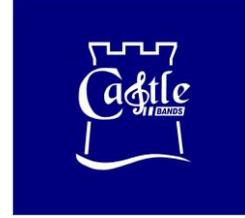




Castle Band Boosters, Inc.  
**2017 Car Raffle**  
to benefit the  
Castle Marching Knights  
Band Program



## Official Rules & Regulations

By purchasing a raffle ticket and participating in the 2017 Car Raffle, you agree that (1) the Castle Band Boosters, Inc. 2017 Car Raffle (the “Raffle”) is a fundraising activity conducted by the Castle Band Boosters, Inc. (hereinafter “Band Boosters”) in support of the Castle Marching Knights Band Program; (2) these Official Rules & Regulations below govern the conduct of the Raffle and together with the decisions of Band Boosters are binding on everyone who purchases a Raffle ticket and/or who is named on a Raffle ticket; (3) it is the responsibility of the ticket purchaser or person named on the Raffle ticket to review the Official Rules for modifications or supplements; (4) these official Contest Rules may not be waived, modified or supplemented except by the Band Boosters in writing; and (5) no modification of these official contest rules shall be effective and enforceable unless made by the Band Boosters in writing and approved by the Board of Directors.

**1. Tickets.** The price per one (1) ticket is \$20.00; for three (3) tickets is \$50; and for seven (7) is \$100. A maximum of 5,000 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 5,000 tickets will be returned to the sender. *If fewer than 3,250 Raffle tickets are sold, the Band Boosters 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 Grand Prize in lieu of the car.*

All ticket 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 Band Boosters.

Ticket requests by mail must be received before 5:00 PM CDT Thursday, October 12, 2017. All tickets may be purchased in person up to and including Friday, October 13, 2017 at 9:00 p.m. Tickets may sell out before that time. The Band Boosters will conduct all drawings in accordance with Raffle rules contained herein. 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 odds of winning will depend on the number of eligible entries received and accepted but will be no greater than 5,000 to 1.

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. Members of the Board of Directors of the Band Boosters or persons related by blood or marriage living in the same household are not eligible to win the Raffle. Prize winners may be required to sign an affidavit of eligibility. Offer void where prohibited by law.

**2. Grand Prize.** The Grand Prize is either a (1) 2017 Mercedes CLA Class hard top sedan or convertible coupe, (2) 2017 BMW 200 Series hard top sedan or convertible coupe, or (3) 2017 Audi A3 hard top sedan (the "Grand Prize") any of which will have an actual cost to D-Patrick not to exceed \$32,000, to be paid by the Castle Band Boosters, Inc. (Band Boosters) on behalf of the Grand Prize Winner at D-Patrick, Inc., of Evansville, Indiana, ("D-Patrick") upon delivery of the vehicle to the Grand Prize winner or as otherwise agreed by and between the Band Boosters and D-Patrick. ***The exact model and series of the Grand Prize may be changed at the discretion of D-Patrick.*** The winner of the Grand Prize, if he/she selects one of the three automobiles as their prize in writing prior to the Election Date, shall be responsible for any and all licensing, registration, fees, document fees and prep fees, upcharges, delivery costs, Federal, State or Local taxes, duties, insurance or other costs of any nature that exceed the amount of \$32,000 paid for by Castle and payable to the dealership or otherwise prior to the delivery of the Grand Prize vehicle. The Grand Prize winner is further responsible for payment of any and all applicable Federal tax withholding on the value of the prize (less the cost of the ticket) which must be delivered to Castle before delivery of the Grand Prize, and Castle will submit the mandatory Federal withholding on behalf of the winner prior to delivery of prize.

In the alternative, the Grand Prize Winner may elect to take the cash prize option instead of the automobile, in which event the Grand Prize Winner shall receive a cash payout of \$25,000 payable no later than five (5) business days after the Election Date as defined below. ("Cash Option") The Cash Option is only available if the Grand Prize was awarded, and does not apply in the event the 50-50 payout option is selected at the discretion of the Band Boosters. Depictions of the eligible automobiles will be shown in informational materials on the Band Boosters promotional materials, website, Facebook pages and elsewhere and can be found on [www.dpat.com](http://www.dpat.com). The vehicles shown in photos are only representative of the make and models available for selection as the Grand Prize. Examples of the Grand Prize or similar vehicles may be viewed on the D-Patrick website or at various Band Booster events during the Contest Period beginning with the Band Booster Preview Night on Thursday, August 3, 2017.

