

## **NL Kubota**

### **“Big Orange Day Giveaways”**

#### 1. Eligibility:

The Big Orange Day giveaways are open to legal residents of Newfoundland & Labrador. Employees of NL Kubota Limited, advertising and promotion agencies, and immediate family members and/or those living in the same household of Employees are not eligible to participate in the sweepstakes or win.

#### 2. Agreement to Rules:

By participating, the entrant agrees to be fully unconditionally bound by these rules, and you represent and warrant that you meet the eligibility requirements. In addition, you agree to accept the decisions of NL Kubota Limited as final and binding as it relates to the content of these giveaways.

#### 3. Giveaway Terms and Conditions:

NL Kubota Limited will be hosting four (4) different giveaways detailed within these rules and regulations.

(i) Kubota Z232KW-42 Zero Turn Mower: Entries will be accepted beginning at 12:00:01am (NST) on May 5th, 2024, and ending at 5:00pm (NST) on June 15th, 2024. (the “Giveaway Period”). Anyone who purchases a Kubota power unit (anything with an engine) or agricultural implements during the Giveaway Period will receive 5x ballots to enter to win. Anyone who buys a Kubota power unit (anything with an engine) or agricultural implements at the Gander Grand Opening/Big Orange Event and/or the St. John’s Big Orange Event will be given 10x entry ballots. Attendees of each event will receive one (1) ballot. Prize will be drawn on June 17th, 2024.

(ii) GMG LEDGE Prime + Wifi Pellet Grill: Anyone who attends the Gander Grand Opening/Big Orange Event and/or the St. John's Big Orange Event will receive one (1) ballot. Each purchase of any amount at each event qualifies for two (2) ballots. Prize will be drawn at the end of the St. John's Big Orange Event.

(iii) All attendees of the Gander Grand Opening/Big Orange Event will be eligible to receive the following prizes:

- Pit Boss 2 Burner Portable Griddle
- Toro 21442 Lawn Mower
- Toro 51830 60 Volt Leaf Blower
- Kubota Hat & Shirt Package
- \$100 Kubota Gift Card
- \$50 Kubota Gift Card

(iv) All attendees of the St. Johns Big Orange Event will be eligible to receive the following prizes.

- Pit Boss 2 Burner Portable Griddle
- Toro 21442 Lawn Mower
- BE AC072 Air Compressor
- Kubota Hat & Shirt Package
- \$100 Kubota Gift Card
- \$50 Kubota Gift Card

#### 4. Entries

Regardless of the entry method used to enter the Giveaways, the entry must fulfill all requirements, as specified, to be eligible to win a prize. Entries that are incomplete or do not adhere to the rules and regulations may be disqualified at the sole discretion of NL Kubota Limited. You must provide the information requested. If you use fraudulent methods or otherwise attempt to circumvent the rules, your submission may be removed from eligibility at the sole discretion of NL Kubota Limited. Any attempt by an Entrant to obtain more than the stated number of entries by using multiple/different identities, and/or any other methods will void that Entrant's entry and that Entrant may

be disqualified from the Giveaways. Entries submitted by anyone other than the Entrant are void. In case of dispute as to the identity of any Entrant, entry will be declared made by the registered name and address on such entry. Any potential prize winner may be requested to provide Sponsor with proof that such person is the prize winner. Neither Sponsor nor any Giveaways Entity is responsible for any entry that is lost, late, illegible, stolen, manipulated, incomplete, invalid, whether due to system errors, omissions, interruption, deletions, defects, delay in operations or transmissions, faulty transmissions or other telecommunications malfunctions, human error, entries not received resulting from any hardware or software failures of any kind, lost or unavailable network connections, failed, incomplete or garbled computer or telephone transmissions, or otherwise. Only fully completed entries are eligible. Proof of submission will not be deemed to be proof of receipt by Sponsor or Giveaways Entity.

5. Prizes: There will be one (1) winner of each Giveaway. The winners of the Giveaways will receive one of the following prizes; one (1) of the following listed items: Pit Boss 2 Burner Portable Griddle (Valued at \$585.00); Toro 21442 Lawn mower (Valued at \$769.00); Toro 51830 60 Volt Leaf Blower (Valued at 349.00); Kubota Hat & Shirt Package (\$100.00); \$50.00 Kubota Gift Card; \$100.00 Kubota Gift Card; BE AC072 Air Compressor (Valued at \$344.00). Actual/appraised value may differ at time of prize award. The specifics of the prize shall be solely determined by NL Kubota Limited. No cash, prize substitution, transfer/assignment of prize to others, or request for the cash equivalent by Winner shall be permitted except at NL Kubota Limited's sole discretion. Acceptance of prize constitutes permission for NL Kubota Limited to use the Winner's name, likeness, and entry for purposes of advertising and trade without further compensation unless prohibited by law.

6. Odds:

The odds of winning depend on the number of eligible entries received.

