

RELEASE, WAIVER OF LIABILITY AND INDEMNITY AGREEMENT

I, _____ desire to participate/desire to allow my child, _____, age _____, to participate in baseball instruction carried on by David Drake, dba Number 9 Hitting. I recognize and acknowledge that there are certain risks of physical injury present in this activity due to its nature and character, including but not limited to injuries from flying baseballs, bats, running, jumping, sliding, or otherwise participating in baseball activities. I agree to assume the full risk of any such injury, including death, damages or other loss of any kind or nature resulting from participation in any and all activities connected with or associated with Number 9 Hitting and baseball instructional sessions. I, on my own behalf/my child's behalf and on behalf of all relevant executors, administrators, successors and assigns, agree to release, waive, discharge and covenant not to sue Number 9 Hitting, its employees, instructors or the host facility and its owners from any and all liability for damage of any kind or nature whether caused by the negligence or wrongful conduct of the named releasees or otherwise, during my/my child's participation in or attendance at any Number 9 Hitting Baseball Instruction, including but not limited to any such injury, property damage or death incurred while traveling to and from the Number 9 Hitting Baseball Instruction. I agree on my behalf/my child's behalf to indemnify and hold harmless the named releasees from any and all loss, liability, damage or expenses, including attorney fees and costs that they may incur due to any such injury to the person or property or resulting in death, as stated above. In case of accident or illness, I authorize Number 9 Hitting to approve emergency medical treatment provided by qualified medical personnel for myself/my child.

I have and I fully understand the above Release, Waiver of Liability and Indemnity Agreement I further agree that no one has made any oral representations, statements or inducements apart from this agreement.

I give my permission for _____ to participate in Number 9 Baseball Instruction. By signing this Release, Waiver of Liability and Indemnity Agreement I also agree that my son/daughter may be videotaped and photographed and I allow David Drake, dba Number 9 Hitting, to use any video and/or image of my son/daughter to promote baseball related clinics, websites, products, etc.

Signature (Parent/Guardian if participant is a minor)

Date