

# Rules

## **Blackhawk Women's Scholarship Fund Official Rules and Regulations**

Blackhawk Women's Scholarship Fund (BWSF), a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, is conducting this raffle pursuant to California Penal Code Section 320.5, et seq, to raise funds for ongoing charitable purposes. The Rules and Regulations of the BWSF raffle are set forth below. By purchasing a raffle ticket the purchaser agrees to be bound by these rules and regulations. BWSF's interpretation and application of the rules and regulations shall be final.

The drawing for the BWSF raffle will be held on March 29, 2020. BWSF reserves the right to conduct the drawing at an earlier date if tickets sell out before that time. BWSF also reserves the right to hold the drawing at a later date if they determine that a suitable amount of tickets have not been sold. The drawing is planned to be held at the Blackhawk Country Club Sports Complex on March 29, 2020 during evening bocce competition. The winner does not need to be present to win.

Only 200 tickets will be sold. Entries are not refundable. The chances of winning are based on that number. If fewer tickets are sold, the chances of winning improve. The IRS has taken the position that amounts paid for chances in raffles, lotteries or similar drawings for valuable prizes are not gifts, and consequently do not qualify as deductible charitable contributions. Consult your tax advisor.

The Safari Trip raffle winner assumes all fees, local, state and federal taxes. BWSF takes no responsibility for any tax or other liabilities. Consult your tax advisor. This offer is void where prohibited by law, and all federal, state and local laws and regulations apply.

BY ENTERING THIS RAFFLE, ENTRANTS ACCEPT AND AGREE (1) TO BE BOUND BY ALL THE RULES, LIMITATIONS AND RESTRICTIONS SET FORTH HERE AND (2) THAT THEIR NAMES AND/OR LIKENESSES MAY BE DISCLOSED TO AND USED BY THE NEWS MEDIA

AND MAY OTHERWISE BE USED BY BWSF FOR PUBLICITY PURPOSES IN AREA PUBLICATIONS AND ANNOUNCED ON THE BWSF WEBSITE. OTHER RULES AND REGULATIONS MAY APPLY. PLEASE CONTACT BWSF IF YOU HAVE QUESTIONS. BWSF'S INTERPRETATION AND APPLICATION OF THE RULES AND REGULATIONS SHALL BE FINAL.

BY ENTERING THIS RAFFLE, EACH PARTICIPANT RELEASES BWSF, ITS DIRECTORS, OFFICERS, EMPLOYEES AND AGENTS( including the travel coordinator) FROM ANY AND ALL LIABILITY FOR INJURIES, LOSSES OR DAMAGES OF ANY KIND CAUSED BY PARTICIPATING IN THE RAFFLE OR WINNING THE PRIZE OR RESULTING FROM ACCEPTANCE, POSSESSION, USE OR MISUSE OF ANY PRIZE, AND EACH WINNER AGREES TO INDEMNIFY AND HOLD BWSF HARMLESS FROM ANY AND ALL LOSSES, DAMAGES, RIGHTS, CLAIMS AND ACTIONS OF ANY KIND ARISING IN CONNECTION WITH OR AS A RESULT OF PARTICIPATING IN THE RAFFLE OR THE WINNER'S ACCEPTANCE OR USE OF THE PRIZE.

FURTHER, EACH PARTICIPANT HEREBY WAIVES THE PROVISIONS OF CIVIL CODE SECTION 1542 WHICH STATES THE FOLLOWING: "A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR."

TRAVEL INSURANCE IS NOT PROVIDED BY BWSF OR THE TRAVEL COORDINATOR AND ANY INSURANCE ASSOCIATED WITH TRAVEL IS THE SOLE RESPONSIBILITY OF THE PERSONS TAKING THE SAFARI.

THE PRIZE WINNER WILL BE REQUIRED TO SIGN A WRITTEN AGREEMENT CONFIRMING THE ABOVE-DESCRIBED RELEASE AND A WAIVER AS A CONDITION TO RECEIVING SUCH PRIZE AND ASSUME ALL RESPONSIBILITIES FOR THE TWO PERSONS WHO TRAVEL.

**Tickets:**

Tickets are \$50 each. Only one eligible person may be entered in the raffle per ticket sold. Only one method of payment and one mailing address are permitted per ticket. If the name of more than one person is submitted with a ticket purchase and that ticket is selected as a winning ticket, the person named first will be deemed the holder of record of that ticket and declared the winner. Division of prize by a group purchasing a ticket in common shall be to the sole responsibility of the person named as the holder of record of that ticket, should that ticket be selected as a winner.

BWSF reserves the right to reject any entry form that is submitted with payment that does not constitute "good funds." All defective or physically altered entry forms will be immediately disqualified by BWSF. Prior to the Grand Prize Drawing, BWSF will make a reasonable effort to notify the individual that submits such an entry form, or one which has been rejected because the FUNDS did not clear, that the entry has been rejected by attempting to make contact through the information provided at the time of submitting the purchase request.

