

Fountain Valley High School Baron Baseball Boosters
2018 Car Raffle
to benefit Fountain Valley High School Baron Baseball Program
Official Rules & Regulations

By participating in the Raffle, you agree that:

The Fountain Valley High School Baron Baseball Boosters Car Raffle (the "Raffle") is a fundraising activity conducted by the **Fountain Valley High School Baron Baseball Boosters**, (hereinafter "Baron Baseball Boosters") in support of the **Fountain Valley High School Baron Baseball Program**. These Official Rules & Regulations govern the conduct of the Raffle and together with the decisions of Baron Baseball Boosters are binding on everyone who purchases a Raffle ticket and/or who is named on a Raffle ticket. It is the responsibility of the ticket purchaser or person named on the Raffle Ticket to review the Official Rules for modifications or supplements. These Official Contest Rules may not be waived, modified or supplemented except by the Baron Baseball Boosters in writing. No modification of these official contest rules shall be enforceable unless made by the Baron Baseball Boosters in writing and approved by the Board. These rules apply to any and all individuals selling Raffle tickets or anyone on the committee.

GRAND PRIZE DRAWING: The Grand Prize drawing for the Fountain Valley High School Baron Baseball Boosters, Car Raffle will be held on Friday, March 1, 2019, at approximately 6:00 PM at the Fountain Valley High School at the conclusion of Baron Baseball Varsity Game Event on the Fountain Valley High School ("FVHS") Varsity Baseball Field, except this date and all other dates stated in these rules may be extended at the absolute discretion of the FVHS Baron Baseball Boosters. If the maximum 1000 tickets are sold prior to March 1, 2019 FVHS Baron Baseball Boosters has the absolute discretion to announce an earlier date for the drawing. Tickets may be purchased at the event until the day or the event or 1000 tickets are sold.

Tickets may sell out before that time. The Baron Baseball Boosters will conduct all drawings in accordance with Raffle rules contained herein. The winning ticket will be drawn at random from a drum containing all eligible Raffle Tickets. The drawing for the prize is open to the public; however, the winner does not need to be present to win.

SECOND PRIZE DRAWING:

One Second Prize winner will be awarded. The Second Prize is \$1000 cash.

Tickets: The price per one (1) ticket is \$100.00. A maximum of 1,000 tickets will be sold. Ticket sales will cease when the maximum number of qualified entries is reached. Any requests and payments received following the cut off time or after the sale of 1,000 tickets will be returned to the sender. If fewer than 600 Raffle tickets are sold, the Baron Baseball Boosters, reserves the right, in its absolute discretion, to substitute a cash prize based on the gross sales revenue from the tickets sold as of the time of the entry deadline as the prize in lieu of the car. The ratio of Grand Prizes to tickets is approximately 1 to 1,000 if all tickets are sold. All entries must be fully completed in order to be eligible including the printed name, address, phone number, and email of the entrant as well as a signature of the entrant agreeing to abide by the rules of the Raffle as prescribed by Baron Baseball Boosters. Baron Baseball Boosters does not undertake to give advice on the legal or tax consequences of the Raffle, or its winner. However, it understands that the IRS position is 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. Only one name and one mailing address is permitted per ticket number.

GRAND PRIZE:

The Grand Prize winner in addition to winning a 2018 Ford Mustang, Baron Baseball Boosters will also pay all normal dealership fees and charges (including, but not limited to, tags and license approximately 10% of the sales price). The Grand Prize winner assumes all income taxes (local, state and federal taxes) when the car is transferred. In addition, all costs of car ownership, including but not limited to insurance, registration, taxes and fees, including any delivery costs, are the Grand Prize winner's sole responsibility. Proof of insurance must be shown prior to taking delivery of the vehicle. Baron Baseball Boosters assumes no responsibility for prize winner's tax obligations and suggests you consult your tax advisor. Forms W-2G will be filed with the Internal Revenue Service to report the value of the prize won and income taxes paid/withheld. Baron Baseball does not guarantee that the IRS will accept the value of the Grand Prize vehicle as stated in the raffle for the purpose of determining any income tax that may be due from the Raffle winner. Baron Baseball Booster shall not be liable for any tax liabilities in connection with the Raffle. All required forms will also be filed with the state of California Department of Revenue and Gaming Commission. The winner will also receive a copy of these forms. This offer is void where prohibited by law and all federal, state and local laws and regulations apply.

THE GRAND PRIZE WINNER IS STRONGLY ADVISED TO SEEK PROFESSIONAL LEGAL TAX ADVICE. AWARD OF THE GRAND PRIZE COULD HAVE MATERIAL ADVERSE CONSEQUENCES ON THE GRAND PRIZE WINNER INCLUDING WITHOUT LIMITATION, WITH RESPECT TO TAXES, INCOME, GOVERNMENT ENTITLEMENTS OR OTHER BENEFITS, OR OTHER LEGAL, FINANCIAL OR OTHER MATTERS.

