

OlyPen Adventures, LLC DBA Pallin' Around Charters
Owners: Katherine O'Leary-Cole and James Kelley Bronaugh 360-710-4035
Release and Waiver of Liability: Assumption of Risk and Indemnity Agreement

Date and Time of Charter: _____

Purpose of Charter: Pleasure Cruising Excursion

The Date, Time, and Purpose collectively referred to as the ("CHARTER EVENT")

IN CONSIDERATION of being permitted to board the "Pallin' Around," EACH OF THE UNDERSIGNED ("Releasor"), for himself or herself, his or her personal representatives, heirs, and next of kin:

1. Acknowledge, agrees, and represents that he/she has or will immediately upon boarding HEREBY RELEASES, WAIVES, DISCHARGES AND COVENANTS NOT TO SUE OlyPen Adventures, LLC, the boat owners, crew members, any other persons regarding the CHARTER EVENT (S) and each of them, their directors, officers, agents and employers, for all the purpose herein referred to as "Releasees," FROM ALL LIABILITY TO THE UNDERSIGNED, her/her personal representatives, assigns, heirs, and next of kin FOR ANY AND ALL LOSS OR DAMAGE, AND ANY CLAIM OR DEMANDS THEREFOR ON ACCOUNT OF INJURY TO THE PERSON OR PROPERTY OR RESULTING IN DEATH OF THE UNDERSIGNED ARISING OUT OF OR RELATED TO THE CHARTER EVENT (S), WHETHER CAUSED BY THE NEGLIGENCE OR THE RELEASEES OR OTHERWISE.
2. HEREBY AGREES TO INDEMNIFY AND SAVE AND HOLD HARMLESS the Releasees and each of them FROM ANY LOSS, LIABILITY, DAMAGE, OR COST they may incur arising out of or related to the CHARTER EVENT (S) WHETHER CAUSED BY THE NEGLIGENCE OF THE RELEASEES OR OTHERWISE.
3. HEREBY ASSUMES FULL RESPONSIBILITY FOR ANY RISK OF BODILY INJURY, DEATH OR PROPERTY DAMAGE arising out of or related to the CHARTER EVENT (S) whether caused by the NEGLIGENCE OF RELEASEES or otherwise.
4. HEREBY acknowledges that THE ACTIVITIES OF THE CHARTER EVENT (S) ARE POTENTIALLY DANGEROUS and involve the risk of serious injury and/or death and/or property damage. Each of THE UNDERSIGNED, also expressly acknowledges that INJURIES RECEIVED MAY BE COMPOUNDED OR INCREASED BY NEGLIGENT RESCUE OPERATIONS OR PROCEDURES OR THE RELEASEES.
5. HEREBY agrees that this Release and Waiver of Liability, Assumption of Risk and Indemnity Agreement extends to all acts of negligence by the Releasees, INCLUDING NEGLIGENT RESCUE OPERATIONS and is intended to be as broad and inclusive as is permitted by the laws of the United States or State in which the CHARTER EVENT (S) is/are conducted and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

I HAVE READ THIS RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF RISK AND INDEMNITY AGREEMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT, AND HAVE SIGNED IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT, ASSURANCE OR GUARANTEE BEING MADE TO ME AND INTEND MY SIGNATURE TO BE A COMPLETE AND UNCONDITIONAL RELEASE OF ALL LIABILITY TO THE GREATEST EXTENT ALLOWED BY LAW.

Printed Participant Name

Participant Signature

Printed Witness Name

Witness Signature

Participant Phone Number

Participant Email Address

Emergency Contact Name

Emergency Contact Phone Number