

PayPal: _____ Coggins Accession #: _____

**BITTERSWEET FIELD
AGREEMENT FOR RELEASE, WAIVER OF LIABILITY
AND INDEMNIFICATION COMMITMENT
*[TO BE READ CAREFULLY PRIOR TO SIGNATURE]***

The undersigned, in consideration for the right to participate in Horseback Riding Activities at Bittersweet Field, located in the general vicinity of 14401-B Partnership Road, Poolesville, MD 20837 (“Bittersweet”) does hereby provide this Agreement for Release, Waiver of Liability and Indemnification Commitment (“Agreement”), and represent(s) and agree(s) as follows:

1. I have inspected those facilities at Bittersweet property that I desire to utilize, including the parking areas, dressage ring, the stadium jumping area, and the cross-country course (collectively, the “Bittersweet Property”) and am thoroughly familiar with the conditions and potential hazards of all of these facilities. I have inspected each jump that I will school and am familiar with its design and status, and with the footing and other physical conditions around and near each such jump. I have assessed the presence of medical personnel, or lack thereof, present at Bittersweet, deem that level to be acceptable, and understand that I shall be responsible for my own medical care, assistance and expenses.
2. I, on behalf of myself, my heirs, guardians and legal representatives, fully understand that horse riding activities are by their nature very dangerous activities. Horseback riding is classified as a rugged adventure recreational sport activity and there are numerous obvious and non-obvious inherent risks always present in such activity despite all safety precautions. The term “Horseback Riding Activities” as used herein includes all riding and handling of horses, ponies, mules, or donkeys, whether mounted or on the ground, including but not limited to taking lessons, or participating in competition, as well as all other activities associated the riding, handling and competing of horses.
3. I understand that in any Horseback Riding Activity I and/or my horse may be injured as a result of my negligence, the negligence of others, or due to fault of no one, and that horses, even when well trained, can be unpredictable and difficult to control. I accept and assume all risks of injury (even death) to me and my property.
4. I understand that, upon mounting a horse, the rider is in primary control of the horse. I agree that I shall be responsible for the safety, of myself, my horse and other persons and their property, and I will take all reasonable precautions to protect against injury when participating in any Horseback Riding Activities.
5. I am familiar with Section 5-1104 of the Maryland Recreational Use Statute Code and understand that it exempts from any and all liability any landowner who makes his property available for riding without charge, as the owners of Bittersweet have done for Seneca Valley Pony Club, and I understand that the owners may retract such permission to ride, at any time, at their sole discretion.
6. I understand that participation includes possible exposure to and illness from infectious diseases including but not limited to MRSA, influenza, and COVID-19. While particular rules and personal discipline may reduce this risk, the risk of serious illness and death does exist; and,
7. I KNOWINGLY AND FREELY ASSUME ALL SUCH RISKS, both known and unknown, EVEN IF ARISING FROM THE NEGLIGENCE OF THE RELEASEES or others, and assume full responsibility for my participation; and,
8. I willingly agree to comply with the stated and customary terms and conditions for participation as regards protection against infectious diseases. If, however, I observe and any unusual or significant hazard during my presence or participation, I will remove myself from participation and bring such to the attention of the nearest official immediately; and,
9. I agree to wear ASTM-approved protective headgear and a Seneca Valley Pony Club issued Pinney when riding at Bittersweet. I also agree to wear an USEA or USPC medical armband. Moreover, when riding or schooling cross-county at Bittersweet, I shall (a) wear an approved protective vest and (b) be accompanied by a

responsible adult (over 21 years of age) ground person or other adult rider(s) who shall observe and monitor my riding at all times. I agree to comply with all applicable rules for use of Bittersweet.

