

## PRIVACY POLICY

*Last modified January 1, 2024.*

### PLEASE REVIEW THIS POLICY CAREFULLY

This Privacy Policy explains our practices regarding our collection, use and disclosure of information about you or other individuals, or information that could identify you or other individuals, through [www.sherylalway.com](http://www.sherylalway.com), companion mobile apps, or related services and communications (collectively, the “Store” or the “Site”). We refer to this information throughout this privacy policy as “Personal Information.” Personal Information does not include information that has been de-identified or aggregated such that an individual can no longer be identified.

The [Always Creative Studio LLC](#) Site are owned and operated by Always Creative Studio LLC or any affiliate, which will also be referred to herein as, “[Always Creative Studio LLC](#)”, “our”, “we”, “us”. The data controller of your Personal Information is [Always Creative Studio LLC](#)

[Always Creative Studio LLC](#) registered office is located at [40 Spanish Peak Drive, Bozeman, MT 59718](#). If you ever have questions about this Privacy Policy, please contact us at the information below. Please also review our full Terms and Conditions of Use, which also govern your use of the Sites. By using this Site, you are consenting to this Privacy Policy.

### COLLECTION OF YOUR PERSONAL INFORMATION.

Unless we expressly note otherwise, we do not collect personally identifiable information from users of our Sites. “Personal Information” is information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or household, not including publicly available information or de-identified or aggregate consumer information. When you visit our Sites, some information about your computer hardware and software is inherently automatically collected, such as your IP address, domain name, browser type, access time and referring website addresses. We typically do not use this information for any purpose, but an example of when we may use this information is in implementing improvements and analyzing the Sites and for troubleshooting purposes. We also utilize this information to monitor and improve services and to ensure that your use of the Sites is in compliance with our Terms of Use. Most of our services do not require any form of registration, allowing you to visit the Sites without telling us who you are. However, some services, such as email opt-ins may require you to provide us with Personal Data. In such a case, you may choose to withhold any Personal Data requested by us, but it may not be possible for you to gain access to certain parts of the site or content. We require only the information that is reasonably required to enter into a contract with you. We will not require you to provide consent for any unnecessary processing as a condition of entering into a contract with us. If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of company assets, or transition of service to another provider, then your information may be processed also in the context of such transactions and for the purpose of executing the transactions.

### LEGAL BASIS FOR PROCESSING

The above processing activities will be carried out only when one or more of the following legal bases apply:

- the processing is necessary for the performance of a contract to which you are party or in order to take steps at your request prior to entering into a contract;

- you have provided your consent to one or more processing activities;
- the processing is necessary for compliance with a legal obligation to which we are subject;
- the processing is necessary for the purposes of our legitimate interests. Details on the legitimate interests pursued by us are available upon request, to be forwarded at the contact details stated in this Privacy Policy.

When the processing is based on your consent, you are free to decide on whether or not to grant your consent and you will be entitled to withdraw the consent at any time, as described in this Privacy Policy.

When the processing is based on our legitimate interest, you will be entitled to exercise your right to opt-out or object to the processing at any time, as described in this Privacy Policy.

### **INTERNATIONAL PRIVACY LAWS AND YOUR RIGHTS UNDER THE GDPR**

If you are visiting the Site from outside the United States, please be aware that you are sending information to the United States where my servers are located. Information you submit may then be transferred within the United States or back out of the United States to other countries outside of your country of residence, depending on the type of information and how it is stored by me. These countries (including the United States) may not necessarily have data protection laws as comprehensively protective as your country of residence; however, my collection, storage, and use of your data will at all times continue to be governed by this Privacy Policy.

If you are a member of the European Union (EU), you have special rights under the GDPR. Those include: You have the right to object to the processing of your data and the right to portability of your data. All complaints must be sent to [alwayscreativestudio@gmail.com](mailto:alwayscreativestudio@gmail.com). You also have the right to erasure, rectification, access, or to seek restrictions to the processing of your personal data in our system. To the extent you provide consent to our processing of your personal data, you have the right to withdraw that consent at any time. Any withdrawal of consent does not apply to data collected lawfully prior to such consent. You have the right to lodge a complaint with a supervisory authority containing jurisdiction over GDPR related issues. If you do withdraw consent, this will not affect the lawfulness of any processing that was based on your consent before its withdrawal. In addition to the foregoing, you have the right under the GDPR to lodge a complaint in respect of your data protection rights with the applicable supervisory authority for data protection in your jurisdiction. If you are in the United Kingdom, that supervisory authority is the UK's Information Commissioner's Office: <https://ico.org.uk/>. If you are located in the EU/EEA, a list of and more information about the EU/EEA Data Protection Authorities can be found at <https://ec.europa.eu/newsroom/article29/items/612080>.

