

**Franklin High School Band Boosters, Inc.**  
**2015 Raffle**  
**To Benefit The Franklin High School Band**  
**Official Rules & Regulations**

**By participating, you agree that:**

The Franklin High School Band Boosters Raffle (the "Raffle") is a fundraising activity conducted by the Franklin High School Band Boosters, Inc. (Hereinafter "FHSBB") in support of the **Franklin High School Band**. These Official Rules & Regulations govern the conduct of the Raffle and together with the decisions of the FHSBB are binding on everyone who purchases a Raffle ticket and/or who is named on a Raffle ticket. These Official Contest Rules may not be waived, modified or supplemented except by the FHSBB in writing. No modification of these official contest rules shall be enforceable unless made by the FHSBB in writing and approved by the Board. These rules apply to any and all individuals selling Raffle tickets or anyone on the Raffle committee.

**GRAND PRIZE DRAWING:** The Grand Prize drawing for the Franklin High School Band Boosters Raffle will be held on Friday, October 23, 2015 at halftime of the Franklin High School Football game at Howard Gamble Stadium at Franklin High School and will be announced over the public address system at this time. The drawing date and time stated in these rules may be extended at the absolute discretion of the FHSBB and within the rules of the Tennessee Department of State, Division of Charitable Solicitations and Gaming. Ticket requests by mail must be received before 5:00 PM EDT Thursday, October 22, 2015. Tickets may be purchased at the event until 7:30 PM CDT, October 23, 2015.

Tickets may sell out before that time. The FHSBB will conduct all drawings in accordance with the 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 price per one (1) ticket is \$50.00; for three (3) tickets is \$125; and for thirteen (13) is \$500. 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 1000 Raffle tickets are sold, the FHSBB, 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. The ratio of prizes to tickets is 1 to 5,000 if all tickets are sold.

All 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 FHSBB.

**GRAND PRIZE:** FHS 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), income taxes (local, state and federal taxes) when the truck is transferred to the winner. In addition, all costs of truck ownership, including but not limited to insurance, are the Grand Prize winner's sole responsibility. FHSBB 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 Tennessee 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 TAX ADVICE. AWARD OF THE GRAND PRIZE COULD HAVE MATERIAL ADVERSE CONSEQUENCES ON THE GRAND PRIZE WINNER INCLUDING WITHOUT LIMITATION, WITH RESPECT TO TAXES, INCOME, GOVERNMENT ENTITLEMENTS OR OTHER BENEFITS, OR OTHER LEGAL, FINANCIAL OR OTHER MATTERS.**

The Grand Prize is a 2016 GMC Canyon truck provided in conjunction with Lyons Chevrolet Buick GMC. Depictions of trucks shown in informational materials and on the FHSBB website are only representative of the Grand Prize; the actual truck to be made available for selection by the Grand Prize winner may be viewed at Lyons Chevrolet Buick GMC, 861 N. Ellington Parkway, Lewisburg, TN 37091 and at various FHSBB events during the year.

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 FHSBB 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 FHSBB website ([thefranklinband.org](http://thefranklinband.org)). Names of the winners may be obtained by sending a written request plus a self-addressed, stamped envelope to FHS Band Boosters, PMB 110, 2020 Fieldstone Parkway, Suite 900, Franklin, TN 37069. FHSBB's interpretation and application of the rules and regulations shall be final.

By participating in this Raffle, each participant releases FHSBB, 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 indemnify and hold FHSBB and Franklin High School 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 or as a result of the winner's acceptance or use of any prize.

**ELIGIBILITY:** 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 and officers of FHSBB or persons related by blood or

marriage living in the same household are not eligible to win the Raffle. Prizewinners may be required to sign an affidavit of eligibility. Offer void where prohibited by law.

In order for the Grand Prize winner to receive the truck (subject to the other provisions in these rules), the Grand Prize winner must elect to receive the truck by delivering written notice of that election to the FHSBB by 4:00 p.m. on November 23, 2015. If the winner is not present at the drawing, FHSBB shall notify the winner by certified mail within seven (7) days of the drawing that the winner shall claim the prize within thirty (30) days of the original drawing at the event, or the date a winner is drawn in a subsequent drawing, should the winner decline for any reason.

