

SHAPE America and Gopher Sport

Big Feats for SHAPE America Virtual Race Top Fundraiser Contest

Sponsoring Organizations: This Big Feats for SHAPE America Virtual Race Award Contest (“Contest”) is a joint project between SHAPE America (SHAPE) and Gopher Sport (collectively the “Sponsors”).

Description of the Contest: The winning Entrants will be selected in accordance with the official rules (the “Rules”) based on total fundraising goals by eligible Entrants on or before January 15, 2019.

Entry Constitutes Agreement: By entering the Contest, Entrant agrees to be bound to and abide by these Rules, and the decisions of the judges. The Rules form a binding legal agreement between the Entrants and the Sponsors. By entering this Contest, Entrant consents to have their name, school and Big Feats Virtual Race story displayed on the Sponsors’ websites and social media platforms and to have information about their fundraising efforts published in the Sponsors’ promotional materials.

Contest Period: Those meeting the eligibility requirements set forth below may enter the Contest between 12:01 a.m. (EST) October 22, 2018 and 11:59 p.m. (EST) January 15, 2019 (“Contest Period”).

Prizes: Pursuant to these Rules, the Sponsors shall select three winning Entrants from all entries received. The winning Entrant will receive 1) hotel room for 5 nights, airfare, and convention registration, to attend the 2019 SHAPE America National Convention and Expo. The approximate value of the Prize is \$2,200.

The Contest winner will be selected on January 23, 2019 and the prize will be awarded no later than January 25, 2019.

Prizes are not transferable, redeemable for cash or exchangeable for any other prize.

Who Can Enter: This Contest is open to individuals 18 years of age or older that participate in the Big Feats Virtual Race. Employees, directors, and immediate family members of SHAPE America and Gopher Sport are not eligible to win.

The Sponsors reserve the right in their sole discretion to disqualify and eliminate any entry from an Entrant for any reason, including but not limited to, because the Sponsors believe the entry does not comply with these Rules. Entrants must be U.S. residents. Contest is void where prohibited by law.

How To Enter:

- 1) Register for the Big Feats Virtual Race and complete your fundraising page using the registration form available at www.donate.shapeamerica.org/bigfeats. Failure to provide your electronic signature on the electronic waiver will result in disqualification from the Contest. **The waiver includes confirmation that all information, including those pertaining to students who appear on the Entrant's Big Feats Virtual Race page, have signed a waiver allowing permission to use their information in promotions and future fundraising efforts.**
- 2) "Top" fundraisers will be determined by the individuals with the most funds attributed to them. **Team fundraising totals will not count for this contest.**
- 3) Only one account per Entrant shall be considered.
- 4) In the event of a tie, the entrants who created their virtual race profile first will be selected.

Selection of Winners: Three winning Entrants shall be selected from all entries received. Winners will be selected by total funds raised as reflected on the Classy platform.

Intellectual Property: Entrant agrees not to submit an entry that infringes upon any third-party proprietary rights or intellectual property rights, including but not limited to, copyright, trademark, patent, trade secret or confidentiality obligations, or otherwise violates applicable U.S., state or local law.

By registering for the virtual race, registrants grant the Sponsors their affiliates, subsidiaries, licensees, and assigns an irrevocable, perpetual, and royalty-free right to use, reproduce, edit, display, transmit, prepare derivative works of, modify, publish and otherwise make use of the submitted entry. These rights include, but are not limited to, the right to modify, censor, compress, edit, affix logos to, and to otherwise alter or make use of the submitted entry.

Entrant agrees that the Sponsors shall have no obligation to post, display, or otherwise make publically available the entry, and may, in their sole discretion, remove or delete the entry from the Sponsors' website, social media platform, or in other published locations.

Disqualification: Any false information provided by an Entrant or individual acting on behalf of the Entrant may result in the immediate disqualification of the Entrant from the Contest. The Sponsors further reserve the right to disqualify any entry that they believe in their sole discretion infringes upon the rights of any third party, does not comply with these Rules, or violates U.S. or applicable state or local law.

Sponsors' Right to Suspend or Terminate the Contest and Modify Rules: In the event the Contest is compromised in any way which corrupts or impairs the administration or fairness of the Contest, the Sponsors reserve the right, in their sole discretion, to suspend or terminate the Contest at any time. Such events may include, but are not limited to, computer viruses or a security breach.

Should the Contest be suspended or terminated prior to the expiration of the Contest Period, the Sponsors reserve the right to award the Prize based on eligible entries received prior to the termination date.

The Sponsors reserve the right to amend these Rules at any time.

ANY ATTEMPT BY AN ENTRANT TO DELIBERATELY UNDERMINE THE LEGITIMATE OPERATION OF THIS CONTEST MAY BE A VIOLATION OF CRIMINAL AND/OR CIVIL LAWS, AND SHOULD SUCH AN ATTEMPT BE MADE, THE SPONSORS EACH RESERVES THE RIGHT TO SEEK REMEDIES AND DAMAGES (INCLUDING WITHOUT LIMITATION ATTORNEYS' FEES) FROM ANY SUCH ENTRANT TO THE FULLEST EXTENT OF THE LAW, INCLUDING CRIMINAL PROSECUTION.

Limitation of Liability: Entrant waives the right to claim any damages whatsoever, including, but not limited to, punitive, consequential, direct, or indirect damages. The Sponsors and their respective affiliates, officers, directors, employees and agents do not have and will not have any liability whatsoever for, and shall be held harmless against, any liability for any injuries, losses or damages of any kind to persons or property resulting in or in part, directly or indirectly, from acceptance, possession, misuse or use of any Prize or participation in this Contest or any Contest-related activity; or for any typographical or other error in the printing, offering or announcement of any Prize.

Should a court of law find SHAPE and/or Gopher Sport liable for loss or damage, their liability will be limited to the price of the Prize, and in no event shall they be liable for attorney's fees.

THE SPONSORS MAKE NO WARRANTIES, REPRESENTATIONS OR GUARANTEES, EXPRESS OR IMPLIED, IN FACT OR IN LAW, AS REGARDS THIS CONTEST.

The Sponsors and their affiliates, officers, directors, employees and agents will have no liability whatsoever for entries that are late, incomplete or not received for any reason.

Governing Law and Jurisdiction: All issues concerning the construction, validity, interpretation and/or enforceability of these Rules or the rights and obligations of Entrant in connection with the Contest shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia without giving any effect to any choice of law or conflict of law rules or provisions that would cause the application of any other state's laws. By entering into this Contest, Entrant consent to the sole jurisdiction of the Fairfax County, Virginia Circuit Court.

Except where prohibited, Entrant agrees that any and all disputes, claims and causes of action arising out of, or connected with, the Contest or any Prize awarded shall be resolved individually, without resort to any form of class action.

Taxes: Any valuation of the prize(s) stated above is based on available information provided to SHAPE America, and the value of any prize awarded to a winner may be reported for tax purposes as required by law. Each winner is solely responsible for reporting and paying any and all applicable taxes related to the prize(s) and paying any expenses associated with any prize which are not specifically provided for in the official rules. Each winner must provide SHAPE America with valid identification and a valid taxpayer identification number or social security number before any prize will be awarded. Any person winning over \$600

in prizes from SHAPE America will receive an IRS form 1099 at the end of the calendar year and a copy of such form will be filed with the IRS.

List of Winners: SHAPE will maintain all records relating to the Contest as required by law. For a list of winners, send a self-addressed, envelope with your written request to the address below:

SHAPE America
Attn: Yasmeeen Taji-Farouki
1900 Association Drive
Reston, V 20191