10. By my signature below, I, on behalf of myself, my heirs, guardians and legal representative, release, exculpate and agree to indemnify and defend all owners of Bittersweet, be they direct or indirect; all family members of Bittersweet owners, (collectively, "Bittersweet Owners"); and all heirs, devisees and other beneficiaries of all Bittersweet Owners; and the United States Pony Club, Inc., a corporation, the Seneca Valley Pony Club, and all of their officers, members, member families, employees, heirs and assigns, (collectively, the "Releasees") against any claim of loss, injury, damage or other harm, of any nature, to the fullest extent permissible by applicable law, to myself, my horse or to third parties as a result of my Horseback Riding Activities.
11. Neither I nor anyone on behalf of myself, my heirs, guardians or legal representative, shall bring any claim, demand, action or litigation, of any nature, against any Releasee for any economic or non-economic loss due to bodily injury, death, property damage or any other damage sustained by me and/or my minor child associated with any Horseback Riding Activities at Bittersweet. Should anyone make any claim because of any injury to me (including death), I (or my representatives) will indemnify those who are released by this Agreement, and I agree to pay reasonable attorneys' fees, in addition to other damages, should I breach any part of this Agreement.
12. This Agreement shall be legally binding upon each of the signatories below, my heirs, guardians and legal representative and any third parties who may otherwise have claims due to their contractual or other relationship with any signatory. It shall be interpreted according to the laws of the state of Maryland. Any disputes regarding this Agreement shall be resolved in a court in Montgomery County, Maryland.
13. By signing below, I AGREE to be bound by all applicable USPC rules and all terms and provisions of the USPC activity. I acknowledge that I enter into this release after having read the same, and place my signature hereto of my own free voluntary act and deed. By signing below, I represent to the USPC that I fully understand its contents, that I do not need any further explanation, and I waive any further explanation.
14. ACKNOWLEDGEMENT OF UNDERSTANDING. I UNDERSTAND THIS IS A LEGAL DOCUMENT AND THAT I AM SIGNING THIS AGREEMENT FREELY AND VOLUNTARILY. I UNDERSTAND I HAVE THE CHOICE NOT TO SIGN THIS AGREEMENT, AND THEREFORE NOT TO UTILIZE BITTERSWEET. I HAVE READ THIS TWO-PAGE AGREEMENT AND FULLY UNDERSTAND ITS TERMS. I UNDERSTAND THAT I AM GIVING UP SUBSTANTIAL RIGHTS, INCLUDING MY RIGHT TO SUE ANY OF THE RELEASEES. I FURTHER ACKNOWLEDGE THAT I INTEND MY SIGNATURE TO BE A COMPLETE AND UNCONDITIONAL RELEASE OF ALL LIABILITY, INCLUDING THAT DUE TO ORDINARY NEGLIGENCE BY THE-RELEASEES TO THE GREATEST EXTENT ALLOWED BY THE LAWS OF MARYLAND.

Name (Name Printed): _____ Signature: _____

Parent/Guardian must sign above if rider is under 18. Please specify the name(s) of the rider(s) (only the rider if over 18 and a parent/guardian of rider may sign above):

Emergency Contact Number: _____ Date: _____

STATE EQUINE ACTIVITY LIABILITY STATUTES

PLEASE RETAIN FOR YOUR PERSONAL RECORDS.

ALABAMA

AL ST §6-5-337 WARNING: Under Alabama law, an equine activity sponsor or equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities, pursuant to the Equine Activities Liability Protection Act.

ALASKA

AK ST § 09.65.145; AK ST § 09.65.290

ARIZONA

AZ ST § 12-553

ARKANSAS

AR ST § 16-120-201, 202 WARNING: Under Arkansas law, an equine activity sponsor, livestock activity sponsor, livestock owner, livestock facility, and livestock auction market are not liable for an injury to or the death of a participant in equine activities or livestock activities resulting from the inherent risk of equine activities or livestock activities.

CALIFORNIA

NO KNOWN EQUINE ACTIVITY LIABILITY STATUTE

COLORADO

CO ST § 13-21-119 WARNING: Under Colorado Law, an equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities, pursuant to section 13-21-119, Colorado Revised Statutes.

CONNECTICUT

CT ST § 52-557p

DELAWARE

DE ST TI 10 § 8140 WARNING: Under Delaware Law, an equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities, pursuant to 10 Delaware Code § 8140.

