

## Official Rules

Mirabito Holdings, Inc. (alternately referred to herein as "Mirabito" or "the Sponsor") will give three (3) gifts as set forth below in each of its four (4) marketing areas. Each entry will require the entrant to identify with the appropriate region. The value of the prize will not exceed \$4,999.00, face value. Winners will be selected at random from all eligible entries. This sweepstakes is void where prohibited by law.

Winners will be notified by e-mail five (5) days after selection of the winner at the e-mail address provided in the entry. In addition, the winners will be posted on Mirabito's Facebook page. If for any reason a prize cannot be awarded, the prize will either be forfeited and no winner will be declared for that particular prize or an alternate winner will be declared, at the sole option of Mirabito. To receive a list of winner(s), please send a self-addressed stamped envelope to: Marketing Department, Mirabito Holdings Inc., PO Box 5306, Binghamton, New York 13902 after May 31, 2021.

1. General. By submitting an entry to this sweepstakes, the entrant acknowledges and agrees to all of these Official Rules. NO PURCHASE NECESSARY. All entries must be received via on-line between December 1, 2020 and December 21, 2020. By entering the drawing, entrants agree to be bound by these Official Rules and by all decisions of the Sponsor, whose decisions are binding and final. Sponsor reserves the right to withdraw the transmission of this sweepstakes and award the prizes from among entries received prior to the date of the withdrawal.

2. Eligibility. The contest is open only to legal residents of the State of New York over the age of eighteen (18) and is void wherever prohibited or restricted by applicable federal or state laws and regulations. Limit one (1) entry per address. Employees of Mirabito and its advertising agency and family members or residents of such employees' households are also prohibited from entering or winning. Contest is open to customers and non-customers of Mirabito.

3. How to Enter. Submit your completed entry form on <https://www.mirabito.com/winterfest/> with all required information and questions answered. Any required information not provided or question not answered will cause the entry to be eliminated and not considered. The information required will refer to the period of January 1, 2021 through April 30, 2021. Entries that are incomplete, illegible or corrupted are void and will not be accepted. All entries become the property of the Sponsor and will not be acknowledged or returned. All online entries must be received before midnight on December 21, 2020. Neither the Sponsor nor its subsidiaries, affiliates, officers, directors, agents and employees are responsible for telecommunications, network, electronic, technical or computer failures of any kind, for inaccurate transcription of entry information, errors in any promotional or marketing materials, errors in these rules, for any human or electronic error, or for entries that are stolen, misdirected, garbled, delayed by computer transmissions, lost, late or damaged.

4. Selection of Winners. The grand prize winner will be determined by the eligible entry that has the most correct answers in each region. The eligible entry with the second most correct will receive the second place prize in each region and the eligible entry with the third most correct answers will receive

the third place prize in each region. In case of a tie, the tie breaker question will be used; if there is still a tie, a winner will be selected at random. The odds of winning depend on the number of eligible entries received in each region. In the event of non-compliance with any of these requirements, the prize will be forfeited and no winner declared or an alternate winner will be selected at random from the remaining eligible entries.

5. Prize. The grand prizewinner in each region will receive a fire pit. The second place winner in each region will receive a \$250.00 Mirabito gift card and the third place winner in each region will receive a \$100.00 Mirabito gift card. Transfer of the prize is prohibited. All taxes and all other expenses, costs or fees associated with the acceptance and/or use of the prize are the sole responsibility of the winner. Mirabito reserves the right to substitute any prize with another prize of equal or greater value. If appropriate, Mirabito will furnish any notifications to taxing authorities required by the Internal Revenue Service.

6. Disclaimer. Winner assumes all liability for any injury or damages caused or claimed to be caused by his or her participation in the sweepstakes and/or the acceptance and/or use of any prize and releases the Sponsor and its subsidiaries, affiliates, officers, directors, agents, and employees, from any such liability. The Sponsor and its subsidiaries, affiliates, officers, directors, agents and employees are not responsible for technical, hardware, software, or telephone malfunctions of any kind, lost or unavailable network connections, or failed incorrect, incomplete, inaccurate, garbled or delayed electronic communications caused by the user or by any of the equipment or programming associated with or utilized in this sweepstakes or by any human error which may occur in the processing of the entries in this sweepstakes. Entry constitutes permission (except where prohibited by law) to use winner's name, city, state, image, likeness and/or voice for purposes of advertising, promotion and publicity without additional compensation. In addition, by submitting an entry you are expressly agreeing that, if you are a winner, Mirabito can post your name on its Facebook page. At the request of Mirabito, the winner agrees to participate in interviews or other press publicity. Mirabito also reserves the right to use any and all information related to the sweepstakes, including information on contestants obtained through the contest, for marketing purposes or any other purpose, unless prohibited by law.

7. Internet. If the sweepstakes is not capable of running as planned for any reason, including infection by computer virus, bugs, tampering, and unauthorized intervention, fraud, technical failures, or any other causes beyond the control of the Sponsor or if any circumstances corrupt or affect the administration, security, fairness, integrity of the game or sweepstakes, the Sponsor reserves its right in its discretion to disqualify any individual it believes has tampered with the entry process, and/or cancel, terminate, modify or suspend the sweepstakes.

8. Limitation of Liability. By submitting an entry, you agree to release Mirabito, its affiliates, officers, directors, shareholders, employees, agents and marketing partners from any liability, including injury or death, losses, litigation, claim or damage that may occur, directly or indirectly, whether caused by negligence or some other theory of liability, from (a) participation in the sweepstakes; (b) acceptance, use, misuse or possession of the prize or any products purchased with the proceeds of the prize; (c) the

inability to transmit the entry due to internet, telephone, or other transmission service; and (d) the administration of the sweepstakes.

9. Disputes. This sweepstakes is governed by the laws of the State of New York without regard to its conflict of laws provisions. You agree, by submitting an entry, that any dispute unable to be amicably resolved by you and Mirabito will be subject to resolution by the courts of Broome County, New York. Any such award shall not include punitive damages, consequential damages, or incidental damages, all of which shall be waived, along with the waiver of attorneys' fees and costs.

Sweepstakes entrants agree to abide by the terms of these Official Rules and by the decisions of the Sponsor, which are final on all matters pertaining to the sweepstakes.

Copying or unauthorized use of any copyrighted materials, trademarks or any other intellectual property without the express written consent of its owner is strictly prohibited.

Mirabito reserves the right to change the rules at any time by posting such changes to its website.

The sweepstakes is sponsored solely by Mirabito and is not sponsored, endorsed, administered by or associated with Facebook, Instagram, Twitter or any other online social media platform.