

## NEW YEAR NEW EARS CONTEST

### OFFICIAL RULES

BY SUBMITTING AN ESSAY IN THIS CONTEST, ENTRANT HEREBY ACKNOWLEDGES AND AGREES THAT SPONSOR MAY USE THE ESSAY, OR PORTIONS THEREOF, ON SPONSOR'S WEBSITE, FACEBOOK OR INSTAGRAM PAGES, AND IN ANY OTHER MARKETING OR ADVERTISING MATERIALS WITHOUT ENTRANT'S PRIOR APPROVAL OR ADDITIONAL CONSIDERATION.

1. HOW TO ENTER: NO PURCHASE NECESSARY. In order to enter, from 9:00:00 a.m. Central Time ("CT") on December 3, 2018, through 11:59:59 p.m. CT December 31, 2018 ("**Contest Period**"), you must visit the Audiology Concepts Facebook Page ("Website"), click on the "New Year New Ears" icon to register to enter the Contest by providing your name, email address, date of birth, state where you reside, zip code, and daytime telephone number, and a short essay explaining in approximately 250 words or less why you or someone you know (who you are nominating, if applicable) needs a hearing aid and how that person gives back to the community. If you are nominating someone else to win the hearing aids, your entry must also include the name, address and telephone number of the person you nominate. Entries will be accepted in this Contest during the Contest Period, and all entries must be received by 11:59:59 p.m. CT on December 31, 2018, to be eligible. Sponsors are not responsible for problems accessing the Facebook page, or technical or atmospheric conditions that disrupt the completion of the Facebook form (including the essay), or any other problems which might or might not result from this Contest. Limit, one (1) entry per person; any person submitting more than one (1) entry may be disqualified.

**This Contest is not sponsored, endorsed, administered by or associated with Facebook. By entering, you are providing your information to Sponsor and not to Facebook.**

2. JUDGING CRITERIA/HOW THE WINNER IS CHOSEN: Enter as explained in Paragraph 1 above. From all eligible entries submitted pursuant to Paragraph 1 above, on or about January 2, 2019, a panel of judges comprised of Administrator's and Sponsor's staff members, in their sole and absolute discretion, will determine the Grand Prize winner based on, but not limited to, how well their entry is written (33.3%), how well they explain their reason for wanting/needing the new hearing aids, (33.3%) and how the person gives back to the community and the impact that person has on the community (33.4%). The top scoring entry ("Essay") will be deemed the potential Grand Prize winner of this Contest, and he/she will be notified on or about the day of the judging. Sponsor reserves the right to not award the prizes if, in its sole discretion, it does not receive a sufficient number of eligible and/or qualified submissions/entries in this Contest. In the event of a tie, the entrant who receives the higher score in the how the person gives back to the community and the impact that person has on the community category will be deemed the winner from among all tying entries.
3. CLAIMING YOUR PRIZE: The Grand Prize Winner must claim his/her prize, awarded in the form of a certificate, in person at the Hubbard Interactive offices located at 3415 University Avenue, St. Paul, Minnesota 55114, during normal business hours (Monday-Friday, 9:00 a.m. to 5:00 p.m.) **within thirty (30) business days** of being named the Grand Prize winner. Grand Prize winner will be the person featured in the Essay. Failure to comply with any of these deadlines shall be deemed to be the winner's forfeiture of his or her right to claim a prize. The winner must present identification acceptable to Sponsor showing winner's right to act and make decisions on the winner's behalf (e.g. picture

identification, credit card featuring winner and person's name, etc.). If a qualifier winner cannot prove he or she is qualified to accept the prize on the winner's behalf, the prize will not be awarded. Any unclaimed prize remains the property of Sponsor. Upon picking up the winner certificate as set forth above, the Grand Prize winner will be required to schedule an appointment at Audiology Concepts, located at 6444 Xerxes Ave S., Edina, MN 55423 for hearing test and hearing aid fitting.

4. **PRIZE AND APPROXIMATE RETAIL VALUE ("ARV"):** **One (1) Grand Prize** – A pair of Oticon Opn hearing aids. ARV: \$7,200.00. All warranties and guarantees of the hearing aids are limited to the manufacturer's warranties and guarantees and Sponsor shall have no liability or responsibility for any failure of such warranties or guarantees made by the manufacturer, if any. Hearing aids must be received by Grand Prize winner by **12/31/2019**, or prize will be forfeited and go unawarded.

A qualified Grand Prize Winner must also meet the eligibility requirements as set forth in Paragraph 5 of these rules. The potential Grand Prize Winner is responsible for paying all applicable income taxes associated with the Grand Prize. A 1099 form will be submitted to all appropriate taxing authorities, and by signing the Prize Release, the Grand Prize Winner accepts the prize, and even if the Grand Prize Winner does not use the prize, he/she will be responsible for the applicable taxes.

