



OFFICIAL RULES

Tustin Community Foundation Opportunity Drawing

These Official Rules govern the conduct of the Drawing.
By purchasing a ticket, you agree to be bound by these Official Rules.

Tustin Community Foundation (TCF), a tax exempt organization under Section 501(c)(3) of the Internal Revenue Code (Charitable Trusts Permit information available upon request) is conducting the Tustin Community Foundation's 2010 Car Opportunity Drawing pursuant to California Penal Code Section 320.5, et seq, to raise funds for the Tustin Community Foundation. The Rules and Regulations of the Drawing are set forth below. By purchasing a Drawing ticket, the purchaser agrees to be bound by all of the Rules and Regulations as provided herein. The interpretation and application of the Rules and Regulations shall be at the sole and absolute discretion of TCF and shall be binding upon all Drawing participants. ~~The Drawing will be held at 7:00 pm on Thursday, February 4, 2010 at the Tustin Mayor's Inaugural Dinner, hosted by the Tustin Community Foundation, held at the Tustin Ranch Golf Club, 12442 Tustin Ranch Road, Tustin, CA 92782.~~ Winner does not need to be present to win. If fewer than 800 tickets have been sold by 7:00 p.m. on February 4, 2010, then ticket sales may continue, at TCF's discretion, for an additional period of time, not to exceed 90 days (the "Extended Deadline"). **EXTENDED DEADLINE ENACTED FEBRUARY 1, 2010 BECAUSE FEWER THAN 800 TICKETS SOLD. The Drawing will be held at 12:00 pm on Tuesday, May 4, 2010, at the Community Volunteer Recognition Luncheon, hosted by the Tustin Community Foundation, held at Wilcox Manor, 310 South Pasadena, Tustin, CA 92780.**

The IRS has taken the position that amounts paid for chances in drawings, lotteries or similar drawings for valuable prizes are not gifts, and consequently do not qualify as deductible charitable contributions. If an automobile is chosen as the prize, the Grand Prize winner assumes all fees, local, state and federal taxes (including but not limited to income taxes based on the value of the automobile), financing costs (including, but not limited to registration costs, title, insurance, taxes and fees), and any upgrades, additions or features beyond or different from the automobile model specifications in the Drawing disclosures which must be paid when the automobile is transferred to the winner. Likewise, there are federal taxes and there may be state and/or local tax consequences if the winner selects the alternate cash prize. TCF takes no responsibility for any tax liabilities. Consult your tax advisor. This offer is void where prohibited by law, and all federal, state and local laws and regulations apply. Accordingly, if any applicable law (e.g., state or local law) prohibits you from purchasing a Drawing ticket or from receiving any Drawing prize, you agree to forfeit the Drawing prize and waive any rights whatsoever to the Drawing prize. Entrant assumes full responsibility for compliance with all laws. If TCF is aware or made aware of any such prohibition, TCF will be under no obligation to furnish the Drawing prize.

BY ENTERING THIS DRAWING, ENTRANTS ACCEPT AND AGREE (1) TO BE BOUND BY ALL THE RULES, LIMITATIONS AND RESTRICTIONS SET FORTH HEREIN AND (2) THAT THEIR NAMES AND/OR LIKENESSES MAY BE DISCLOSED TO AND USED BY THE NEWS

