

## 2023 Fall Festival Weekend Vendor Liability

### Release, Waiver of Liability, and Indemnification Agreement

I, intend to participate in the 2023 Fall Festival Weekend as a vendor or volunteer. In consideration of the right to participate in the 2023 Fall Festival Weekend, I agree to the following terms of this Release, Waiver of Liability, and Indemnification Agreement (the "Agreement" or "Release").

**Waiver of Liability.** Participants release and forever discharge and hold harmless First Baptist Church of New Port Richey, and each of their directors, officers, employees, committee members, volunteers, and assigns (Collectively, "The Team") from any and all liability, claims, and demands of any kind or nature, which exist now or in the future in connection with Participants' participation in the 2023 Fall Festival Weekend. Participants understand and agree that this Release discharges The Team from any liability or claim that Participants may have against the Team with respect to bodily injury, personal injury, illness, death, property damage, or any other damages or harm that may result from Participants' participation in the 2023 Fall Festival Weekend, including damages caused by the negligence of the Team. Participants expressly waive any right to a trial by judge or jury that Participants may otherwise have regarding any claim or liability related to Participants' participation in the 2023 Fall Festival Weekend.

**Indemnification and Hold Harmless Agreement.** Participants shall indemnify and hold harmless the Team Releasees from and against any and all liability, claims, demands, damages, expenses, fees, fines, penalties, suits, proceedings, actions, and costs of actions, including attorney's fees for trial or appeal, of any kind or nature arising out of or in any way connected with this Agreement or Participants' participation in the 2023 Fall Festival Weekend, including the use of the space, the sale of goods, or the conduct of business by Participants, their agents, employees, customers, patrons, or invitees or any act or omission of Participants, their agents, employees, customers, patrons, or invitees.

**Photo and Media Release.** Participants grant to First Baptist Church of New Port Richey all right, title, and interest in any and all photographs, images, video, or audio recordings of Participants or Participants' likeness or voice made by the Team in connection with the 2023 Fall Festival Weekend. Participants understand and agree Participants will not receive compensation for any use of such material.

**Broad Release Intended.** Participants expressly agree that this Release is intended to be as broad and inclusive as permitted by the laws of the State of Florida. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Florida, and venue for any action arising from this Agreement shall be Pasco County, Florida. Participants further agree that in the event any clause or provision of this Agreement is deemed invalid, the enforceability of the remaining provisions of this Agreement shall not be affected.

### **ACKNOWLEDGEMENT**

#### **READ CAREFULLY BEFORE SIGNING**

By my digital signature below, I acknowledge that I have read this Release, Waiver of Liability, and Indemnification Agreement in its entirety and, in consideration for the right of myself and my minor child or a minor child under my legal guardianship to participate in the 2022 Fall Festival Weekend, I in good faith make the releases and waivers and assume the responsibilities contained herein. **I further understand that by signing this agreement, I am voluntarily waiving any claims I may have against First Baptist Church of New Port Richey committee members, and each of their directors, officers, employees, volunteers and assigns for their negligence in connection with the participation in the 2022 Fall Festival Weekend of me or my minor child or a minor child under my legal guardianship.** I acknowledge that I have had an opportunity to ask questions and consult with an attorney of my choosing, and that I freely agree to the terms expressed in return for participation in the 2022 Fall Festival Weekend.