5. **ELIGIBILITY:** Open and offered only to legal residents of Minnesota or Wisconsin, who are 18 years of age or older. Void outside of MN or WI, and where prohibited. Employees and directors of Audiology Concepts (collectively, "Sponsor"), 2060 Digital, LLC d/b/a Hubbard Interactive ("Administrator"), any person working in the hearing aid or audiology business, and their respective parents, subsidiaries and affiliated companies, advertising, promotion or production agencies, and their immediate family members or individuals residing in their same household, are not eligible to participate or enter.
6. **CONTEST DEADLINE.** All entries must be received no later than 11:59:59 p.m. CT on December 31, 2018.
7. **RELEASE; CONSENT TO USE LIKENESS, VOICE AND ADDRESS:** The winner must enter into an Agreement with Sponsor prior to receiving the prize, including a Liability Release. Each person entering this Contest (a) agrees to release and indemnify 2060 Digital, LLC (including their subsidiaries, affiliates, parent or related companies) from and against any and all liability, claims, damages and actions arising directly or indirectly out of or sustained in connection with the awarding, acceptance or use of the prize(s), and (b) consents to the use by 2060 Digital, LLC for promotional purposes only of the businesses name and address (city and state) without any additional compensation. By accepting the Grand Prize, the winner agrees to be bound by these official rules, including the above release.
9. **WINNER LIST:** For the name of the winner, send a separate self-addressed, stamped envelope before January 31, 2019 to Winners List, New Year New Ears Contest, 3415 University Avenue, St. Paul, Minnesota 55114.
10. **MISCELLANEOUS:** Sponsor is not responsible for lost, late, damaged, delayed, incomplete, illegible, mutilated or misdirected entries, entries not received by the entry deadline, or for electronic, network or computer failures or malfunctions, lost or unavailable network connections, or failed, incomplete, garbled or delayed computer transmission that may limit a user's ability to participate in this Contest, or other hardware, software or technical errors of any kind including any injury or damage to any person's computer related to or resulting from participating in the Contest. Sponsor assumes no responsibility for undeliverable e-mails resulting from any form of active or

passive e-mail filtering by a user's Internet service provider and/or insufficient space in user's e-mail account to receive e-mail. Sponsor reserves the right to cancel or modify the Contest (or any portion thereof) if fraud, misconduct or technical failures destroy the integrity of the Contest or if a computer virus, bug, or other technical problem corrupts the administration, security, or proper administration of the Contest, as determined by Sponsor, in their sole discretion. If the Contest is so cancelled, judging will be conducted from among all eligible entries received prior to the time of termination. In the event a dispute arises regarding specific individual entitled to receive prize, entry made by Internet will be declared made by the "authorized e-mail account holder" and any damage made to the Website will also be the responsibility of the authorized e-mail account holder of the e-mail address submitted at the time of entry. "Authorized e-mail account holder" is defined as the natural person who is assigned to an e-mail address by an Internet access provider, online service provider or other organization (e.g., business, educational institution, etc.) that is responsible for assigning e-mail addresses for the domain associated with the submitted e-mail address. Entrant may be requested to provide Sponsor with proof that the entrant is the authorized e-mail account holder of the e-mail address associated with the account/submission. Proof of submitting entries will not be deemed to be proof of receipt by Sponsor. Any use of robotic, automatic, programmed or the like methods of participation will void all entries by such methods. Sponsor reserves the right to prohibit the participation of an individual if fraud or tampering is suspected, or if the individual fails to comply with any requirement of participation as stated herein or with any provision in these Official Rules. INTERNET CAUTION: ANY ATTEMPT BY AN INDIVIDUAL TO DELIBERATELY DAMAGE ANY WEBSITE OR UNDERMINE THE LEGITIMATE OPERATION OF THIS CONTEST IS A VIOLATION OF CRIMINAL AND CIVIL LAWS, AND SHOULD SUCH AN ATTEMPT BE MADE, SPONSOR RESERVES THE RIGHT TO SEEK DAMAGES FROM ANY SUCH INDIVIDUAL TO THE FULLEST EXTENT OF THE LAW. By entering this Contest, entrants give their express permission to be contacted by Sponsor by telephone, email and/or postal mail. By participating in this Contest, you acknowledge and agree that Sponsor may collect the personal information submitted by you, and use information pursuant to Sponsor's privacy policy available at <http://corporate.hubbardradio.com/privacy-policy/>. No substitution, cash redemption or transfer of prize by winner permitted, but Sponsor reserves the right to substitute prize of equal or greater value. The Contest is subject to all applicable federal, state and local laws and regulations. Entrants, by participating in this Contest, hereby waive and release, and agree to hold harmless the Sponsor, Facebook, and their respective parents, subsidiaries, affiliates, distributors, licensors, advertising and promotion agencies and all of their respective officers, directors, employees and representatives and agents, from and against, any and all rights, claims and causes of action whatsoever that they may have, or which may arise, against any of them for any liability for any matter, cause or thing whatsoever, including but not limited to any injury, loss, damage, whether direct, compensatory, incidental or consequential, to person, including death, and/or property, arising in whole or in part, directly or indirectly, from their acceptance, possession, use or misuse of any prize, or their participation in this Contest, or any prize-related activity. By participating in this Contest, entrants agree to be bound by the Official Rules and the decisions of the judges. Except where prohibited by law, by accepting a prize, winners agree that Sponsor and its related and affiliated companies may use the winner's name, address (city, state), photograph, videotape, likeness, and/or prize information for advertising, publicity and promotional purposes and to the use of statements made by or attributed to winner relating to Sponsor and its related and affiliated companies or to this Contest and grants to Sponsor and its related and affiliated companies any and all rights to said use without further notice and/or compensation except where prohibited by law.

11. **SPONSOR:** Audiology Concepts, 6444 Xerxes Ave S., Edina, MN 55423.