

Brownsburg High School Band & Orchestra Parents, Inc.
2019 Car Raffle to benefit Brownsburg High School Marching Band
Official Rules & Regulations

By participating, you agree that:

The Brownsburg High School Band & Orchestra Parents Car Raffle (the “Raffle”) is a fundraising activity conducted by the Brownsburg High School Band & Orchestra Parents, Inc. (Hereinafter “BBOP”) in support of the Brownsburg High School Marching Band. These Official Rules & Regulations govern the conduct of the Raffle and together with the decisions of BBOP are binding on everyone who purchases a Raffle ticket and/or who is named on a Raffle ticket. These Official Contest Rules may not be waived, modified or supplemented except by the BBOP in writing. No modification of these official contest rules shall be enforceable unless made by the BBOP in writing and approved by the Board. These rules apply to any and all individuals selling Raffle tickets or anyone purchasing a ticket.

GRAND PRIZE DRAWING: The Grand Prize drawing for the BBOP Car Raffle will be held on Saturday, September 14, 2019, at approximately 9:30 PM at the Brownsburg High School Marching Band Invitational at the BHS Roark Stadium. Ticket requests by mail must be received before 5:00 PM EDT Thursday, September 12, 2019. Tickets may be purchased at the event until approximately 9:00 PM EDT, September 14, 2019.

Tickets may sell out before that time. The Operator of the event will conduct the drawing under the supervision of BBOP. 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. The price per ticket is \$20.00. A maximum of 3,500 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 3,500 tickets will be returned to the sender. If fewer than 3,500 Raffle tickets are sold, BBOP reserves the right, in its absolute discretion, to substitute 50% of 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 prizes to tickets is approximately 1 to 3,500 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 BBOP.

GRAND PRIZE: BBOP 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.

The Grand Prize winner assumes and must pay all fees and charges (including, but not limited to, tags and license), sales taxes and income taxes (local, state and federal taxes) when the car is transferred to the winner. In addition, all costs of car ownership, including but not limited to insurance, are the Grand Prize winner's sole responsibility. BBOP assumes no responsibility for a prizewinner's tax obligations and suggests you consult your tax advisor. Forms W-2G & 941 will be filed with the Internal Revenue Service to report the value of the prize won. All required forms will also be filed with the state of Indiana 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.

In the event that BBOP exercises its right to award 50% of gross sales revenue from tickets sold as of the time of the entry deadline as the prize in lieu of the car, no additional cash will be provided to the Grand Prize winner.

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.

The Grand Prize will be a **New 2019 Ford EcoSport - color, based on availability at Bill Estes Ford of Brownsburg, IN and chosen at Bill Estes Ford of Brownsburg own discretion**, to be purchased at Bill Estes of Brownsburg.

Depictions of the car shown in informational materials on the Brownsburg Band Website and elsewhere can be found on <http://www.ford.com/cars/ecosport/> The 2019 Ford EcoSport shown in photos are only representative of the Grand Prize; examples of the car may be viewed at Bill Estes of Brownsburg, 450 N Northfield Drive, Brownsburg, IN 46112, at various BBOP 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 BBOP, for

publicity purposes and naming of the prize winner to be published in area newspapers or other media including television, radio, web and print.

BBOP interpretation and application of the rules and regulations shall be final.

By participating in this Raffle, each participant releases BBOP, 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 BBOP and Brownsburg High School Band 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.

ELIGIBILITY: 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. Operators, workers selling tickets on the day of the raffle or officers of BBOP are not eligible to win the raffle. Prize winner may be required to sign an affidavit of eligibility. Offer void where prohibited by law.

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 BBOP, by 4:00 PM EDT on Monday, September 30, 2019. If the winner is not present at the drawing, BBOP, shall notify the winner by certified mail within seven (7) days of the drawing that the winner shall claim the prize within thirty (30) days of the original drawing at the event or each time a winner is drawn should the winner decline for any reason.

