



## COVID-19 LIABILITY PROVISIONS

**ASSUMPTION OF RISK.** GUEST EXPRESSLY UNDERSTANDS AND AGREES THAT GUEST'S USE OF H. E. BUTT FOUNDATION'S FACILITIES AND PREMISES PRESENTS KNOWN AND INHERENT RISKS TO GUEST REGARDING ANY POTENTIAL AND/OR ACTUAL INFECTION OF COVID-19 AND/OR ANY RELATED ILLNESS, THE RESULT OF WHICH MAY BE BOTH SERIOUS AND MINOR, INCLUDING BUT NOT LIMITED TO, COUGH, FEVER, PNEUMONIA, HOSPITALIZATION, AND DEATH. GUEST IS RESPONSIBLE FOR EVALUATING THE RISKS THAT HE OR SHE MAY FACE. GUEST HAS DONE SO, AND BY SIGNATURE BELOW AND ENGAGING IN H.E. BUTT FOUNDATION ACTIVITY, IN EXCHANGE FOR THE OPPORTUNITY TO VOLUNTARILY PARTICIPATE IN H.E. BUTT FOUNDATION PROGRAMS AND H. E. BUTT FOUNDATION ACTIVITY, HAS ASSUMED THE RISKS AND IS RESPONSIBLE FOR HIS OR HER ACTIONS. GUEST FURTHER RECOGNIZES, UNDERSTANDS, AND AGREES THAT H. E. BUTT FOUNDATION ASSUMES NO RESPONSIBILITY FOR ANY LIABILITY, DAMAGE, OR INJURY RELATING TO OR RESULTING FROM COVID-19 THAT MAY BE CAUSED BY THE NEGLIGENT, GROSSLY NEGLIGENT, OR WILLFUL ACTS OR OMISSIONS COMMITTED PRIOR TO, DURING, OR AFTER USE OF H. E. BUTT FOUNDATION'S FACILITIES AND PREMISES BY GUEST.

### **ACKNOWLEDGMENT OF SAFETY MEASURES TO BE UTILIZED BY GUEST AND FOUNDATION.**

H. E. BUTT FOUNDATION HEREBY ACKNOWLEDGES THAT IT WILL SEEK TO TAKE CERTAIN SAFETY MEASURES TO HELP PREVENT, AS BEST IT REASONABLY CAN, INFECTION OR SPREAD OF COVID-19. SUCH SAFETY MEASURES INCLUDE THE FOLLOWING: CLEANING AND DISINFECTING PUBLICLY USED SPACES, WEARING GLOVES WHEN CLEANING AND DISINFECTING, MAINTAINING SOCIAL DISTANCING FROM GUEST, ITS EMPLOYEES, VISITORS, AND GUESTS, AND WEARING FACE MASKS WHEN 6 FEET OF PHYSICAL DISTANCING CANNOT BE MAINTAINED IN THE COMPANY OF GUESTS. H.E. BUTT FOUNDATION WILL ALSO STAY APPRISED OF ANY RECOMMENDATIONS OF THE CDC AND WILL CONSIDER ACTION ACCORDINGLY. FURTHER, H. E. BUTT FOUNDATION MAY REMOVE ANY SAFETY MEASURES LISTED HEREIN ONCE THE CDC OR THE UNITED STATES, STATE, OR LOCAL GOVERNMENTS DEEM SUCH MEASURES ARE NO LONGER NECESSARY. GUEST ACKNOWLEDGES THAT IT WILL ALSO TAKE CERTAIN SAFETY MEASURES TO HELP PREVENT, AS BEST IT REASONABLY CAN, INFECTION OR SPREAD OF COVID-19. SUCH SAFETY MEASURES INCLUDE: ENSURING THAT GUEST DOES NOT HAVE ANY SYMPTOMS OF COVID-19 PRIOR TO ENTRANCE ONTO OR USE OF H. E. BUTT'S FACILITIES AND PREMISES, USE OF HANDWASHING AND HAND SANITIZER ON A REGULAR BASIS WHILE ON THE PREMISES, MAINTAINING SOCIAL DISTANCING, AND PROPER USE OF FACE MASKS WHEN 6 FEET OF DISTANCING CANNOT BE MAINTAINED IN THE COMPANY OF OTHERS. IN THE EVENT THAT THE CDC RECOMMENDS ADDITIONAL SAFETY MEASURES, GUEST AGREES TO PURSUE UTILIZATION OF SUCH SAFETY MEASURES UPON VERBAL OR WRITTEN REQUEST OF CAMP.