MEDIA AND MAY OTHERWISE BE USED BY TCF FOR PUBLICITY PURPOSES AND IN LISTS OF PRIZE WINNERS TO BE PUBLISHED IN AREA NEWSPAPERS AND ANNOUNCED ON THE TCF WEBSITE. OTHER RULES AND REGULATIONS MAY APPLY. PLEASE CONTACT TCF IF YOU HAVE QUESTIONS. TCF'S INTERPRETATION AND APPLICATION OF THE RULES AND REGULATIONS SHALL BE FINAL. BY ENTERING THIS DRAWING, EACH PARTICIPANT RELEASES TCF, ITS DIRECTORS, OFFICERS, EMPLOYEES AND AGENTS FROM ANY AND ALL LIABILITY FOR INJURIES, LOSSES OR DAMAGES OF ANY KIND CAUSED BY PARTICIPATING IN THE DRAWING OR WINNING ANY PRIZE OR RESULTING FROM ACCEPTANCE, POSSESSION, USE OR MISUSE OF ANY PRIZE, EACH WINNER AGREES TO INDEMNIFY AND HOLD TCF HARMLESS FROM ANY AND ALL LOSSES, DAMAGES, RIGHTS, CLAIMS AND ACTIONS OF ANY KIND ARISING IN CONNECTION WITH OR AS A RESULT OF PARTICIPATING IN THE DRAWING OR THE WINNER'S ACCEPTANCE OR USE OF ANY PRIZE. EACH PARTICIPANT HEREBY WAIVES THE PROVISIONS OF CIVIL CODE SECTION 1542 WHICH STATES THE FOLLOWING: "A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS OR HER FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM OR HER MUST HAVE MATERIALLY AFFECTED HIS OR HER SETTLEMENT WITH THE DEBTOR

ELIGIBILITY:

You must be 18 years of age or older to purchase Drawing tickets or win a prize. Tickets may only be purchased by California residents. Void where prohibited by law. The following individuals, and persons living in the same household of the following individuals, are NOT eligible to participate:

1. Members of the Tustin Community Foundation Board of Directors, and
2. Employees of the Tustin Community Foundation.

An employee of an eligible organization who is a direct seller of raffle tickets shall not be treated as a TCF employee for purposes of workers' compensation under Section 3351 of the Labor Code if the following conditions are satisfied: (1) Substantially all of the remuneration (whether or not paid in cash) for the performance of the service of selling raffle tickets is directly related to sales rather than to the number of hours worked. (2) The services performed by the person are performed pursuant to a written contract between the seller and the eligible organization and the contract provides that the person will not be treated as an employee with respect to the selling of raffle tickets for workers' compensation purposes.

TICKETS:

Tickets will be sold for fifty dollars (\$50) each and are non-transferable. Tickets must be purchased and payment received before 7:00 p.m. on ~~Thursday, February 4, 2010~~ Tuesday, May, 4, 2010. ~~If fewer than 800 tickets have been sold by 7:00 p.m. on February 4, 2010, then ticket sales may continue, at TCF's discretion, for an additional period of time, not to exceed 90 days (the "Extended Deadline").~~ Any extension of the ticket sale period will cause all other dates listed in these Rules and Regulations to be extended by a like period of time. All sales transactions are final. Only one eligible person may be entered in the Drawing per ticket sold. If the name of more than one person is submitted with a ticket purchase and that ticket is selected as a winning ticket, then the person named first will be deemed the holder of record of that ticket and declared the winner. Division of prize by a group purchasing a ticket in common shall be to the sole responsibility of the person named as the holder of record of that ticket, should that ticket be selected as a winner. TCF reserves the right to reject any entry form that is submitted with payment that does not constitute "good funds" or is in the form of cash. All defective or physically altered entry forms will be immediately disqualified by TCF. Prior to the Drawing, TCF will make a reasonable effort to notify the individual and/or entity that submits any rejected or disqualified entry form that the entry has been rejected or disqualified by attempting to

contact the submitter using the submitter's provided information that was supplied at the time of submitting the purchase request. All orders for tickets for the Drawing must be received and/or purchased by the indicated deadline. TCF assumes no responsibility for lost, late, misdirected or non-delivered mail, or any other failure to receive orders or deliver receipts prior to the Drawing deadlines. A DRAWING PARTICIPANT'S SOLE AND EXCLUSIVE REMEDY FOR TCF'S BREACH SHALL BE LIMITED TO THE RETURN OF THE PURCHASE PRICE PAID FOR HIS OR HER DRAWING TICKET(S). IN NO EVENT SHALL TCF, ITS DIRECTORS, OFFICERS, EMPLOYEES, AGENTS OR REPRESENTATIVES BE LIABLE TO ANY PARTY FOR ANY LOSS OR INJURIES TO EARNINGS, PROFITS OR GOODWILL, OR FOR ANY INCIDENTAL, SPECIAL, PUNITIVE OR CONSEQUENTIAL DAMAGES OF ANY PERSON OR ENTITY WHETHER ARISING IN CONTRACT, TORT OR OTHERWISE, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.

