



UAPC MEMBERSHIP GUIDE

FACILITY RULES AND REGULATIONS

FX Studios requires all employees, staff, members, guests, and participants of the programs and services offered to behave in a safe, courteous, and professional manner at all times. Failure to comply may result in barring from the facility.

GENERAL POLICIES

- All members must abide by all terms in the Agreement of Membership for FX Studios, LLC.
- A Facility Tour and New Member Assessment is available upon request.
- The facility is under 24-hour recorded video surveillance, which may be retained by FX Studios for subsequent review, and Member key tag usage is logged for access control.
- Members must present upon entering the Under Armour Performance Center their membership key tag. Members may be denied access to the Under Armour Performance Center without presenting membership key tag.
- A strict ID policy is enforced for the safety of all members and employees (i.e. a Fitness Badge). If there is no photo in our MindBody client management system, members must present a valid photo ID in addition to their access key tag.
- Members may not allow anyone else to use their key tag and should alert the FX Studios immediately if it is lost or stolen.
- Access may be denied to individuals arriving at the Under Armour Performance Center ten minutes prior to closing.
- FX Studios reserves the right to charge for back usage of the facility.
- Any member aiding in the improper use of the Under Armour Performance Center by an ineligible person will have their key tag confiscated and may have their membership revoked.
- Tobacco, drugs, and alcohol are not permitted inside any Under Armour Performance Center. FX Studios prohibits the use of steroids. Member acknowledges and is aware that steroids can cause numerous physical, mental, and emotional problems relating to physical maturity and growth and may cause heart disease, strokes, liver dysfunction, sterility and infertility, and many other adverse health problems. Member recognizes and acknowledges that there are serious criminal and civil penalties for the illegal possession, sale, use, trading, or exchange of steroids and no such activity is allowed upon the premises.
- Food and beverages are not permitted in the fitness center or the group exercise studios. Food and beverages are permitted in designated lobby. The only exception is water in a closed container.
- Modifications of equipment beyond the designed purpose are prohibited.

- Movement of any FX Fitness Equipment may only be conducted by staff members or instructors.
- Injuries, accidents, or equipment failures are to be reported immediately to a member of the FX Fitness staff.
- FX Studios staff members are not authorized to make any independent agreements, whether written or oral, with any member. All payments for services, including, but not limited to, personal training and fitness classes, are to be made to FX Studios.
- From time to time, FX Studios may make available to members and their guests the services of independent contractors. FX Studios does not warrant or guarantee the quality of these services and does not guarantee that these services will remain available to members of their guests for any period of time, and disclaims all liability arising out of such services.
- FX Fitness is not responsible for lost or stolen items. FX Studios encourages personal belongings to be secured in a locker. A lost and found is located at the Command Center.
- Misuse of FX Studios property may result in loss of membership.
- Member should attempt to resolve with FX Studios management any complaint that a member may have against another member or a staff member of FX Studios.
- Use of the Under Armour Performance Center and all areas of the facility is a privilege. Anyone violating rules or posted policies including verbal, and/or physical abuse of employee(s) or patron(s), criminal activity, disorderly conduct, or inappropriate behavior is subject to: (a) immediate removal from the facility, (b) suspension of membership, and (c) criminal action.
- FX Studios has a no-judgment policy that respects and affirms each person's right to self-identify and access facilities that reflect their gender identity. It is our goal for all members to thrive at FX Studios and we will do our best to support each member while maintaining an environment that reflects the inclusive values we share.
- Interpretation of any policies will be at the discretion of the FX Studios staff.
- FX Studios retains the right to modify all policies and procedures without warning. FX Studios policies, rules and regulations may be posted in the UAPC Membership Guide or at the Under Armour Performance Center from time to time and all members and their guests shall be subject to strict compliance therewith. The most current copy of the UAPC Membership Guide can be found on FX Studios website.

