

## 5 HOUR ENERGY WAKE-UP CALL CONTEST

### OFFICIAL RULES

***NO PURCHASE OR PAYMENT OF ANY KIND IS NECESSARY TO ENTER OR WIN. A PURCHASE OR PAYMENT WILL NOT INCREASE YOUR CHANCE OF WINNING.***

#### 1. HOW TO ENTER

- a. These rules govern the 5 Hour Energy Wake-Up Call promotion (the "Promotion") being conducted by WSCR-AM (the "Station") beginning on Tuesday, January 4<sup>th</sup>, 2011 at 12:00pm Central Time (CST) and ending on Thursday, March 10<sup>th</sup>, 2011 at 5:00pm Central Time (CST).
- b. To participate in the Promotion, you may enter via the following method(s):

**Via Text Message:** To participate in the Promotion, you must listen to WSCR-AM (the "Station") each day beginning on Tuesday, January 4<sup>th</sup>, 2011, and ending on Thursday, March 10<sup>th</sup>, 2011, between the hours of 5:00AM Central Time (CST) and 5:00PM Central Time (CST), on weekdays during promotion dates for the on-air personality to announce the cue to text. Upon hearing the cue to text, Listeners must text the keyword "ENERGY" announced on air to 67011 to enter the Promotion. The Station is not responsible for telephone service outages, delays, equipment malfunctions and any other technological difficulties that may prevent an individual from sending a text message. Message and data rates may apply, and the Station is not responsible for any fees incurred by an entrant for this method of entry.

**OR**

**Online:** To participate in the Promotion, you may log onto <http://vibescm.com/amoe/show/4272> and follow the links and instructions to enter the Promotion and submit your first name and last name, complete address, city, state, zip code, telephone number, date of birth and a valid email address in the online entry form. Only one (1) internet entry per person and one (1) internet entry per email address per Cue is permitted. Internet entries will be deemed made by the authorized account holder of the email address submitted at the time of entry. The authorized account holder is the natural person who is assigned to the email address by an internet access provider, online service provider or other organization that is responsible for assigning an email address or the domain associated with the submitted email address. Multiple participants are not permitted to share the same email address. Entries submitted will not be acknowledged or returned. Use of any device to automate entry is prohibited. Proof of submission of an entry shall not be deemed proof of receipt by Station. Station's computer is the official time keeping device for the Promotion. The Station is not responsible for entries not received due to difficulty accessing the

internet, service outage or delays, computer difficulties and other technological problems.

- c. Limit one (1) method of entry per person per Cue. Prizes will be awarded only upon confirmation of eligibility.

## 2. ELIGIBILITY RESTRICTIONS

- a. The Promotion is open to all persons who are 21 years of age or older and who reside in the Chicago Metropolitan listening area. Employees of the Station, its licensee, the licensee's parent, subsidiary and affiliated entities, Station's advertising and promotional agencies, its participating sponsors, other radio stations in the Chicago metropolitan area, the members of their immediate families (spouse, parent, sibling or child) and those living in the same household of each (whether related or not), are ineligible to enter or win. This Promotion is subject to all applicable federal, state and local laws and regulations and is void where prohibited.
- b. Listeners are eligible to win a prize in a Promotion conducted by the Station only once every thirty (30) days and only once every six (6) months if the prize is valued over \$600. Only one (1) winner per household is permitted in any Station promotion."
- c. The winner must provide valid government-issued photo identification and provide their complete address, date of birth and phone number to claim a prize.
- d. Entrants are required to provide truthful information and the Station will reject and delete any entry that it discovers to be false or fraudulent. The Station will disqualify any entry from individuals who do not meet the eligibility requirements. The Station will also delete any entry knowingly received from persons under the age of 13 in compliance with the Children's Online Privacy Protection Act.

## 3. PRIZES

- a. Ten (10) prizes will be awarded in this Promotion. Each prize consists of the following: one (1) six-pack of 5 Hour Energy. The Approximate Retail Value ("ARV") of the prize is \$25.00. The winner will be solely responsible for all taxes and all other fees and expenses not specified herein associated with the receipt and use of the Prize. The Station accepts no responsibility for repairing any real or supposed damage to any prize. Winner will be selected at random.
- b. All prizes or prize certificates may be picked up at the office of the Station at the address below. The winner will forfeit any prize or prize certificate not claimed within forty-five (45) days of winning. In the event that a prize or prize certificate is mailed to the winner, it will be with the prior written consent of the winner and

therefore, winner assumes the risk of its loss. The Station is not responsible for the safe arrival of a prize or prize certificate.