One Grand Prize winner will be awarded the Grand Prize. The Grand Prize is a 2018 Ford Mustang automobile with a value not to exceed \$27,000, to be at Theodore Robins Ford or a cash payout of \$25,000. The winner of the Grand Prize can choose between the Grand Prize vehicle or the alternate Grand Prize of \$25,000. The winner must make an election in writing between the Grand Prize vehicle and the alternate Grand Prize of \$25,000 within 3 business days of receiving Baron Baseball Boosters notification of by 5:00 pm April 6, 2019, whichever is later.

Depictions of car shown in informational materials on the Baron Baseball Boosters, website. The vehicles shown in Raffle promotional photos are only representative of the make and model available for selection as the Grand Prize; the actual car to be made available for selection by the Grand Prize winner may be viewed at, at various FVHS Baron Baseball Booster events during the year. By participating in this Raffle, all ticket purchasers and the person named on each Raffle ticket 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 Baron Baseball Boosters, for publicity purposes and naming of the prize winners to be published in area newspapers or other media including television, radio, web and print. The prize winner will be published on the Baron Baseball Booster website (FVHS Baron Baseball.com). Baron Baseball Booster's interpretation and application of the rules and regulations shall be final. By participating in this Raffle, each participant releases Baron Baseball Boosters, and each of their respective directors, officers, contractors and agents from any and all liability for injuries, losses or damages of any kind caused by any prize or resulting from acceptance, possession, use or misuse of any prize, and each winner agrees to indemnify and hold Baron Baseball Boosters and Fountain Valley High School Baseball and each of their respective directors, officers, contractors and agents harmless from any and all losses, damages, costs, expenses, rights, claims and actions of any kind arising in connection with or as a result of the winner's acceptance or use of any prize. Prizes are provided "AS-IS" without warranty of any kind, either express or implied.

ELIGIBILITY: The Raffle is open to all residents of California, including employees, volunteers, and representatives of Fountain Valley High School and the Baron Baseball Boosters. Raffle ticket purchasers and the person named on a raffle ticket must be at least 18 years of age at the time of purchase. Raffle tickets may not be purchased in the name of a business, trust, corporation, or other entity, or wherever prohibited by applicable law. Prize winners may be required to sign an affidavit of eligibility. Offer void where prohibited by law and subject to all Federal, State and local taxes and regulations. Tickets are on sale from September 25, 2018 to March 1, 2019 at 1:00PM or until 1,000 tickets are sold.

Only one ticket will be drawn for the Grand Prize and only one ticket for Second Prize. Winners need not be present to win. If a winner is not present at the drawing, he/she will be notified on March 1, 2019 according to the contact information provided to Baron Baseball Booster at the time of ticket purchase. In order for the Grand Prize winner to receive the car (subject to the other provisions in these rules), the Grand Prize winner must elect to receive the car by delivering written notice of that election to Fountain Valley High School Baron Baseball Boosters, by 5:00 p.m. on April 6, 2019 (30 days from date of original drawing). If the winner is not present at the drawing, Baron Baseball Boosters will contact the winner by phone or email as soon as possible according to the contact information provided to Baron Baseball Booster at the time of ticket purchase. If unable to make contact with the winner the Baron Boosters, shall notify the winner by certified mail within seven (7) days of the drawing. In all cases the winner will be notified that they shall claim the prize within thirty (30) days of the original drawing at the event.

If a winner does not wish to claim the prize but wishes to donate it to the Baron Baseball Boosters, the winner shall provide the Baron Baseball Boosters, a written and notarized statement within the thirty (30) day period stating that the winner wishes to donate the prize to the Baron Baseball Boosters. The donor will then be required to sign a Donation Document created by Baron Baseball Boosters. A prize winner shall not donate the prize back to the Baron Baseball Boosters, if to do so would violate California state law.

If a Raffle winner does not claim the prize or donates it to the organization within thirty(30) days after the drawing, the winner's prize will be forfeited if (1) the winner cannot be located by 5:00 pm March 31, 2019, after Baron Baseball Boosters has made reasonable attempt to contact him/her using the information at the time of purchasing the ticket, (2) the winner fails to confirm eligibility and acceptance of the prize within three business days of receiving Baron Baseball Booster notification or by 6pm April 6, 2019 whichever is later, (3) if the winner fails to return any required documents within 7 business days of receiving such documents from Baron Baseball Boosters. If a winner forfeits a prize, no alternate winner will be selected, and Baron Baseball shall have no further obligation to award the prize. The tickets shall remain under the control of Baron Baseball Boosters until a winner is identified and accepts the prize.

The car, "if" selected, will be transferred to the Grand Prize winner in "AS IS, WHERE IS" condition by Baron Baseball Boosters. Baron Baseball Boosters and Fountain Valley High School Baseball do not provide any guarantee or warranty, expressed or implied, in connection with the car. Baron Baseball Boosters accepts no liability or responsibility regarding the manufacturing or condition of the car. No warranties express or implied, of any type or nature are made or offered by Baron Baseball Boosters or Fountain Valley High School Baseball.

