

## PLEASE READ CAREFULLY

### YOUR RESPONSIBILITY CODE

Ice skating is for fun and enjoyment for everyone. Skating can be enjoyed in many ways. Regardless of your level of skill, there are elements of risk in ice skating. Use common sense, show courtesy to others, and anticipate dangerous situations before they arise.

**The following guidelines are some basic elements of common sense and courtesy.**

1. Always stay in control and be able to stop or avoid other skaters.
2. While on the ice, keep moving. Don't stop where you obstruct other skaters. Don't skate in groups.
3. People ahead of you have the right of way. It is your responsibility to avoid hitting them or disrupting them.
  - No speeding
  - No weaving
  - No roughness
  - No snowball or other throwing
4. Keep the exits clear.
5. Before getting on the ice, look for oncoming skaters.
6. Do not sit on the dasher boards.
7. Don't carry children or other items while skating.
8. No eating, drinking, or smoking on the ice.
9. Rink equipment can be dangerous. Stay off the ice when resurfacing is in progress.
10. Do not go on the ice without skates.
11. Do not wear skates on the concrete or in the stands.
12. Follow the instructions of the ice patrol.
13. Report hazards to the ice patrol.
14. Respect the ice.
15. Please do not litter or use foul language.

This is just a partial list. There are elements of risk that common sense and personal awareness can help reduce. You are ultimately responsible for your personal safety.

Use caution, and skate in control. Respect other skaters. The rink's ice patrol cannot guarantee your safety and will not protect you from injury. It is part of your responsibility to avoid other skaters and hazards. Failure to use good judgment, skate responsibly, or follow the Responsibility Code will result in the loss of skating privileges.

### **BY RENTING SKATES OR OTHER SKATING EQUIPMENT YOU ARE AGREEING AS FOLLOWS:**

**ASSUMPTION OF RISK:** I am aware that ice skating involves certain inherent risks, dangers and hazards which can result in serious personal injury or death. I am also aware that the use of skating equipment can involve risk of personal injury or death. As such, **I hereby freely agree to assume and accept any and all known and unknown risks of injury while skating at Berger Foundation Iceplex or using this equipment.** I further recognize and acknowledge that the risks inherent in the sport of skating can be greatly reduced by: taking lessons, abiding by Your Responsibility Code and using common sense.

**RELEASE AND WAIVER OF CLAIMS AGREEMENT:** In consideration of the loan or rental to me of the listed ice-skating equipment, I hereby agree to the fullest extent permitted by law, as follows:

1. **TO ACCEPT FOR USE AS IS**, the equipment described in this Agreement, and to always keep it in my possession.
2. **TO WAIVE ANY AND ALL CLAIMS** that I have or may in the future have against SoCal Arena Company, LLC d/b/a Berger Foundation Iceplex, SHP Development LLC, the H.N. and Frances C. Berger Foundation, their respective affiliates, parents and subsidiaries, and the respective employees, agents, representatives and contractors of each of the foregoing (collectively, the "Released Parties").
3. **TO RELEASE** the Released Parties from any and all liability for any loss, damage, injury or expense that I may suffer, or that my next of kin may suffer, as a result of my use of the equipment described in this Agreement, due to any cause whatsoever, **including negligence or breach of contract** regarding the design, manufacture, selection, installation, maintenance or adjustment of the equipment;

**BINDING EFFECT OF AGREEMENT:** In the event of my death or incapacity, this Agreement shall be effective and binding upon my heirs, next of kin, executors, administrators, assigns and representatives.

**ENTIRE AGREEMENT:** In entering into this Agreement, I am not relying upon any oral or written representations other than what is set forth in this Agreement.