

## KEN WHALEN SURF CHALLENGE WAIVER

SURFING MAY BE DANGEROUS. WE REQUIRE ALL CONTEST PARTICIPANTS TO ASSUME ALL RISKS BY SIGNING THIS GENERAL RELEASE. In consideration of being permitted to participate in the Ken Whalen Surf Challenge ("Contest"), I personally and for all of my personal representatives, assigns, heirs and next of kin: 1. Hereby Release, Waive, Discharge and Covenant Not to Sue the Ken Whalen Surf Challenge or any affiliates, organizations, or foundations any and all related officers, directors, agents, members, employees, other Contest competitors, Contest sponsors, and Contest Judges (hereinafter "Releases") from all liability to the Undersigned on account of injury to the person or property or resulting in death of the Undersigned, whether caused by the negligence of Releases or otherwise while the Undersigned is participating in the Contest and after-party. 2. Hereby Agree to Indemnify and Save and Hold Harmless the Ken Whalen Surf Challenge and its foundations and all related officers, directors, agents, members, employees, Contest sponsors, and Contest Judges, due to the presence of any action of the Undersigned in or about the Contest and whether caused by the negligence of the Releases or otherwise. The Undersigned expressly agrees that the foregoing Release, Waiver and Indemnity Agreement is intended to be as broad and inclusive as is permitted by the law of the State of California and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, have full legal force and effect. The Undersigned is fully aware of the risks and hazards inherent in Surfing and in participating in this unique surfing competition and hereby elects voluntarily to enter the event/contest, knowing the present conditions and knowing that said conditions may become more hazardous and dangerous during the time that the Undersigned is participating in the Event/Contest. The Undersigned hereby voluntarily assumes all risks of loss, damage, or injury that may be sustained by him/her, and any damage to any property of the Undersigned while a participant in the Contest.

I HAVE READ AND VOLUNTARILY SIGN THIS RELEASE AND WAIVER OF ALL LIABILITY AND INDEMNITY AGREEMENT.