Ace of Diamonds Registration Waiver

RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF RISK, AND INDEMNITY AND PARENTAL CONSENT AGREEMENT ("AGREEMENT")

IN CONSIDERATION of being permitted to participate in any way in the **Advanced Softball Training LLC dba Ace of Diamonds** facility activities ("Activity") !, for myself for personal representatives, assigns, heirs, and next of kin:

1. ACKNOWLEDGE, agree, and represent that I understand the nature of such activities and that I am qualified, in good health, and in proper physical condition to participate in such Activity. I further agree and warrant that if at any time I believe conditions to be unsafe, I will immediately discontinue further participation in the Activity.

2. FULLY UNDERSTAND THAT:
   (a) **Advanced Softball Training LLC dba Ace of Diamonds** ACTIVITIES INVOLVE RISKS AND DANGERS OF SERIOUS BODILY INJURY, INCLUDING PERMANENT DISABILITY, PARALYSIS, AND DEATH ("RISKS");
   (b) these Risks and dangers may be caused by my own actions or inaction's, the actions or inaction's of others participating in the Activity, the condition in which the Activity takes place, or THE NEGLIGENCE OF THE "RELEASEES" NAMED BELOW;
   (c) there may be OTHER RISK AND SOCIAL AND ECONOMIC LOSSES either not known to me or not readily foreseeable at this time; and I FULLY ACCEPT AND ASSUME ALL SUCH RISKS AND ALL RESPONSIBILITY FOR LOSSES, COSTS, AND DAMAGES I incur as a result of my participation or that of the minor in the Activity.

3. HEREBY RELEASE, DISCHARGE, AND COVENANT NOT TO SUE **Advanced Softball Training LLC dba Ace of Diamonds**, their respective administrators, directors, agents, officers, members, volunteers, and employees, other participants, any sponsors, advertisers, and, if applicable, owner and lessors of premises on which the Activity takes place, (each considered one of the "RELEASEES" herein) FROM ALL LIABILITY, CLAIMS, DEMANDS, LOSSES, OR DAMAGES ON MY ACCOUNT CAUSED OR ALLEGED TO BE CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OF THE"RELEASEES" OR OTHERWISE, INCLUDING NEGLIGENT RESCUE OPERATIONS AND I FURTHER AGREE that if, despite this RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF RISK, AND INDEMNITY AGREEMENT I, or anyone on my behalf, makes a claim against any of the Releasees, 1 WILL INDEMNIFY, SAVE, AND HOLD HARMLESS EACH OF THE RELEASEES from any litigation expenses, attorney fees, loss, liability, damage, or cost which may incur as the result of such claim.

I HAVE READ THIS AGREEMENT, FULLY UNDERSTAND ITS TERMS, UNDERSTAND THAT | HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT AND HAVE SIGNED IT FREELY AND WITHOUT INDUCEMENT OR ASSURANCE OF ANY NATURE AND INTEND IT TO BE A COMPLETE AND UNCONDITIONAL RELEASE OF ALL LIABILITY TO THE GREATEST

EXTENT ALLOWED BY LAW AND AGREE THAT IF ANY PORTION OF THIS AGREEMENT IS HELD TO BE INVALID THE BALANCE, NOTWITHSTANDING, SHALL CONTINUE IN FULL FORCE AND EFFECT.

MINOR RELEASE

AND I, THE MINOR'S PARENT AND/OR LEGAL GUARDIAN, UNDERSTAND THE NATURE OF **Advanced Softball Training LLC dba Ace of Diamonds** ACTIVITIES AND THE MINOR'S EXPERIENCE AND CAPABILITIES AND BELIEVE THE MINOR TO BE QUALIFIED, IN GOOD HEALTH, AND IN PROPER PHYSICAL CONDITION TO PARTICIPATE IN SUCH ACTIVITY. I HEREBY RELEASE, DISCHARGE, COVENANT NOT TO SUE, AND AGREE TO INDEMNIFY AND SAVE AND HOLD HARMLESS EACH OF THE RELEASEE'S FROM ALL LIABILITY CLAIMS, DEMANDS, LOSSES, OR DAMAGES ON THE MINOR'S ACCOUNT CAUSED OR ALLEGED TO BE CAUSED IN WHOLE OR IN PART BY THE NEGLIGENCE OF THE "RELEASEES" OR OTHERWISE, INCLUDING NEGLIGENT RESCUE OPERATION AND FURTHER AGREE THAT IF, DESPITE THIS RELEASE, 1, THE MINOR, OR ANYONE ON THE MINOR'S BEHALF MAKES A CLAIM AGAINST ANY OF THE RELEASEES NAMED ABOVE, | WILL INDEMNIFY, SAVE, AND HOLD HARMLESS EACH OF THE RELEASEES FROM ANY LITIGATION EXPENSES, ATTORNEY FEES, LOSS LIABILITY, DAMAGE, OR COST ANY MAY INCUR AS THE RESULT OF ANY SUCH CLAIM.

CANCELLATION POLICY

I also understand that **Advanced Softball Training LLC dba Ace of Diamonds** does enforce a cancellation policy. You need to have at least 48 hours notification of cancellation to get a full refund on all lessons, classes, and facility rentals. If you do not give 48 hour notice, fees will be collected for these services at full rate. A three-strike policy is enforced where the first strike is a 100% refund, the second strike is a 50% refund, and no refund given on the last strike and any following strikes. You will be refunded completely if given over 48 hour notice.

