



## **BURQUE DERBY RAFFLE RULES AND REGULATIONS**

### **BENEFICIARY**

All proceeds from the Burque Derby Raffle (the "Raffle") benefit the Albuquerque Youth Symphony Program, a 501(c)(3) tax-exempt, nonprofit organization in the state of New Mexico.

### **ELIGIBILITY**

The Raffle is open to legal residents of the fifty (50) United States and the District of Columbia who are eighteen (18) years of age or older. To enter, eligible entrants must purchase one or more raffle tickets for the Raffle. Each ticket for the Raffle costs twenty (\$20.00) each. Tickets must be purchased prior to the drawing, and while supplies last.

Employees of the Albuquerque Youth Symphony Program (the "Administrator") and their immediate family members are not eligible to participate or win.

Raffle tickets must be purchased or issued in New Mexico. Purchase constitutes each entrant's full agreement to these Rules and Regulations, and the decisions of the Administrator, which are final and binding in all matters related to the Raffle.

Raffle tickets are not admission tickets to the Burque Derby: A Kentucky Derby Bash for the actual Raffle drawing. Entrants do not need to be present to win.

Raffle is void where prohibited.

### **TIMING**

The Raffle begins on January 25, 2016 at 12:00 a.m. Mountain Standard Time ("MST") and ends on May 7, 2016 at or about 4:35 p.m. MST ("Raffle Period").

### **HOW TO ENTER**

To enter the raffle, eligible participants must purchase one or more raffle tickets during the Raffle Period at \$20.00 each. Winner does not need to be present to win.

### **PRIZE**

Grand prize is a trip for two (2) to Louisville, Kentucky, USA that includes the following: (a.) round-trip, coach or economy class airfare from the Albuquerque International Sunport in Albuquerque, New Mexico, USA; (b.) hotel accommodations one (1) double-occupancy room (room rate and tax only, winner is responsible for incidental expenses) for three (3) nights in Louisville, Kentucky, USA; (c.) two (2) tickets to the 143<sup>rd</sup> Kentucky Oaks on Friday, May 5, 2017 at Churchill Downs, Section 110; and (d.) two (2) tickets to the 143<sup>rd</sup> Kentucky Derby on Saturday, May 6, 2017 at Churchill Downs, Section 110.

The trip must be completed within Thursday, May 4, 2017 and Sunday, May 7, 2017, or the prize winner forfeits the prize in its entirety. Administrator reserves the right to select the airline, flight days and times, and hotel accommodations.

Winner must contact Mandi Kane, Executive Director of the Albuquerque Youth Symphony Program at (505) 875-1319 to make arrangements to obtain prize and to make travel arrangements. Travel arrangements must be made by December 31, 2016.

Tickets to the Kentucky Oaks and the Kentucky Derby will ship from Churchill Downs in April 2017 and must be picked up from the Albuquerque Youth Symphony Program administrative offices at the Dale E. Kempter Center for Music Education at 4407 Menaul Blvd, Albuquerque, NM 87110 at a mutually agreed-upon time and date in April 2017. If the winner is unable to pick-up tickets, they may call Mandi Kane, Executive Director, at (505) 875-1319 to make alternate arrangements.

Prize is not transferable.

Approximate Retail Value ("ARV") of grand prize is \$5,000. Actual value is contingent on fluctuations in airfare. Winner will not receive difference between actual value and ARV, nor will winner receive cash ARV in place of prize. Prize does not have any cash value.

## ODDS OF WINNING

Raffle is a random drawing, and a game of chance. Odds of winning depend on how many raffle tickets are sold during Raffle Period. No more than 6,000 raffle tickets will be sold.

## VERIFICATION OF WINNER

All potential winners are subject to verification by the Administrator, and Administrator's decisions are final and binding in all matters related to the Raffle. An entrant is not a winner, until entrant's eligibility has been verified and entrant is notified of a complete verification. Winner must present raffle ticket stub to prove eligibility.

Potential winners must comply with all terms and conditions of these Official Rules, and winning the prize is contingent upon meeting all requirements. Potential winner will be notified by mail, e-mail, or phone. Potential winner will be required to sign and return an Affidavit of Eligibility and Liability and a media release ("Affidavit") (except where prohibited), which must be received by Administrator within thirty (30) days of the date notice or attempted notice is sent to claim prize. In the event a potential winner cannot be contact, fails to sign and return the Affidavit within the required time period, or prize is returned as undeliverable, winner will forfeit the prize. Additionally, in the event a winner is disqualified for any reason, Administrator will award the prize to an alternate winner by random drawing among all remaining eligible entries. Alternate winner is subject to the same terms and conditions.

