

LOON SKI FREESTYLE, INC.

ACKNOWLEDGMENT OF RISKS & HAZARDS LIABILITY RELEASE & COVENANT NOT TO SUE

WARNING: All forms of freestyle skiing, freestyle activities and the use of aerial and surface lifts are hazardous. Falls and injuries are a common occurrence therefore requiring the deliberate and conscious control of your physical body, both on the ground and in the air, through proper use of freestyle equipment in relation to ever-changing variables and dangers. Safety is directly affected by your judgment in the severe elements of rough, high mountain forest terrain. Ski or ride only within your own ability. Be alert to continually changing weather, visibility and surface conditions and other inherent risks including but not limited to: existing and changing snow conditions, such as ice, hardpack, powder, packed powder, slush, granular, corn, crust, cut-up and machine-made snow; surface or subsurface conditions, dirt, grass, bare spots, forest growth, rocks, stumps, trees and other natural objects and collisions with or falls resulting from such natural objects, lift towers and components thereof, lights, signs, posts, fences, mazes or enclosures; hydrants, water or air pipes (all the foregoing whether above or below the snow surface), snowmaking and snowgrooming equipment; marked or lighted trail maintenance vehicles and snowmobiles; other man-made structures or objects and their components, and collisions with or falls resulting from such man-made objects; variations in steepness or terrain, whether natural or as a result of slope design; snowmaking or snowgrooming operations, including but not limited to terrain features or elements, ski jumps, roads and catwalks or other man-made or natural terrain modifications and features; the presence of and collisions with other skiers/riders; and the failure of others to ski/ride safely, in control or within their own ability.

As a condition of being permitted to use the ski area facilities and premises, I hereby promise not to bring a claim against or sue RELEASEES, (as described below). I freely and voluntarily accept all risks of injury, death or property damage and agree for myself and my heirs to RELEASE, HOLD HARMLESS and INDEMNIFY Loon Mountain Recreation Corporation and Loon Freestyle, Inc., their parent companies, owners, affiliates, employees and agents, hereafter RELEASEES, from any and all liability for personal injury including death, and property damage resulting from RELEASEES Negligence or otherwise, including but not limited to: personal injury caused by RELEASEES operation of the ski area or the conditions of the premises such as those listed in the warning paragraph above, or from my participation in recreational activities at the ski area. I am fully aware that all forms of recreational activities are hazardous, filled with risks and that falls, collisions and injuries are a common occurrence in these activities. I accept for myself the full responsibility for any and all such damage or injury of any kind that may result from my actions, my participation in the foregoing activities or my presence on RELEASEES premises.

I agree that any claim that I may at any time bring for any reason against RELEASEES shall be submitted to the jurisdiction of the state or federal Courts in the State of New Hampshire and no other jurisdiction and shall be governed by New Hampshire law. I further agree that if any portion of this agreement is determined to be unenforceable by a court of law, all other parts of the agreement shall remain in full force and effect.

Further, I authorize anyone working at the Loon Freestyle, Inc. to call for such medical care for the child or to transport the child to the appropriate clinic or hospital if, in the opinion of anyone working at the Loon Freestyle, Inc. that medical attention is needed for the child. This authorizes a licensed physician or other recognized first aid room staff member to carry out emergency medical care deemed necessary for the child in an emergency where normal permission is unavailable. I agree that upon transporting the child to any medical facility, clinic, or hospital that the responsibility of the RELEASEES shall be totally fulfilled and the RELEASEES shall not have any further responsibility for the child. I agree to pay all costs associated with such medical care and related transportation for the child and **INDEMNIFY** and **HOLD HARMLESS** the RELEASEES from any costs incurred therein.

I consent to the use by Loon Freestyle, Inc. and Loon Mountain Recreation Corporation of any pictures (video and print) for commercial purposes, or otherwise, of my child in connection with the activities of Loon Freestyle, Inc. or Loon Mountain Recreation Corporation.

I am aware that children, while in group lessons, may ride the chairlifts with a coach, other children, general skiing public, or by themselves.

I understand that permission to use LMRCs facilities and premises is being given to my child in exchange for the execution of this Liability Release and Covenant Not to Sue.

I have read the above paragraphs and fully understand them. I understand that this is a **RELEASE OF LIABILITY**, which will legally prevent me or any other person from filing suit, or making any other claims for damages in the event of personal injury, death or property damage. I freely and voluntarily enter into this agreement.

As a parent/guardian of the minor named below, I acknowledge that I am authorized to sign this agreement for the minor. I acknowledge and agree that I have read the foregoing release, and that by signing this release on behalf of the minor, the minor and I agree to be bound by its terms. I hereby agree to **INDEMNIFY, DEFEND** and **HOLD HARMLESS** RELEASEES as defined on this form for any claim, suit, expense or loss which arises out of the below-named minor's participation in the Loon Freestyle, Inc.'s or which arises out of the minor's presence on the RELEASEES premises.

Child's Name (please print)

Child's Date of Birth

Signature of Parent/Guardian

Date

Parent/Guardian's Name (please print)

Phone Number(s)

Address

Phone Number(s)