first attempt to contact him or her; (iii) a potential winner fails to provide his or her contact information within seven (7) calendar days after notification by Sponsor or fails to return Release Forms within the time specified above; (iv) a potential winner is determined by Sponsor, in its sole discretion, to be ineligible; (v) a potential winner declines the prize, or (vi) a potential winner is otherwise not in compliance with these Official Rules. Sponsor is not responsible for any delay in awarding any prize.

By entering, each Entrant gives permission (except where prohibited) for Sponsor and its designees to use, at Sponsor’s sole discretion, the winner’s name, photograph, video, prize information, likeness, statements, biographical information, voice and address (city and state), for publicity and promotional purposes without further compensation where permitted by law.

**Prizes.** One Prize Winner will receive the grand prize of a new home gym (“Grand Prize”), with an approximate retail value (“ARV”) of up to \$1500. Ten Prize Winners will receive Aaptiv swag bags (“Runner Up Prize”) with an ARV of \$200. Total ARV of all prizes is \$3500. Each Prize Winner will be: (i) responsible for paying all costs and expenses related to the prize that are not specifically mentioned, including, but not limited to, taxes, shipping and any other expenses that might reasonably be incurred by the Prize Winners in receiving or using a prize, and (ii) required to submit his/her social security number or taxpayer ID number to Sponsor in order to claim a prize. Any Prize Winner from Canada will be required to complete a basic skill test to claim the prize.

**Release.** This Sweepstakes is subject to all applicable federal, state, and local laws. By entering the Sweepstakes or accepting any prize, Entrants agree to release, discharge, indemnify and hold harmless Sponsor, its respective directors, officers, employees, shareholders and agents from any and all liability, loss, damage or injuries to any person or property of any kind sustained in connection with their participation in the Sweepstakes or from their acceptance, receipt, possession and/or use or misuse of the prizes, or for any typographical or other error in the printing, offering or announcement of the prizes. Entrants further acknowledge that said parties have neither made nor are in any manner responsible or liable for any warranty, representation or guarantee express or implied, in fact or in law, relative to the prizes, including, but not limited to, each prize’s quality or fitness for a particular purpose. Sponsor assumes no responsibility for: (1) technical delays or failures of any kind, (2) unauthorized human intervention during any part of the Sweepstakes, (3) technical or human error during the administration or processing of the Sweepstakes, (4) lost, late, incomplete, illegible or misdirected Entries of any kind, or (5) any loss, injury, or damage caused, whether directly or indirectly, in whole or in part, from downloading data or otherwise participating in the Sweepstakes.

**Disputes:** THESE OFFICIAL RULES AND THE SWEEPSTAKES ARE GOVERNED BY,

AND WILL BE CONSTRUED IN ACCORDANCE WITH, THE LAWS OF THE STATE OF NEW YORK, AND THE FORUM AND VENUE FOR ANY DISPUTE ARISING OUT OF OR RELATING TO THESE OFFICIAL RULES SHALL BE IN THE COUNTY OF NEW YORK, NEW YORK. IF THE CONTROVERSY OR CLAIM IS NOT OTHERWISE RESOLVED THROUGH DIRECT DISCUSSIONS OR MEDIATION, IT SHALL THEN BE RESOLVED BY FINAL AND BINDING ARBITRATION ADMINISTERED BY JUDICIAL ARBITRATION AND MEDIATION SERVICES, INC., IN ACCORDANCE WITH ITS STREAMLINED ARBITRATION RULES AND PROCEDURES OR SUBSEQUENT VERSIONS THEREOF (“JAMS RULES”). Any such controversy or claim will be arbitrated on an individual basis, and will not be consolidated in any arbitration with any claim or controversy of any other party. ALL PROCEEDINGS BROUGHT PURSUANT TO THIS PARAGRAPH WILL BE CONDUCTED IN THE COUNTY OF NEW YORK, NEW YORK. THE REMEDY FOR ANY CLAIM SHALL BE LIMITED TO ACTUAL DAMAGES, AND IN NO EVENT SHALL ANY PARTY BE ENTITLED TO RECOVER PUNITIVE, EXEMPLARY, CONSEQUENTIAL, OR INCIDENTAL DAMAGES, INCLUDING ATTORNEY’S FEES OR OTHER SUCH RELATED COSTS OF BRINGING A CLAIM, OR TO RESCIND THIS AGREEMENT OR SEEK INJUNCTIVE OR ANY OTHER EQUITABLE RELIEF.

**Winners List Requests.** The name of the Prize Winners will be posted on the Aaptiv Facebook page, the official Aaptiv Member Page on Facebook, and on an Instagram story for a period of time beginning on or about November 1, 2018. Requests for the names of the Prize Winners may also be sent, in a self-addressed, stamped business-size envelope to: AAPTIV, “5K Your Way Sweepstakes Winners List Request” ATTN: Maya Hutchinson, One WTC, Suite 49A, New York, NY 10007.