

## NorCal Poodle Rescue 2010 Benefit Raffle Official Rules and Regulations

NorCal Poodle Rescue, Inc. (NCPR), a tax exempt organization under Section 501(c)(3) of the Internal Revenue Code (EIN 94-3192264), is conducting this raffle pursuant to California Penal Code Section 320.5, et seq, to raise funds for ongoing charitable purposes. The Rules and Regulations of the NCPR raffle are set forth below. By purchasing a raffle ticket the purchaser agrees to be bound by these rules and regulations. NorCal Poodle Rescue's interpretation and application of the rules and regulations shall be final.

### **About Our Organization:**

NorCal Poodle Rescue, Inc. is a group of unpaid volunteers who rescue poodles and poodle mixes and help people adopt them. We primarily serve the greater San Francisco Bay Area but we also serve Northern California and Southern Oregon. We re-home all three varieties of poodles: toy, miniature, and standard. We respond to county shelters, humane societies, and individuals via our website and a phone hotline. Our rescue and adoption efforts often require veterinary medical care, fostering, boarding, and training. Our poodles are spayed or neutered before placement. We have a return policy. The generous gift of time by our volunteers, support and services by pet care businesses, fund raising efforts like this raffle, and your donations make this work possible.

### **Registration with the State of California:**

By letter from the Attorney General's office, NorCal Poodle Rescue, Inc. has registered with the California Department of Justice under Raffle Registration Number RF0003991 and is authorized to conduct raffles in California pursuant to the provisions of Penal Code section 320.5.

### **Prizes:**

Four separate drawings will be held. The Grand Prize is a \$1,000 check, drawn on NCPR's bank account and made payable to the Grand Prize winner. Another drawing will select the winner of a \$500 Pet Food Express Gift Card. Another drawing will select the winner of a 12" X 15" painted portrait of your pet by Wythe Bowat valued at \$300. Another drawing will select the winner of a \$100 restaurant gift card. The ticket stubs of the winners of the lesser prizes will also be included in the universe of tickets from which the Grand Prize winning ticket will be drawn.

### **Eligibility:**

Anyone 18 years of age or older and a U.S. resident physically residing in the United States and DC may enter. NCPR members of the Board of Directors, Officers, and their spouses and children living in the same household are excluded from participating and are not eligible to win a prize. NCPR volunteers who are not members of the Board of Directors or Officers are eligible to win a prize. All federal, state, and local laws and regulations apply. The raffle is void where prohibited or restricted by law.

### **Tickets:**

A maximum of 2,000 tickets will be sold or provided to ticket purchasers. Tickets are \$5.00 each, and one additional ticket will be provided for each \$20.00 of tickets purchased at one time by a purchaser. Only one eligible person may be entered in the raffle per ticket sold. If the name of more than one person is submitted with a ticket purchase, and that ticket is selected as a winning ticket, then the person named first will be deemed the holder of record of that ticket and declared the winner. Division of prize by a group purchasing a ticket in common shall be to the sole responsibility of the person named as the holder of record of that ticket, should that ticket be selected as a ticket. All counterfeit, defective or physically altered entry forms will be immediately disqualified by NCPR.

### **How to Purchase:**

An individual can purchase as many tickets as he or she may wish, subject to availability. Tickets will be sold from May 16, 2010 until the drawing. Tickets may sell out before the drawing. To purchase tickets: use the order form provided on the NCPR web site, [www.norcalpoodlerescue.net](http://www.norcalpoodlerescue.net), and mail it to NCPR Raffle, P. O. Box 370839, Montara, CA 94037. Be sure to include your payment by check or money order and a self-addressed, postage paid, envelope. Checks and money orders should be made payable to NorCal Poodle Rescue, Inc. Ticket receipts (stubs) will be retained for entry in the drawing and the remaining portion of the tickets will be mailed back to the purchaser in the envelope provided. Tickets may also be purchased in person from NCPR personnel with payment by cash, check, or money order. The ticket receipts (stubs) for in-person purchases should be filled out immediately and returned to the NCPR representative. By law, tickets cannot be purchased on the NCPR website or by email. Any entry form submitted by email will be rejected. NCPR reserves the right to reject any entry form that is submitted with payment that does not constitute "good funds." Prior to the prize drawings, NCPR will make a reasonable effort to notify the individual that submits an entry form which has been rejected because the check did not clear that the entry has been rejected by attempting to make contact through the information provided at the time of submitting the purchase request. No refunds will be made except under the following circumstances: any ticket order with payment received after 2,000 tickets have been sold or provided, or after Sunday, November 14, 2010 at 2:00PM PST, will be returned. No other refunds are available except in the exclusive discretion of NCPR. NCPR assumes no responsibility for lost, late, misdirected or non-delivered mail or any other failure to receive orders or deliver receipts prior to the drawing deadlines.