PRIVACY POLICY

Advanced Softball Training LLC dba Ace of Diamonds, which uses eSoft Planner for scheduling and taking payments, is committed to protecting your privacy and ensuring you have a positive experience on our website. This policy outlines our handling practices of personal information both online and offline data. If you give us personal information, we will treat it according to this policy.If you are not satisfied with our response to your privacy-related concerns, please contact us. We encourage you to read this privacy policy to ensure you understand eSoft Planner's privacy practices. This policy covers the eSoft Planner website and related software.

COLLECTION OF PERSONAL INFORMATION:

When **Advanced Softball Training LLC dba Ace of Diamonds** and eSoft Planner collects any personal information on our website, we will express our need for the personal data at the point of collection. Personal information is any information that can be used to identify an individual, and may include, but is not limited to, name, email address, postal or other physical address, title, occupation, and other information required to provide a service, deliver a product, or carry out a transaction you have requested. Some of the reasons we collect your personal information include:

- Submission of proposal for services
- Collaboration efforts
- Registration to membership programs or newsletter subscriptions
- To provide registered users a more personalized and meaningful experience on the eSoft Planner website.

USES OF PERSONAL INFORMATION:

We will only use your personal information in the way we specified when it was collected. We will not subsequently change the way your personal information is used without your consent. Some of the ways we may use your personal information include:

- To provide the ability to create personal profile areas and view protected content.
- To provide the ability to contact you, and provide you with shipping and billing information.
- To provide customer feedback and support.
- To provide contests, sweepstakes or other marketing or promotional activities on the eSoftplanner.com or affiliate websites. Personal information may be collected to administer those programs.
- To conduct questionnaires and surveys in order to provide better products and services to our customers and end users. Your completion of any questionnaires is voluntary.
- To support recruitment inquiries.
- To understand more about you, so we can personalize newsletters and websites to your preferences. For example, allow you the opportunity to request specific information on products and services that may be of interest.
- To allow you to forward information to another individual such as a friend or coworker
- To meet contract obligations

Accessing and updating your personal information
We need your help in keeping the personal information you have shared with us accurate and up to date. Please notify us of any changes to your personal information. Our site allows you to make these updates yourself online via the user profile.

Unsubscribing
Subscriptions to some newsletters can be managed through the user profile. In addition, each email newsletter includes instructions on how you can unsubscribe from that particular mailing.

Non-personal information collection
We do not sell or rent your personal information to third-parties for marketing purposes unless you have granted us permission to do so.

Sharing your personal information
In some instances, **Advanced Softball Training LLC dba Ace of Diamonds** and eSoft Planner may collect non-personal (aggregate or demographic) data through cookies, web logs, and web beacons. This information is used to better understand and improve the usability, performance, and effectiveness of the eSoftplanner.com website and

We may share your personal information with authorized third-party agents or contractors in order to provide a requested service or transaction. For example, if we need to ship something to you, we must share your name and address with a shipping company. We only provide third-party agents with the minimum amount of personal information necessary to complete the requested service or transaction.

We may respond to subpoenas, court orders, or legal process by disclosing your personal information and other related information, if necessary. We also may choose to establish or exercise our legal rights or defend against legal claims.

We may collect and possibly share personal information and any other additional information available to us in order to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of eSoftplanner.com terms of use, or as otherwise required by law. We will ask you for your opt-in consent to share your personal information with a third party for any other reason.

Personalization
We may customize websites or newsletters for certain users based on the information they previously provided or that was collected through eSoftplanner.com websites in order to enhance the overall web experience.

Security of your personal information
Advanced Softball Training LLC dba Ace of Diamonds and eSoft is committed to protecting the personal information you share with us. We utilize a combination of security technologies, procedures, and organizational measures to help protect your personal information from unauthorized access, use or disclosure.

When we transfer sensitive personal data (for example, credit card information) over the Internet, we protect it using Secure Sockets Layer (SSL) encryption technology. While we strive to protect your personal information, we cannot ensure the security of the information you transmit. We recommend you to take every precaution in protecting your personal information when you are on the Internet. For example, change your passwords often, use a combination of letters and numbers when creating passwords, and make sure you use a secure browser.

Cookies

Advanced Softball Training LLC dba Ace of Diamonds and Esoft Planner website and software utilize cookies, although you can still access most of them even if you choose to disable cookies in your browser The esoftplanner.com software will not allow you to complete certain activities if cookies are disabled. For example, our e-commerce uses session cookies and persistent cookies to process transactions. If you do not accept cookies, the associated transaction will not work and you will not be able to place an order.

We use multiple third parties to monitor web traffic, statistics, advertisement 'click-through', and other activities on eSoftplanner.com site. Where authorized by eSoft, such third parties may use cookies, eSoft's web log files, web beacons, and other monitoring technologies to compile anonymous aggregate statistics on eSoft's website visitors.

We also include web beacons in HTML-formatted e-mail newsletters in order to count how many newsletters (or particular articles, links, etc.) are being accessed.

Current versions of web browsers offer enhanced user controls regarding the placement and duration of both first and third party cookies. Search for "cookies" under your web browser's Help menu for more information on cookie management features available to you.

Data Retention

Advanced Softball Training LLC dba Ace of Diamonds and eSoft will not retain your personal information longer than is necessary to fulfill the purposes for which it was collected or as required by applicable laws or regulations.

Linked Website

Our websites may provide links to other third-party websites which are outside our control and not covered by this policy. We encourage you to review the privacy policies posted on these (and all) sites.