The car selected by the Grand Prize winner shall be transferred to the Grand Prize winner in "AS IS, WHERE IS" condition by Band Boosters. Band Boosters and the Castle Marching Knights do not provide any guarantee or warranty, expressed or implied, in connection with the car. The Band Boosters 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 Band Boosters or the Castle Marching Knights.

The Grand Prize value of the selected 2017 Mercedes, BMW or Audi automobile is the amount paid by the Band Boosters, not to exceed \$32,000. The value of the Cash

Option is \$25,000. The value of the 50%-50% Payout Option, if applicable, will be the dollar amount of the payout, as determined the night of the drawing. The Internal Revenue Service and the Indiana Department of Revenue will accept these grand prize values for the purpose of determining any income tax that may be payable by the Grand Prize winner.

**3. Grand Prize Drawing.** The Grand Prize drawing for the Raffle will be held on Tuesday, October 17, 2017, at approximately 7:00 PM at Castle High School (the "Grand Prize Drawing"). The Grand Prize Drawing may be extended another date at the absolute discretion of the Band Boosters.

**4. Grand Prize Award in the Event of Non-Sellout of Tickets.** A maximum of 5,000 tickets will be sold. A minimum of 3,250 tickets must be sold in order for the Grand Prize to be one of the selected motor vehicles listed above, or in the alternative for the Grand Prize winner to be eligible to elect to receive the Cash Option. If fewer than 3,250 raffle tickets are sold the Band Boosters 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. Band Boosters 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.

**5. Grand Prize Selection.** 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 the Band Boosters, by 5:00 p.m. CDT on November 17, 2017, or 30 days from date of original drawing if on another date (the "Election Date"). If the winner is not present at the drawing, Band Boosters will contact the winner by phone or email as soon as possible. If unable to make contact with the winner the Band Boosters shall notify the winner by certified mail within ten (10) days of the drawing. In all cases the winner will be notified that they must claim the prize within thirty (30) days of the original drawing. If the Raffle winner wishes to donate the Grand Prize award to the Band Boosters, the winner shall provide the Band Boosters a written and notarized statement within the thirty (30) day period stating that the winner wishes to donate the prize to the Band Boosters. The donor will then be required to sign a Donation Statement created by Band Boosters to memorialize the gift. A prize winner shall not donate the prize back to the Band Boosters if to do so would violate Indiana state law. If a Raffle winner does not claim or declines the prize, and does not donate it to the Band Boosters within thirty (30) days after the drawing, the Band Boosters shall notify the Indiana Department of Charitable Gaming and draw another ticket in compliance with any Gaming Commission rules, regulations or directions. The tickets shall remain under the control of Band Boosters until a winner is identified and fully accepts the prize or completes the donation of the prize to the Band Boosters.

**6. Tickets and Purchasing.** You have not entered the Raffle until your entry submission, with full payment has been accepted by the Band Boosters. Acceptance of your entry submission will be communicated to you by delivery of a ticket stub or by written confirmation by e-mail from the Band Boosters. 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 Band Boosters regardless of the date that Band Boosters notifies you of the acceptance of your submission. Tickets are \$20 each (3 for \$50; 7 for \$100) and may be purchased solely from Band Boosters. You may buy as many tickets as you wish, subject to availability, until all 5,000 are sold. Each Raffle ticket will be entered separately in the drawing. Each Raffle ticket is a separate and equal chance to win the Grand Prize or any of the other prizes offered.