- c. There is no substitution, transfer or cash equivalent for prizes, except that the Station may, at its sole discretion, substitute prizes or cash of comparable value. The prizes are expressly limited to the item(s) listed above and unless otherwise expressly specified, do not include taxes, gratuities or any other expenses. Other restrictions may apply.

#### 4. WINNER SELECTION AND NOTIFICATION

- a. Decisions of the Station management with respect to the Promotion are final.
- b. Each Friday morning during the Promotion period, one winner will be selected at random and notified via telephone by WSCR-AM personnel. Winner must answer their telephone on WSCR's first attempt to notify winner in order to claim the prize.
- c. Odds of winning a Prize depends upon the number and order of calls received.
- d. Qualifiers do not need to listen to the Station to win.
- e. If a potential winner cannot be contacted, fails to sign and return the required affidavit of eligibility and/or liability/publicity release within the required time period, or if a prize or prize notification is returned as undeliverable, the potential winner forfeits the prize.

#### 5. CONDITIONS

- a. Payments of all federal, state and local taxes are solely the responsibility of the winner. The winner will be required to complete and submit an IRS Form W-9 with the winner's full Social Security Number or the equivalent for receipt of any prize valued at \$600 or more or for any prizes awarded by the Station (or any other CBS Radio station in Station's market) in a calendar year with an aggregate value of \$600 or more. Failure to submit a complete W-9 or equivalent will result in forfeiture of the prize. Such winnings of \$600 or more will be reported to the IRS.
- b. By participating in the Promotion, the winner agrees to have the winner's name, voice and likeness used in any advertising or broadcasting material relating to the Promotion without additional financial or other compensation, and, where legal, to sign a publicity release confirming such consent prior to acceptance of the prize.
- c. Prior to awarding any prize or prize certificate, the Station, in its sole discretion, may require Promotion winner (and any travel companion(s) or guest(s)) to sign

a liability release, agreeing to release and hold harmless the Station, its licensee, the licensee's parent, subsidiary and affiliated entities, their respective officers, shareholders, directors, employees, agents and representatives and all of their successors and assigns from and against any and all claims or liability arising directly or indirectly from the prize and participation in the Promotion.

- d. If for any reason this Promotion cannot be executed as planned, including, but not limited to, as a result of infection by computer virus, tampering, unauthorized intervention, fraud, technical failures, or any other causes beyond the control of the Station that corrupt or affect the security, administration, fairness, integrity or proper conduct of the Promotion, or if the Promotion is compromised or becomes technically corrupted in any way, electronically or otherwise, the Station reserves the right to cancel, terminate or modify the Promotion. If the Promotion is terminated before the original end date, the Station reserves the right to select the winners by random drawing from among all eligible non-suspect entries received as of the termination time/date or otherwise modify the procedure for selecting winners.
- e. The Station, in its sole discretion, reserves the right to disqualify any person tampering with the entry process or the operation of the Station's website. Failure to comply with the rules of the Promotion may result in a contestant's disqualification and/or forfeiture of any prize or prizes. If the Station makes a good faith determination that an entrant has cheated or committed fraudulent activity in connection with a Promotion, the Station reserves the right to disqualify that entrant from entering and/or winning future Promotions and to prosecute and seek damages to the fullest extent permitted by law.
- f. The Station reserves the right to make changes in the rules of the Promotion, including, without limitation, the substitution of a prize of equivalent value, which will become effective upon announcement. If due to circumstances beyond the control of the Station, any competition or prize-related event or travel is delayed, rescheduled, postponed or cancelled, the Station reserves the right, but not the obligation, to cancel or modify the Promotion and shall not be required to award a substitute prize.
- g. The Station is not responsible for typographical or other errors in the printing, the offering or the administration of the Promotion or in the announcement of a prize.
- h. For a copy of these Official Rules, send a self-addressed stamped envelope for receipt by March 10<sup>th</sup>, 2011 to "5-Hour Energy Wake-Up Call Contest– Official Rules," Attn: Promotions, WSCR-AM, 180 N. Stetson, Suite 1250, Chicago, IL 60601. For the names of the prize winners send a self-addressed stamped envelope for receipt by May 10<sup>th</sup>, 2011 to the above address marked 5-Hour Energy Wake-Up Call Contest – Winner List." The Official Rules and the Winner List (when completed) shall also be available during regular business hours at the main offices of the Station and may be posted online at [670thescore.com](http://670thescore.com).

6. PRIVACY

- a. By use of the Station's website or by entering the Promotion through the Station's website, you agree to the website's Terms of Use Agreement located at [670thescore.com](http://670thescore.com) and to the use of your personal information as described in the Privacy Policy located at [670thescore.com](http://670thescore.com)

Sponsor: 5 Hour Energy  
Living Essentials, LLC  
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