

WAIVER AND RELEASE OF LIABILITY

Splat!, LLC

231 Hopkins Avenue
Jamestown, New York 14701

Name of Participant: _____

Address of Participant: _____

Date: _____

PLEASE READ CAREFULLY

NOTE: Any participant under the age of 18 years old must have his or her parent or guardian sign this Waiver and Release of Liability before that participant can participate in any Activities (defined below) or use any Equipment (defined below) made available at Splat!, LLC. Splat!, LLC may rely completely on the representation made by an individual who claims to be the parent or guardian of a participant and shall not be obligated to independently verify whether or not such individual is in fact the parent or legal guardian of the participant. No person under the age of 12 years old may participate in any paintball Activities or use any paintball Equipment at Splat!, LLC. No person under the age of 5 years old may participate in any Nerf Activities or use any Nerf Equipment at Splat!, LLC. By signing this Waiver and Release of Liability yourself without a parent or guardian also signing, you are representing to Splat!, LLC that you are at least 18 years of age and that you agree to all the following terms and conditions.

In consideration of Splat!, LLC allowing the below described Participant to participate in the Activities (defined below) and/or to use the Equipment (defined below), as well as other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I hereby agree as follows:

1. For the purposes of this Waiver and Release of Liability, "Activities" means any and all services, events and activities provided by Splat!, LLC to the below described Participant including, without limitation, paintball and Nerf games, paintball and Nerf competitions or other ancillary services, events or activities of whatever nature related thereto. "Equipment" means any equipment provided by Splat!, LLC to the below described Participant including, without limitation, markers (i.e. paintball guns and Nerf guns), vests, clothing, suits, helmets, safety goggles, air refills, and other gear or equipment.

2. I fully understand and acknowledge that: (a) the Activities are by nature physically and mentally strenuous and that serious risks and dangers exist in the below described Participant's use of the Equipment and participation in the Activities, including without limitation risks and dangers arising from others shooting projectiles (paintballs and Nerf darts) toward below described Participant at extremely high speeds, from the combative, competitive and aggressive nature of the Activities, from the setup of the playing field where the Activities take place, which may consist of indoor and outdoor structures, darkly lit rooms, loud sound blasts, multiple floors, old vehicles, tires, tape as well as other materials and equipment; (b) the below described