

MGM TWITTER DERBY CONTEST

OFFICIAL RULES

NO PURCHASE OR PAYMENT OF ANY KIND IS NECESSARY TO ENTER OR WIN. A PURCHASE OR PAYMENT WILL NOT INCREASE YOUR CHANCE OF WINNING.

850 ESPN Cleveland and MGM Northfield Park are giving fans the chance to win a Derby Day prize pack. Fans may enter by sending a direct message on Twitter to the @ESPNCleveland Twitter account beginning at 2PM ET on Wednesday, April 24th 2024 and ending at 11:59PM ET on Thursday, May 2, 2024. The message must contain the hashtag, #KYDERBYNFP. Twenty (20) lucky fans will be randomly selected to the Derby Day prize pack, which includes \$25 in betting vouchers at MGM Northfield Park (10777 Northfield Road, Northfield, OH 44067), \$20 in Food Truck Bucks, and two (2) Kentucky Derby Racing Programs. The ARV of the prize is \$50. Fans must be 21 years of age or older at time of entry and must reside in the state of Ohio to be eligible.

1. HOW TO ENTER

- a. These rules govern the MGM Twitter Derby Contest (the “Promotion”) being conducted by ESPN Cleveland, 1109 Old River Road, Cleveland, OH 44113 (“GKB”) beginning on Wednesday, April 24, 2024 at 2PM ET and ending on Thursday, May 2, 2024 at 11:59PM ET.
- b. To participate in the Promotion, you may enter via the following method(s): Direct message the hashtag #KYDERBYNFP to the @ESPNCleveland account on Twitter.
 - i. To participate in the Promotion, you may visit <http://www.twitter.com> or the Twitter app on your smart device to send a direct message to the @ESPNCleveland (“the Page”) account with the hashtag, #KYDERBYNFP. If you do not already “Follow” the Page, you must “Follow” the Page in order to access the Promotion. You must have a valid Twitter account in order to enter. If you do not already have one, you can create a Twitter account at no cost by visiting <http://www.twitter.com>. Limit one (1) entry per eligible person during the Entry Period regardless of if entrant has more than one Twitter account. Multiple participants are not permitted to share the same Twitter account. Entries submitted may not be acknowledged or returned. Proof of submission of an entry shall not be deemed proof of receipt by GKB. Internet entrants are subject to all notices posted online including but not limited to GKB’s Privacy Policy. Use of Twitter as a means of entry will be subject to Twitter’s privacy policy and terms of service. By participating in the Promotion, the entrant understands that he or she is providing his or her information to GKB and not Twitter. Further, the entrant specifically agrees to release Twitter from any and all liability associated with this Promotion. The Promotion is in no way sponsored, endorsed, or administered by, or associated with, Twitter.

- c. Entries can only be made via Twitter by direct messaging the hashtag, #KYDERBYNFP to the @ESPNCleveland Twitter account. Only one entry per user is allowed.

2. ELIGIBILITY RESTRICTIONS

- a. The Promotion is open to all persons who are 21 years of age or older and who reside in the state of Ohio. Employees of GKB, its subsidiary and affiliated entities, GKB's advertising and promotional agencies, its participating sponsors, and the members of their immediate families (spouse, parents, siblings, or children) and/or households (whether related or not) are ineligible to participate or win. This Promotion is subject to all applicable federal, state, and local laws and regulations and is void where prohibited.
- b. Listeners are eligible to win a prize in a Promotion conducted by GKB only once every seven (7) days and only once every thirty (30) days if the prize is valued over \$600. Only one (1) winner per household is permitted in any GKB promotion.
- c. The winner must provide valid government-issued photo identification and provide his or her complete address, date of birth and phone number to claim a prize.
- d. Entrants are required to provide truthful information and GKB will reject and delete any entry that it discovers to be false or fraudulent. GKB will disqualify any entry from individuals who do not meet the eligibility requirements.

3. PRIZES

- a. Twenty (20) prizes will be awarded in this Promotion. Each prize consists of the following:
 - \$25 in betting vouchers for MGM Northfield Park (10777 Northfield Road, Northfield, OH 44067)
 - \$20 in Food Truck Bucks
 - Two (2) Kentucky Derby Racing Programs

The Approximate Retail Value ("ARV") of the prize is \$50. The winner will be solely responsible for all taxes and all other fees and expenses not specified herein associated with the receipt and use of the Prize. GKB accepts no responsibility for repairing any real or supposed damage to any prize. The prize vouchers and certificates will be subject to the terms and conditions as set forth by the issuer of the vouchers and certificates.

