



THE ASCAP FOUNDATION HONORS
OFFICIAL RULES AND REGULATIONS
2019

The 2019 The ASCAP Foundation Honors event celebration (the “Foundation Honors Event”) will be held on Wednesday, December 11, 2019 at the Appel Room and Ertegun Atrium in Jazz at Lincoln Center’s Frederick P. Rose Hall, Broadway at 60th Street, New York, New York. These Official Rules and Regulations (the “Rules”) govern awards and scholarships awarded or issued at the Foundation Honors Event (individually and collectively, the “Awards”), including, but not limited to, eligibility, winner selection process, and award criteria. **BY PARTICIPATING IN THE AWARDS PROCESS AND FOUNDATION HONORS EVENT, ALL PARTICIPANTS (“PARTICIPANTS”) AGREE TO BE BOUND BY THESE OFFICIAL RULES AND REGULATIONS AND THE DECISIONS OF THE ASCAP FOUNDATION, WHICH ARE FINAL AND BINDING IN ALL RESPECTS. VOID WHERE PROHIBITED.**

1. GENERAL ELIGIBILITY

A. Awards and Eligibility

At the Foundation Honors Event, The ASCAP Foundation provides and issues Awards that recognize and honor the achievements of emerging and established composers, songwriters and lyricists. Descriptions and eligibility requirements for specific Awards are available at <https://ascapfoundation.org/programs-and-grants>. The ASCAP Foundation may, in its sole discretion, delegate the selection of Award recipients to outside organizations or independent judges who are not members of The ASCAP Foundation. Any decision by The ASCAP Foundation or the applicable judges or selectors of any Awards are final and non-reviewable. The ASCAP Foundation is under no obligation to make available, issue or present any or all of the Awards on an annual basis. Information about past Award honorees is available at: <https://www.ascapfoundation.org/programs/awards>.

B. Special Awards

The ASCAP Foundation in its sole discretion reserves the right to present Special Awards to composers, songwriters, lyricists and/or others to honor them for special achievements and contributions to music and to enhance the production value of the live event. Special Awards are determined by the Foundation Honors Event producers and The ASCAP Foundation management. The ASCAP Foundation is under no obligation to present such Special Awards on an annual basis.

2. DECISIONS ON AWARDS NOT REVIEWABLE

Determination as to the winners or recipients of any of the Awards by The ASCAP Foundation (or any organization or individual to whom The ASCAP Foundation has delegated the selection or designation of Award recipients) will be final and non-reviewable.

3. AWARDS RECOGNITION

The Awards will be presented or issued at the Foundation Honors Event or at a date, time and location to be determined by The ASCAP Foundation at its sole discretion. The manner and means by which Awards will be presented or issued will be at The ASCAP Foundation's sole discretion, and may or may not include live presentation of an applicable Award to a Participant on stage or the presentation or issuance of a physical representation of the applicable Award via plaque, statuette or other tangible form. Awards shall have no cash value unless, otherwise specifically stated in an applicable Award eligibility rules and description, which may be changed, modified or amended at The ASCAP Foundation's discretion.

4. GENERAL CONDITIONS

Attendance at the Foundation Honors Event is by invitation only and The ASCAP Foundation reserves the right to refuse admittance to anyone. The ASCAP Foundation reserves the right in its sole discretion to cancel the Foundation Honors Event, or to not give or issue any specific Award described herein, at any time for any reason or no reason. The ASCAP Foundation's failure to enforce any term of these Rules shall not constitute a waiver of that provision.

5. LIMITATION OF LIABILITY; DISPUTES

By participating in the Awards, each Participant acknowledges and agrees that The ASCAP Foundation, its affiliates, and each of their respective officers, directors, employees, agents, and other representatives will have no liability whatsoever for: (1) any liability for injuries, losses, or damages of any kind to persons (including personal injury or death) or property resulting, directly or indirectly, from the acceptance, possession, misuse, or use of the Awards or participation in the Awards Celebration or in any Awards-related activity; and (2) any claims based on publicity rights, defamation or invasion of privacy.

Except where prohibited, each Participant agrees that: (1) any and all disputes, claims and causes of action arising out of or connected with the Awards or any award, prize or scholarship awarded shall be resolved individually, without resort to any form of class action, and exclusively by the United States District Court for the Southern District of New York or the appropriate Supreme Court of the State of New York located in New York County; (2) any and all claims, judgments and

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awards shall be limited to actual out-of-pocket costs incurred, including costs associated with entering the Awards, but in no event attorneys' fees; and (3) under no circumstances will any Participant be entitled to receive, and such Participant hereby waives all rights to claim, indirect, punitive, incidental and consequential damages and any other damages, other than for actual out-of-pocket expenses, and any and all rights to have damages multiplied or otherwise increased. All issues and questions concerning the construction, validity, interpretation and enforceability of these Rules, or the rights and obligations of Participants and The ASCAP Foundation in connection with the Awards, shall be governed by, and construed in accordance with, the laws of the State of New York without giving effect to any choice of law or conflict of law rules (whether of the State of New York or any other jurisdiction), which would cause the application of the laws of any jurisdiction other than the State of New York.