**INDEMNIFICATION AND HOLD HARMLESS.** GUEST SPECIFICALLY UNDERSTANDS THAT IT IS PERSONALLY RESPONSIBLE FOR ITS ACTIONS AND OMISSIONS, AND ANY RESULTING SICKNESSES OR INJURIES RELATING TO OR RESULTING FROM COVID-19 AND AGREES TO INDEMNIFY, DEFEND, AND HOLD HARMLESS, INCLUDING FROM REASONABLE ATTORNEYS' FEES AND/OR ANY OTHER ASSOCIATED COSTS, H. E. BUTT FOUNDATION, AND ITS PREDECESSORS, SUCCESSORS, ASSIGNS, OFFICERS, DIRECTORS, TRUSTEES, FACULTY, EMPLOYEES, VOLUNTEERS, AGENTS, AND LEGAL



REPRESENTATIVES, FROM ANY AND ALL ACTIONS, CLAIMS, OR DEMANDS THAT GUEST, AND ASSIGNS, HAVE OR MAY HAVE FOR ANY AND ALL SICKNESSES OR INJURIES RELATING TO OR RESULTING FROM COVID-19, GUEST MAY SUFFER OR SUSTAIN, REGARDLESS OF CAUSE OR FAULT, AS A RESULT OF HIS/HER VOLUNTARY DECISION TO UTILIZE THE FACILITIES AND PREMISES OF H. E. BUTT FOUNDATION, CAUSED BY ANY ACT OR OMISSION OF H. E. BUTT FOUNDATION AND/OR GUEST, ITS EMPLOYEES, VISITORS, AND GUESTS RESULTING FROM UTILIZING THE FACILITIES AND PREMISES OF H.E. BUTT FOUNDATION.

**WAIVER OF CLAIMS.** IN CONSIDERATION OF BEING ALLOWED TO UTILIZE H. E. BUTT FOUNDATION'S FACILITIES AND PREMISES, GUEST (REFERRED TO HEREIN AS "RELEASOR"), HEREBY WAIVES ANY AND ALL CLAIMS, DEMANDS, DAMAGES, ACTIONS, OR SUITS, IN LAW OR IN EQUITY, WHETHER HERETOFORE OR HEREAFTER ACCRUING, OR WHETHER NOW KNOWN OR NOT KNOWN TO THE PARTIES, WHICH MAY ARISE FROM ANY NEGLIGENT OR GROSSLY NEGLIGENT ACT OR OMISSION OF H. E. BUTT FOUNDATION, OR ITS PREDECESSORS, SUCCESSORS, ASSIGNS, OFFICERS, DIRECTORS, TRUSTEES, FACULTY, EMPLOYEES, VOLUNTEERS, AGENTS, OR LEGAL REPRESENTATIVES (COLLECTIVELY REFERRED TO HEREIN AS "RELEASEES"), INCLUDING BUT NOT LIMITED TO CLAIMS FOR NEGLIGENCE, GROSS NEGLIGENCE, PERSONAL INJURY ,AND MENTAL ANGUISH, FOR OR BECAUSE OF ANYTHING DONE OR OMITTED, OR SUFFERED TO BE DONE, DIRECTLY OR INDIRECTLY RELATED TO GUEST'S USE OF AND ENTRANCE UPON H. E. BUTT FOUNDATION'S FACILITIES AND PREMISES RELATING TO OR RESULTING FROM POSSIBLE OR ACTUAL EXPOSURE TO COVID-19. RELEASOR FURTHER WAIVES ANY AND ALL LIABILITY OF RELEASEES FOR THEIR NEGLIGENCE OR GROSS NEGLIGENCE CAUSING ANY ACCIDENT, ILLNESS, INJURY, LOSS OR DAMAGE TO PERSONAL PROPERTY, OR ANY OTHER CONSEQUENCES ARISING OR RESULTING DIRECTLY OR INDIRECTLY FROM GUEST'S USE OF AND ENTRANCE UPON H. E. BUTT FOUNDATION'S FACILITIES AND PREMISES. RELEASOR ACKNOWLEDGES AND AGREES THAT RELEASEES ASSUME NO RESPONSIBILITY FOR ANY LIABILITY, DAMAGE, OR INJURY THAT MAY BE CAUSED BY THE NEGLIGENT, GROSSLY NEGLIGENT, OR WILLFUL ACTS OR OMISSIONS COMMITTED PRIOR TO, DURING, OR AFTER GUEST'S USE OF AND ENTRANCE UPON H. E. BUTT FOUNDATION'S FACILITIES AND PREMISES. BY SIGNING THIS AGREEMENT RELEASOR IS GIVING UP LEGAL RIGHTS.

GUEST NAME (PRINTED) \_\_\_\_\_

GUEST SIGNATURE \_\_\_\_\_

PARENT/ GUARDIAN (IF GUEST IS UNDER 18) \_\_\_\_\_

DATE \_\_\_\_\_