



2016 HOLD HARMLESS FORM

RELEASE OF LIABILITY:

The Winery/Vendor, for herself/himself and successors, assigns, heirs, estate, employees, and all other persons, know or unknown, being fully aware that participation will expose her/him to a risk of property damage, bodily injury, personal injury and/or death, hereby releases **THE COUNTY OF SAN LUIS OBISPO**, and **TEMPLETON CHAMBER OF COMMERCE**, their officers, directors, trustees, employees, agents, representatives, volunteers, and servants, and all other persons and associates connected with **Templeton Wine Festival on Saturday May 14, 2016**, whether known or unknown (HEREIN AFTER COLLECTIVELY "SPONSORS"), from any and all liability, including for activity or passive negligence, for any and all property damage, personal injuries, bodily injury, death and/or other claims or causes of action arising out of or relating to the Vendor participation in **TEMPLETON WINE FESTIVAL**, INCLUDING THOSE CLAIMS WHICH ARE KNOWN AND UNKNOWN, FORESEEN, FUTURE OR CONTINGENCE.

COVENANT NOT TO SUE:

The Winery/Winery Representative and/or Vendor/Vendor Representative, for herself/himself and successors, assigns, heirs, estate, employees, and all other persons, known or unknown, covenants not to directly or indirectly commence or prosecute any action, suit, claim or other proceeding against the Sponsors arising out of or related to **TEMPLETON WINE FESTIVAL**. The Winery/Winery Representative and/or Vendor/Vendor Representative is aware of Civil Code 1542 and waives its effect. Civil Code 1542 provides: "A general release does not extend to claims which the creditor does not know or suspect to exist in his favor at the time of executing this release, which is known by him must have materially affected his settlement with the debtor."

INDEMNITY AGREEMENT:

The Winery/Winery Representative and/or Vendor/Vendor Representative shall indemnify and hold harmless the Sponsors against any and all claims, demands, causes of action, personal injuries, death, damage, costs and liabilities, in equity, of every kind and nature, whatsoever, directly or proximately resulting or caused by the act or omission of the Winery/Winery Representative and/or Vendor/Vendor Representative, or any of its officers, agents, employees, guests, patrons, or invitees, and the Vendor/Vendor Representative shall, at its sold risk and expense, defend and and all suits, actions or other legal binding proceedings which may be brought or instituted against any Sponsor or any such claim demand or cause of action, and the Winery/Winery Representative and/or Vendor/Vendor Representative, its officers, employees, guests, patrons, and invitees.

Vendor Name

Contact Person (Print)

Date

Signature (Must be 18 years old)

Sign and Return to: PO Box 701 Templeton CA 93465 or scan/email to info@templetonchamber.com