## RELEASE

Winner agrees to release and hold harmless Albuquerque Youth Symphony Program, Inc, and its board, directors, employees, officers, and agents (collectively, "Released Parties") from and against any claim or cause of action, including, but not limited to, personal injury, death, or damage to or loss of property resulting from participation in the Raffle, or the receipt, use, or misuse of prize, in part or in whole.

## PUBLICITY

Except where prohibited, participation in Raffle constitutes winner's consent to Administrator's and its agents use of winner's name, likeness, photographs, voice, opinion, and hometown and state for promotional purposes in any media, worldwide, without additional payment or consideration.

## GENERAL CONDITIONS

Administrator reserves the right to cancel, suspend, and/or modify the Raffle, or any part of it, if any fraud, or other factor beyond the Administrator's reasonable control impairs the integrity or proper functioning of the Raffle, as determined by Administrator in its sole discretion. Should such an event occur, the Administrator reserves the right to award the prize at random from among eligible entries received up until the time of said impairment. Administrator reserves the right, in its sole discretion, to disqualify any individual, without compensation, found to be tampering with the entry process or the operation of the Raffle or any other promotion, or in an unsportsmanlike or disruptive manner. Any attempt by any person to deliberately undermine the legitimate operation of the Raffle may be in violation of criminal and civil law, and, in the event such an attempt is made, Administrator reserves the right to seek damages from any such person to the fullest extent permitted by law. Administrator's failure to enforce any term of these Official Rules and Regulations shall not constitute a waiver of that provision.

All necessary travel documents, such as a Passport or Visa or other state and/or federally-issued identification, are the sole responsibility of the winner. Travel, hospitality, and entertainment arrangements are non-refundable and non-exchangeable once they've been secured.

Winner is responsible for paying all federal, state, and local taxes as a result of winning prize. Winner will be required to sign an IRS Form W-9 or equivalent to claim prize.

## LIMITATIONS OF LIABILITY

The Released Parties are not liable for: (1) any incorrect or inaccurate information, whether caused by entrants, printing errors, or by any of the equipment or programming associated with or utilized in the Raffle; (2) unauthorized human intervention in any part of the entry process of the Raffle; (3) technical or human error which may occur in the administration of the Raffle or the processing of entries; or (4) any injury or damage to persons or property which may be caused, directly or indirectly, in whole or in part, from entrant's participation in the Raffle or receipt or use of misuse of prize. If an entrant's entry is confirmed to be mistakenly deleted, lost, or otherwise destroyed or corrupted for any reason, entrant's sole remedy is another entry in the Raffle.

## DISPUTES

Except where prohibited, entrant agrees that: (1) any and all disputes, claims, and causes of action resulting from, or connected with, Raffle or any prize awarded shall be resolved individually, without resort to any form of class action, and exclusively by a state or federal court located in Albuquerque, New Mexico; (2) any and all claims, judgements and awards shall be limited to actual out-of-pocket costs include, including costs associated with entering Raffle, but no attorney's fees in any event; and (3) under no circumstances will entrant be permitted to obtain awards for, and entrant claims all rights to claim, indirect, punitive, incidental, and consequential damages and any other damages, other than for actual out-of-pocket expenses, and any and all rights to have damages multiplied or otherwise increased. All

issues and questions concerning the structure, execution, validity, interpretation, and enforceability of these Official Rules and Regulations, or the rights and obligations of the entrant and Administrator in connection with Raffle shall be governed by, and construed in accordance with the laws of the State of New Mexico, without giving effect to any choice of law or conflict of law rules (whether of the State of New Mexico or any other jurisdiction), which would cause the application of the laws of any jurisdiction other than the state of New Mexico.

Printed copies of the Official Rules and Regulations, as well as a list of winners, will be available during regular business hours at the Albuquerque Youth Symphony Program administrative offices, located at the Dale E. Kempter Center for Music Education, or by sending a self-addressed stamped envelope to the Albuquerque Youth Symphony Program at 4407 Menaul Blvd NE, Albuquerque, NM 87110.

*Presence at the May 7, 2016 Burque Derby is not required to win.*