## 7. Winner Selection and Notification:

The prize winner will be selected in a random drawing conducted by a representative of NL Kubota Limited, whose decisions are final and binding in all matters related to the Giveaways. The winner will be selected among all eligible entries received during the Giveaway Period. The winner will be notified through email or telephone within five (5) days following selections of the winner(s). NL Kubota Limited shall have no liability for the winner's failure to receive notices due to spam, junk e-mail, or other security settings or for the winner's provision of incorrect or otherwise non-functioning contact information. If Winner cannot be contacted, is ineligible, fails to claim the prize within seven (7) days from the time award notification was sent, or fails to timely return a completed and executed declaration and release as required, the prize may be forfeited and an alternate winner selected.

ANY VIOLATION OF THESE OFFICIAL RULES BY WINNER (AT NL KUBOTA LIMITED'S SOLE DISCRETION) WILL RESULT IN WINNER'S DISQUALIFICATION AS WINNER OF THE GIVEAWAY, AND ALL PRIVILEGES AS WINNER WILL BE IMMEDIATELY TERMINATED.

## 8. Rights Granted by You:

By entering the Giveaways, you understand and agree that NL Kubota Limited and anyone acting in compliance to this content shall have the right, where permitted by law, to print, publish, broadcast, distribute, and use in any media now known or hereafter developed, in perpetuity and throughout the world, without limitation, your entry, name, portrait, picture, voice, likeness, image, statements about the Giveaways, and biographical information for news, publicity, information, trade, advertising, public relations, and promotional purposes. without any further compensation, notice, review, or consent. If the content of your entry is claimed to constitute infringement of any proprietary or intellectual proprietary rights of any third party, you shall, at your sole expense, defend or settle against such claims. You shall indemnify, defend, and hold harmless NL Kubota Limited from and against any suit, proceeding, claims, liability, loss, damage, costs or expense, which NL Kubota Limited

may incur, suffer, or be required to pay arising out of such infringement or suspected infringement of any third party's right.

#### 9. Terms & Conditions:

NL Kubota Limited reserves the right, in its sole discretion, to cancel, terminate, modify or suspend the Giveaways should virus, bug, non-authorized human intervention, fraud, or other cause beyond NL Kubota Limited's control. In such a case, NL Kubota Limited may select the Winner from all eligible entries received prior to and/or after (if appropriate) the action taken by NL Kubota Limited.

NL Kubota Limited reserves the right, in its sole discretion, to disqualify any individual who tampers or attempts to tamper with the entry process or the operation of the Giveaways or website or violates these Terms & Conditions. NL Kubota Limited has the right, in its sole discretion, to maintain the integrity of the Giveaways, to void entries for any reason, including, but not limited to: the use of bots, macros, scripts, or other technical means for entering. Any attempt by an entrant to deliberately damage any website or undermine the legitimate operation of the Giveaways may be a violation of criminal and civil laws. Should such an attempt be made, NL Kubota Limited reserves the right to seek damages to the fullest extent permitted by law.

#### 10. Limitation of Liability:

By entering, You agree to release and hold harmless NL Kubota Limited and its subsidiaries, affiliates, advertising and promotion agencies, partners, representatives, agents, successors, assigns, employees, officers, and directors from any liability, illness, injury, death, loss, litigation, claim, or damage that may occur, directly or indirectly, whether caused by negligence or not, from: (i) such entrant's participation in the Giveaways and/or his/her acceptance, possession, use, or misuse of any prize or any portion thereof; (ii) technical failures of any kind, including but not limited to the malfunction of any computer, cable, network, hardware, or software, or other mechanical equipment; (iii) the unavailability or inaccessibility of any transmissions, telephone, or Internet service; (iv) unauthorized human intervention in any

part of the entry process or the Promotion; (v) electronic or human error in the administration of the Promotion or the processing of entries.

#### 11. Disputes:

THESE GIVEAWAYS ARE GOVERNED BY THE LAWS OF Canada AND Newfoundland and Labrador, WITHOUT RESPECT TO CONFLICT OF LAW DOCTRINES. As a condition of participating in this Giveaway, participant agrees that any and all disputes that cannot be resolved between the parties, and causes of action arising out of or connected with this Giveaway, shall be resolved individually, without resort to any form of class action, exclusively before a court located in Newfoundland and Labrador having jurisdiction. Further, in any such dispute, under no circumstances shall participant be permitted to obtain awards for, and hereby waives all rights to, punitive, incidental, or consequential damages, including reasonable attorney's fees, other than participant's actual out-of-pocket expenses (i.e. costs associated with entering this Giveaway). Participant further waives all rights to have damages multiplied or increased.

#### 12. Privacy Policy:

Information submitted with an entry is subject to the Privacy Policy stated on the NL Kubotas website. To read the Privacy Policy, visit <https://www.nlkubota.ca/read-our-privacy-statement--xprivacy>. By participating in the Giveaways, Entrants hereby agree to Sponsor's collection and usage of their personal information and acknowledge that they have read and accepted Sponsor's privacy policy.

#### 13. Sponsor. NL Kubota Limited, 15 Nils Way, St. Johns, NL, A1B 0T9.

The Giveaways hosted by the Sponsor is in no way sponsored, endorsed, administered by, or associated with Facebook or Instagram.

NO PURCHASE NECESSARY TO ENTER OR WIN.