

NIGHT AT THE PARK WITH EMMETT

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 the Akron Rubberducks (Double-A minor league affiliate of the Cleveland Guardians) are giving away tickets, swag, and food to join Emmett Golden at a game. The game will take place at 6:35PM EST on Thursday, September 15, 2022, at Canal Park (300 S. Main Street, Akron, OH 44308). Fans can win tickets by listening to *The Next Level* from 3PM to 5PM EST on 850 ESPN Cleveland for the cue to call starting on Wednesday, August 24, 2022, and ending on Thursday, September 1, 2022. The 5th caller to the contest line at (216)710-0850 will win a pair of tickets, 2 t-shirts and 2 "Perfect Game" coupons to get a hot dog, chips, and a 12oz. fountain drink at concession for themselves and a guest. A total of seven (7) pairs of tickets will be given away. In addition, 1 of the 7 winners will then be randomly selected to win a Signature Food item known on the Rubberducks' "Extreme Food Menu" as a PopCONE Chicken bowl. The total ARV of the prize pack is \$30. The ARV of the additional prize is \$10.

1. HOW TO ENTER

- a. These rules govern the Night at the Park with Emmett contest (the "Promotion") being conducted by ESPN Cleveland, 1109 Old River Road, Cleveland, OH 44113 ("GKB") beginning on Wednesday, August 24, 2022 at 12AM EST and ending on Wednesday, September 7, 2022 at 11:59PM EST.
- b. To participate in the Promotion, you may enter via the following method(s): listen to *The Next Level* on 850 ESPN Cleveland each weekday starting on Wednesday, August 24, 2022, and ending on Thursday, September 1, 2022, between the hours 3PM and 5PM EST and be the 5th caller when the cue to call is given to win tickets to join Emmett Golden at an Akron Rubberducks game on Thursday, September 15, 2022, at 6:35PM EST.
- c. Entries can only be made by calling in to the show at (216)710-0850 when instructed.
 - i. To participate in the Promotion, you must listen to *The Next Level* on 850 ESPN Cleveland each weekday beginning on Wednesday, August 24, 2022, and ending on Thursday, September 1, 2022, between the hours of 3PM and 5PM EST each day during the Promotion dates for the announcement of the cue to call. Upon hearing the cue to call, the 5th caller (as announced by the on-air personality prior to the cue to call) to get through to the GKB contest line at (216)710-0850 will win tickets to join host Emmett Golden at an Akron Rubberducks game on Thursday, September 15, 2022, at 6:35PM. At the time of their call, callers will be required to provide all information requested

including their full name, complete address (including zip code), day and evening phone numbers and date of birth in order to be eligible to win. In the event that the selected caller is disconnected or is found to be ineligible, the next eligible caller that successfully makes it through on the call-in line and completes their call will be a winner. There is no limit to the number of times a listener may attempt to call in to win, but a listener may be a winner only once. There will be up to a total of five (5) winners selected on-air during the Promotion dates. GKB is not responsible for telephone service outages, delays, busy signals, equipment malfunctions or any other technological difficulties that may prevent an individual from completing his/her telephone call. Due to delays in the GKB online streaming of its broadcast signal, listeners to the online stream may not be able to participate in or may be disadvantaged in participating in on-air contests.

d. Only one winner per household is permitted.

2. ELIGIBILITY RESTRICTIONS

- a. The Promotion is open to all persons who are 18 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. Seven (7) prizes will be awarded in this Promotion. Each prize consists of the following:
 - A pair of tickets to the Akron Rubberducks game on September 15, 2022 (First pitch is at 6:35PM EST) to join Emmett Golden

- Two (2) T-shirts
- Two (2) “Perfect Game” Coupons – A \$6 coupon good for a hot dog, chips, and a 12-oz. Fountain Drink

Note: In addition, one (1) of the seven (7) selected winners will then be randomly selected to receive a Signature Food item on the Rubberducks’ “Extreme Food Menu” at the game, known as a PopCONE Chicken bowl. The PopCONE Chicken Bowl consists of crispy chicken pieces covered in a honey-hot sauce and placed inside of a waffle cone bowl.

The Approximate Retail Value (“ARV”) of the prize is \$30. The ARV of the additional prize is an extra \$10. 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.

- b. The tickets to the game will be emailed to the winners’ email addresses provided on the required affidavit of eligibility. The rest of the prizes will be provided to the selected winners and their guest at the game by ESPN Cleveland and the Akron Rubberducks. The winner will forfeit any prize or prize certificate not claimed within ten (10) 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, 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. Winners will be selected and notified between 3PM and 5PM EST on Wednesday, August 24, 2022, through Thursday, September 1, 2022.
- c. The final winner will be determined on Thursday, September 1, 2022, between 3PM and 5PM EST.
- d. The winner of the Signature Food Item will then be selected randomly from the group of 7 winners on Friday, September 2, 2022, between 9AM and 5PM EST. They will be notified by phone from an ESPN Cleveland representative that they won the additional food item prize.

- e. Odds of winning a Prize each day during the Promotion dates depends upon the number and order of calls received. Odds of winning the Signature Food item is 1 in 7.
- f. Fans must listen to ESPN Cleveland to win. Winners need not be present to win.
- g. The winner must execute and return any required affidavit of eligibility and/or liability/publicity release within five (5) days of winning or 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 by Wednesday, September 7, 2022, to "Night at the Park with Emmett – 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, November 7, 2022, to the above address marked "Night at the Park with Emmett – 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: Akron Rubberducks

