

Best Hole in One Club Member (“Rules and Regulations”)

PLEASE READ THESE RULES AND REGULATIONS CAREFULLY. THESE RULES AND REGULATIONS DEFINE THE TERMS OF THE RELATIONSHIP BETWEEN YOU (“MEMBER” OR “YOU”) AND BEST HOLE IN ONE CLUB, LLC (“BHIOCLUB”). BY SUBMITTING A MEMBERSHIP APPLICATION TO BHIOCLUB, YOU AGREE TO BE BOUND BY THESE RULES AND REGULATIONS, INCLUDING THE LIMITATION OF LIABILITY AND WAIVER OF JURY TRIALS SET FORTH BELOW.

Hole in One Member Format:

Member Format:

Hole-in-One contest conducted on a par three hole during the normal course of play in which each member, barring exclusion, is eligible.. Each eligible member has the chance to receive one (1) hole in one prize of \$2,500.00 per membership twelve (12) month membership period in the 50 states and the District of Columbia. BHIOCLUB will open the Hole-in-One contest for registration on January 25, 2017, however, the contest will not begin until March 1, 2017 at 12:01 a.m. Eastern Standard Time. Holes-in-one made prior to March 1, 2017 at 12:01 a.m. Eastern Standard Time are excluded from the hole-in-one contest and are not eligible for prizes.

HOLE IN ONE MEMBER DETAIL

Prior to becoming a member

Payment:

You must be 21 years of age and have amateur golfer status, complete the on -line registration application, make your annual membership payment, and read these Rules and Regulations and agree to be bound by them. Payment must be received at least 12 hours before you are eligible to earn a hole in one prize. If member pays by check, must wait three (3)- five (5) business days for check to clear. Full payment must be provided to BHIOCLUB one of four (4) ways:

1. Go to www.bestholeinoneclub.com and pay on-line.
2. Faxed to Best Hole in One Club at 1-844-923-7844, all major cards accepted, prior to becoming a member.
3. Mailed to – PO BOX 6057, Lindenhurst, IL 60046
4. Emailed to contact@bestholeinoneclub.com

Confirmation:

Upon BHIOCLUB’s receipt and acceptance of the Member Registration Form and payment for your annual membership, BHIOCLUB will fax or email to the fax or e-mail address you provide to confirm receipt of your Member Registration Form and payment of your annual membership fee.

Changes regarding member information: Any changes with respect to the member, such as Member contact information, may be reported by phone Mon-Friday 9 AM – 5 PM Central Time at 844-923-7844, by email to contact@bestholeinoneclub.com, or by fax to 1-844-923-7844.

Publicity:

By agreeing to be bound to these Rules and Regulations, you agree that BHIOCLUB reserves the rights to use names, likenesses, photos and videotape provided or furnished by the member without any additional consent from the member. The member shall have no right to compensation for BHIOCLUB’s use of the member’s name or likeness, and photos and videotapes thereof.

"By providing your email address, you are agreeing to receive occasional informational and/or promotional emails from Best Hole in One or Best Hole in One Club. Your email address will not be shared or sold."

Member Play

Round recording:

Each member will be required to record on their personal profile page at www.bestholeinoneclub.com the course, the date and how many holes they played.

Witnesses:

Your hole-in-one, which if verified and obtained in accordance with these Rules and Regulations, will entitle you to a one-time prize of, \$2,500.00, must be witnessed by two (2) playing partners who each must be at least twenty-one (21) years of age. Entitlement to any hole-in-one prizes and payment to the member of such prizes remains subject to these Rules and Regulations at all times.

Yardage:

To win a hole-in-one prize, the yardage of the hole upon which the hole-in-one is made shall be no less than the one hundred and fifty (150) yards. For the purposes of calculating a hole's yardage, for male/female members making a hole-in-one, the yardage is measured from the teeing ground to the flag stick provided. Should a hole in-one be made from distance of less than 150 yards, BHIOCLUB shall not be liable for payment of the prize.

Member Qualifications:

To become a member of BHIOCLUB, you must be an amateur golfer in accordance with United States Golf Association ("USGA") regulations. Golfers who have professional status under the USGA regulations or regulations of any other golf governing body are not eligible to become a member of BHIOCLUB. A person is an amateur golfer if he/she meets the USGA rules of amateur status on the date that the person signs this agreement. Under USGA regulations and these Rules and Regulations, an individual is a professional, and not an amateur, if (i) the member is a club professional, or (ii) the member currently holds or has ever held a card issued by the PGA Tour or international golf governance body making such member eligible to play on any professional tour worldwide (a "Tour Professional"). Professional or amateur status must be provided by the individual prior to the start of the program for the individual to be eligible for membership. Individuals who do not provide their amateur or professional status to BHIOCLUB will be rejected from membership in BHIOCLUB.

Hole in One:

A hole in one is defined by the USGA Rules of Golf.

b. Hole-in-One Prizes

An amateur golfer may accept a prize in excess of the limit in Rule 3-2a, including a cash prize, for a hole-in-one made while playing a round of golf.