If a winner does not wish to claim the prize but wishes to donate it to the FHSBB, the winner shall provide a written and notarized statement within the thirty (30) day period stating that the winner wishes to donate the prize to the FHSBB. The donor will then be required to sign a Donation Document created by FHSBB. A prize winner shall not donate the prize back to the FHSBB, if to do so would violate Tennessee state law. If a Raffle winner does not claim the prize or donate it to the organization within thirty (30) days after the drawing date, the organization shall notify the Office of Charitable Gaming and draw another ticket in the presence of "Office" personnel. The tickets shall remain under the control of FHSBB until a winner is identified and accepts the prize.

The truck will be transferred to the Grand Prize winner in "AS IS, WHERE IS" condition by Lyons Chevrolet Buick GMC, 861 N. Ellington Parkway, Lewisburg, TN 37091. FHSBB and Franklin High School Band do not provide any guarantee or warranty, expressed or implied, in connection with the truck. FHSBB accepts no liability or responsibility regarding the manufacturing or condition of the truck. No warranties express or implied, of any type or nature are made or offered by FHSBB or the Franklin High School Band.

**TRUCK VALUE:** The value of the 2016 GMC truck is approximately \$33,000. The Internal Revenue Service or the Tennessee Department of Revenue will accept that value of the car or any other value for the purpose of determining any income tax that may be payable by the Grand Prize winner.

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

**TICKETS:** You have not entered the Raffle until your entry submission, with full payment, has been accepted by the FHSBB. Acceptance of your entry submission will be communicated to

you by delivery of a ticket stub or by written confirmation or by e-mail from the FHSBB. 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 FHSBB regardless of the date that FHSBB notifies you of the acceptance of your submission. Tickets are \$50 each (3 for \$125; 13 for \$500) and may be purchased solely from FHSBB or their authorized representatives. 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.

To order tickets by mail, use a ticket request form which can be downloaded from [www.thefranklinband.org](http://www.thefranklinband.org). Ticket requests must include payment by check, credit card or debit card information to be eligible 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. Send completed forms with payment by check made out to "FHSBB" to Franklin High School Band Boosters c/o Car Raffle, PMB 110, 2020 Fieldstone Parkway, Suite 900, Franklin, TN 37069.

Any questions regarding the Raffle or the purchase of Raffle tickets can be directed to (615) 604-4624 or [fhbandfunds@gmail.com](mailto:fhbandfunds@gmail.com).

All sales are final. 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, FHSBB 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. FHSBB 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 FHSBB, confirming the ticket purchase and providing the ticket number(s).

**TICKET AND PAYMENT VERIFICATION:** FHSBB 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 FHSBB prior to the Grand Prize drawing, FHSBB 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).

**Grand Prize Winner:** Winner notification will be made by telephone, mail and posted on the web page. The winner will need to provide proper identification (example-valid driver's license with picture) to the satisfaction of FHSBB. A representative of FHSBB will assist in coordinating all the details with the winner regarding the delivery, tags and registration of the Grand Prize truck. Winner agrees to the use of his/her name, photograph or videotape likeness and statements for publicity purposes by FHSBB and Franklin High School Band and agrees to sign a publicity release without any further compensation.

**GRAND PRIZE AWARD IN EVENT OF NON-SELLOUT OF TICKETS:** A maximum of 5,000 tickets will be sold. A minimum of 1000 tickets must be sold for the Grand Prize winner to receive the truck. If fewer than 1000 raffle tickets are sold, the FHSBB 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. FHSBB 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.

**REGISTRATION WITH THE STATE OF TENNESSEE:** This Raffle is conducted for the benefit of the **Franklin High School Band** by FHS Band Boosters and authorized by the Secretary of State, Division of Charitable Solicitations and Gaming and the General Assembly of the State of Tennessee.