

Hold Harmless Agreement

I _____, (“Owner”) understand and accept

that _____ (the “KHA”) has received training from the Associated Koi Clubs of America (the “AKCA”), a non-profit California corporation, in koi husbandry but is not a licensed veterinarian nor any manner of professional related to koi. Owner has requested the assistance and/or advice of the KHA and understands that such assistance and/or advice will be offered gratis (at no charge). Further and for value received, the receipt of which is hereby acknowledged, Owner agrees to indemnify and hold harmless the KHA, all those associated with the KHA program including the AKCA and its officers and directors from all damages, claims, losses, expenses, fees, including attorney’s fees, costs and judgments that may be asserted against the aforementioned that may result from any actions either directly or indirectly resulting from the assistance and/or advice of the KHA including assistance and/or advice not provided.

If there arises a disagreement, Owner hereby agree to binding arbitration before a mutually agreeable arbitrator or, if the parties involved cannot agree on an arbitrator, one will be assigned by the American Arbitration Association and Owner further agrees to be bound by said arbitrator’s decisions.

Owner hereby acknowledges that knowing the volume of the pond system can be critical when calculating and adding substances such as chemicals to the pond system. Therefore, Owner hereby states and agrees that the KHA may use the following pond system volume for purposes of calculating and adding substances:

_____ US gallons _____ (Owner’s initials)

By signing this Agreement below, Owner agrees that Owner understands and accepts the terms and conditions of this Agreement, which shall be the sole and entire agreement between the Owner and the KHA, AKCA and any and all other parties associate with the KHA program.

If any part of this agreement is found to be invalid or unenforceable by a court of competent jurisdiction, the remainder of the agreement shall remain in full force and effect.

Signed,

Owner

Date: _____