FLORIDA

FL ST § 773.01 - 773.06 WARNING: Under Florida law, an equine activity sponsor or equine professional is not liable for an injury to, or the death of, a participant in equine activities resulting from the inherent risks of equine activities.

GEORGIA

GA ST § 4-12-1 - 4 WARNING: Under Georgia law, an equine activity sponsor or equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of animal activities, pursuant to **Chapter 12 of Title 4 of the Official Code of Georgia Annotated.**

HAWAII

HI ST § 663B-1, B-2

IDAHO

ID ST § 6-1801 - 1802

ILLINOIS

IL ST CH 745 § 47/1 - 47/999 WARNING: Under the Equine Activity Liability Act, each participant who engages in an equine activity expressly assumes the risks of engaging in and legal responsibility for injury, loss, or damage to person or property resulting from the risk of equine activities.

INDIANA

IN ST 34-31-5-1 - 5 WARNING: Under Indiana law, an equine professional is not liable for an injury to, or the death of, a participant in equine activities resulting from the inherent risks of equine activities.

IOWA

IA ST § 673.1 - 673.5 WARNING: UNDER IOWA LAW, A DOMESTICATED ANIMAL PROFESSIONAL IS NOT LIABLE FOR DAMAGES SUFFERED BY, AN INJURY TO, OR THE DEATH OF A PARTICIPANT RESULTING FROM THE INHERENT RISKS OF DOMESTICATED ANIMAL ACTIVITIES, PURSUANT TO IOWA CODE CHAPTER 673. YOU ARE ASSUMING INHERENT RISKS OF PARTICIPATING IN THIS DOMESTICATED ANIMAL ACTIVITY.

A number of inherent risks are associated with a domesticated animal activity. A domesticated animal may behave in a manner that results in damages to property or an injury or death to a person. Risks associated with the activity may include injuries caused by bucking, biting, stumbling, rearing, trampling, scratching, pecking, falling, or butting.

The domesticated animal may react unpredictably to conditions, including, but not limited to, a sudden movement, loud noise, an unfamiliar environment, or the introduction of unfamiliar persons, animals, or objects.

The domesticated animal may also react in a dangerous manner when a condition or treatment is considered hazardous to the welfare of the animal; a collision occurs with an object or animal; or a participant fails to exercise reasonable care, take adequate precautions, or use adequate control when engaging in a domesticated animal activity, including failing to maintain reasonable control of the animal or failing to act in a manner consistent with the person's abilities.

KANSAS

KS ST § 60-4001 - 4004 WARNING: Under Kansas law, there is no liability for an injury to or the death of a participant in domestic animal activities resulting from the inherent risks of domestic animal activities, pursuant to K.S.A. 60-4001 through 60-4004. You are assuming the risk of participating in this domestic animal activity.

Inherent risks of domestic animal activities include, but shall not be limited to:

(1) The propensity of a domestic animal to behave in ways i.e., running, bucking, biting, kicking, shying, stumbling, rearing, falling or stepping on, that may result in an injury, harm or death to persons on or around them; (2) the unpredictability of a domestic animal's reaction to such things as sounds, sudden movement and unfamiliar objects, persons or other animals; (3) certain hazards such as surface and subsurface conditions; (4) collisions with other domestic animals or objects; and (5) the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, such as failing to maintain control over the domestic animal or not acting within such participant's ability.

KENTUCKY

KY ST § 247.401 - 4029 WARNING: Under Kentucky law, a farm animal activity sponsor, farm animal professional, or other person does not have the duty to eliminate all risks of injury of participation in farm animal activities. There are inherent risks of injury that you voluntarily accept if you participate in farm animal activities.

LOUISIANA

LSA-R.S. 9:2795.1 - 9:2795.3 WARNING: Under Louisiana law, an equine activity sponsor or equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities, pursuant to R.S. 9:2795.3.

