

PACIFIC OPEN WATER SWIM CO.

Cancel for Any Reason (Clinics) Plan Terms and Conditions

The Cancel for Any Reason plan purchased from Pacific Open Water Swim Co. is subject to the following Terms and Conditions. Availability of this service may vary, and not all services are available to all customers or on all reservations. Pacific Open Water Swim Co. may revise these Terms and Conditions at any time by updating this posting.

1. **Eligibility:** With Pacific Open Water Swim Co., you may be eligible to purchase the option to cancel your Clinic Reservation purchase for any reason up to thirty (30) minutes before the scheduled meeting time of a clinic and receive a partial refund from Pacific Open Water Swim Co., as set forth in these terms.
2. **Purchases:** The option to purchase the Cancel for Any Reason plan with Pacific Open Water Swim Co. may only be completed at the time of participant registration and may not be added after the registration is complete. Pacific Open Water Swim Co. reserves the right to deny purchases of the option for any reason permitted by law (e.g., fraud or misuse).
3. **Non-refundability:** The cost of the option to Cancel for Any Reason with Pacific Open Water Swim Co. is non-refundable and is only valid for the clinic date reservation for which the option to cancel for any reason was purchased. The option to cancel for any reason is not transferable and cannot be carried over to any future clinic reservations.
4. **Exercise Process:** If you have purchased the option to cancel for any reason for a clinic reservation purchased through Pacific Open Water Swim Co., you may cancel that purchase by visiting Pacific Open Water Swim Co., navigating to Contact Us, and advising us via the website form, calling and leave a voicemail, or send an SMS message to our main office number advising us that you will be canceling (+1-415-737-9870). No documentation or reason will be required to cancel. You must complete this at least 30 minutes before the meeting time. Please note that cancellations must occur strictly and at least 30 minutes prior to the scheduled meeting start time, with no exceptions allowed.
5. **Exercise Window:** You must exercise your purchased clinic cancellation through Pacific Open Water Swim Co.'s website or via phone at least thirty (30) minutes before the clinic's scheduled meeting time. After this deadline has passed, the option to cancel for any reason will expire and no refund will be processed.
6. **Cancellation Refund:** Upon validly exercising the Cancel for Any Reason option and not participating in the clinic in any way, Pacific Open Water Swim Co. will refund 80% of the clinic reservation cost, excluding transaction fees, discounts, and the plan fee. No reservation transfers, credit vouchers, or additional refunds are permitted. Refunds will be processed within 30 days, and any outstanding fees or costs may be deducted. By purchasing this option, customers agree to these terms and waive any right to dispute or seek further reimbursement.
7. **Coverage:** Refunds cover the base fee for the clinic only. Refunds do not entitle you to a full refund of all trip costs. Any paid add-ons, including but not limited to the Cancel for Any Reason plan fee and any PayPal transaction fees, are not included in the refund.

8. **Chargebacks and Invalidated Payments:** If you initiate a chargeback or if your payment is invalidated for any reason, Pacific Open Water Swim Co. shall have no obligation to provide a refund for the canceled clinic reservation or the Cancel for Any Reason program fee. Furthermore, in such circumstances, Pacific Open Water Swim Co. reserves the right to pursue any available legal remedies to recover any outstanding fees or costs associated with the canceled reservation.
9. **Exclusions:** If you initiate PayPal's Buyer Protection program for any charges processed for our services or products, you initiate a chargeback of any kind, or if your payment to us is refunded or invalidated for any reason, no refunds will be provided, our obligation to you under this plan shall be considered complete, and your registration in the clinic shall be canceled and you shall be responsible for the total amount of the clinic fee plus any fees (including any applicable chargeback and dispute fees).
10. **Cancellation:** Cancellations cannot be reversed once they have been executed.
11. **Modifications:** Modifications to the plan are not allowed, and the option to Cancel for Any Reason may not be transferred.
12. **Not Insurance:** The Cancel for Any Reason option provided by Pacific Open Water Swim Co. is a distinct offering from any insurance products and is solely designed to enhance the flexibility and convenience of our clinic booking process. This option and the related terms and conditions do not constitute an offer to insure, are not insurance, and are not an insurance contract. The Cancel for Any Reason plan should not be confused with, nor should it replace, any insurance policies or coverages that you have obtained or may obtain in connection with your clinic reservation or other aspects of your travel plans. We strongly recommend that customers review their existing insurance coverages or consider purchasing appropriate insurance products to protect against unforeseen circumstances related to their clinic reservation and, when appropriate, other travel arrangements.
13. **Contact:** For any questions, please contact Pacific Open Water Swim Co. at 415-737-9870.

Document History:

Drafted Date: February 13, 2023

Revised Date: April 7, 2023

- *Revised terms and re-organized for improved clarity; included refund amount specifically within the terms (80%); and expanded exclusions to include chargebacks and other similar payment issues.*