### **SAFEGUARDING YOUR PERSONAL INFORMATION**

We maintain physical, technical, and administrative safeguards to protect the confidentiality and security of information transmitted to us. However, no data transmission over the Internet or other network can be guaranteed to be 100% secure. As a result, while we strive to protect information transmitted on or through our website also by implementing adequate security measures as required by the applicable laws, we cannot and do not guarantee the security of any information you transmit on or through our website, and you do so at your own risk. To the fullest extent permitted by applicable law, we do not accept liability for unintentional disclosure.

We use Secure Socket Layer (SSL) and/or Transport Layer Security (TLS) or similar industry standard technology to encrypt transmissions of sensitive information from your computer to our servers. However, when you communicate with us via email on our website, these communications may be handled via unsecured transmissions or by third party service providers. Please be aware that information provided (such as email address, payment information, etc.) may be accessible to others. For that reason, we ask that you protect yourself and not share sensitive information via these communication channels.

### **COOKIES: WHAT THEY ARE, AND WHY THEY ARE NEEDED.**

A “cookie” is a small text file that identifies your computer or device. When you visit our website, unique cookies are placed on your browser, thus alleviating the need to continually log in with your username and password. Cookies may be stored within your system. To the extent we use cookies, we can only access information from a cookie sent by one of the Sites, not other websites. We may use cookies to personalize your visit to our Sites because tracking usage allows us to best determine the needs of our customers and advertisers.

### **MY POLICY WITH MINORS.**

Our Sites are not intended for individuals under the age of 18. If you are under 18, you may only use the Sites under the supervision of a parent or guardian. We do not collect or maintain information from anyone known to be under the age of 18, and no part of this website is designed to attract anyone under the age of 18. We do not sell products or services intended for purchase by children. If we discover or are otherwise notified that we have received any such information from a child in violation of this policy, we will delete that information.

### **DATA RETENTION**

We only retain Personal Data collected from Users for as long as the User’s account is active or otherwise for a limited period of time as long as we need it to fulfill the purposes for which we have initially collected it unless otherwise required by law. We will retain and use information as necessary to comply with my legal obligations, resolve disputes, and enforce my agreements for a period of 7 years for billing information and 10 years for legal information.

### **USE OF YOUR PERSONAL INFORMATION.**

If you do choose to provide your personal information, we will not willingly share your information with companies outside my organization, except as described in this Privacy Policy. You may at times receive communications from us related to products and services that we believe might interest you. While we believe these services may enhance your time spent at the Sites, you will at all times have the option and ability to opt out from receiving these communications by specifically choosing to do so via a link which will be provided within emails that we send to you. We may disclose total aggregated user statistics in order to describe our services to potential advertisers, other third parties, affiliate companies, and for other lawful purposes.

The information we gather from you may be used in several ways, either now or in the future, to gain a better understanding of our Sites’ users and their usage pattern as a whole, for site administration and troubleshooting, to process transactions, contest entries and other matters you initiate, to identify preferences in content and advertising, to target editorial, advertising or other content (such as promotions, special offers or other content) we think might be of interest to you. We may also use information we gather from you to communicate changes and improvements to my website or any registration you have made.

We use information collected to provide and operate the Sites, to facilitate your online experience, to operate the Site features, to communicate with you (e.g., for customer support), to administer on-platform optimization and reporting, to improve customer experience through personalization of products and their application, and use your browsing and other information to help us analyze our Sites. We may use the information we collect for any other purpose that was disclosed to you at the time it was collected or for other purposes where these are not incompatible with the disclosed purposes or where we otherwise have your consent.

You have the right to request access to the information we have for you. You can do this by contacting us at [alwayscreativestudio@gmail.com](mailto:alwayscreativestudio@gmail.com). We will make sure to provide you with a copy of the data we process about you.

In order to comply with your request, we may ask you to verify your identity. We will fulfill your request by sending your copy electronically unless the request specifies a different method. If you believe that the information we have about it is incorrect, or if you wish to remove your private information (such as an email address provided in an opt-in), you may contact us at [alwayscreativestudio@gmail.com](mailto:alwayscreativestudio@gmail.com). Any data that is no longer needed for the purposes specified herein will be deleted.

We do not give away, sell, rent or lease any users' personally identifiable information to any merchant, advertiser or web publisher. However, non-personally identifiable user information (such as usage pattern, browser type, and your computer) may be shared with third party businesses or advertisers with which I have a business or contractual relationship. We reserve the right to disclose personal information when needed to comply with the law or a legal process, cooperate with investigations of purported unlawful activities, to identify persons violating the law, in connection with the sale of part or all of Always Creative Studio LLC or its affiliates' assets, or to enforce our Terms of Use. We do not sell personal information we collect about you, including as the term "sale" is used within the meaning of the CCPA or the Nevada Act Relating to Internet Privacy.