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

If a Raffle winner does not claim the prize or donate it to the organization within thirty (30) days after having been contacted, the organization shall notify the Office of Charitable Gaming and draw another ticket in the presence of "Office" personnel. The tickets shall remain under the control of the Operator 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 BBOP. BBOP and Brownsburg High School Band do not provide any guarantee or warranty, expressed or implied, in connection with the car. BBOP 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 BBOP or Brownsburg High School Band.

CAR VALUE: The value of the 2019 Ford EcoSport is approximately \$24,000. The Internal Revenue Service or the Indiana Department of Revenue will accept that value of the car or any other value 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 3,500 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. BBOP 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 BBOP breach shall be limited to the return of the purchase price paid for his or her Raffle ticket(s). In no event shall BBOP, 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 BBOP. Acceptance of your entry submission will be communicated to you by delivery of a ticket stub or by written confirmation by e-mail from BBOP. 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 BBOP regardless of the date that BBOP notifies you of the acceptance of your submission. Tickets are \$20.00 each and may be purchased solely from BBOP, or its agents. You may buy as many tickets as you wish, subject to availability, until all 3,500 are sold. Each Raffle ticket will be entered separately in the drawing. Each Raffle ticket is a separate and equal chance to win the 2019 Ford EcoSport or any of the other prizes offered.

To order tickets by mail, use a ticket request form which can be downloaded from www.brownsburgbands.com, then click on Car Raffle Link. Ticket requests must include payment by check to be eligible along with all information required on the ticket including printed name, address, phone number, email address, and a signature acquiescing to all rules of the Raffle. Send completed forms with payment by check made out to “BBOP” to Brownsburg High School Band & Orchestra Parents c/o Car Raffle, 1000 S. Odell, Brownsburg, IN 46112.

To purchase tickets in person, tickets may be purchased in person directly from a BBOP designated Operator, worker or student, providing cash or check made payable to BBOP. Band Booster designated Operators, workers and students can sell tickets directly to individuals and will also sell tickets at Raffle Ticket Community Sale Events. Raffle Ticket Community Sale Event dates, locations and times may be found on www.brownsburgbands.com then click on Community Sale Event Dates. Ticket(s) must be completed in its entirety including name, address, phone number and email address and a signature acquiescing to all rules of the raffle.

Any questions regarding the Raffle or the purchase of Raffle tickets can be directed to (317) 852-2258, x1823 or by email to trunyon@brownsburg.k12.in. All sales are final. If for any reason the check 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.

When a Raffle ticket order is placed by mail and funds have cleared, BBOP will complete the raffle ticket for the purchaser by filling in the name, address, email address, phone number, and signature of the purchaser that they understand and agree to the rules of the raffle. BBOP will then place each completed raffle ticket stub in the secured raffle barrel and mail the ticket(s) to the purchaser. The

purchaser will receive a letter or an email from BBOP, confirming the ticket purchase and providing the ticket number(s).

TICKET AND PAYMENT VERIFICATION: BBOP 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 BBOP. Prior to the Grand Prize drawing, BBOP 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: Winner notification will be made by telephone and mail. The winner will need to provide proper identification to the satisfaction of BBOP. A representative of BBOP will assist in coordinating all the details with the winner regarding the delivery, tags and registration of the 2019 Ford automobile. Winner agrees to the use of his/her name, photograph or videotape likeness and statements for publicity purposes by BBOP and Brownsburg High School Band and agrees to sign a publicity release without any further compensation.

GRAND PRIZE AWARD IN EVENT OF NON-SELLOUT OF TICKETS: A maximum of 3,500 tickets will be sold. All 3,500 tickets must be sold for the Grand Prize winner to receive the car. If fewer than 3,500 raffle tickets are sold the BBOP, reserves the right in its absolute discretion to substitute 50% of the gross sales revenue from the tickets sold as of the time of the entry deadline as the prize in lieu of the car. BBOP 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.

REGISTRATION WITH THE STATE OF INDIANA: This Raffle is conducted for the benefit of the Brownsburg High School Marching Band by BBOP and licensed by the **Indiana Gaming Commission, Indiana Annual Raffle License No . 151035**