HOW TO PURCHASE TICKETS:

An individual can purchase as many tickets as they wish. Tickets may be purchased directly from a volunteer for the Tustin Community Foundation or through an authorized TCF Opportunity Drawing representative as listed at www.tustincommunityfoundation.org. Tickets may also be purchased in person by delivery of a completed Ticket Request Form and acceptable payment to the designated TCF Opportunity Drawing box located at: TUSTIN COMMUNITY BANK, 13891 NEWPORT AVENUE, TUSTIN, CA 92780.

The Official Ticket Request Form can be obtained at www.tustincommunityfoundation.org or by calling the TCF office 714-393-8506 to request a form be mailed or faxed to you. Legibly complete all information requested on the Entry Form, including the number of tickets you would like to purchase, and enclose payment for fifty dollars (\$50) per ticket. Mail the completed form and check or credit card information to: TCF Car Opportunity Drawing, PO Box 362, Tustin, CA 92780. (Do not mail cash) or can fax the completed form with credit card information to TCF @ 714-763-4324. Ticket stub(s) will be mailed to you and the completed ticket(s) will be placed in a locked, secured collection box.

TCF reserves the right to reject any entry form that is submitted with payment that does not constitute "good funds." No other refunds are available except in the exclusive discretion of TCF. TCF assumes no responsibility for lost, late, misdirected or non-delivered mail, or any other failure to receive payments or orders or deliver receipts prior to the Drawing deadlines. Once issued, tickets can not be changed, sold or transferred by the purchasing party or anyone else. TCF assumes no responsibility for lost, late, misdirected on non-delivered mail or other failure to deliver Ticket Request Forms or payment prior to the deadline.

Purchases of tickets are NOT tax-deductible contributions. The IRS states that amounts paid for chances in raffles, lotteries or similar drawings for valuable prizes are not deemed as donations or gifts and consequently do not qualify as deductible charitable donations.

PAYMENT:

Payments for tickets may be made by check, credit card or cash. All checks shall be made payable to the Tustin Community Foundation. Checks returned by the bank and charge backs made by credit card companies shall automatically disqualify the entrant.

SELECTION OF WINNERS:

The Drawing will be held on ~~February 4, 2010, at the Tustin Mayor's Inaugural Dinner, hosted by the Tustin Community Foundation, unless extended as described above~~ Tuesday, May 4, 2010, at the

Community Volunteer Recognition Luncheon. Prize winners will be drawn from all eligible Drawing tickets with the ticket for the Grand Prize, the 2010 Mini Cooper, being drawn after the other prizes have been awarded. Winners need not be present to win. A subsequent Drawing will be held to select the substitute or back-up winners in the event that any first-drawn winner (“initial winner”) is unable to accept a prize due to any applicable law (e.g., state or local law). This subsequent Drawing will be conducted in the following manner:

Two (2) back-up tickets will be drawn after the winning ticket has been drawn and announced publicly;

The two (2) unseen back-up tickets will be placed immediately into two corresponding “back-up winner envelopes”;

The back-up winner envelopes will be sealed and stored until the eligibilities of the initial prize winners have been determined;

If the initial winner is ruled ineligible; the first back-up winner envelope is unsealed and declared winner;

TCF will make a commercially reasonable attempt to notify the winner using the contact information supplied on the entry form.

