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April 20, 2020

The Honorable Eric Holcomb, Governor
Governor's Office; Room 206
Indiana State House
Indianapolis, IN 46204

RE: Essential Business Status of CrossFit Affiliates

Dear Governor Holcomb:

CrossFit, Inc. is the largest gym chain in Indiana with more than 100 affiliated gyms, all dedicated to reversing the nationwide epidemic of chronic disease. Chronic diseases, including type 2 diabetes, cardiovascular disease and obesity, claim millions of lives each year. More urgently, their presence in persons afflicted with COVID-19 significantly increases the likelihood that they may require hospitalization, or even die. CrossFit affiliates prevent and reverse these chronic diseases in their clients through functional exercise and balanced nutrition, thus decreasing their clients' susceptibility to and mortality from the virus, as well as other infectious diseases. CrossFit, Inc. respectfully requests that you deem its affiliates as essential businesses during this public health crisis. Our affiliates are ready to comply with all appropriate and necessary safety standards.

CrossFit, Inc. recognizes the extraordinary circumstances and risk Indiana faces at this time. The Centers for Disease Control and Prevention (CDC) [reports](#) that more than 720,000 Americans have developed COVID-19, and that more than 37,000 Americans have lost their lives. The CDC also reports that 94 percent of those who have died had at least one underlying condition, and that those with diabetes mellitus, chronic lung disease and cardiovascular disease appear to be at higher risk for severe COVID-19 associated disease. Published reports from China and Italy have reported the same conclusion. It stands to reason that activities that reduce and prevent the incidence of chronic disease help to reduce mortality from COVID-19.

Essential businesses must operate in accordance with guidelines issued by the CDC and other public health agencies to reduce transmission of the novel coronavirus. CrossFit affiliates stand prepared to adhere to the [CDC's guidelines](#) and those of the [Occupational Safety and Health Administration \(OSHA\)](#), and to alter their operations as those guidelines change. This includes changing their class structures and business models. Under normal circumstances, CrossFit affiliates provide instruction in a group setting for roughly an hour, starting with a warm up, a segment on skill development, a high intensity workout, and ending with a cool down period. In the course of

this instruction, CrossFit athletes normally share fitness equipment and interact within six feet of each other.

Normal operations, however, were not developed with this virus in mind. In order to drastically reduce contraction of the novel coronavirus, we ask that you permit CrossFit affiliates to operate as long as they adhere to the following safety standards for the duration of the COVID-19 pandemic:

- No group instruction. Trainers will exclusively provide one-on-one, personal training to their clients;
- The trainer and client must wear masks or face coverings which adhere to [CDC guidelines](#) on reducing transmission;
- Preceding and following any session, the trainer must clean and disinfect any surface to be touched by either the trainer or client, and cleaning and disinfection must be in accordance with [CDC guidelines](#);
- The trainer and client must maintain a minimum distance of 6 feet, or whatever distance the CDC deems safe, at all times;
- Workouts should take place outdoors, if possible, or otherwise in well-ventilated locations with proper air circulation.

The requirements suggested above should not be considered exhaustive. CrossFit, Inc. welcomes the recommendations and guidelines issued by public health agencies to improve the safety of its affiliates' operations so as to minimize any possible coronavirus transmission. CrossFit, Inc. respectfully submits this request that its affiliates be deemed as essential businesses for the duration of the COVID-19 pandemic, under the condition that they comply with the utmost safety standards, minimizing the potential transmission of the novel coronavirus.

Sincerely,

Marshall Brenner
General Counsel
CrossFit, Inc.