

INFORMED CONSENT AND WAIVER OF LIABILITY

WHEREAS, the California Historical Group World War II Living History Association (“CHG”) is a nonprofit public benefit corporation dedicated to perpetuating the memory of the fighting men of World War II through conducting public and private re-enactments of small unit engagements (“re-enactments”), public displays and lectures; and

WHEREAS, membership in CHG is normally limited by its Bylaws to persons 18 years of age or older, unless accompanied by a parent or guardian or after such parent or guardian has signed a consent and waiver, due to the inherent risks of such re-enactments; and

WHEREAS, \_\_\_\_\_, presently age \_\_\_\_ (the “Applicant”), seeks to join CHG because of his great interest in the history of World War II and his desire to participate in all aspects of its activities, including CHG re-enactments; and

WHEREAS, CHG has been impressed by the Applicant’s sincere desire and efforts to join CHG and is, therefore, willing to accommodate the Applicant’s request to join CHG under certain conditions to be specified hereinbelow;

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING, THE  
UNDERSIGNED AGREE AS FOLLOWS:

1. The undersigned persons acknowledge that re-enactments of the type conducted by CHG are inherently dangerous due to the use of firearms, although CHG makes every effort to ensure each participant’s safety through its Bylaws and the enforcement thereof.

2. The undersigned further understands that the members of CHG will use their best efforts to supervise and monitor the Applicant's participation in re-enactments, but that given the sometimes chaotic nature of such re-enactments, it is not possible to absolutely guarantee at all times that the Applicant will be so supervised and protected from potential injury, including fatal injury, caused by the Applicant's or others' negligence in the use of firearms or otherwise.

3. With full recognition of the potentially dangerous conditions of re-enactments described above, the undersigned still desires to have the Applicant admitted to membership in CHG and to permit the Applicant to participate in its re-enactments, notwithstanding these inherent risks to the Applicant's health and safety.

4. In consideration of CHG permitting the Applicant to participate in CHG activities and re-enactments, the undersigned hereby assumes and waives all liability for any and all injuries and damages which may be sustained by the Applicant or themselves, including mental distress, by reason of the Applicant's own acts or the negligence of any CHG member, excepting only gross negligence or willful acts on the part of such CHG members, and that the undersigned will hold CHG harmless from any and all claims howsoever causally connected in any way to the Applicant's participation in CHG activities and re-enactments.

5. It is intended and understood by the undersigned that this "Informed Consent and Waiver of Liability" shall constitute the waiver of liability required by Section 4 of Article I of the CHG Bylaws and that, pursuant to California Civil Code § 3268, that such waiver of liability shall be effective as to all claims against CHG whatsoever, except as may otherwise be provided herein, and that they have fully considered its implications and have received independent legal advice prior to entering into this agreement.

AGREED TO AND SIGNED THIS \_\_\_\_ day of \_\_\_\_\_, 2002 at \_\_\_\_\_,  
California.

\_\_\_\_\_  
(parent or guardian)

\_\_\_\_\_  
(parent or guardian)

\_\_\_\_\_  
Applicant

STATE OF CALIFORNIA             )  
  ) ss  
COUNTY OF \_\_\_\_\_)

On \_\_\_\_\_, before me, \_\_\_\_\_,  
personally appeared \_\_\_\_\_

\_\_\_\_\_

personally known to me (or proved to me on the basis of satisfactory evidence) to be the  
person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s)  
acted, executed the instrument.

Witness my hand and official seal.

\_\_\_\_\_  
Notary Public

[SEAL]