



3445 State Street • Santa Barbara, CA 93105 • Tel 805.364.2399

Disclaimer & Release of Liability Assumption of Risk

By purchasing and undertaking in this program, you understand and agree that you hold harmless and forever discharge **Prevail Conditioning, Inc.** and all employees/independent contractor associated with Prevail Conditioning, Inc. of and from any and all claims, demands, debts, contracts, expenses, causes of action, lawsuits, damages and liabilities, of every kind and nature, whether known or unknown, in law or equity, that you ever had or may have, arising from or in any way related to your participation in any of the events or activities conducted by Prevail Conditioning, Inc., for the benefit of fitness training, strength, and conditioning.

You understand that the activities that you will participate in are inherently dangerous and may cause serious or grievous injuries, including bodily injury, damage to personal property and/or death. On behalf of yourself, your heirs, assigns and next of kin, you waive all claims for damages, injuries and death sustained to you or your property that I may have against the aforementioned released party to such activity.

You assume any risk, and take full responsibility and waive any claims of personal injury death or damage to personal property associated with the program prescribed by **Prevail Conditioning, Inc.**

This **Disclaimer and Release** contains the entire agreement between the parties and superseded any prior written or oral agreements between them concerning the subject matter of this **Disclaimer and Release**. The provisions of this **Disclaimer and Release** may be waived, altered, amended or repealed, in whole or in part, only upon the prior written consent of all parties.

The provision of the **Disclaimer and Release** will continue in full force and effectiveness even after the termination of the activities conducted by **Prevail Conditioning, Inc.** (and said employees/independent contractors) whether by agreement, by operation of law, or otherwise.

Permission to Use Photograph/Video: I grant Prevail Conditioning the right to use video or pictures for the purposes of marketing materials, social media or testimonials.