<http://www.usga.org/rules/rules-of-amateur-status.html#rule-03>

Eligible members:

All qualified and officially registered members for BHIOCLUB are eligible to win hole-in-one as provided in these Rules and Regulations. To be eligible for a hole-in-one prize, if the member is playing in an event or a 4-some, then the member must be participating in 9-hole or 18-hole round of golf in the same sequence as all other participants. Membership registration for the hole-in-one-contest opens on January 25, 2017, however, the hole-in-one contest will not be active until March 1, 2017 at 12:01 a.m. Eastern Standard Time. Memberships registered between January 25, 2017 and February 28, 2017 will become active on March 1, 2017 at 12:01 a.m. Eastern Standard Time, and such memberships' annual membership periods will commence on March 1, 2017.

Shots:

A shot is defined as a stroke by the USGA rules of golf. Only one shot per eligible member (as defined above) per target hole is permitted. No mulligans, practice shots or substituted shots are permitted.

Prize Payment:

BHIOCLUB shall not be obligated to pay for a prize if the individual is not a member or if the individual or member has not reported his amateur or professional status to BHIOCLUB. Members shall be limited to one hole-in-one prize at a maximum value of \$2,500 per twelve (12) month membership period. A member's membership fee must be received at least twelve hours prior to such member being eligible to win any hole-in-one prizes. Provided that a hole-in-one is made by an eligible member and the hole-in-one is verified pursuant to these Rules and Regulations, BHIOCLUB will pay any hole-in-one prizes within 60 business days of receipt of verification of the hole-in-one.

The hole-in-one contest becomes active on March 1, 2017 at 12:01 a.m. Eastern Standard Time. Holes-in-one made prior to March 1, 2017 at 12:01 a.m. are not eligible for prizes.

Post Event

Claim Notification:

Member must notify by telephone 844-923-7844 or email BHIOCLUB of a claim no later than two (2) hours after the round was completed. For email notification of a hole in one, please email contact@bestholeinoneclub.com the following information. 1. Date when hole in one was made, 2. Course name, 3. Hole number and yardage, 4. Club Professionals name. 5. Witnesses names

Proof of Claim:

As a proof of a hole in one claim, the member will provide BHIOCLUB the following documentation no later than five (5) days' following the date of the hole in one:

1. Statements of the prize hole winner, three (3) playing partners, and the certified PGA club professional. These forms will be provided by BHIOCLUB either by email or fax.
2. Original and official signed scorecard of the member who made the hole-in-one. If requested by BHIOCLUB, member shall supply the address and phone number of participants; and any other information relevant to the claim by BHIOCLUB. BHIOCLUB expressly retains the right to contact witnesses provided by the member at their contact information provided by the member to inquire about and verify the hole-in-one.

Program cancellation:

BHIOCLUB to retain the rights to end the program at any time for any reason, or if fraud is rampant.

Refund policy:

There will be no refunds to the Member once payment has been received.

Membership Renewals:

Membership renewals are subject to BHIOCLUB's sole discretion and BHIOCLUB reserves the right to non-renew someone or the program as a whole for any reason.

Investigation:

Members and witnesses shall cooperate fully with any prize investigation warranted by BHIOCLUB and its sole discretion including but not limited to polygraph examinations. If requested by BHIOCLUB, the claim member shall take a polygraph exam and produce for the examination, winner, playing partners of in winning group and the local club professional. All polygraph exams are to be completed by a licensed polygraph selected by BHIOCLUB. Each person whose examination is required by BHIOCLUB must pass in order to be eligible for prize/claim redemption. If BHIOCLUB determines in its sole discretion that a member or his/her hole-in-one witnesses have failed to cooperate with any prize investigation, the hole-in-one prize for such hole-in-one is void, and BHIOCLUB shall have no liability for payment of the hole-in-one prize for such hole-in-one.

Fraud:

CAUTION: ANY ATTEMPT TO DELIBERATELY UNDERMINE, CHEAT AND/OR DEFRAUD THE LEGITIMATE OPERATION OF THE CONTEST MAY BE IN VIOLATION OF CRIMINAL AND CIVIL LAWS AND WILL RESULT IN DISQUALIFICATION FROM PARTICIPATION IN THE CONTEST WITHOUT REFUND OF YOUR MEMBERSHIP FEE. SHOULD SUCH AN ATTEMPT BE MADE, CONTEST ENTITIES RESERVE THE RIGHT TO SEEK REMEDIES AND DAMAGES (INCLUDING ATTORNEY FEES) TO THE FULLEST EXTENT OF THE LAW, INCLUDING CRIMINAL PROSECUTION.