GUEST POLICY

- Member's guests are permitted in the Under Armour Performance Center, but only pursuant to such rules, regulations, fees, and schedules for such guest as may then be in effect. FX Studios reserves the right to limit the number of times any one guest can use the Under Armour Performance Center and reserves the right to exclude any guest whose use of the Under Armour Performance Center, in the sole opinion of FX Studios, would be detrimental to the Under Armour Performance Center or any of its members. All guests must sign in at the front desk, complete a waiver, and pay the associated guest fee.

DRESS CODE

- Only clean, non-marking, athletic shoes are permitted in the fitness areas.
- Torso shall be fully covered (exposed chest, midriff, or navel is inappropriate). Shirt arm holes shall

be within 1.5 inches of the armpit. Athletic pants or shorts that are non-revealing and fully cover the buttocks also along are required. No leggings are permitted without full coverage for both men and women.

- All aspects of the dress code must be followed. Failure to comply with the established dress code may result in dismissal from the Under Armour Performance Center.
- Being a member at the UAPC Under Armour Global HQ requires all members to follow the UA Gear Policy - all athletes using the facilities must wear Under Armour brand apparel and gear or non branded gear.

AGE RESTRICTIONS

- FX Studios does not allow guests or children under the age of 18 to participate in any activities sponsored by FX Fitness unless otherwise indicated in the specific program regulations and policies and/or approval is granted from FX Studios and the appropriate parent/guardian.

FITNESS AREA

- All Under Armour Performance Center members workout at their own risk.
- Equipment safety features of the equipment should be used at all times. Members are encouraged to obtain instructions from a FX Fitness staff member if they are unsure of how to use a particular machine
- Stated and customary rules for use of equipment should be complied with at all times.
- Only authorized personnel of FX Fitness are allowed to provide personal training services in the Under Armour Performance Center. Any participant observed or assumed to be personal training with a patron in the facility, who is not employed or contracted with by FX Fitness specifically for that purpose, is subject to fines and/or suspension or termination of the membership privileges.
- For the safety of all UAPC members, personal belongings may not be left on equipment or the Fitness Center floor. Members are encouraged to use locker room facility.
- Members are expected to wipe down equipment before and after use.
- Throwing objects or equipment, including sports balls, is prohibited. Use of Basketball hoop at 10 Light Under Armour Performance Center is also prohibited unless an authorized FX Trainer is present during use.
- All plates, dumbbells, and accessories must be returned to the proper rack or weight tree after each use.
- Collars must be used on bars at all times!
- Slamming of weight stacks and/or dropping weights on the floor is not permitted in the Fitness Center, with the exception of the Olympic lifting platforms.
- There is a 60-minute time limit on all cardio equipment during peak times (5:30-8:30 am, 11 am-1 pm, and 3-7:30 pm).
- Headphones are required for all audio devices brought into the UAPC by patrons.

LOCKER ROOMS

- Absolutely NO PHOTOGRAPHIC EQUIPMENT use allowed in the locker rooms. Cell phone use is

allowed for communication purposes ONLY in the locker room area.

- WARNING – Locker room floors may be slippery. Please use caution.
- Lockers are provided solely for the benefit and convenience of members and authorized guests for daily use. Members wishing to lock their belongings overnight or for an extended period of time are required to pay a non-refundable Locker Rental Membership. FX Studios is not responsible for lost or stolen items in lockers. Member releases FX Studios of any and all claims, demands, suits, complaints, cause of action or any liability for loss, stolen or damage to personal property while using a locker on the premises.

LOST AND FOUND

- Unclaimed items are donated to a charity twice each year.
- Valuable items (jewelry, iPods, etc.) are kept in a secure/locked location and can only be claimed during normal business hours unless advanced notice of pick-up time is provided by the patron.

PHOTOGRAPHY RELEASE

Member acknowledges that he/she has granted FX Studios, its employees, agents, and affiliates the right to photograph, record, and/or otherwise reproduce member's likeness, name and/or voice in, and in connection with the exhibition, display or other reproduction of any photograph, motion picture, video recording, audio recording or similar reproduction in which it may be used and/or incorporated. Member understands that FX Studios or its affiliates may use the photograph, motion picture, audio recording, video recording or other reproduction for advertising, internet, or other purposes. Member acknowledges that member will receive no compensation for such use.