MAINE

ME ST T. 7 § 4101 - 4104-A WARNING: Under Maine law, an equine professional has limited liability for an injury or death resulting from the inherent risks of equine activities.

MARYLAND

NO KNOWN EQUINE ACTIVITY LIABILITY STATUTE

MASSACHUSETTS

MA ST 128 § 2D WARNING: Under Massachusetts law, an equine professional is not liable for an injury to, or the death of, a participant in equine activities resulting from the inherent risks of equine activities, pursuant to section 2D of chapter 128 of the General Laws.

MICHIGAN

MCLA 691.1661 - 1667 WARNING: Under the Michigan equine activity liability act, an equine professional is not liable for an injury to or the death of a participant in an equine activity resulting from an inherent risk of the equine activity.

MINNESOTA

MN ST § 604A.12

STATE EQUINE ACTIVITY LIABILITY STATUTES

PLEASE RETAIN FOR YOUR PERSONAL RECORDS.

MISSISSIPPI

MS ST § 95-11-1 - 7 WARNING: Under Mississippi law, an equine or livestock activity sponsor or an equine or livestock professional is not liable for an injury to or the death of a participant in equine activities or livestock shows resulting from the inherent risks of equine activities or livestock shows, pursuant to this chapter.

MISSOURI

MO ST 537.325 WARNING: Under Missouri law, an equine activity sponsor, an equine professional, a livestock activity sponsor, a livestock owner, a livestock facility, a livestock auction market, or any employee thereof is not liable for an injury to or the death of a participant in equine or livestock activities resulting from the inherent risks of equine or livestock activities pursuant to the Revised Statutes of Missouri.

MONTANA

MT ST 27-1-725 - 728

NEBRASKA

NE ST § 25-21,249 - 253 WARNING: Under Nebraska law, an equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities, pursuant to sections 25-21,249 to 25-21,253.

NEVADA

Nev. Rev. Stat. Ann. § 41.519

NEW HAMPSHIRE

NH Rev. Stat. § 508:19

NEW MEXICO

NMSA 1978, § 42-13-1 - 5

NEW JERSEY

NJ ST 5:15-1 to 5:15-1 12 WARNING: UNDER NEW JERSEY LAW, AN EQUESTRIAN AREA OPERATOR IS NOT LIABLE FOR AN INJURY TO OR THE DEATH OF A PARTICIPANT IN EQUINE ANIMAL ACTIVITIES RESULTING FROM THE INHERENT RISKS OF EQUINE ANIMAL ACTIVITIES, PURSUANT TO P.L.1997, c.287 (C.5:15-1 et seq).

NEW YORK

NY GEN OBLIG § 18-301 - 303; 18-401 - 405 WARNING: Under New York Law, an equine professional or equine activity sponsor is not liable for an injury to, or the death of, a participant in equine activities resulting from the inherent risks of equine activities, pursuant to section 18-404 of the General Obligations Law.

NORTH CAROLINA

NC ST § 99E-1 - 99E-9 WARNING: Under North Carolina law, an equine activity sponsor or equine professional is not liable for an injury to or the death of a participant in equine activities resulting exclusively from the inherent risks of equine activities. Chapter 99E of the North Carolina General Statutes.

NORTH DAKOTA

ND ST 53-10-01; ND ST 53-10-02

OHIO

OH ST § 2305.321

OKLAHOMA

76 OK St. Ann. § 50.1 - 50.4

OREGON

ORS § 30.687 - 697

PENNSYLVANIA

PA ST 4 P.S. § 601 - 606 WARNING: You assume the risk of equine activities pursuant to Pennsylvania law.

RHODE ISLAND

RI ST § 4-21-1 - 4 WARNING: Under Rhode Island Law, an equine professional, unless he or she can be shown to have failed to be in the exercise of due care, is not liable for an injury to, or the death of, a participant in equine activities resulting from the inherent risks of equine activities, pursuant to this chapter.

