

**Quad City Symphony Orchestra
Volunteers for Symphony Car Raffle
2022-23**

RULES & REGULATIONS

I. General Information

The Quad City Symphony Orchestra Association (QCSOA), a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, is conducting this raffle pursuant to Iowa Code Chapter 99B, to raise funds for ongoing charitable purposes. The Rules and Regulations of the QCSOA raffle are set forth below. By purchasing a raffle ticket, the purchaser agrees to be bound by these rules and regulations. The QCSOA's interpretation and application of the rules and regulations shall be final.

The Grand Prize is a 2023 Subaru Outback valued at \$33,461. The winner has options for upgrades at his or her expense. The grand prize is generously provided, in part, by McLaughlin Motors.

Up to a maximum of 600 raffle tickets will be sold. In the event that 410 tickets are not sold by the drawing date, the QCSOA reserves the right to alter the grand prize to represent a 50/50 split of net receipts between the Grand Prize Winner and QCSOA.

The Grand Prize Drawing will be conducted by the QCSOA on or about May 19, 2023, subject to rescheduling, as more particularly described below. Tickets will not be sold after 11:59 p.m. Central Time on May 15, 2023. Tickets may sell out before that time. An independent raffle auditor will supervise the drawing. Participants need not be present to win.

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.

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 DISCLOSED TO AND USED BY THE NEWS MEDIA AND MAY OTHERWISE BE USED BY THE QCSOA FOR PUBLICITY PURPOSES AND IN LISTS OF PRIZE WINNERS TO BE PUBLISHED IN NEWSPAPERS AND ANNOUNCED ON QCSOA WEBSITES. OTHER RULES AND REGULATIONS MAY APPLY. PLEASE CONTACT THE QCSOA IF YOU HAVE ANY QUESTIONS. THE QCSOA'S INTERPRETATION AND APPLICATION OF THE RULES AND REGULATIONS SHALL BE FINAL.

BY ENTERING THIS RAFFLE, EACH PARTICIPANT RELEASES THE QCSOA, ITS DIRECTORS, OFFICERS, EMPLOYEES 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 EACH

WINNER AGREES TO INDEMNIFY AND HOLD THE QCSOA HARMLESS FROM ANY AND ALL LOSSES, DAMAGES, RIGHTS, CLAIMS AND ACTIONS OF ANY KIND ARISING FROM, IN CONNECTION WITH, OR AS A RESULT OF PARTICIPATING IN THE RAFFLE OR THE WINNER'S ACCEPTANCE OR USE OF ANY PRIZE.

THE GRAND PRIZE WINNER WILL BE REQUIRED TO SIGN A WRITTEN AGREEMENT CONFIRMING THE ABOVE-DESCRIBED RELEASE AND WAIVER AS A CONDITION TO RECEIVING THE PRIZE.

II. Raffle Tickets

Single raffle tickets are \$100 each. Only one method of payment, one name, one email address, and one mailing address are permitted per raffle ticket. Only one eligible person may be entered in the raffle per ticket transaction. If the name of more than one person is submitted with a ticket transaction, and the raffle ticket is selected as the winning raffle 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 raffle ticket in common shall be the sole responsibility of the person named as the holder of record of that raffle ticket, should that raffle ticket be selected as a winner.

The QCSOA reserves the right to reject any entry form that is submitted with payment that does not constitute "good funds." All defective or physically altered entry forms will be immediately disqualified by the QCSOA. Prior to the Grand Prize Drawing, the QCSOA will make a reasonable effort to notify any individual who submits a rejected entry form or one which has been rejected because of insufficient funds. The QCSOA will attempt to make contact through the information provided at the time of submitting the purchase request.

The QCSOA 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.

A RAFFLE PARTICIPANT'S SOLE AND EXCLUSIVE REMEDY FOR A BREACH BY THE QCSOA SHALL BE LIMITED TO THE RETURN OF THE PURCHASE PRICE PAID FOR HIS OR HER RAFFLE TICKET(S). IN NO EVENT SHALL THE QCSOA, ITS DIRECTORS, OFFICERS, EMPLOYEES, 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.

III. How to Purchase:

An individual can purchase as many tickets as he or she may wish, subject to availability.

Ticket(s) may be purchased one of three ways: (1) Purchase online at www.qcso.org with debit card. (2) Call 563-322-7276 to place an order by phone, providing name, address, and phone number along with debit card number, debit card security code and expiration date. (3) Purchase ticket(s) in-person at the Quad City Symphony Orchestra offices, located at 327 Brady

St, Davenport, IA 52801, between 9:00 a.m. - 4:30 p.m. Tuesday-Thursday. All entries must include payment by cash, personal check, money order, bank check, cashier's check, electronic check, or debit card. Iowa law prohibits the use of credit cards for social and charitable gambling. No refunds will be made except under the following circumstances: a ticket order with payment received after 600 raffle tickets have been sold or a ticket order with payment is received after May 15, 2023. No other refunds are available except at the exclusive discretion of the QCSOA. The QCSOA 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.

