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**Submission Deadline:**

**1700 May 15, 2010**

**Earlier if Possible**

## **NEWPORT BERMUDA RACE® 2010**

Start Date: Friday, June 18, 2010

# **CAPTAIN'S INDEMNIFICATION AND WAIVER**

To: Newport Bermuda Race® 2010 Organizing Committee ("the Committee")

Please enter my yacht \_\_\_\_\_, as described, in the 2010 Newport-Bermuda Race® which is scheduled to start Friday, June 18, 2010 in Newport, Rhode Island, USA.

In consideration of your accepting my entry:

I hereby agree to all of the conditions for the 2010 Newport Bermuda Race® and the Notice of Race, which I have read and understand.

I hereby warrant that my yacht will be outfitted, equipped and handled in accordance with those conditions, that the yacht and her equipment comply in all respects with the current 2010 -2011 ISAF SPECIAL REGULATIONS for offshore and oceanic racing Category 1 including US Sailing Prescriptions, that she will have all the required equipment aboard, that she is seaworthy in hull, rig and gear, and that she will be properly manned by a crew which has demonstrated recent competency in offshore racing. I acknowledge that I have sole responsibility for the safety of my yacht. I will provide the Committee with the Crew List Summary, the individual Crew Member's Information & Waivers and the Captain's, Navigator's and Watch Officers' Offshore Experience Forms (OEF) where required, and warrant that such documents and all supplements will be true, accurate, and complete in all respects.

I agree that my yacht's Rating Certificate, to be filed with the Committee, will be the valid certificate for the yacht at the time she starts the race, and that neither the yacht nor the sails will be altered after the date on the certificate.

I do for myself, and for my heirs, legal representatives, successors and assigns, hereby waive any and all claims which I and any of them may have against the Cruising Club of America, the Royal Bermuda Yacht Club, and their respective officers, members of the Boards of Governors, Race Organizing and other Committees, members, employees and agents (the "Waiver Designees") arising out of my participation, and the participation of my yacht, in the 2010 Newport Bermuda Race ® and its related activities. I agree to obtain from each member of my crew, on forms which I acknowledge that the Committee has delivered to me, and to file with the Committee prior to 1700, June 08, 2010, a written waiver by each crew member of all claims against the Waiver Designees. If, notwithstanding this undertaking, I fail to provide such waiver for any one or more members of my crew, then I do hereby indemnify the Waiver Designees, against any claim brought against them and arising out of the participation of any such crew member in the 2008 Newport Bermuda Race® and its related activities, together with any costs, including reasonable attorneys' fees, that may be incurred as a result of any such claim, whether the claim be valid or not.

I grant the Organizing Authority or its agent the unconditional and perpetual right to publish and broadcast anywhere in the world for any purpose and in any media the names and images of the captain and yacht prior to, during and after the race.

I certify that the information which I have entered in this application is true, accurate and complete.

\_\_\_\_\_  
Signature of Captain

\_\_\_\_\_  
Please CLEARLY PRINT or TYPE Captain's Name

**PLEASE BE ADVISED THAT MOST PERSONAL LIABILITY INSURANCE DOES NOT INCLUDE LIABILITY FOR CONTRACTUAL IDEMNIFICATION. ACCORDINGLY IT IS URGENT THAT YOU AVOID INDEMNIFICATION BY PROVIDING WAIVERS FROM ALL MEMBERS OF YOUR CREW. YOU MAY ALSO WANT TO CONSIDER OBTAINING WAIVERS RUNNING TO YOU INDIVIDUALLY**

**THE FULL ENTRY APPLICATION MUST BE COMPLETED AND SIGNED**

Return this entry form by fax or E-mail to:  
NEWPORT BERMUDA RACE® 2010 ORGANIZING COMMITTEE  
580 Thames Street, Suite 418 Newport, RI 02840  
Tel:732-535-0560, Fax: 401-537-9155  
E -mail [documents@bermudarace.com](mailto:documents@bermudarace.com)

**ORGANIZED BY THE CRUISING CLUB OF AMERICA AND THE ROYAL BERMUDA YACHT CLUB**

*Newport Bermuda Race is a registered trademark of the Cruising Club of America*