SOUTH CAROLINA

SC Code 1976 § 47-9-710 - 730 WARNING: Under South Carolina law, an equine activity sponsor or equine professional is not liable for an injury to or the death of a participant in an equine activity resulting from an inherent risk of equine activity, pursuant to Article 7, Chapter 9 of Title 47, Code of Laws of South Carolina, 1976.

SOUTH DAKOTA

SDCL § 42-11-1 - 5 WARNING: Under South Dakota law, an equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities, pursuant to § 42-11- 2.

TENNESSEE

TCA § 44-20-101 - 105 WARNING: Under Tennessee Law, an equine professional is not liable for an injury to or the death of a participant in equine activities resulting from the inherent risks of equine activities, pursuant to Tennessee Code Annotated, title 44 chapter 20.

TEXAS

VTCA CIV PRAC & REM CODE § 87.001 - 005 WARNING: UNDER TEXAS LAW (CHAPTER 87, CIVIL PRACTICE AND REMEDIES CODE), A FARM ANIMAL PROFESSIONAL IS NOT LIABLE FOR AN INJURY TO OR THE DEATH OF A PARTICIPANT IN FARM ANIMAL ACTIVITIES RESULTING FROM THE INHERENT RISKS OF FARM ANIMAL ACTIVITIES. **WARNING:** UNDER TEXAS LAW (CHAPTER 87, CIVIL PRACTICE AND REMEDIES CODE), A LIVESTOCK SHOW SPONSOR IS NOT LIABLE FOR AN INJURY TO OR THE DEATH OF A PARTICIPANT IN A LIVESTOCK SHOW RESULTING FROM THE INHERENT RISKS OF LIVESTOCK SHOW ACTIVITIES.

UTAH

UT ST § 78B-4-201 - 203 An equine or livestock activity sponsor is not liable for inherent risks with regard to equine or livestock activities. "Inherent risk" with regard to equine or livestock activities means those dangers or conditions which are an integral part of equine or livestock activities, which may include: (a) the propensity of the animal to behave in ways that may result in injury, harm, or death to persons on or around them; (b) the unpredictability of the animal's reaction to outside stimulation such as sounds, sudden movement, and unfamiliar objects, persons, or other animals; (c) collisions with other animals or objects; or (d) the potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, such as failing to maintain control over the animal or not acting within his or her ability.

VERMONT

12 VSA § 1039 WARNING: Under Vermont Law, an equine activity sponsor is not liable for an injury to, or the death of, a participant in equine activities resulting from the inherent risks of equine activities that are obvious and necessary, pursuant to 12 V.S.A § 1039.

VIRGINIA

VA ST § 3.2-6200 - 6302

WASHINGTON

RCWA 4.24.530 - 540

WEST VIRGINIA

W.Va. CODE § 20-4-1 - 7 Each participant in an equestrian activity expressly assumes the risk of and legal responsibility for any injury, loss or damage to person or property which results from participation in an equestrian activity. Each participant shall have the sole individual responsibility for knowing the range of his or her own ability to manage, care for, and control a particular horse or perform a particular equestrian activity, and it shall be the duty of each participant to act within the limits of the participant's own ability, to maintain reasonable control of the particular horse or horses at all times while participating in an equestrian activity, to heed all posted warnings, to perform equestrian activities only in an area or in facilities designated by the horseman and to refrain from acting in a manner which may cause or contribute to the injury of anyone. If while actually riding in an equestrian event, any participant collides with any object or person, except an obviously intoxicated person of whom the horseman is aware, or if the participant falls from the horse or from a horse-drawn conveyance, the responsibility for such collision or fall shall be solely that of the participant or participants involved and not that of the horseman.

WISCONSIN

WSA 895.481 NOTICE: A person who is engaged for compensation in the rental of equines or equine equipment or tack or in the instruction of a person in the riding or driving of an equine or in being a passenger upon an equine is not liable for the injury or death of a person involved in equine activities resulting from the inherent risks of equine activities, as defined in section 895.481(1)(e) of the Wisconsin Statutes.

WYOMING

WY ST § 1-1-122 - 123