GRAND PRIZE VALUE: The grand prize value of the selected 2018 Ford Mustang automobile is the amount paid by the Baron Baseball Boosters, not to exceed \$27,000. The grand prize value of the cash option is \$25,000. The grand prize value of the below 600 tickets sold cash prize payout, if applicable, will be the dollar amount of the payout, as determined the night of the drawing. There is no guarantee that the Internal Revenue Service and the California Department of Revenue will accept these

grand prize values for the purpose of determining any income tax that may be payable by the Grand Prize winner.

REFUNDS: All Raffle ticket sales are final. No refunds will be made except any ticket request with verified payment received after 1,000 tickets have been sold or after the deadlines set forth hereinabove will be returned or destroyed with notice to the purchaser. No other refunds are available. Baron Baseball Boosters assumes no responsibility for lost, late, misdirected or non-delivered mail or fax messages, or any other failure to receive orders or deliver receipts prior to the drawing deadlines. A Raffle participant's sole and exclusive remedy for Baron Baseball Boosters breach shall be limited to the return of the purchase price paid for his or her Raffle ticket(s). In no event shall Baron Baseball Boosters, or their respective directors, officers, contractors, members, committee members, agents, advisors, 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.

TICKETS: You have not entered the Raffle until your entry submission, with full payment has been accepted by the Baron Baseball Boosters. If a submission is accepted, it will be deemed to have been accepted on the date and time on which the submission was received by Baron Baseball Boosters regardless of the date that Baron Baseball Boosters notifies you of the acceptance of your submission. Tickets will be sold by volunteers. Tickets may be purchased by cash, VISA, Mastercard, and check made payable to Baron Baseball Boosters. Tickets are \$100 each and are not transferable. You may buy as many tickets as you wish, subject to availability, until all 1,000 are sold. Each Raffle ticket will be entered separately in the drawing. Each Raffle ticket is a separate and equal chance to win the Grand Prize or any of the other prizes offered. Any questions regarding the Raffle or the purchase of Raffle tickets can be directed to info@fvhsbaronbaseball.com. All sales are final. If for any reason the check or debit card payment does not clear the bank, the ticket purchase is null and void, the purchaser will be notified immediately of the problem and any cure to the problem shall be considered a new order and processed in the order received. Baron Baseball Booster assumes no responsibility for lost, late, misdirected or non-delivered mail or messages or any other failure to receive orders or deliver receipts prior to the drawing deadlines.

TICKET AND PAYMENT VERIFICATION: Baron Baseball Boosters reserves the right to reject any ticket request form that is submitted with payment that does not constitute "good funds". All defective or physically altered request forms are subject to disqualification at the discretion of Baron Baseball Boosters. Prior to the Grand Prize drawing, Baron Baseball Boosters will make a reasonable effort to notify any individual who submits such an entry form, or one which has been rejected because the check did not clear, that the entry has been rejected. All requests for tickets for the drawing must be received and/or purchased by the indicated deadline(s).

Grand Prize Winner: In order to claim any prize, including the Grand Prize, the winner must provide proper identification to the satisfaction of Baron Baseball Boosters. Winner will be required to provide Baron Baseball Boosters with their full name and mailing address, and may be require to complete, sign and return an affidavit of eligibility and liability. In order to collect his/her prize, the winner must also show proof of identity such that Baron Baseball Booster can confirm the person claiming the prize is the same person who is named on the winning raffle ticket. The winner must supply Baron Baseball Boosters with his/her social security number for tax purposes, and complete (if requested) a W9 form. A representative of Baron Baseball Boosters will assist in coordinating all the details with the winner regarding the delivery, tags and registration of the Grand Prize automobile. Winner agrees to the use of his/her name, photograph or videotape likeness and statements for publicity purposes by Baron Baseball Boosters and Fountain Valley High School Baseball and agrees to sign a publicity release without any further compensation.

GRAND PRIZE AWARD IN EVENT OF NON-SELLOUT OF TICKETS: A maximum of 1,000 tickets will be sold. A minimum of 600 tickets must be sold for the Grand Prize winner to receive the car or cash payout. If fewer than 600 raffle tickets are sold the Baron Baseball Boosters, reserves the right in its absolute discretion to substitute a cash prize based on the gross sales revenue from the tickets sold as of the time of the entry deadline as the prize in lieu of the car. Baron Baseball Boosters reserves the right to cancel this Raffle contest at any time, in which event liability is limited to the refund of the ticket price to all participants. No 2nd prize will be awarded if the minimum 600 tickets are not met.

REGISTRATION WITH THE STATE OF CALIFORNIA: This Raffle is conducted for the benefit of the Fountain Valley High School Baron Baseball Program by Baron Baseball Boosters, a tax exempt nonprofit organization # 9762659 . All decisions and interpretations of the rules and regulations are of the Baron Baseball Booster and its judgment is final.

v1, 9/2/2018