

# 2024 CASA DE AMPARO STARS AND STRIPES RAFFLE OFFICIAL RULES AND REGULATIONS

## Stars and Stripes Tournament Raffle Benefiting Casa de Amparo Official Rules and Regulations

### I. General Information

Casa de Amparo (“CDA”), a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, is conducting this raffle pursuant to California Penal Code Section 320.5, et seq., to raise funds for ongoing charitable purposes. The Rules and Regulations of the CDA raffle are set forth below. By purchasing a raffle ticket, the purchaser agrees to be bound by these rules and regulations.

All raffle tickets are included in the Grand Prize Drawing. Tickets will not be sold after 4:00 pm Pacific Time on April 28, 2024. The Drawing will take place on April 28, 2024. Participants need not be present to win. An independent auditor will supervise the drawing.

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) THEIR NAMES AND/OR LIKENESSES MAY BE DISCLOSED TO AND USED BY THE NEWS MEDIA, MAY OTHERWISE BE USED BY CDA FOR PUBLICITY NEWSPAPERS AND LISTS OF PRIZE WINNERS TO BE PUBLISHED IN NEWSPAPERS, AND ANNOUNCED ON THE CDA RAFFLE WEBSITE. OTHER RULES AND REGULATIONS MAY APPLY. PLEASE CONTACT CDA IF YOU HAVE ANY QUESTIONS. CDA’S INTERPRETATION AND APPLICATION OF THE RULES AND REGULATIONS SHALL BE FINAL.**

**AS CONSIDERATION FOR THE RIGHT TO PARTICIPATE IN THE RAFFLE, EACH PARTICIPANT WAIVES, RELEASES AND FOREVER DISCHARGES CDA, ITS DIRECTORS, OFFICERS, EMPLOYEES, AGENTS, REPRESENTATIVES, ATTORNEYS, VOLUNTEERS, AND CONSULTANTS, FROM ANY AND ALL LIABILITY OF ANY KIND FOR RIGHTS, CLAIMS, DEMANDS, ACTIONS, INJURIES, LOSSES, COSTS, EXPENSES, INCLUDING ATTORNEYS’ FEES, OR DAMAGES OF ANY KIND, INCLUDING DAMAGES ARISING IN TORT, CONTRACT OR OTHERWISE, ARISING FROM, IN CONNECTION WITH, OR, AS A RESULT OF PARTICIPATION IN THE RAFFLE, WINNING ANY PRIZE, OR ACCEPTANCE, POSSESSION, USE OR MISUSE OF ANY PRIZE. FURTHERMORE, EACH WINNER AGREES TO DEFEND, INDEMNIFY AND HOLD HARMLESS CDA, ITS DIRECTORS, OFFICERS, EMPLOYEES, AGENTS, REPRESENTATIVES, ATTORNEYS, VOLUNTEERS AND CONSULTANTS FROM ANY AND ALL LOSSES, DAMAGES, RIGHTS, CLAIMS, EXPENSES, INCLUDING ATTORNEYS’ FEES, AND ACTIONS OF ANY KIND ARISING FROM, IN CONNECTION WITH, OR AS A RESULT OF, PARTICIPATING IN THE RAFFLE OR WINNING, ACCEPTING, POSSESSING, USING OR MISUSING ANY PRIZE.**

**FURTHER, EACH PARTICIPANT HEREBY WAIVES THE PROVISIONS OF CIVIL CODE SECTION 1542 WHICH STATES THE FOLLOWING: “A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR”.**

**PRIZE WINNERS WILL BE REQUIRED TO SIGN A WRITTEN AGREEMENT CONFIRMING THE ABOVE-DESCRIBED RELEASE AND WAIVER AS A CONDITION TO RECEIVING SUCH PRIZE(S).**

## **II. Raffle Tickets**

Single raffle tickets are \$250 each. Discounted, multi-ticket packs will be sold at the following prices: 3-packs consisting of three (3) raffle tickets are \$500. Only one method of payment, one name, and one mailing address are permitted per raffle ticket or raffle ticket pack (“ticket transaction”). 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 or a raffle ticket from the raffle ticket pack is selected as a winning raffle ticket, then the person named first will be deemed the holder of record of that ticket and declared the winner. Division of any 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.

CDA reserves the right to refuse to accept or reject any entry for any reason, including entries submitted with payments that do not constitute “good funds.”, e.g., funds fully and immediately available for withdrawal. CDA reserves the right to require an alternate payment method. Prior to the Drawing, CDA will make a reasonable effort to notify any individual whose entry is not accepted or is rejected. CDA will attempt to make contact from the information provided at time of attempted ticket purchase. CDA assumes no responsibility for lost, late, misdirected or non-delivered packages, faxes, or any other failure to receive orders or deliver receipts prior to the drawing deadlines. All defective or physically altered entries will be immediately disqualified by CDA.

