

Rules and Regulations for Backyard Bay Swim Center Contest

1. How to Enter the Contest:

- a. The Backyard Bay Swim Center Contest will begin on Monday, June 16, 2003, and end at 12:00 noon on Tuesday, October 14, 2003.
- b. No purchase is necessary. A purchase does not increase your odds of winning. To participate in the contest, participants must visit one of the participating Backyard Bay Swim Center Contest locations in the Backyard Bay listening area, fill out an Official Entry Blank available at or near the Backyard Bay Swim Center located inside the retail outlet, and deposit it in the a Official Entry Box. Only one entry may be filled out and submitted per person, per location. No mechanical reproductions accepted. A complete list of participating retail outlets is listed on the official Backyard Bay website, www.backyardbay.com. Backyard Bay is not responsible or in any manner liable respecting lost, late, misdirected, incomplete or ineligible entries.

2. Eligibility Restrictions:

- a. The contest is open to all Backyard Bay listeners who are 21 years of age or older and who reside in the Houston metropolitan area. Employees of Backyard Bay, KSEV AM, its' licensee, Leiberman Broadcasting, their affiliated entities, affiliated advertising agencies, participating sponsors/promotional partners, other radio stations in the Houston metropolitan area and the members of their immediate families are ineligible to participate or win.
- b. Listeners are eligible to win a Backyard Bay contest only once every thirty days and a prize valued at \$600 or more only once every six months. Only one winner per household is permitted in any contest.
- c. A participation release must be signed by the Grand Prize winner and guest(s) before accepting the prize.

3. Prizes:

- a. Grand Prize includes a trip to the Hotel Atlantis in Nassau, Bahamas, between November 2003 and October 2004, excluding holidays and applicable blackout dates. Seats are limited and may not be available on requested dates and flights. Trip includes coach-class, round-trip airfare for up to four people and one hotel room for three nights in the Beach Tower of the Atlantis Hotel. Travel must originate from Houston, Texas. Value of the grand prize is \$3,500.00.
- b. All prizes or prize certificates must be picked up at the offices of Poolside Marketing at 2900 Wesleyan, Suite 460, Houston, Texas 77027, by the winner and cannot be mailed. Any prize or prize certificate not claimed by Friday, October 31, 2003, will be forfeited by the winner. Trip must be scheduled by 12:00 noon, on January 30, 2004. Travel arrangements must be made by Poolside Marketing or their travel agent.
- c. Contest prizes are non-transferable and may not be extended. Prizes may not be substituted for or redeemed for cash.

4. Selection of Winners:

- a. Decisions of Poolside Marketing management with respect to the contest are final.
- b. One winner will be randomly drawn from all qualifying contest entrants. Drawing will be held live, during the broadcast of the Backyard Bay Radio Show on 700 AM KSEV, on Saturday, October 18, 2003.
- c. Winner need not listen, or be present to win. The President of Poolside Marketing will contact the winner by Monday, October 20, 2003. If the winner(s) cannot be contacted within 72 hours of the live drawing, an alternate winner will be selected.

5. Conditions:

- a. Payment of all federal, state and local taxes are the sole responsibility of the winner. Winners may be required to sign an IRS Form W-9 or the equivalent.
- b. By participating in the contest, the winner or winners (and their guest(s) or traveling companion(s), if any) agree to have their name, voice or likeness used in any advertising or broadcasting material relating to this contest without additional financial or other compensation, and to sign a publicity release prior to acceptance of the prize.
- c. Contest winners (and their guests or travel companions, if any) will be required to sign a liability release prior to acceptance of any prize valued at \$600.00 or greater or which prize includes the provision of transportation, whether or not such transportation is provided by Poolside Marketing or Backyard Bay. Pursuant to the liability release, the winners will agree to hold Poolside Marketing, Backyard Bay, KSEV AM, its' corporate licensee, Lieberman Broadcasting, their affiliated companies and the officers, shareholders, directors, employees, agents and representatives of each of them harmless against any and all claims or liability arising directly or indirectly from the prize or participation in the contest.

6. Poolside Marketing reserves the right to make changes of the rules of the contest, including the substitution of a prize or prizes of equivalent or greater value, which will become effective upon announcement. The contest is void where prohibited.

7. Failure to comply with the contest rules may result in a contestant's disqualification, at the sole discretion of Poolside Marketing.

8. Poolside Marketing is not responsible for typographical or other errors in the printing, the offering or the administration of the contest or in the announcement of a prize.

9. Copies of the written contest rules and a list of all winners are available by sending a self-addressed stamped envelope to Poolside Marketing, 2900 Wesleyan, Suite 460, Houston, TX 77027.