To order tickets by mail, use a ticket request form which can be downloaded from the Castle Bands website at [www.castlebands.org](http://www.castlebands.org) or at the Castle Bands Facebook page at [www.facebook.com/castlemarchingknights](http://www.facebook.com/castlemarchingknights). Ticket requests must include payment by check, made payable to "Castle Band Boosters", or debit card information 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 to be eligible. Send completed forms to Castle Band Boosters c/o Car Raffle, P.O. Box 641, Newburgh, IN 47629. Questions or inquiries may be made by email at [castlecarraffle@gmail.com](mailto:castlecarraffle@gmail.com)

If for any reason the check or debit card 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, Band Boosters 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. Band Boosters will then place each completed raffle ticket stub in the secured raffle barrel or other secure container and mail the ticket(s) to the purchaser. The purchaser will receive a letter or an email from Band Boosters, confirming the ticket purchase and providing the ticket number(s).

**7. Refunds.** All Raffle ticket sales are final. No refunds will be made except once 5,000 tickets have been confirmed sold or after the deadlines set forth hereinabove then any ticket request with verified payment will be returned or destroyed with notice to the purchaser. No other refunds are available. Band Boosters 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 Band Boosters breach shall be limited to the return of the purchase price paid for his or her Raffle ticket(s). In no event shall Band Boosters, 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.

**8. Payment and Award Verification.** Band Boosters 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 Band Boosters. Prior to the Grand Prize drawing, Band Boosters 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). In order to claim any prize, including the Grand Prize, the winner must provide proper identification to the satisfaction of Band Boosters and in accordance with the requirements set forth by the Indiana Charity Gaming Commission. A representative of the Band Boosters will assist in coordinating all the details with the winner regarding the delivery, tags and registration of the Grand Prize automobile. Winner agrees to the use of his/her name, photograph or videotape likeness and statements for publicity purposes by Band Boosters and Castle High School Marching Knights and agrees to sign a publicity release without any further compensation.

**9. Rules and Authorization for Use.** 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 the Band Boosters, for publicity purposes and naming of the prize winners to be published in area newspapers or other media including television, radio, web and print. The prize winner will be published on the Band Booster website, Facebook and other social medias. Names of the winners may be obtained by sending a written request plus a self-addressed, stamped envelope to the Castle Band Boosters, P.O. Box 641, Newburgh, IN 47629. Booster's interpretation and application of the rules and regulations shall be final.

**10. Release by Participants.** By participating in this Raffle, each participant releases the Band Boosters and the Castle Marching Knights program, 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 fully indemnify and hold Band Boosters and Castle Marching Knights 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 this Raffle or as a result of the winner's acceptance or use of any prize. Each Participant by participating in the Raffle acknowledges that no other party is associated with the Raffle, including without limitation D-Patrick, Castle High School, the Warrick County School Corporation, or any of its teachers, educators, administrators, staff, agents, officers, employees, or representatives and each participant fully indemnifies and holds those parties harmless from any and all losses, damages, costs, expenses, rights, claims and actions of any kind arising in connection with this Raffle or as a result of the winner's acceptance or use of any prize.

**11. Disclaimers.** The Band Boosters 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), 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. Band Boosters 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.

THE GRAND PRIZE WINNER IS STRONGLY ADVISED TO SEEK PROFESSIONAL LEGAL AND TAX ADVICE. AWARD OF THE GRAND PRIZE COULD HAVE MATERIAL ADVERSE CONSEQUENCES ON THE GRAND PRIZE WINNER INCLUDING WITHOUT LIMITATION, INCOME OR OTHER TAX CONSEQUENCES, AND ADVERSE AFFECTS ON GOVERNMENT ENTITLEMENTS OR OTHER BENEFITS, AND MAY HAVE OTHER LEGAL, FINANCIAL OR TAX CONSEQUENCES.

**12. Registration with the State of Indiana Gaming Commission.** This Raffle is conducted for the benefit of the Castle High School Marching Knights Band Program by the Castle Band Boosters, Inc., under strict conformity and compliance with the Indiana Gaming Commission, and the rules and regulations of the Charity Gaming Division. The Raffle is licensed by the Indiana Gaming Commission, Indiana Annual Raffle License No. 141662 which is on file with the Band Boosters.

Any questions regarding the Raffle or the purchase of Raffle tickets may be directed to (812) 853-2009 or email [castlecaraffle@gmail.com](mailto:castlecaraffle@gmail.com)

*Approved by the Castle Band Boosters, Inc.  
Board of Directors  
July 11, 2017*