

AMENDMENT TO SETTLEMENT AGREEMENT AND RELEASE

WHEREAS, on or about February 1, 2019, Plaintiff Thomas Dwyer and Defendant Snap Fitness, Inc. (collectively, the “Parties”) entered into a Settlement Agreement and Release;

WHEREAS, the parties desire to amend the definition of “Club Enhancement Fee” in the Settlement Agreement and Release in light of the class data that Defendant has compiled;

WHEREAS, the parties desire to clarify, but not to substantively alter, the definition of “Released Claims” in the Settlement Agreement and Release;

THEREFORE, the Parties hereby agree that **Section 2.12** of the Settlement Agreement and Release is replaced with the following language: “‘Club Enhancement Fee(s)’ means an additional, one-time Fee or Due with a label that included the terms: ‘Club Enhancement,’ ‘Annual Enhancement,’ ‘Annual Maintenance,’ or ‘Enhancement’ that was implemented and charged by certain Snap Fitness locations in or around 2017 and/or 2018.”

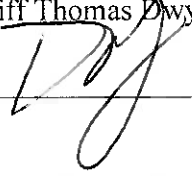
The Parties also hereby agree that **Section 12.01** of the Settlement Agreement and Release is amended to include the following statement: “Nothing in this Section shall be construed to prohibit Settlement Class Members from participating in, complying with, or receiving benefits from any government or regulatory initiated enforcement action.”

These revisions constitute the only changes to the Settlement Agreement and Release, and all other terms of the Settlement Agreement and Release remain in full effect.

IN WITNESS WHEREOF, the Parties hereto have caused this Amendment to Settlement Agreement and Release to be executed, dated as of May 9, 2019.

DATED: 5/9/19

Plaintiff Thomas Dwyer



DATED: _____

Defendant Snap Fitness, Inc.

By:

Name: _____

Title: _____

DATED: _____

Plaintiff Thomas Dwyer

DATED: _____

Defendant Snap Fitness, Inc.

By:

Name:  _____

Title: CFO _____