



Official Rules

RULES GOVERNING THE CONDUCT AND OPERATION OF THE OCTOBERFEST (a program of the Fox Cities Chamber of Commerce) TRIP TO GERMANY

Octoberfest
125 N. Superior Street
Appleton, WI 54912-1855
(920) 734-7101

The Trip to Germany Raffle is only open to legal residents of the 50 United States and the District of Columbia, 18 years of age or older, except employees of the Fox Cities Chamber of Commerce (the "Sponsor") and each of their respective employees, and the immediate families (parent, child, spouse, sibling, and their respective spouses, regardless of where they reside) and household members, whether or not related, of each of the foregoing. Void wherever prohibited or restricted by law.

The Trip to Germany Raffle is subject to all applicable federal, state and local laws and regulations and shall be governed by Wisconsin law.

By entering the Trip to Germany Raffle entrants: (i) agree to accept and be bound by all terms of these Official Rules and the decisions of Sponsor, which are final and binding, and (ii) agree that Wisconsin courts have jurisdiction over any dispute or litigation arising from or relating to the Chopper Dropper and that venue shall only be Outagamie County, Wisconsin.

Date, Time, and Place

The first Trip to Germany Raffle will be drawn on Friday, September 23, 2011, on or about 7:00 p.m., at Houdini Plaza, at the corner of College Avenue and Appleton Street, Appleton, Wisconsin.

Source of Funds for Winning Tickets

All tickets will be sold in person and prior to the Trip to Germany Raffle drawing. Grand prize of the trip to Germany valued at no more than \$5,000.00 and based on sales of Trip to Germany Raffle tickets.

All winners are fully responsible for any and all applicable federal, state and local taxes (including income and withholding taxes). All costs and expenses associated with receiving a prize are the sole responsibility of the winner.

Ticket Drawing

- Under the observation of designated personnel, tickets will be placed in drum dispenser located on the entertainment stage in Houdini Plaza.
- Ticket drawing will be done on Friday, September 23, 2011 at approximately 7:00 p.m. from the stage located at Houdini Plaza, corner of College Avenue and Appleton Street, Appleton, Wisconsin.

Winner Identification

- The Octoberfest Executive Director will maintain a master list of tickets purchased, the ticket's assigned owner and contact information at all times.
- The Octoberfest Executive Director, Board President (or their designee), a representative of the independent accounting firm, and other personnel designated by the Board President will be present during the ticket drawing for the purpose of determining the winner.
- The Octoberfest Executive Director, along with the Board President, will certify the winning ticket by signing a "Statement of Certification."
- Winner will then be announced from the Houdini Entertainment stage and posted on-line at www.octoberefstonline.org as soon as possible after the winning ticket is determined.
- Winners need not be present to win.

Claiming of Prizes

- In cases where a winner was not present at Houdini Plaza, or may not have visited the web site, Octoberfest staff will make reasonable attempts to contact the winner via the contact information he or she provided on the Trip to Germany Raffle ticket information form.
- During normal business hours, winners may contact Octoberfest at (920) 734-7101.

Owners of eligible entries need not be present in person in order to win. Each potential winner must contact sponsor directly to begin the process required to claim his/her prize no later than thirty calendar days after the winning number was selected by appearing in person at sponsor's office at 125 North Superior Street, Appleton, WI 54911 with their winning ticket weekdays between the hours of 9:00 a.m. and 4:00 p.m. and present photo identification. Each potential winner may send email containing the potential winner's contact information to Susan Vanden Heuvel, svandenheuvel@foxcitieschamber.com during the same timeframe to make arrangements so sponsor may inspect and verify each

claimant's raffle ticket. Tickets must be present within 30 calendar days for visual inspection and validation.

- **DETERMINATION OF OFFICIAL WINNER(S):** Sponsor shall have the sole discretion to determine whether each potential winner is an official winner of a prize (an "Official Winner"). Sponsor's decision concerning the identity of all Official Winners shall be final and binding. To become an Official Winner: (1) a potential Winner must be eligible to participate in the Trip to Germany Raffle under these Official Rules and must not be in violation of these Official Rules as determined in Sponsor's sole judgment; (2) that potential winner must contact Sponsor by the deadline specified above; (3) that potential winner's winning entry must be inspected and verified in person by Sponsor by the deadline specified above; (4) that potential winner must execute and return to Sponsor an affidavit of eligibility on a form to be provided by Sponsor before prize is awarded; and (5) that potential winner must provide Sponsor with all tax identification information required by federal, state or local law and, where applicable, provide Sponsor with payment for any required withholding taxes due prior to that potential winner's receipt of the prize. If for any reason whatsoever all of the foregoing requirements are not satisfied with respect to a particular potential winner, or if Sponsor is unable for any reason to identify the holder of a winning ticket or to contact a potential winner, then that potential winner's prize will be deemed forfeited and, the prize will be retained by the Sponsor for charitable use.

