

Initialed by staff upon
completion by participant: _____
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BAD ASS BEER RUN EVENT PARTICIPANT / SPECTATOR / VOLUNTEER WAIVER

Release of Liability and Waiver

Name: _____

I acknowledge that The Bad Ass Beer Run, presented White Orchid Events and Madrone Tree Hill (here after also referred to as the Event) is a 21 and over “adult-beverage” event. I must always carry on my person a Government-issued photo ID. Expired ID’s or Driver’s Licenses will NOT be accepted.

I fully understand that I may be asked to present at any time throughout the event my ID. **Initials** _____

I understand that both the 1K and 5K involve risks that include, but are not limited to, those caused by the off road course, rough terrain, uneven terrain, and obstacle options that will test my physical limits and carries with it the potential for death, serious injury and property loss. Other risks include, but are not limited to, those caused by the off road course, rough and uneven terrain. The risks also include those caused by temperature, weather, wind, rain, condition of roads, condition of participants, equipment, lack of hydration, actions of other people including, but not limited to, The Bad Ass Beer Run /White Orchid Events/ Madrone Tree Hill owners who created and presents the Bad Ass Beer Run, its employees and volunteers at the event. Other risks include, but are not limited to, other Participants, Volunteers, Spectators, Event officials, and Event monitors, and/or Sponsors of the Event. **Initials** _____

I do hereby further declare myself to be physically sound and suffering from no condition, impairment, disease, infirmity, or other illness that would prevent my participation in any of the activities and programs, including but not limited to exercises, lifts, and participation in the Bad Ass Beer Run Event prepared and sponsored by White Orchid Events and Madrone Tree Hill, I do hereby acknowledge that I have been informed of the need to consult with a physician for a physician's approval for my participation in the Event. I also acknowledge that it has been recommended that I have a yearly or more frequent physical examination and consult with my physician as to physical activity and exercise. I acknowledge that I have either had a physical examination or have been given my physician's permission to participate in the Event, or that I have decided to participate in the Event without the approval of my physician. I hereby assume all responsibility for my participation in the Event and activities and I hereby consent to receive medical treatment which may be deemed advisable in the event of injury, accident and/or illness during this Event...**Initials** _____

I, the undersigned acknowledge an assumption of risk and fully release the Bad Ass Beer Run/ White Orchid Events, Madrone Tree Hill, its owners, members, officers, directors, shareholders, employees, volunteers, representatives, and agents, the Event holders, Event sponsors, and Event volunteers and Landowners from any and all liability, including but not limited to my death, disability, personal injury, property damage, property theft or actions of any kind which may hereafter accrue to me. I, the undersigned, have been warned and I am aware of these and numerous other inherent risks in participating in the Event and/or any activities of Event. I fully and voluntarily assume complete responsibility for those risks and for the injuries that may occur as a result of those risks even if injuries

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occur in a manner that is not foreseeable at the time I sign this agreement. I, the undersigned, agree to release, indemnify, and hold harmless the Bad Ass Beer Run/White Orchid Events, Madrone Tree Hill its owners, members, officers, directors, shareholders, employees, volunteers, representatives, successors or assigns, or other authorized agents, including independent contractors, Event holders, Event sponsors, and Event volunteers and Landowners from liability, and promise and/or agree NOT to sue. **Initials** _____

I, the undersigned, acknowledge that these physical activities involve the inherent risk of physical injuries or other damages, including, but not limited to, heart attacks, muscle strains, pulls or tears, broken bones, shin splints, heat prostration, knee/lower back/foot injuries and any other illness, soreness, or injury however caused which may result in death, occurring during or after Buyer's participation in the physical activities. I further acknowledge that such risks include, but are not limited to, injuries caused by the negligence of the Bad Ass Beer Run/ White Orchid Events, Madrone Tree Hill (as hosts and/or presenters of Event), its owners, members, officers, directors, shareholders, employees, volunteers, representatives, and agents, the Event holders, Event sponsors, and Event volunteers and Landowners or other persons, defective or improperly used equipment, over-exertion of myself, slip and fall by myself, or an unknown health problem of myself. **Initials** _____

I, the undersigned, affirm that I am in good physical condition and do not suffer from any disability that would prevent or limit participation in the physical activities. I acknowledge participation will be physically and mentally challenging, and I agree that it is my responsibility to seek competent medical or other professional advice regarding any concerns or questions involved with my abilities to take part in the Event activities. **Initials** _____

I, the undersigned, acknowledge that this agreement is legally binding and the information herein is admissible as evidence supporting the Bad Ass Beer Run/White Orchid Events and Madrone Tree Hills thoroughness in informing and making safety awareness to all participants. By signing this document, I am demonstrating the ability to be solely responsible for any loss or damage. I also agree that if I, or someone on my behalf, asserts a claim or file a suit against the Bad Ass Beer Run/ White Orchid Events, Madrone Tree Hill I will pay all costs and attorney's fees incurred by the Bad Ass Beer Run/ White Orchid Events, Madrone Tree Hill in defending that claim or suit, if the claim or suit is withdrawn or dismissed, or to the extent a court determines that the Bad Ass Beer Run/ White Orchid Events, Madrone Tree Hill is not responsible for the injury or loss. **Initials** _____