A RAFFLE PARTICIPANT'S SOLE AND EXCLUSIVE REMEDY FOR BWSF'S BREACH SHALL BE LIMITED TO THE RETURN OF THE PURCHASE PRICE PAID FOR HIS OR HER RAFFLE TICKET(S). IN NO EVENT SHALL BWSF, ITS DIRECTORS, OFFICERS, EMPLOYEES, AGENTS OR REPRESENTATIVES BE LIABLE TO ANY PARTY FOR ANY LOSS OR INJURIES TO EARNINGS, PROFITS OR GOODWILL, OR FOR ANY INCIDENTAL, SPECIAL, PUNITIVE OR CONSEQUENTIAL DAMAGES OF ANY PERSON OR ENTITY WHETHER ARISING IN CONTRACT, TORT OR OTHERWISE, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

### **How to Purchase:**

Individuals are not limited to the number of tickets purchased, subject to availability.

To purchase tickets: use the order form provided and MAIL the order form to BWSF Raffle, PO Box 2991, Danville, CA 94526. Tickets cannot be purchased on the raffle website or by email. In compliance with CA Penal Code Section 320.5, no gaming machine or device will be employed in connection with the raffle or the sale of raffle tickets. Any entry form

submitted by email will be rejected. All entries must include payment by check, money order, Blackhawk Country Club Member # or credit card. All entry forms must be signed. BWSF reserves the right to reject any entry form that is submitted with payment that does not constitute "good funds." No refunds will be made except under the following circumstances: any ticket order with payment received after 200 tickets have been sold or after March 29, 2020 will be returned. No other refunds are available except in the exclusive discretion of BWSF. BWSF assumes no responsibility for lost, late, misdirected or non-delivered mail, or any other failure to receive orders or deliver receipts prior to the drawing deadlines.

### **Selection of Winners:**

The Blackhawk Women's Scholarship Fund raffle drawing is scheduled to be held on March 29, 2020 from all eligible raffle tickets. BWSF reserves the right to conduct the drawing scheduled for that day at an earlier date if all available tickets have been sold. The winner need not be present to win. In compliance with CA Penal Code Section 320.5, no drawing will be conducted in any kind of satellite wagering facility. The winner will be notified according to the contact information provided to BWSF at the time of ticket purchase. The name of the winner may be obtained from BWSF by sending a self-addressed, stamped envelope to BWSF Safari Raffle, PO Box 2991, Danville, CA 94526 within one week of the drawing.

In order to collect his or her prize, a ticket winner must sign and deliver to BWSF: (a) a sworn affidavit of eligibility in accordance with these Rules and applicable law, including without limitation that he or she is at least 18 years old; (b) such written information as is required by any applicable tax and/or real estate laws, including without limitation his or her Social Security Number; (c) proof of identity in forms satisfactory to BWSF showing that the person claiming the prize is the same person who is named on the winning raffle ticket; and (d) the winning ticket stub.

### **Winning Odds:**

The odds of winning a prize will depend on the number of tickets sold. If all 200 tickets are sold the odds of winning the Grand Prize is 1 in 200. If fewer tickets are sold, the chance of winning improves.

**Eligibility:**

Anyone 18 years of age or older and a U.S. resident physically residing in the United States or Washington, DC may enter. BWSF employees, members of the Board of Directors, authorized agents and employees thereof, consultants, attorneys, independent accountant firm, and their spouses, domestic partners, and children living in the same household are excluded from participating and are not eligible to win a prize.

All federal, state, and local laws and regulations apply. The raffle is void where prohibited or restricted by law. An affidavit of eligibility may be required from prize winners.

**Prizes**

The BWSF website provides a link to a description of The Magical Kenya Safari prize. The prize is transferrable. Travel must be completed in 2020. All gratuities, taxes and fees are the responsibility of the winner. The winner must comply with all applicable requirements and restrictions related to the prize including without limitation applicable travel dates, age restrictions, liability waivers, travel documentation and reservation and confirmation procedures. The travel prize is subject to availability and may be substituted with a comparable itinerary. Alterations, including adding on pre- or post-travel is a possibility; however, any additional costs are solely the responsibility of the winner. I understand that C.A.T. Safaris is the travel coordinator for the Safari trip.

At the option of BWSF, the drawing date for the grand prize may take place earlier if all raffle tickets have been sold.

**General Terms and Conditions:**

BWSF takes no responsibility for any tax liabilities. Consult your tax advisor.

**Registration with the State of California:**

By letter from the Attorney General's office, Blackhawk Women's Scholarship Fund (aka Blackhawk Women's Charitable Giving and BWSF) is registered with the Department of Justice under Raffle Registration Number RF0013900). Registration does not imply endorsement.