**Selection of Winners:**

The NorCal Poodle Rescue 2010 Benefit Raffle drawings will be held on Sunday, November 14, 2010 at 2:00PM PST at the NCPR Holiday Party (additional fee required – see [www.norcalpoodlerescue.net](http://www.norcalpoodlerescue.net) for more information) at the Crow Canyon Country Club, 711 Silver Lake Drive, Danville, CA from all eligible raffle tickets. The Winners need not be present to win. The winning tickets will be selected by random drawings by a person with no affiliation or financial interest in NCPR or the Raffle. The drawing is open to the public. The winners will be notified according to the contact information provided to NCPR at the time of ticket purchase. If a prize winner cannot be located by 5:00 p.m., January 14, 2010, after attempting to make contact through the information provided at the time of purchasing the ticket, such winner will be deemed to have elected to donate the prize to NCPR. The names of the winners may be obtained from NCPR by sending a self-address, postage paid, envelope to NCPR Raffle, P. O. Box 370839, Montara, CA 94037 within two weeks of the drawing.

In order to collect his or her prize, a prize winner may be required to sign and deliver to NCPR: (a) a sworn affidavit of eligibility in accordance with these Rules and applicable law, including without limitation that he or she is at least 18 years old; (b) such written information as is required by any applicable tax laws, including without limitation his or her Social Security Number; (c) proof of identity in forms satisfactory to the NCPR showing that the person claiming the prize is the same person who is named on the winning raffle ticket.; and (d) the winning ticket stub.

**Winning Odds:**

The odds of winning a prize will depend on the number of tickets sold. If all 2,000 tickets are sold or provided the odds of any ticket winning a prize is 1 in 2,000. If fewer tickets are sold or provided, the chance of winning a prize improves.

**Taxes:**

NCPR may be required to report winnings to the Internal Revenue Service and the Franchise Tax Board.

The IRS has taken the position 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 prize winners assume all local, state and federal taxes. NCPR takes no responsibility for any tax liabilities. Consult your tax advisor. This offer is void where prohibited by law, and all federal, state and local laws and regulations apply.

**The Not So Fine Print:**

BY ENTERING THIS RAFFLE, ENTRANTS 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 USED BY NCPR FOR PUBLICITY PURPOSES AND IN NOTICE OF THE PRIZE WINNER TO BE PUBLISHED ON THE NCPR WEBSITE. PLEASE CONTACT NCPR IF YOU HAVE QUESTIONS. NCPR'S INTERPRETATION AND APPLICATION OF THE RULES AND REGULATIONS SHALL BE FINAL.

BY ENTERING THIS RAFFLE, EACH PARTICIPANT RELEASES NCPR, ITS DIRECTORS, OFFICERS, VOLUNTEERS AND AGENTS FROM ANY AND ALL LIABILITY FOR INJURIES, LOSSES OR DAMAGES OF ANY KIND CAUSED BY PARTICIPATING IN THE RAFFLE OR WINNING ANY PRIZE OR RESULTING FROM ACCEPTANCE, POSSESSION, USE OR MISUSE OF ANY PRIZE, AND THE WINNER AGREES TO INDEMNIFY AND HOLD NCPR HARMLESS FROM ANY AND ALL LOSSES, DAMAGES, RIGHTS, CLAIMS AND ACTIONS OF ANY KIND ARISING IN CONNECTION WITH OR AS A RESULT OF PARTICIPATING IN THE RAFFLE OR THE WINNER'S ACCEPTANCE OR USE OF ANY PRIZE.

EACH PARTICIPANT HEREBY WAIVES THE PROVISIONS OF CIVIL CODE SECTION 1542 WHICH STATES THE FOLLOWING: "A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR".

A RAFFLE PARTICIPANT'S SOLE AND EXCLUSIVE REMEDY FOR NCPR'S BREACH SHALL BE LIMITED TO THE RETURN OF THE PURCHASE PRICE PAID FOR HIS OR HER RAFFLE TICKET(S). IN NO EVENT SHALL NCPR, ITS DIRECTORS, OFFICERS, VOLUNTEERS, AGENTS 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 WHETHER ARISING IN CONTRACT, TORT OR OTHERWISE, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

ANY CONTROVERSY OR CLAIM ARISING OUT OF OR RELATING TO THE CONTRACT, OR THE BREACH THEREOF, SHALL BE SETTLED BY BINDING ARBITRATION ADMINISTERED BY THE AMERICAN ARBITRATION ASSOCIATION (PURSUANT TO ITS EXPEDITED PROCEDURES) UNDER ITS COMMERCIAL ARBITRATION RULES, AND JUDGMENT ON THE AWARD RENDERED BY THE ARBITRATOR MAY BE ENTERED IN ANY COURT HAVING JURISDICTION THEREOF.