Disputed Claims, Choice of Law, Venue, Waiver of Jury Trials, and Limitation of Liability:

BHIOCLUB AND MEMBER AGREE THAT ANY AND ALL DISPUTES BETWEEN BHIOCLUB AND MEMBER ARISING OUT OF OR RELATED TO THESE RULES AND REGULATIONS, YOUR MEMBERSHIP, OR PAYMENT OF A HOLE-IN-ONE PRIZE (EACH A "DISPUTE") WILL BE GOVERNED BY THE LAWS OF STATE OF ILLINOIS WITHOUT REGARD TO ITS CHOICE OF LAW PRINCIPLES

VENUE AND JURISDICTION. BHIOCLUB AND MEMBER FURTHER AGREE THAT ANY LITIGATION ARISING OUT OF OR RELATED TO ANY DISPUTES SHALL BE BROUGHT EXCLUSIVELY IN STATE COURT IN THE NINETEENTH JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS AND THAT THE NINETEENTH JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS SHALL BE THE EXCLUSIVE VENUE FOR LITIGATION ARISING OUT OF OR RELATED TO ANY SUCH DISPUTES. MEMBER EXPRESSLY AND IRREVOCABLY CONSENTS TO THE PERSONAL JURISDICTION OF THE NINETEENTH JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS. MEMBER EXPRESSLY AND IRREVOCABLY WAIVES ANY OBJECTION WHICH HE/SHE NOW HAS OR MAY LATER HAVE TO THE EXCLUSIVE VENUE OF ANY LITIGATION ARISING OUT OF OR RELATED TO A DISPUTE LAYING IN THE NINETEENTH JUDICIAL CIRCUIT, LAKE COUNTY, ILLINOIS.

WAIVER OF JURY TRIAL. MEMBER KNOWINGLY, VOLUNTARILY, AND EXPRESSLY WAIVES ANY RIGHT TO A TRIAL BY JURY IN ANY LITIGATION ARISING OUT OF OR RELATED TO A DISPUTE.

LIMITATION OF DAMAGES.

SHOULD MEMBER BE THE PREVAILING PARTY IN LITIGATION ARISING OUT OF OR RELATED TO ANY DISPUTE, MEMBER'S EXPRESSLY AGREES THAT HIS/HER RECOVERY IN SUCH LITIGATION SHALL BE LIMITED AS FOLLOWS: (A) IN ANY DISPUTE ARISING OUT OF OR RELATED TO MEMBER'S MAKING OF A HOLE-IN-ONE OR BHIOCLUB'S PAYMENT OF PRIZES FOR THE MAKING OF A HOLE-IN-ONE, IN NO EVENT SHALL MEMBER BE PERMITTED TO RECOVER IN EXCESS OF TWO THOUSAND FIVE HUNDRED DOLLARS AND NO CENTS (\$2,500.00) EXCLUSIVE OF COSTS, AND ANY SUCH RECOVERY IN EXCESS SHALL BE REDUCED TO \$2,500.00; OR (B) IN ANY DISPUTE ARISING OUT OF OR RELATED TO MEMBER'S MEMBERSHIP STATUS OR PAYMENT OF THE BHIOCLUB MEMBERSHIP FEE, IN NO EVENT SHALL MEMBER BE PERMITTED TO RECOVER IN EXCESS OF FIFTY DOLLARS AND NO CENTS (\$50.00) EXCLUSIVE OF COSTS, AND ANY SUCH RECOVERY IN EXCESS SHALL BE REDUCED TO \$50.00.

IN NO EVENT WILL EITHER MEMBER OR BHIOCLUB BE LIABLE TO THE OTHER OR ANY OTHER PERSON, FIRM, OR ENTITY FOR ANY SPECIAL, PUNITIVE, EXEMPLARY, OR CONSEQUENTIAL DAMAGES OF ANY NATURE WHATSOEVER REGARDLESS OF THE FORESEEABILITY THEREOF, ARISING OUT OF OR RELATED TO THESE RULES AND REGULATIONS, OR THE PERFORMANCE HEREOF, OR ANY BREACH, PARTIAL BREACH, OR POTENTIAL BREACH HEREOF, ARISING OUT OF ANY ACT OR OMISSION BY EITHER MEMBER OR BHIOCLUB OR THEIR RESPECTIVE AGENTS, EMPLOYEES, OR AFFILIATES, WHETHER BASED ON BREACH OF CONTRACT, BREACH OF WARRANTY, NEGLIGENCE, OR ANY OTHER THEORY OR LIABILITY.

MEMBER EXPRESSLY ACKNOWLEDGES THAT HE/SHE PARTICIPATES IN THE HOLE-IN-ONE CONTEST AT THEIR OWN RISK, AND THAT IN NO EVENT SHALL BHIOCLUB BEAR ANY LIABILITY FOR PERSONAL INJURIES OR PROPERTY DAMAGES OF ANY KIND, REGARDLESS OF FORSEEABILITY.

INDEMNIFICATION OF BHIOCLUB AND ITS UNDERWRITERS. Member expressly acknowledges that BHIOCLUB and its Underwriters are not a party to or involved in the conduct of the Members in the hole-in-one contest, and therefore, Member agrees to protect, indemnify and hold harmless BHIOCLUB and its Underwriters from any or all claims, causes of actions, demands, losses, judgments, or damages, arising out of or related to Member's conduct or implementation of the hole-in-one contest which is in anyway inconsistent with these Event Rules and Regulations ("Claims"), incurred by BHIOCLUB and/or its Underwriters as a result of BHIOCLUB's and/or its Underwriters' defense of such Claims.

Best Hole in One Club

Every round you play is a chance to win a great prize!

Underwritten by an "A" Rated Insurance Company.