The drawings will be conducted in full view of attendees at the ~~Mayor’s Inaugural Dinner~~ Community Volunteer Recognition Luncheon. If not physically present, winners will be notified according to the contact information provided to TCF at the time of ticket purchase. If the Grand Prize winner cannot be located by 5:00 p.m., ~~February 10, 2010~~, May 10, 2010, after attempting to make contact through the information provided at the time of purchasing the ticket, such winner may be deemed to have elected the cash alternate prize and another winner will not be selected. After ~~February 10, 2010~~, May 10, 2010, any winner who cannot be contacted by TCF is responsible for claiming their prize. In addition to the winner’s names posted on the TCF web site, the winner’s names may be obtained from TCF within two weeks of the date of the Drawing by sending a self-addressed, stamped envelope postmarked within one week of the date of the Drawing to: Tustin Community Foundation Car Opportunity Drawing, PO Box 362, Tustin, CA 92780. In order to collect the prize, a ticket winner must sign and deliver to TCF: (a) a sworn affidavit of eligibility in accordance with the Rules and Regulations and applicable law, including without limitation that he or she is a legal resident of the United States, at least 18 years old and that the winner’s receipt of the prize, to the best of his or her knowledge is not prohibited by any applicable law (e.g., state or local law); (b) such written information as is required by any applicable taxing authorities or under any other related statutory provisions, including without limitation his or her Social Security Number; (c) proof of identity in forms satisfactory to TCF showing that the person claiming the prize is the same person who is named on the winning Drawing ticket.; and (d) the winning ticket stub. Winners of prizes with a value of \$1,000 or more may be required to submit a W-2G, Form 5754 or similar tax form (provided by TCF) for tax withholding purposes.

WINNING ODDS:

The odds of winning a prize will depend on the number of tickets sold. If 1,000 tickets are sold the odds of winning a prize is 1 in 1000.

GRAND PRIZE:

The Grand Prize is one (1) 2010 MINI Cooper automobile as contracted for with Irvine MINI of the Irvine Auto Mall referred to in all Drawing disclosures and specified by model or \$10,000 (USD) cash, as described below. Included options above this standard color car are automatic transmission and multifunction steering wheel, destination charges and dealer preparation. All taxes and fees are the responsibility of the winner. The winner can opt to apply the invoice cost of said car to a different MINI Cooper or any automobile from Irvine MINI. Alternatively, the Grand Prize winner may elect to

receive a cash prize of \$10,000 USD (except as stated below). The Grand Prize winner must make an election in writing between the automobile and the cash alternate prize no later than 5:00 p.m. ~~February~~ May 15, 2010.

GENERAL TERMS AND CONDITIONS:

If selected, an automobile will be transferred to the Grand Prize winner from Irvine MINI/MINI as a new car with then-current warranty conditions and exclusions, as applicable per Irvine MINI/MINI new vehicles of said description. TCF DOES NOT PROVIDE ANY GUARANTEE OR WARRANTY, EXPRESSED OR IMPLIED, IN CONNECTION WITH THE SELECTED AUTOMOBILE AND ACCEPTS NO LIABILITY OR RESPONSIBILITY REGARDING THE CONSTRUCTION OR CONDITION OF THE AUTOMOBILE. TCF DOES NOT WARRANT THAT THE AUTOMOBILE IS OF MERCANTILE QUALITY OR THAT IT CAN BE USED FOR ANY PARTICULAR PURPOSE. NO EXPRESS WARRANTIES ARE GIVEN AND NO AFFIRMATION OF TCF BY WORDS AND/OR ACTIONS WILL CONSTITUTE A WARRANTY. At the time of closing, all federal and state income taxes based on the value of an automobile will be due from the Grand Prize winner. If the Grand Prize winner selects the cash alternate award instead of an automobile, all appropriate and required federal and state taxes will be withheld by TCF in accordance with federal and state law and TCF will remit the balance of the cash prize to the winner. TCF makes no guarantee that the Grand Prize winner will be able to sell a selected automobile for any value, nor is there any guarantee that the Internal Revenue Service (IRS) will accept any stated value of any automobile for the purpose of determining any income tax that may be due from the winner. TCF takes no responsibility for any tax liabilities. Consult your tax advisor. ANY CONTROVERSY OR CLAIM ARISING OUT OF OR RELATING TO THE CONTRACT, OR THE BREACH THEREOF, SHALL BE SETTLED BY BINDING ARBITRATION ADMINISTERED BY THE AMERICAN ARBITRATION ASSOCIATION (PURSUANT TO ITS EXPEDITED PROCEDURES) UNDER ITS COMMERCIAL ARBITRATION RULES, AND JUDGMENT ON THE AWARD RENDERED BY THE ARBITRATOR MAY BE ENTERED IN ANY COURT HAVING JURISDICTION THEREOF.

