

WAIVER AND RELEASE

In consideration for being permitted to participate as a vendor at [EVENT] (the “Event”) of Erie Promotions and Expos, Inc. (“Erie Promotions”), located 5938 Spires Drive, Erie, PA 16509, during the COVID-19 pandemic, the undersigned, who is authorized to execute this Waiver and Release on behalf of [NAME OF VENDOR] (the “Vendor”), intending to be legally bound hereby, acknowledges and agrees to the following on behalf of themselves and on behalf of the Vendor:

1. I understand and acknowledge that participating as a Vendor at the Event during the COVID-19 pandemic may be inherently dangerous. I further acknowledge that even when conducted in an appropriate and proper manner, exposure to COVID-19 could cause injury to my person and/or property and may cause injury to Vendor’s employees and/or property. I and the Vendor hereby expressly assume the risk associated with all activities that I will undertake while participating at the Event.

2. I, on my own behalf and as a representative of the Vendor, shall indemnify, defend, and hold harmless Erie Promotions, its directors, employees, agents, affiliates, designees, and assignees (“Indemnities”) from and against any and all suits, causes of action, proceedings, loss, damage, liability, or expense, including defense costs and legal fees, and claims of any nature, including, but not limited to, damage to property and personal injuries, including respiratory illness, physical injury, COVID-19 related illness or injuries, and/or death, arising out of or resulting from the sustained presence of the Vendor, its employees, and the undersigned at the Event. I, on my own behalf and as a representative of the vendor, shall defend any suit or dispose of any claim or other proceeding brought against Erie Promotions and said Indemnities on account of such damages or injury, and shall pay all expenses, including attorney’s fees, and satisfy all judgments which may be incurred by or rendered against said Indemnities regarding attendance at the Event.

3. I hereby, on behalf of the Vendor and for myself, my heirs, administrators, and assigns, specifically acknowledge and agree that the following persons, including, but not limited to Erie Promotions, its officials, agents, representatives, officers, directors, employees member or affiliates of any person or entity named above (the “Releasees”) are not responsible for my safety and the safety of Vendor’s employees, and that I and the Vendor are fully responsible for my own safety and the safety of Vendor’s employees whilst participating at the Event, BEING FULLY AWARE OF THE RISKS, CONDITIONS, AND HAZARDS of participating in the Event, I specifically WAIVE, RELEASE, AND DISCHARGE, in advance, on behalf of the Vendor and for myself, my heirs, administrators, and assigns, the Releasees above from any and all liability, whether known or unknown, foreseen or unforeseen, including, but not limited to damage for death, personal injury or property damage, from any and all actions, causes of action, claims, damages, demands, injuries, medical expenses and liability of any nature whatsoever, including reasonable attorney’s fees and interest, which may arise out of the negligence or carelessness on the part of the parties or entities mentioned above, or which may arise out of the conditions, whether structural, man-made, natural, or otherwise, that are present at the Event. I, on behalf of the Vendor and myself, agree to accept all responsibilities for the risks, conditions, and hazards which may occur, whether they are known or unknown, whether they are apparent

or not, whether they are foreseen or unforeseen, on behalf of myself, my heirs, and on behalf of the Vendor.

BY SIGNING I ACKNOWLEDGE AND UNDERSTAND THE RISKS ASSOCIATED WITH THIS ACTIVITY AND SPECIFICALLY RELEASE, DISCHARGE, AND WAIVE ALL ABOVE MENTIONED RELEASEES OF ANY LIABILITY DESCRIBED ABOVE. I HAVE READ THIS WAIVER AND RELEASE, I UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, ON BEHALF OF MYSELF AND THE VENDOR, AND I SIGN IT VOLUNTARILY.

NAME: _____

DATE: _____

NAME: _____

DATE: _____

NAME: _____

DATE: _____

#2183013.v1