Sponsor shall use the following rules to determine the identity of any potential winner and of the Official Winner of each Prize: (1) Sponsor shall conclusively presume that the person who is in possession of that ticket is the lawful owner of that ticket, and Sponsor shall not make, nor have any duty to make, any inquiry whatsoever into the circumstances under which that person came into possession of such winning ticket. In the unlikely event that an error or problem in the administration of the Trip to Germany Raffle results in two (2) or more ticket purchasers holding winning tickets that contain identical ticket numbers, then the person who has record of the earliest ticket purchase shall be deemed to hold the winning Entry.

- **AWARD OF PRIZE(S) TO OFFICIAL WINNER(S):** A prize will be awarded to one potential winner who has been designated by Sponsor as an Official Winner. The Grand Prize will be available for pick-up at Sponsors office via check within thirty business days of Official Winner delivering winning ticket to Sponsor.
- **TAXES:** All federal, state and local income taxes are the sole responsibility of each winner. The taxable value of the prize will be treated as ordinary income to the winner for federal and state income tax purposes, and each winner will be required by law to pre-pay a portion of the tax liability incurred in connection with his/her receipt of the prize before receiving his/her prize from Sponsor.

WAIVER OF LIABILITY/PUBLICITY RELEASE: By participating in the Trip to Germany Raffle each entrant agrees to (i) be bound by these Official Rules, including all entry requirements, and (ii) waive any and all claims against the Sponsor and its officers, directors, employees, agents, licensees, distributors, dealers, retailers, printers, representatives and advertising and promotion agencies, and any and all other companies associated with the Trip to Germany Raffle, and all of their respective officers, directors, employees, agents and representatives (collectively, "Released Parties") for any injury, damage or loss that may occur, directly or indirectly, in whole or in part, from the participation in the Trip to Germany Raffle or from the receipt or use of any prize. By entering the Trip to Germany Raffle, each entrant gives his/her express permission to be contacted by the Sponsor by telephone, e-mail and/or postal mail for Trip to Germany Raffle purposes.

GENERAL CONDITIONS: Released Parties are not responsible for stolen, late, incomplete, illegible, inaccurate, misdirected, lost, misrouted, scrambled, damaged, delayed, undelivered, mutilated, postage-due or garbled entries, transmissions, e-mail or mail; or for lost, interrupted or unavailable network, cable, satellite, server, Internet Service Provider (ISP), wireless network, website, or other connections including those through and/or by any website, availability or accessibility or miscommunications or failed computer, satellite, telephone, cable or wireless transmissions, lines, or technical failure or jumbled, scrambled, delayed, or misdirected transmissions or computer hardware or software malfunctions, failures or difficulties; any error, omission, interruption, defect or delay in transmission, processing, or communication; non-delivery; misdirected, blocked, or delayed e-mail notifications; printing, typographical or other errors appearing within these Official Rules, in Trip to Germany Raffle -related advertisements or other materials; or any other errors, problems or difficulties of any kind whether human, mechanical, electronic, network, computer, telephone, mail, typographical, printing or otherwise relating to or in connection with the Trip to Germany Raffle including, without limitation, errors or difficulties which may occur in connection with the administration of the Trip to Germany Raffle, the processing of entries, the announcement of the prizes or in any Trip to Germany Raffle -related materials. Persons who tamper with or abuse any aspect of the Trip to Germany Raffle or website

or attempt to undermine the legitimate operation of the Trip to Germany Raffle by cheating, deception or other unfair playing practices, or intend to annoy, abuse, threaten or harass any other entrant or any representative of Sponsor or who are in violation of these Official Rules, as solely determined by Sponsor, will be disqualified and all associated entries will be void. Any attempt to deliberately damage the content or operation of the Trip to Germany Raffle is unlawful and subject to legal action by the Sponsor or their respective agents. Sponsor shall have the sole right to disqualify any entrant for violation of these Official Rules or any applicable laws relating to the Trip to Germany Raffle, and to resolve all disputes in its sole discretion. Released Parties (i) make no warranty, guaranty or representation of any kind concerning any Prize (or any portion thereof), and (ii) disclaim any implied warranty. Sponsor's failure to enforce any term of these Official Rules shall not constitute a waiver of that provision.

Sponsor reserves the right, in its sole discretion, to cancel or suspend the Trip to Germany Raffle. In the event of cancellation, Sponsor may elect to identify winners and award the prizes by way of random drawing from among all non-suspect, eligible entries received up to the time of such cancellation.

Grand Prize

The Grand Prize is valued at no more than \$5,000.00 for a trip to Germany's Oktoberfest and cannot be redeemed for cash. Trip will be administered by Kiwi Travel, 3020 E College Ave., Appleton, WI 54915-3253, (920) 731-0001. Winner may choose to use the value of \$5,000.00 towards another destination.