For more information about the MINI Cooper or any BMW cars, contact:
irvineMINI.com or 888-238-7254

FREQUENTLY ASKED QUESTIONS:

WHAT IS THE TUSTIN COMMUNITY FOUNDATION CAR OPPORTUNITY DRAWING?

The Tustin Community Foundation Car Opportunity Drawing is a fundraiser for the Tustin Community Foundation.

WHAT IS THE TUSTIN COMMUNITY FOUNDATION?

The Tustin Community Foundation (TCF) is a community-specific 501(c)(3) organization that supports nonprofits and/or non-governmental organizations, along with accredited public and private schools, by encouraging and increasing philanthropy for the benefit of all who live and give in the greater Tustin area. Providing grants to nonprofit organizations is the primary way the Tustin Community Foundation makes an impact in our community. Since January 2008, TCF has awarded over \$80,000 in grants and awards to more than 50 Tustin area community organizations.

HOW DO I PURCHASE OPPORTUNITY DRAWING TICKETS?

Opportunity Drawing tickets ("Tickets") cost fifty dollars (\$50) each. An individual can purchase as many tickets as they wish. All entries must include payment by cash, check or money order. To purchase tickets and enter Drawing:

In person: Purchase Tickets directly from a volunteer for the Tustin Community Foundation or through an authorized TCF Opportunity Drawing representative as listed at www.tustincommunityfoundation.org. Tickets may also be purchased in person by delivery of a completed Ticket Request Form and acceptable payment to the designated TCF Opportunity Drawing box located at: TUSTIN COMMUNITY BANK, 13891 NEWPORT AVENUE, TUSTIN, CA 92780.

By mail: Download the Official Ticket Request Form at www.tustincommunityfoundation.org or call the TCF office 714-393-8506 to request a form be mailed or faxed to you. Legibly complete all information requested on the Entry Form, including the number of tickets you would like to purchase, and enclose payment for fifty dollars (\$50) per ticket. Mail the completed form and check or credit card information to: TCF Car Opportunity Drawing, PO Box 362, Tustin, CA 92780. (Do not mail cash). Ticket stub(s) will be mailed to you and the completed ticket(s) will be placed in a locked, secured collection box.

By fax: You can also fax the completed form with credit card information to TCF @ 714-763-4324. Ticket stub(s) will be mailed to you and the completed ticket(s) will be placed in a locked, secured collection box. Any entry form submitted by email will be rejected. Tickets cannot be purchased on the TCF website www.tustincommunityfoundation.org or by email.

WHAT IS THE PRIZE?

The Grand Prize is a new 2010 MINI Cooper from Irvine MINI (Irvine Auto Mall), or \$10,000 cash. The winner can take delivery of the car offered, a different MINI or any model BMW. Upgrades, taxes and fees are the responsibility of the winner.

DO YOU ACCEPT APPLICATIONS BY E-MAIL OR SELL TICKETS ON THE INTERNET?

No. California law and Penal Code prohibit Internet sales of charitable raffle tickets.

IS THIS CAR OPPORTUNITY DRAWING LEGAL?

Yes. In 2001, the California Legislature amended the state constitution, allowing eligible non-profit organizations to conduct raffles as a means of raising funds. The Tustin Community Foundation, a California registered non-profit corporation, is registered with the California Attorney General's Office to conduct this Opportunity Drawing.

WILL THE DRAWING BE SUPERVISED?