Please keep in mind that if you disclose personally identifiable information in a public manner through the Sites, this information may be collected and used by others accessing those portions of the Sites. We do not monitor information you disclose on the Sites nor do we accept any liability associated with your voluntary disclosure of the same.

You are responsible for reviewing the privacy statements and policies of other websites you choose to link to or from the Sites, so that you may understand how those sites collect, use and store your information. We are not responsible for the privacy statements, policies or content of any other websites. Websites containing co-branding (referencing our name and a third party's name) contain content delivered by the third party and not us.

#### **LIMITATIONS.**

By using the Sites you agree that we are not responsible for: (i) any disclosure of your personal information made by you to a third party through your use of the Sites; (ii) any disclosure of your personal information obtained illegally from me; or (iii) any accidental disclosure of your personal information made by us.

#### **POLICY CHANGES.**

We may modify this Privacy Policy from time to time. Any modifications will be effective immediately when we post them. We will take steps to notify users of any modifications, however, you are responsible for reviewing any modified terms. When we update our Policy, we will note the date of revisions at the top of the Policy. Your continued use of a Site following any changes means you accept and agree to any changes. For your convenience and future reference, the date of the Privacy Policy is included so that you can compare any different versions of the Privacy Policy to determine any changes made to the Privacy Policy.

#### **YOUR COMMENTS AND CONCERNS.**

This website is operated by Always Creative Studio LLC, 40 Spanish Peak Drive, Bozeman, MT 59718. All other feedback, comments, requests for technical support and other communications relating to the Sites should be directed to [alwayscreativestudio@gmail.com](mailto:alwayscreativestudio@gmail.com).

## ACCESSIBILITY

If you are not able to access our form, you may request that a copy be provided to you in an alternative format by emailing [alwayscreativestudio@gmail.com](mailto:alwayscreativestudio@gmail.com).

## Notice under California Consumer Privacy Act

*Last modified January 1, 2024*

This Privacy Notice explains, in general, the procedures behind our collection, storage, and process of the information we may collect from you online, if any. This notice is intended to operate as a supplement to our Privacy Policy, for the sole purpose of defining rights that California consumers may have with respect to our Sites under the California Consumer Privacy Act of 2018 (“CCPA”).

Terms such as “personal information” and “processing” that are defined in the CCPA will have the same definitions in this Notice as we understand them to have under the CCPA. This includes exceptions to certain terms under the CCPA. For example, “personal information” under the CCPA does not include publicly available, aggregate consumer information, or de-identified, information.

The following chart is for the sole purpose of demonstrating the categories of information we may collect online, and other relevant information, such as why we collect information, how it is shared, if it is shared, and whether we sell that personal information.

### Personal Information:

Type of Information Collected	Purpose for Collection	Who do we share Information with?
Name, email address, phone number, referral information  <i>Note: include the information you ask for on your contact page</i>	Information requested on our contact page, located at <a href="http://www.sherylalway.com">www.sherylalway.com</a>	Third party service providers as necessary to administer, facilitate, and enhance the provision of our Sites under agreements that such providers maintain the information confidential.

<i>List any other information you collect, such as information you collect through a tool such as Google Analytics, ie, “information available through your Internet Protocol address”</i>	Collected automatically through various website tools we employ, as defined in our Cookie Notice. Collection of such information aids in improving our website for our visitors.	Third party service providers as necessary to administer, facilitate, and enhance the provision of our Sites under agreements that such providers maintain the information confidential.
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If you would like to request additional information, please email [alwayscreativestudio@gmail.com](mailto:alwayscreativestudio@gmail.com), and complete the following:

- Identify yourself
- Specify the information you request to be accessed, corrected, or removed

Please note that we reserve the right to request additional information to verify the above, including a form of government-issued identification. We additionally reserve the right to decline to process requests if you fail to provide either of the above, if we believe the request will violate any other law or legal requirement, cause the information to be incorrect, or jeopardize the privacy of others.

Written responses to information requested under this section will be delivered by mail/electronically. If a request is declined, we will provide an explanation as to why. We will not discriminate against you for exercising any rights available to you under applicable law.

We additionally reserve the right to modify, or delete some or all of your information collected. In such a case, we will retain data as reasonably necessary to comply with any legal obligations, including regulatory, security, or dispute requirements, law enforcement requirements, to prevent fraud or abuse, or to enforce obligations, including any other requests from you.

To make a request, you're welcome to contact us at the information provided in our Privacy Policy. You can designate an agent to make a request on your behalf in one of two ways: (1) having your agent send us a letter, signed by you, certifying that the agent is acting on your behalf and showing proof that they are registered with the California Secretary of State; or (2) by you and the agent executing and sending us a notarized power of attorney stating that the agent is authorized to act on your behalf. Please note that we may still require you to verify your identity before we process a request submitted by your agent.