**A RAFFLE PARTICIPANT’S SOLE AND EXCLUSIVE REMEDY FOR A BREACH OR ERROR BY CDA SHALL BE LIMITED TO THE RETURN OF THE PURCHASE PRICE PAID FOR HIS OR HER RAFFLE TICKET(S). IN NO EVENT SHALL CDA, ITS DIRECTORS, OFFICERS, EMPLOYEES, AGENTS, ATTORNEYS, VOLUNTEERS, CONSULTANTS 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:**

Any eligible individual may purchase as many tickets or ticket packs as he or she may wish.

Ticket(s) or ticket packs may be purchased one of five ways. (1) Call 760-754-5500 to place an order by phone and provide name, address, and phone number along with credit card number, credit card security code and expiration date. All major credit cards are accepted. Phone lines are open 8:30 am – 5:00 pm Pacific Standard Time, Monday through Friday. (2) Place an order in-person at CDA, located at 325 Buena Creek Road, San Marcos, CA 92069, between 9:00 am – 5:00 p.m. local time.

(3) Send an order form via any mail carrier with payment to Casa de Amparo, 325 Buena Creek Road, San Marcos, CA 92069. (4) Place an order in-person at Casa de Amparo events (schedule to be determined) when sold by an authorized Casa de Amparo representative.

Tickets cannot be purchased on the raffle website or by email. Any entry form submitted by email will be rejected. All entries must include payment by check, cash, or credit card. No refunds will be made except under the following circumstance: a ticket order with payment is received after April 28, 2024. No other refunds are available except at the exclusive discretion of CDA. CDA assumes no responsibility for lost, late, misdirected, or non-delivered packages, faxes, text messages, or any other failure to receive orders or deliver receipts prior to the drawing deadlines.

#### **IV. Selection of Drawing Winners:**

The Casa de Amparo Stars and Stripes raffle will be held on April 28, 2024 from all eligible raffle tickets. The Drawing will be held under the supervision of an independent auditor. Winners need not be present to win.

Winners will be notified according to the contact information provided to CDA at the time of ticket purchase. If the grand prize winner cannot be located by 5:00 p.m. Pacific Time on May 3, 2023, after CDA has attempted to contact him or her through the information provided at the time of ticket purchase, the winner will be deemed to have declined the prize. Another winner will be selected for such prize.

In order to collect his or her prize, a ticket winner from the drawing may be required to sign and deliver to CDA: (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 and/or real estate laws, including, without limitation, his or her Social Security Number; and (c) proof of identity in forms satisfactory to CDA showing that the person claiming the prize is the same person who is named on the winning raffle ticket.

#### **V. Winning Odds:**

1 grand prize will be awarded in the Drawing. The odds of winning the grand prize will depend on the number of tickets sold. 1 second place television will be awarded during the drawing.

#### **VI. Eligibility:**

The raffle is open to any individual who is 18 years of age or older and in the state of California at the time of ticket purchase. CDA employees are excluded from participating and are not eligible to win a prize. 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.

#### **VII. Prizes:**

Travel is transferrable. Travel must be used by the specific deadline established for the respective vacation package. All taxes are the responsibility of the winner. Gratuities and fees are the responsibility of the winner unless otherwise noted. Winners of travel-related prizes must comply with all applicable requirements and restrictions related to said prizes including, without limitation: applicable travel dates, age restrictions, liability waivers, travel documentation and reservation and confirmation procedures. All winners of prizes that include vacation or travel must make a prize selection in writing no later than five business days after the drawing date.

**Grand Prize Drawing:**

- **Grand Prize:** An all-inclusive trip for 2 to the Stars and Stripes Tournament held June 27<sup>th</sup>-30<sup>th</sup>, 2024 at the Hilton Los Cabos.
- **2nd Prize:** TCL S-Class 58" television

**IX. Other Terms and Conditions:**

**ANY CONTROVERSY OR CLAIM ARISING OUT OF OR RELATING TO THE RAFFLE, 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.**

**THE ARBITRATION SHALL TAKE PLACE IN SAN DIEGO, CALIFORNIA. THE RAFFLE AND THESE OFFICIAL RULES SHALL BE SUBJECT TO AND GOVERNED BY THE LAWS OF THE STATE OF CALIFORNIA.**

By purchasing a raffle ticket and choosing to participate in the raffle, each raffle participant acknowledges and agrees that CDA 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 California:**

Casa de Amparo has submitted required raffle registration to the Department of Justice and is authorized to conduct raffles in California pursuant to the provisions of Penal Code section 320.5 for the raffle period which begins January 1, 2024 and ends December 31, 2024. Registration does not imply endorsement.