FACILITY CODE OF CONDUCT

The Under Armour Performance Center facility is a multi-use facility in which a wide variety of services, programs, classes, and events are conducted. All rules, regulations, and policies must be abided by at all times. In addition, the following Code of Conduct sets forth expectations for all participants and visitors who use the facility for any purpose.

Participants and visitors must adhere to the following:

- Act with courtesy and professionalism at all times.
- Comply with requests and direction from FX Fitness staff, instructors, and facilitators who are acting in the performance of their duties.
- Comply with any rules and guidance set forth for the particular program, event, or class.
- Wear proper fitness attire; shirts and shoes are required at all times outside the locker rooms (unless specified by FX Fitness Management).
- Cleats are not allowed to be worn while in the Under Armour Performance Center.

Participants and visitors must refrain from:

- Aggressive behavior in any form, including physical abuse, verbal abuse, threats, intimidation, harassment, coercion and/or conduct which threatens or endangers the health or safety of any person.
- Rude or argumentative behavior with staff, officials, and instructors or other participants or visitors.

- Disrupting or obstructing any program, event or class.
- Lewd, obscene or indecent conduct or expression, including profanity, or offensive remarks.
- Any action which constitutes an attempt to inflict, or the actual infliction of, or injury to other participants and/or staff.
- Horseplay, abuse of the equipment, or working out while intoxicated or under the influence of illicit drugs.
- Willful damage or destruction to the facility or property.
- Forgery or sharing membership cards for access to the facility or access to programs, services or classes.
- Unauthorized entry to areas such as: staff offices or staff workspaces; gender opposite locker rooms; maintenance, equipment or storage rooms.
- Unauthorized use of facility computers or unauthorized adjusting of audio visual equipment.
- Photography and video taping of participants or visitors without prior approval of participants being photographed or taped and without prior approval from an authorized staff member.
- Unauthorized commercial activity – no person is allowed to post, advertise, instruct in private lessons or solicit individuals in the facility for personal services or for personal businesses that is not directly affiliated and approved through FX Studios.

All participants and visitors are required to report any violation of this Code of Conduct to a FX Studios staff member immediately.

ENFORCEMENT

The above Rules and Regulations and Code of Conduct will be enforced by the staff, instructors and facilitators whose authority shall prevail in the immediate situation.

The following actions may be taken for violations of the Code of Conduct in the sole discretion of FX Studios:

- Violations of the code that do not constitute an immediate and apparent threat to the safety of others or their property will result in all or some of the following actions, including, but not limited to:
 - Verbal warning
 - A suspension of certain and/or all privileges for a specified period of time
 - A permanent suspension
- Membership termination with the balance of the contract declared due and payable in full immediately. Violations of the code that are deemed to constitute an immediate or implied threat to the safety of others, or their property and/or the safety of the facility or facility property may result in the following actions, including, but not limited to:
 - A one to six month suspension
 - A six to twelve month suspension

- A permanent suspension
- Membership termination with the balance of the contract declared due and payable in full immediately

OUTDOOR FACILITIES (HQ & B37 ONLY)

- Outdoor facilities at our Under Armour Headquarters may be closed due to inclement weather.
- The basketball court at Building 37 is intended for use by UAPC members only. FX Studios staff reserves the right to request appropriate identification at any time.
- Trash must be placed in appropriate containers.
- No smoking within 10 feet of turf field.
- Glass containers are prohibited at all times.
- Unauthorized motorized vehicles, bicycles and skateboards are not allowed on the turf field.
- Pets (except guide dogs) are not allowed at any of the outdoor UAPC facilities.
- Use of metal cleats is prohibited on all turf fields.