- b. All prize and prize certificate distribution will be coordinated between GKB, its partners, and the winners. The winners will forfeit any prize or prize certificate not claimed within five (5) days of winning. In the event that a prize or prize certificate is mailed to the winner, it will be with the prior written consent of the winner and therefore, the winner assumes the risk of its loss. GKB is not responsible for the safe arrival of a prize or prize certificate.
- c. There is no substitution, transfer or cash equivalent for prizes, except that GKB may, at its sole discretion, substitute prizes or cash of comparable value. The prizes are expressly limited to the item(s) listed above and unless otherwise expressly specified, do not include taxes, gratuities or any other expenses. Other restrictions may apply.

4. WINNER SELECTION AND NOTIFICATION

- a. Decisions of GKB management with respect to the Promotion are final.
- b. All twenty (20) winners will be randomly selected and notified of winning by Twitter Direct Message (DM) on Friday, May 3, 2024 between the hours of 9AM ET and 6PM ET.
- c. Odds of winning the prize depends on the number of direct messages received that contain the hashtag, #KYDERBYNFP, to the @ESPNCleveland account on Twitter.
- d. Winners need not listen to 850 ESPN Cleveland to win. Winners need not be present to win.
- e. The winner must execute and return any required affidavit of eligibility and/or liability/publicity release within two (2) days of winning or the prize will be forfeited, and an alternate winner may be randomly selected. If a potential winner cannot be contacted, fails to sign and return the required affidavit of eligibility and/or liability/publicity release within the required time period, or if a prize or prize notification is returned as undeliverable, the potential winner forfeits the prize.

5. CONDITIONS

- a. Payments of all federal, state and local taxes are solely the responsibility of the winner. The winner will be required to complete and submit an IRS Form W-9 with the winner's full Social Security Number or the equivalent for receipt of any prize valued at \$600 or more or for any prizes awarded by GKB in a calendar year with an aggregate value of \$600 or more. Failure to submit a complete W-9 or equivalent will result in forfeiture of the prize. Such winnings of \$600 or more will be reported to the IRS.

- b. By participating in the Promotion, the winner agrees to have the winner's name, voice and likeness used in any advertising or broadcasting material relating to the Promotion without additional financial or other compensation, and, where legal, to sign a publicity release confirming such consent prior to acceptance of the prize.
- c. Prior to awarding any prize(s) or prize certificate(s), GKB, in its sole discretion, may require Promotion winner(s) (and any travel companion(s) or guest(s)) to sign a liability release, agreeing to release and hold harmless GKB, its subsidiary and affiliated entities, their respective officers, shareholders, directors, employees, agents and representatives and all of their successors and assigns from and against any and all claims or liability arising directly or indirectly from the prize and participation in the Promotion.
- d. If for any reason this Promotion cannot be executed as planned, including, but not limited to, as a result of infection by computer virus, tampering, unauthorized intervention, fraud, technical failures, or any other causes beyond the control of GKB that corrupt or affect the security, administration, fairness, integrity or proper conduct of the Promotion, or if the Promotion is compromised or becomes technically corrupted in any way, electronically or otherwise, the Station reserves the right to cancel, terminate, suspend, or modify the Promotion. If the Promotion is terminated before the original end date, GKB reserves the right to select the winner(s) by random drawing from among all eligible non-suspect entries received as of the termination time/date or otherwise modify the procedure for selecting winner(s).
- e. GKB, in its sole discretion, reserves the right to disqualify any person tampering with the entry process or the operation of GKB's website. Failure to comply with the rules of the Promotion may result in a contestant's disqualification and/or forfeiture of any prize or prizes. If GKB makes a good faith determination that an entrant has cheated or committed fraudulent activity in connection with a Promotion, GKB reserves the right to disqualify that entrant from entering and/or winning future Promotions and to prosecute and seek damages to the fullest extent permitted by law.
- f. GKB reserves the right to make changes in the rules of the Promotion, including, without limitation, the substitution of a prize of equivalent value, which will become effective upon announcement. If due to circumstances beyond the control of GKB, any competition or prize-related event or travel is delayed, rescheduled, postponed or cancelled, GKB reserves the right, but not the obligation, to cancel, terminate, suspend, or modify the Promotion and shall not be required to award a substitute prize.
- g. GKB is not responsible for typographical or other errors in the printing, the offering or the administration of the Promotion or in the announcement of a prize.

- h. For a copy of these Official Rules, send a self-addressed stamped envelope for receipt Thursday, May 2, 2024 to “MGM Twitter Derby Contest – Official Rules,” Attn: Promotions, GKB 1109 Old River Road, Cleveland, OH 44113. For the names of the prize winners send a self-addressed stamped envelope for receipt by Monday, July 1, 2024 to the above address marked “MGM Twitter Derby Contest – Winner List.” The Official Rules and the Winner List (when completed) shall also be available during regular business hours at the main offices of GKB and may be posted online at www.ESPNClevelandContests.com.

Administrator: GKB 1109 Old River Road, Cleveland, OH 44113

Sponsor: MGM Northfield Park