IV. Selection of Grand Prize Drawing Winner:

The Grand Prize Winner of the 2023 QCSOA Volunteers for Symphony Car Raffle will be announced on or about May 19, 2023 for all eligible raffle tickets. The physical location of draw will be announced at a later date and may be changed without notice at the discretion of the QCSOA. Winner need not be present to win. The Grand Prize Drawing will be held under the supervision of an independent raffle auditor. The winner will be posted on www.qcso.org.

The Grand Prize Winner will be notified as soon as practicable according to the contact information provided to the QCSOA at the time of ticket purchase. If the Winner cannot be located by 5:00 p.m. Central Time on May 22, 2023, after the QCSOA has attempted to contact him or her through the information provided at the time of purchasing the ticket, he or she will be deemed to have forfeited the Grand Prize. Another winner will be selected for the Grand Prize in the same manner.

In order to collect his or her prize, a winner may be required to sign and deliver to the QCSOA: (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; and (c) proof of identity in forms satisfactory to the QCSOA showing that the person claiming the prize is the same person who is named on the winning raffle ticket. The Winner may be required to submit a W-2G, W-9, Form 5754 or similar tax form for tax withholding purposes.

The vehicle is a Subaru Outback Premium and the winner is solely responsible for all local, state and federal taxes (including, but not limited to, income taxes and sales taxes based on the value of the car), the winner's respective financing costs, if applicable, as well as insurance (proof of which must be shown prior to delivery) and as well as any non-standard features chosen by a winner and negotiated with the dealership. McLaughlin Motors agrees to cover any and all state or local license, title, registration, and fees. The QCSOA takes no responsibility for prize winners' tax liabilities. Consult your tax advisor. This offer is void where prohibited by law, and all federal, state and local laws and regulations apply.

V. Winning Odds:

The odds of winning the Grand Prize will depend on the number of raffle tickets sold. In the Grand Prize Drawing, if all 600 tickets are sold, the odds of winning the grand prize are 1 in 600. If fewer than 600 tickets are sold, odds of winning improve.

VI. Eligibility:

The raffle is open to any individual who is 18 years of age or older on ticket purchase date. All federal, state, and local laws and regulations apply. The raffle is void where prohibited or restricted by law. An affidavit of eligibility may be required of prize winners.

VIII. Prizes:

Grand Prize: 2023 Subaru Outback Premium in Crystal Black Silica with Slate Black Cloth interior. The vehicle features automatic transmission, all-wheel drive, rear-vision camera, hands-free power rear gate, keyless access with push-button start and PIN-code access, blind-spot detection with lane change assist and rear cross-traffic alert. For additional features, please visit www.qcso.org.

IX. Terms and Conditions:

The QC SOA makes no guarantee that the Internal Revenue Service (IRS) will accept that value of prizes for the purpose of determining any income tax that may be due from winners.

The vehicle will be transferred to the winner **“AS IS, WHERE IS AND WITH ALL FAULTS.” THE QC SOA DOES NOT PROVIDE ANY GUARANTEE OR WARRANTY, EXPRESSED OR IMPLIED, IN CONNECTION WITH THE MANUFACTURER AND ACCEPTS NO LIABILITY OR RESPONSIBILITY REGARDING THE CONSTRUCTION OR CONDITION OF THE VEHICLE. NO EXPRESS WARRANTIES ARE GIVEN AND NO AFFIRMATION OF THE QC SOA BY WORDS AND/OR ACTIONS WILL CONSTITUTE A WARRANTY.**

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.

By purchasing a raffle ticket and choosing to participate in the raffle, each raffle participant acknowledges and agrees that the QC SOA has the right, in its sole discretion, to elect not to proceed with the raffle for any reason whatsoever or for no reason, and in such event, a participant's sole and exclusive remedy shall be to receive a refund of the full price paid by such participant for each raffle ticket purchased, without interest.

X. Registration with the State of Iowa:

The Quad City Symphony Orchestra Association has registered with the Iowa Department of Inspection and Appeals under Charitable Gambling License Number 203908 and is authorized to

conduct raffles in Iowa pursuant to the provisions of Code chapter 99B for the raffle period which begins November 19, 2022 and ends May 19, 2023. Registration does not imply endorsement.