FINANICAL POLICIES

- Member may be subject to additional charges for services that Member elects including, but not limited to, the use of personal trainers or enrollment in fitness classes.
- Member agrees to pay dues on time, including notifying FX Studios promptly in writing if banking or credit card information used for automatic payment changes, or be charged a declined payment fee and/or late fee per delinquent payment.
- Member agrees that if Member fails to use the Performance Center that shall not release the Member from the obligation to make all payments required by the terms of the Agreement. Unless cancelled as provided in the Membership Agreement, Member will be responsible for all payments due and owing under the Membership Agreement, even if Member does not use FX Fitness' facilities and services. Member agrees to continue to fulfill the financial obligations of the Agreement throughout the term of the Membership Agreement.
- Member acknowledges that FX Fitness will only freeze Member's membership fees if Member qualifies under FX Fitness' Membership Freeze Policy. To be eligible for a membership freeze Member's account must be in good standing.
- **Freeze/Suspension Policy:** Members can place memberships on hold under the following guidelines: A no-charge medical freeze will be accepted when a valid and faxed medical form are provided. All other freeze purposes are subject to a \$10/mo. fee. The length of a freeze will be in monthly increments, and not retroactive. There is a three month freeze maximum per membership year. All freeze requests must be filled out and returned 15 days prior to the member's billing date. Memberships automatically renew after three months. For annual contracts, the length of the freeze will be added to the end of the contract period.
- If Member or Member's guest incurs any charges for goods or services that include, without limitation, fitness training, classes, or similar services or products, Member agrees to pay for such goods or services in accordance with The Performance Center's rates and practices then in effect.

FX Fitness has the right to add any tax imposed by the state or Federal government for the use of FX Fitness' facilities or services to Member's dues.

- **Family Add-On Policy:** If you purchased a Family Add-On Membership, one member shall be designated as responsible for the monthly dues payment (Primary Member) of all Family Add-On Memberships. If a Family Add-On Member drops a membership, the total dues for the Primary Member will be reduced in accordance with the Membership Termination Policy. If any Family Add-On Member wants to pay his or her own dues, the dues for that member change to a Primary Member rate in effect at the time of the drop. If the Primary Member responsible for paying the Family Membership dues fails to timely pay the dues, another Family Add-On Member must make timely arrangements to pay the dues, or FX Fitness has the right to terminate all the Family Add-On memberships affiliated with Primary Member and assess any applicable fees. FX Fitness will only accept notice of a change of membership status in writing and only from the member whose membership status has changed 15 days prior to the next autopay. Family Add-Ons are limited to 2 per Primary Member.
- **Corporate Membership Policy:** FX Studios offers discounted admission to eligible individuals (e.g., employees, tenants) associated with participating companies. Corporate Memberships are subjects to the terms and conditions of the agreement between FX Studios and the participating company. Such conditions include, but are not limited to, being You must be a current employee (or tenant, as applicable) in good standing of a participating company and eligible under the company's guidelines to enroll in the corporate membership program. In the event of a change in your employment status (or residency status, as applicable) with a participating company, FX Fitness reserves the right to immediately terminate your membership without notice and/or require you to pay the full regular price of monthly dues. Discounted corporate rates do not apply to Family Add-ons. Family of the employee does not receive the same corporate rate. Need to add language regarding tenant/landlord relationship since we give "corporate discounts" to apartment complex's as well.
- **Referral Policy:** Members may receive \$5 off their following one month's dues for each new referral attributed to that member who joins FX Fitness (maximum of up to two new referrals for a total of \$10 off the following one month's dues).

FACILITIES ACCESS POLICY

- FX Fitness closes its facilities for maintenance, selected holidays, and other hours based on municipal requirements or company policy announced in advance. The Performance Center may be unavailable during periods of repair and maintenance or special events, programs or private parties, or by management's schedule for these events. Business hours are posted and subject to change. FX Fitness may remove, change, discontinue, repair, or replace any part of the facilities or services without any effect on Membership Agreement. Any of the facilities or services, including, but not limited to, classes, equipment, and products, may have limited hours or may be discontinued altogether at any time and may be offered on a "first come first served basis". FX Fitness reserves the right to charge a separate participation or reservation fee for any facilities or services. FX Fitness reserves the right to close the Performance Center immediately in the event of a power failure or other safety reason.
- FX Fitness may permanently close, move, or sell The Performance Center without any effect on the Membership Agreement if it transfers your membership to another club within five (5) miles of the impacted location.