

Cyberia Foundation LTD.

CONSENT, INDEMNITY AND LIABILITY RELEASE

I request Cyberia Foundation LTD. (DBA "Club Cyberia") And their affiliates (Collectivity, "Cyberia Foundation") to provide me access to their premises, for the purpose of participating in activities. In consideration for this privilege and other good and valuable consideration, I, the undersigned, for myself and heirs, assign and personal representatives, do hereby agree to the following:

- I understand that my presence on the premises of Cyberia Foundation and or my participation in any events can expose me to dangers both from known risks and unanticipated risks. Acknowledging that such risks exist, I assume these risks including the risk of negligent conduct. I recognize that negligent conduct can cause property damage and personal injury including serious injury or death. I also recognize that my injuries and/or damages may be caused, increased or compounded by negligent rescue operations or procedures.
- I hereby waive, release, discharge, and *covenant not to sue* Cyberia Foundation or there agents, employees, officers, members, directors, sponsors, agencies, subsidiaries, affiliates, heirs, executors, or beneficiaries (the "Released Parties"), from and against any and all claims, cause of action, liability, injuries, demands, losses, damages, or expenses of any kind arising out of any condition on the premises of Cyberia Foundation, while operating vehicles for the purpose of Cyberia Foundation, my participation, or the conduct of any person in connection with the preparation for, supervision of, or conduct of any activity related in any manner to Cyberia Foundation. I am specifically releasing the Released Parties, individually and collectively, for their negligence in any form. I AGREE AND UNDERSTAND THAT IF INJURED OR PROPERTY IS DAMAGED I HAVE NO RIGHT TO MAKE A CLAIM OR FILE A LAWSUIT AGAINST THE RELEASED PARTIES EVEN IF THEY CAUSED MY INJURY OR DAMAGES BY THEIR NEGLIGENCE.
- I agree to abide by the rules, regulations and policies of Cyberia Foundation at all times while I am on the premises of Cyberia Foundation. I also agree to use the facilities, tools, and materials in a safe way.
- I agree to indemnify and hold harmless the Released Parties from all lawsuits, claims, damages, costs, and attorneys' fees which arise out of my presence on the premises of Cyberia Foundation or out of any violations of this Agreement by me, my child, my agent or my representative. This provision will apply regardless of whether or not the lawsuit, claim, damages, costs and/or attorneys' fees arise out of negligence of any of the Released Parties.
- I agree that Cyberia Foundation and its successors and assigns shall have the right to exploit any and all photographs, video reproductions, audio reproductions, films, motion pictures, and other reproductions or depictions of Cyberia Foundation, it's premises, and any portion thereof, including without limitation descriptions, pictures,

likenesses, images, name and sound of me alone or with other persons, through any and all media whether now known or hereafter discovered, and all rights to copyright, reproduce, distribute, display, perform, sell, license, or otherwise dispose of same for any purpose whatsoever. I also grant to Cyberia Foundation a non-exclusive, perpetual license to use my rights of publicity (or similar), and full permission to any and all uses of my likeness, including photographs and videotape for publicity and advertising purposes without compensation.

**I accept total responsibility for myself.**

**\*Applicant must be 18 years of age or older, or a parent / guardian\***

**(Please use legible writing)**

Participant Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Participant Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Participant Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Parent/Guardian Name (if required): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip code: \_\_\_\_\_

Cell Phone #: \_\_\_\_\_

E-mail: \_\_\_\_\_

Emergency Contact Phone #: \_\_\_\_\_