By signing this Agreement, I, the undersigned, assert that I am capable of participating in the physical activities. I agree to assume all risk and responsibility for not exceeding my physical or mental limits. I, on behalf of myself, my heirs, assigns and next of kin, agree to fully release the Bad Ass Beer Run/ White Orchid Events, Madrone Tree Hill (as well as any of its owners, members, officers, directors, shareholders, employees, or other authorized agents, including independent contractors, Event holders, Event sponsors, and Event volunteers and Landowners) from any and all liability, claims and/or any litigation actions that I may have for injuries, disability or death or other damages of any kind, including but not limited to punitive damages, arising out of participation in the Event, even if caused by the negligence, gross negligence, intentional acts or omissions and/or other type of fault of Bad Ass Beer Run/White Orchid Events, Madrone Tree Hill, its owners, members, officers, directors, shareholders, employees, successors or assigns, or other authorized agents, including independent contractors, Event holders, Event sponsors, and Event volunteers and Landowners. **Initials** _____

I understand that at this event or related activities, I may be photographed. I agree to allow my photo, video or film likeness to be used for any legitimate purpose by the Event holders, producers, sponsors organizations and assigns and I acknowledge that Event holders, producers, sponsors organizations and assigns and their representatives shall have the unlimited right throughout the World to copyright, use, reuse, publish, republish, broadcast and otherwise distribute all or any portion of the Event in which I may appear on any and all radio, network, cable and local

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television programs and in any print materials and in any other format or media (including electronic media) now known or hereinafter devised in perpetuity without compensation. The Accident Waiver and Release of liability shall be construed broadly to provide a release and waiver to the maximum extent permissible under applicable law.....**Initials** _____

As a spectator or volunteer of the Bad Ass Beer Run/White Orchid Events, Madrone Tree Hill competition(s), race(s), related Events and/or activities, I the undersigned, acknowledge, appreciate, and agree that there is a risk of injury and/or death from the activities involved in Bad Ass Beer Run presented by White Orchid Events, Madrone Tree Hill and its related Events and as a spectator/volunteer, I understand that there is a potential related risk to me due to my presence near the Events; I KNOWINGLY AND FREELY ASSUME ALL SUCH RISKS, BOTH KNOWN AND UNKNOWN, EVEN IF ARISING FROM THE NEGLIGENCE OF THE RELEASEES or others, and assume full responsibility for my participation as a spectator/volunteer; and if I observe any unusual and/or significant hazard during my presence, I will remove myself from the area that I perceive as a hazard and shall bring such hazard to the attention of the nearest official; and I, for myself and on behalf of my heirs, assigns, personal representatives and/or next of kin, forever WAIVE, RELEASE, DISCHARGE and COVENANT NOT TO SUE, BAD ASS BEER RUN/ WHITE ORCHID EVENTS, MADRONE TREE HILL Linda and Derek Boyko, and their owners, members, officers, directors, shareholders, employees, participants, representatives, volunteers, spectators, Event officials, and Event monitors, sponsors of the Event, subsidiaries, and/or assigns, as well as their independent contractors, sponsoring agencies, sponsors, advertisers, and if applicable, owners and lessors of the premises used to conduct the Event (collectively, the "Releasees"), WITH RESPECT TO ANY AND ALL INJURY, DISABILITY, DEATH, and/or loss or damage to person or property, WHETHER ARISING FROM THE NEGLIGENCE OF THE RELEASEES OR OTHERWISE. I further agree to indemnify, defend and hold harmless Releasees from any loss, liability, cost, claims or damages arising from my participation in or association with activities and Events organized and sponsored by the Bad Ass Beer Run/White Orchid Events, Madrone Tree Hill. or connected with the Events; and my attendance as a spectator or volunteer at the Events organized or sponsored by the Bad Ass Beer Run/White Orchid Events, Madrone Tree Hill is entirely voluntary; and I consent to administration of first aid and other medical treatment in the event of injury or illness and hereby release and indemnify Releasees from any and all liability or claims arising out of such treatment; and the Releasees reserve the right, in its sole determination, to postpone, cancel, or modify the event due to weather conditions or other factors beyond the control of the Releasees that might affect the health and/or safety of the participants; In consideration and in return for being allowed to view, spectate, or participate in the Event, I release and agree not to sue the Releasees from all present and future claims regarding my participation either as a spectator, volunteer, or participant in the Events that may be made by me, my family, estate heirs, or assigns. **Initials** _____

By signing below, participant acknowledges that this event is a "rain or shine" event and further expressly acknowledges that he/she understands that rain may cause courses and obstacles to be more difficult to traverse. In choosing to traverse wet courses and obstacles, the participant assumes any and all risk. I, the undersigned, have read and initialed all of these statements certifying that I am taking sole responsibility for my skills and actions. I have full knowledge of the nature and extent of the inherent risks in using participating in the Event. I have initialed these with the knowledge that the Bad Ass Beer Run/White Orchid Events, Madrone Tree Hill has taken careful and extensive measures to prevent accidents, injuries, losses, damages, and that there are numerous other skills and inherent risks than those listed above. I acknowledge I have competence in the basic skills necessary to participate in the Event and I am relieving the Bad Ass Beer Run/White Orchid Events, Madrone Tree Hill of any and all liability for injuries, damages, or losses to myself, other persons, or the Bad Ass Beer Run/White Orchid Events, or Madrone Tree Hill. I have read this agreement thoroughly and agree to the terms, no oral representations or statements or inducements have been made to me that change, alter, or modify anything within the written agreement.

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I HAVE READ THIS RELEASE AND I UNDERSTAND ITS CONTENTS IN THEIR ENTIRETY.

Date : _____

Print Name: _____

Address: including city /state/ zip _____

Phone # _____

E-Mail Address _____

Participant Signature: _____

Event Staff use only:

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Event staff Signature: _____