

BIKING ONLY

IMPORTANT - PLEASE READ CAREFULLY BEFORE SIGNING
RELEASE OF LIABILITY AND COVENANT NOT TO SUE

L-97

In consideration of Whitewater Challengers, Inc. furnishing services and /or equipment to enable me to participate in bicycling activities, I agree as follows:

I fully understand and acknowledge that: (a) risks and dangers exist in my use of biking equipment and my participation in biking activities; (b) my participation in biking activities and/or use of biking equipment may result in injury or illness including but not limited to bodily injury, disease, strains, fractures, partial and/or total paralysis, death or other ailments that could cause serious disability; (c) these risks and dangers may be caused by the negligence of the owners, employees, officers or agents of Whitewater Challengers, Inc., or the Commonwealth or Pennsylvania, the negligence of the participants, the negligence of others, accidents, breaches of contract, the forces of nature or other causes. These risks and dangers may arise from foreseeable or unforeseeable causes; and (d) by my participation in biking activities and/or use of biking equipment, I hereby assume all risks and dangers and all responsibility for any losses and/or damages, whether caused in whole or in part by the negligence or other conduct of the owners, agents, officers, or employees of Whitewater Challengers, Inc., the Commonwealth of Pennsylvania, or by any other person.

I, on behalf of myself, my personal representatives and my heirs hereby voluntarily agree to release, waive, discharge, hold harmless, defend and indemnify Whitewater Challengers, Inc., the Commonwealth of Pennsylvania, and their owners, agents, officers and employees from any and all claims, actions or losses for bodily injury, property damage, wrongful death, loss of services or otherwise which may arise out of my use of biking equipment, or my participation in biking activities. I specifically understand that I am releasing, discharging and waiving any claims or actions that I may have presently or in the future for the negligent acts or other conduct by the owners, agents, officers, or employees of Whitewater Challengers, Inc., and the Commonwealth of Pennsylvania. Any claims or disputes arising from my participation in Whitewater Challengers, Inc. activities or use of Whitewater Challengers, Inc. equipment shall be venued in Luzerne County Supreme Court of the state of PA, or in the justice court of the town of Wilkes Barre.

I have been advised by Whitewater Challengers (a) that helmets are available and are provided for participants at no additional charge; (b) that for participants under 18 years of age, helmets are required and must be worn at all times while bicycling; and (c) that helmets are strongly recommended for all participants in bicycling activities. I am not now under the influence of alcohol or controlled substance, and agree not to carry, use or consume these substances before or during the course of today's activities.

I am in good health and am at least 10 years of age. I understand that strenuous physical exertion may be required and have no known physical disabilities or health problems which will present any risk to my participation in biking. I permit the use of any photos, slides, films or sketches of me taken during the day's activities for publicity, advertising, promotion or other commercial purpose. The above agreement shall be binding on my heirs, successors, assigns, administrators and executors.

I HAVE READ THE ABOVE WAIVER AND RELEASE AND BY SIGNING IT AGREE. IT IS MY INTENTION TO EXEMPT AND RELIEVE WHITEWATER CHALLENGERS, INC., AND THE COMMONWEALTH OF PENNSYLVANIA, FROM LIABILITY FOR PERSONAL INJURY, PROPERTY DAMAGE OR WRONGFUL DEATH CAUSED BY NEGLIGENCE OR ANY OTHER CAUSE.

Name (Please print clearly) _____

Address _____ City _____ State _____ Zip _____

Trip Date _____ Age _____ Signed _____

Email Address _____

Signature of Parent or Guardian (if under age 18) _____

HELMETS ARE REQUIRED for participants under age 18; strongly recommended for all others. Please initial appropriate box:

- I am under 18 years of age and will adhere to Whitewater Challengers' requirements to wear a helmet while bicycling.
- I am 18 years or older and agree to wear a helmet while bicycling.
- I am 18 years or older and have declined to wear a helmet while bicycling.

DO NOT LOSE - PLEASE GIVE COMPLETED FORM TO YOUR GROUP LEADER