



# WAIVER

**RELEASE OF LIABILITY, INDEMNITY, AND ASSUMPTION OF RISK.** KALIANA ATHLETICS LLC DBA D1 TRAINING BERGEN COUNTY NORTH PROVIDES ATHLETE AND THE GENERAL PUBLIC WITH GROUP FITNESS, SPORTS AND SKILL TRAINING, AND OTHER RELATED SERVICES (THE "PROGRAM"). BY SIGNING BELOW, ATHLETE ACKNOWLEDGES AND AGREES TO THE FOLLOWING: ATHLETE REPRESENTS THAT ATHLETE IS PHYSICALLY FIT TO PARTICIPATE IN THE PROGRAM AND THAT PRIOR TO PARTICIPATION IN THE PROGRAM, ATHLETE HAS CONSULTED A PHYSICIAN REGARDING ANY LIMITATIONS OR MEDICAL RISKS THAT ATHLETE HAS IN RELATION TO THE PROGRAM AND CERTIFIES THAT ATHLETE IS FREE FROM ANY SUCH LIMITATIONS AND MEDICAL RISKS. ATHLETE FURTHER UNDERSTANDS AND AGREES THAT THE PROGRAM INVOLVES PHYSICAL EXERTION AND STRENUOUS PHYSICAL ACTIVITY BY ATHLETE, WHICH ENTAILS CERTAIN RISKS AND SERIOUS BODILY INJURY AND/OR DEATH MAY OCCUR. FOR EXAMPLE, PHYSICAL CONTACT WITH OTHER PARTICIPANTS, EQUIPMENT OR SURFACES MAY OCCUR DURING THE PROGRAM. ADDITIONALLY, ATHLETE AND/OR ATHLETE PARENT OR GUARDIAN WHO IS EXECUTING THE PROGRAM AGREEMENT ACKNOWLEDGES THAT THERE ARE RISKS ASSOCIATED WITH SOCIAL COMMUNICABLE DISEASE, AS WELL AS WITH FULL KNOWLEDGE OF THE RISKS OF SERIOUS BODILY INJURY AND DEATH, ATHLETE VOLUNTARILY CHOOSES TO PARTICIPATE IN THE PROGRAM AND (I) HEREBY FOREVER RELEASES, COVENANTS NOT TO SUE, DISCHARGES AND WAIVES ALL LIABILITY ON BEHALF OF D1, IT'S EMPLOYEES, EXECUTIVES, AGENTS, D1 SPORTS FRANCHISE, LLC ("FRANCHISOR") AND FRANCHISOR'S RELATED AFFILIATES (INCLUDING WITHOUT LIMITATION D1 SPORTS HOLDINGS, LLC), OWNERS, SUBSIDIARIES, PARTNERS, SPONSORS, ASSIGNS, OWNERS AND LESSEES OF THE PREMISES, CONSULTANTS, VOLUNTEERS AND CONTRACTORS (THE "RELEASEES") FOR ANY BODILY INJURY OF ANY KIND, PROPERTY DAMAGE OR DEATH, SUFFERED BY ATHLETE AS A RESULT OF ATHLETE'S PARTICIPATION IN THE PROGRAM, REGARDLESS OF WHETHER SUCH BODILY INJURY, DISEASE OR DEATH WAS DUE TO NEGLIGENCE OF ANY KIND COMMITTED BY D1 OR THE RELEASEES OR OTHERWISE, (II) AGREE TO INDEMNIFY AND HOLD HARMLESS D1 AND THE RELEASEES FROM ANY LOSS, LIABILITY, OR COST THEY MAY INCUR ARISING OUT OF OR RELATED TO ATHLETE'S PARTICIPATION IN THE PROGRAM, WORKOUT PLAN, NUTRITION GUIDE. ANY COMMUNICATION, INJURY, AND MISCONDUCT, AND (III) ASSUME FULL RESPONSIBILITY FOR ANY BODILY INJURY, DEATH OR PROPERTY DAMAGE ARISING OUT OF OR RELATED TO ATHLETE'S PARTICIPATION IN THE PROGRAM AND/OR USE OF THE FACILITY.

<b>Athlete Name (Print)</b>		<b>Date of Birth</b>	
<b>Parent Name (Print)</b>			
<b>Parent Cell Phone</b>		<b>Parent Email</b>	
<b>Parent Signature</b>			