Yes, by the TCF Executive Director, TCF Board and Advisory Council members and all attendees at the Tustin Mayor's Inaugural Dinner. The Grand Prize Drawing will take place at 7:00 p.m. at the Dinner if at least 800 tickets have been sold by the time of the Drawing. If the Drawing is extended until 800 tickets have been sold, all ticket holders will be informed of the new date for the public Grand Prize Drawing.

HOW MUCH DOES AN OPPORTUNITY DRAWING TICKET COST?

Each ticket costs fifty dollars (\$50).

HOW MANY OPPORTUNITY DRAWING TICKETS CAN I BUY?

You may buy as many tickets as you like.

HOW MANY OPPORTUNITY DRAWING TICKETS WILL BE SOLD?

A minimum of 800 tickets will be sold. Purchasing more than one ticket increases the chances of winning.

WHO BENEFITS FROM THIS OPPORTUNITY DRAWING?

The prizewinner benefits as well as non-profit organizations in the greater Tustin area who receive grants and awards from the Tustin Community Foundation. All funds are applied to this event and audits of the corporation's books are accomplished per California legal requirement

WHEN DOES THE OPPORTUNITY DRAWING START AND WHEN DOES IT END?

The Opportunity Drawing ticket sales will begin on October 1, 2009 and end on ~~February 10, 2010, May 10, 2010.~~ ~~If a minimum of 800 tickets are not sold by February 4, 2010, ticket sales will continue until 800 tickets are sold and ticket purchasers will be notified of the new Drawing date. Ticket requests via mail must be received prior to February 4, 2010 per the Official Rules on the website.~~

WHEN WILL THE PRIZE DRAWING BE HELD?

~~If a minimum of 800 tickets have been sold,~~ the Grand Prize Drawing will be held at the ~~Tustin Mayor's Inaugural Dinner, hosted by the Tustin Community Foundation, on Thursday, February 4, 2010 at 7:00pm.~~ ~~If less than 800 tickets have been sold by February 4, 2010, ticket purchasers will be notified of the new Grand Prize Drawing~~ Community Volunteer Recognition Luncheon on Tuesday, May 4, 2010 at 12:00pm.

DO I HAVE TO BE PRESENT TO WIN?

No.

HOW WILL THE WINNER BE NOTIFIED?

The winner will be notified by telephone, based on the contact information provided on the Entry Form or Ticket. Please ensure that your name, e-mail address and phone number are legible on Ticket.

WHO MAY BUY AN OPPORTUNITY DRAWING TICKET?

Any legal resident of the United States, 18 years of age or older may obtain a ticket, including students and employees of Irvine MINI. TCF Board members and employees and their immediate family are not eligible. All federal, state, local laws and regulations apply. This Drawing is void where prohibited or restricted by law. Proof of eligibility may be required from the prizewinner by TCF.

ARE TCF OPPORTUNITY DRAWING TICKETS TAX-DEDUCTIBLE?

The TCF does not give tax advice - please check with your tax advisor. The IRS states that Raffles, lotteries or similar Drawings for valuable prizes are not gifts, and consequently do not qualify as deductible charitable contributions. Also, raffles are similar to games of chance and are not deductible, as described in IRS Publ. 526.

IS THE OPPORTUNITY DRAWING GRAND PRIZE CONSIDERED INCOME?

Yes. The value of the vehicle is considered taxable income. Winner is responsible for any and all federal, state and local income or excise taxes, license, title and registration fees and like charges associated with the Grand Prize. Winner will be responsible for any or all delivery fees and/or for retrieval of the Grand Prize. In addition, the prizewinner will be required to submit IRS Forms W-2G and W-9 in order to be awarded the prize.

ARE THERE LEGAL RULES AND REGULATIONS?

Yes. They may be viewed under the Official Rules at www.tustincommunityfoundation.org.

HOW CAN I MAKE A TAX-DEDUCTIBLE CONTRIBUTION TO THE TUSTIN COMMUNITY FOUNDATION?
Please visit www.tustincommunityfoundation.org or contact TCF Executive Director Erin Nielsen at 714-393-8506 or erin@tustincommunityfoundation.org

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