

# ANTIGUA OPEN LIONFISH TOURNAMENT WAIVER OF LIABILITY

Be advised that this is a waiver, which means that you will be giving up all legal rights concerning any course of action against Lionfish University, Elkhorn Marine Conservancy and their agents, volunteers, corporate representatives and all individuals affiliated with either of them by signing this document. If you do not understand your legal position by signing this document, you should consult with an attorney. Your signature at the bottom indicates your agreement with all of the items. If you do not agree with all of the items (paragraphs), do not sign at the bottom. Participation in the Antigua Open Lionfish Tournament (the "Lionfish Derby") is conditioned upon your execution of this waiver. If you do not sign this waiver, you are not a participant in the Lionfish Derby.

## DEFINITIONS:

1. **LIONFISH UNIVERSITY:** Although the tournament is run by Lionfish University and co-sponsored by Lionfish University and Elkhorn Marine Conservancy, in the context of this document, Lionfish University shall mean and include all of the officers, directors, members, employees, volunteers and advisors of Lionfish University and Elkhorn Marine Conservancy, and all owners of property where the Lionfish Derby is held, where the official counting occurs, and all related acts.
2. **Diving:** In the context of this document, diving shall mean free diving, snorkel diving, scuba diving, spear fishing, netting (or otherwise using any methods allowed under the rules) to harvest Lionfish while in or on the water.
3. In the context of this document, the word "I" shall mean me, my heirs, executors, administrators, survivors, assigns, representatives, estate, legal guardian, attorneys in fact, or anyone else who may be empowered to act on my behalf. Or, if I am signing as the legal guardian of a registrant, then it shall mean my ward, me, my ward's heirs, executors, administrators, survivors, assigns, representatives, estate, attorneys in fact, legal guardian, and anyone else who may act on behalf of my ward, principal, or minor.

## WAIVER OF LIABILITY:

I understand the inherent risks associated with diving. When harvesting fish, I understand that the risk of injury or death is even greater. I have read the tournament rules and agree to comply with them completely and waive my rights as to this activity against Lionfish University and Elkhorn Marine Conservancy.

I understand that weather conditions may change rapidly, and that Lionfish University and Elkhorn Marine Conservancy are not responsible for my decision to participate in this event. Lionfish University's decision to NOT cancel the tournament does not act as an endorsement of good weather or marine conditions. I will determine these conditions myself and assume all risks inherent with weather conditions.

I hereby acknowledge that Lionfish have venomous spines that can inflict a serious sting and/or cause serious injury or death. I will wear protective gloves when handling Lionfish, and make

every effort not to touch the spines, even after the fish are dead. I accept full responsibility for my handling of Lionfish and for all risks associated with this inherently dangerous activity.

I hereby acknowledge that Lionfish University and Elkhorn Marine Conservancy are in no way directing my activities, or otherwise acting as an advisor or principal. I assume all risks, not only associated with diving and harvesting Lionfish, but also with regard to boating and traveling.

I hereby acknowledge that not only can injuries and/or death occur from the risks of diving, but that diving is physically exerting. I agree that I am responsible for making decisions about my own physical condition in conducting these activities.

I hereby completely and fully release and discharge Lionfish University, Elkhorn Marine Conservancy, and their officers, directors, members, employees, volunteers, advisors and sponsors, from any obligation, liability, responsibility, claim or cause of action, including but not limited to, any injuries, death, emotional distress, pain and suffering, and all other forms of economic and noneconomic damages associated with, arising out of or related in any way to the Lionfish Derby. I hereby waive my right to sue Lionfish University and Elkhorn Marine Conservancy and any of their officers, directors, members, employees, volunteers, advisors and sponsors, with respect to any and all such claims. I will hold Lionfish University and Elkhorn Marine Conservancy harmless from any claims brought on my behalf and agree to indemnify them in case of any claim made against them. Also, I hereby provide a full release for photo and television images.

I hereby acknowledge that in the event of any dispute pertaining to any activity associated with, arising out of or related in any way to the Lionfish Derby, that the laws of Antigua and Barbuda shall apply and any dispute shall be resolved in the court closest to the incident that has jurisdiction of the matter.

I hereby acknowledge that there may be dangers or other hazards associated with the official counting of Lionfish and award setting, as well as with a tournament that involves spear fishing and harvesting of Lionfish. I will watch my children, if applicable, and understand all hazards and take full responsibility for my children. I agree to read and follow all of the published rules of the tournament.

I hereby acknowledge that Lionfish University and Elkhorn Marine Conservancy are not a reseller of any prizes donated to the tournament. Lionfish University and Elkhorn Marine Conservancy are merely a temporary custodian of said prizes and are not responsible for any grievance or claim I may have with respect to a prize. There are no refunds of fees or purchases. Participants are responsible for any taxable responsibilities that may arise from prize awards.

#### LIONFISH BIOLOGY AND VENEMOLOGY UNDERSTANDING OF RISK OVERVIEW:

Lionfish (*Pterois volitans/miles*) are members of the scorpionfish family native to the Indo-Pacific. They are now also found in the waters throughout the Western Atlantic from Rhode Island through the Bahamas Caribbean and Gulf of Mexico. Lionfish are predators reaching a size of more than 470 mm and reproducing year-round in the southern portion of their Atlantic range. They also possess venomous, spines and potentially represent both ecological and human

health risks. Significant study, public education/outreach and control efforts are now being planned and implemented throughout the region.

#### Need for specimens

In order to predict the spread and impact of this invasive species, data is needed to determine populations and distribution, age and growth, reproduction, predation, larval disbursement, recruitment, mortality, genetics and changes to native fish communities. Lionfish University is working with U.S. state, federal, and university researchers in addition to Caribbean nations to obtain the necessary samples as well as educate the public and key government officials about the lionfish issue. As part of this effort, we are also collaborating with the dive community to gather samples and data from their regularly dived sites.

#### Venemology

Lionfish spines, like those of many other scorpion fish, contain venom. Spines located within the dorsal, ventral, and anal fins contain venomous tissue along the length of the spine. A sheath or skin covers the spine and glandular tissue which, when exposed in the act of puncture, releases venom into the wound. Severities and reactions to stings can vary. However, Lionfish have venomous spines that can inflict a serious sting and/or cause serious injury or death.

#### Contact with Lionfish

While the likelihood of coming in contact with a Lionfish in the water or on the vessel may be small for those wanting to avoid contact, there nevertheless exists the possibility of being stung. No participants wishing to avoid collection, dissection or any other physical contact with Lionfish will be required to handle or in any other way physically engage themselves with any Lionfish. All contact with Lionfish, direct or otherwise, is voluntary in nature and by signing below the participant assumes the risk of being stung, knowing the venomous nature of the subject.

I understand the above risks and waiver of liability and I am willing to take part in the Lionfish Derby anyway.

I also agree that I have received and read the rules for the Lionfish Derby and agree to abide by the rules for participation in this event.

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Signature

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Date

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Printed Name

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Team Name