

## SUSPENDEE WAIVER OF LIABILITY

This Waiver of Liability ("Waiver") is between Bastard Child Suspension, Inc. ("Bastard Child"), a corporation specializing in suspensions and performance art located at 3114 S. Glenbrook Drive, Garland, Tx 75041, and \_\_\_\_\_ ("Suspendee"), located at \_\_\_\_\_.

1. **Suspension.** Suspendee has engaged Bastard Child to privately suspend the Suspendee in mid-air from hooks that have been temporarily inserted into the skin by piercing and subsequently removing these hooks ("Suspension"). Specifications for this Suspension are detailed in Attachment A.
2. **Assumption of Risks.** Suspendee acknowledges and accepts all risks and injury (including death) to Suspendee and Suspendee's property which are inherent, implicit, and unknown related to or exacerbated by Suspension. These risk include short and long term effects at or near the wound site such as pain, bleeding, tearing or elongation, hematomas or edema, subcutaneous emphysema, infection, metal sensitivity, itching, numbness, scarring, nausea or vomiting, syncope, shock, or falling injuries. Bastard Child shall take reasonable steps to minimize risks, and assure the Suspension is at all times safe and hygienic. Upon request, Suspendee will be given a reasonable opportunity to inspect Bastard Child's facilities and equipment for risks.
3. **Suspendee's Duty to Disclose.** The Suspendee has a duty to disclose any of the following situations which arise prior to, or during the Suspension:
  - (a) Pregnancy or breastfeeding;
  - (b) Feelings of nausea;
  - (c) Feelings of lightheadedness; or
  - (d) Alcohol or drugs which are currently in the Suspendee's system.
4. **Cancellation.** (a) The Suspendee may end the Suspension for any reason at any point prior to or during the Suspension. In this case, Bastard Child will promptly stop the Suspension and take necessary steps to return the Suspendee to the ground, and remove the temporary hooks. (b) Bastard Child may end the Suspension at any point prior to or during the Suspension where Bastard Child can show cause for unsafe or unhygienic risks, or an uncooperative, unsafe, or unhealthy Suspendee. (c) Refunds for incomplete Suspensions are at the sole discretion of Bastard Child.
5. **Indemnity.** Suspendee, its heirs and assigns, holds harmless and indemnifies Bastard Child for all injuries, damages, or liabilities to Suspendee or Suspendee's property as a result of the Suspension.
6. **Dispute Resolution.** Any claim or controversy between the parties which arises out of this Waiver or any breach of this Waiver will be subject to binding arbitration. The dispute must be submitted to binding arbitration in Dallas, Texas in accordance with the applicable rules of the American Arbitration Association then in effect. The party against whom a judgement or award is entered shall be liable for the reasonable attorneys' fees and costs of the other party.
7. **Governing Law.** The laws of the State of Texas, without regard to the conflicts of laws principles of Texas or any other jurisdiction, govern all matters arising under this Waiver.

The Suspendee is signing this Waiver on the date stated below.

SUSPENDEE

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**ATTACHMENT A**

**Date of Suspension** \_\_\_\_\_

**Location of Suspension** \_\_\_\_\_

**Bastard Child's Fee** \_\_\_\_\_

**Other Suspendee(s)** \_\_\_\_\_

**Description of Suspension** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Suspendee's Medical History**

History of fainting                    yes    no   |    History of bleeding disorders    yes    no

Heart condition or epilepsy        yes    no   |    Hypoglycemia or diabetes        yes    no

Currently pregnant                    yes    no

I am under the care of a physician for \_\_\_\_\_

I am taking the following medications or drugs \_\_\_\_\_

I have a history of allergies to \_\_\_\_\_

How much alcohol in the last 24 hours? \_\_\_\_\_

**Suspendee's Health or Other Issues** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Special Requirements or Other Info** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_