

DOWNUNDER CT LLC ("Downunder")

157 Rowayton Ave, Rowayton CT 06853, (203) 642-3660
575 Riverside Ave, Westport CT 06880, (203) 956-6217, www.downunderct.com

PARTICIPANT RELEASE OF LIABILITY AND ASSUMPTION OF RISK AGREEMENT

Downunder is not responsible for your personal possessions. We recommend you leave them in your car and bring only what you are taking out with you.

We do require that you bring a driver's license or credit card which we will hold until you return.

READ BEFORE SIGNING

In consideration of being allowed to participate in any way in the program, related events and activities (the "Activities") offered by Downunder, I the undersigned, acknowledge and agree that:

1. The Activities are inherently dangerous, and the risk of injury from the Activities is significant, including the potential for permanent injury, paralysis and death. **I KNOWINGLY AND FREELY ASSUME ALL SUCH RISKS**, both known and unknown, and assume full responsibility for my participation.
2. I, for myself and on behalf of my heirs, and, personal representatives, **HEREBY RELEASE, INDEMNIFY, AND HOLD HARMLESS Downunder CT LLC and their respective owners**, officers, managers, agents and/or employees, as well as other participants in the Activities and Downunder's sponsors, advertisers, (collectively, the "RELEASEES"), from any and all claims, demands, losses, and liability arising out of or related to any **INJURY, ACCIDENT OR DEATH** I may suffer arising from or in connection with my participation in any Activities, as well as or loss or damage to any other person or property, to the fullest extent permitted by law.
3. By participating in or attending any Activity whether on or off the premises where Downunder is located, **I consent to the use of any photographs, pictures, film or videotape taken of me or provided by me for publicity, promotion, television, websites or any other use, and expressly waive any right of privacy, compensation, copyright or other ownership right connected to same.**

Personal Responsibility

The Participant and his/her parent(s) or legal guardian(s) certify that the Participant has no physical or mental condition that precludes him/her from participating in the Activities and that he/she is not participating against medical advice. The Participant and his/her parent(s) or legal guardian(s) understand that Participant's participation in the Activities is voluntary and further understand that they have the opportunity to inspect the Host's Equipment, facilities, and vessels before any participation. The Participant and his/her parent(s) or legal guardian(s) understand that Participant is obligated to follow the rules of the Activities and that he/she can minimize his/her risk of injury by doing so and through the exercise of *common sense* and by being aware of his/her surroundings. If while participating in the Activities, the Participant or his/her parent(s) or legal guardian(s) observe any unusual hazard or condition, which they believe jeopardizes Participant's personal safety or that of others, Participant and/or his/her parent(s) or legal guardian(s) will remove Participant from participation in the Activities and immediately bring said hazard or condition to the attention of the Host. To the extent that any portion of this Agreement is deemed to be invalid under the law of the applicable jurisdiction, the remaining portions of the Agreement shall remain binding and available for use by the host and its counsel in any proceeding.

I HAVE READ THIS RELEASE OF LIABILITY AND ASSUMPTION OF RISK AGREEMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, INCLUDING THE RIGHT TO SUE, AND SIGN IT FREELY AND VOLUNTARILY.

Participant Signatures _____

FOR PARENTS/GUARDIANS OF PARTICIPANT OF MINOR AGE (UNDER 18 YEARS AT TIME OF REGISTRATION)

This is to certify that I, as parent/guardian with legal responsibility for this participant, do hereby grant release on behalf of said minor and on my own behalf.

Parent/Guardian Signature _____

Name and Age of Minors: