

## Rules and Regulations

### Foresters Smash 2023 Sales Incentive!

#### Official Rules

No purchase necessary to enter or win. Purchase will not increase your chance of winning. The Foresters Financial Smash 2023 sales incentive (the "Promotion") is conducted by The Independent Order of Foresters ("Foresters"), which is an international financial services provider that champions the well-being of families. It has its international head office at 789 Don Mills Road, Toronto, Ontario Canada M3C 1T9.

This Promotion is open to eligible producers who sell Foresters products and meet the other eligibility criteria stated below.

In these Rules, "we", "us", "our" and "Foresters" means Foresters™ and Foresters Financial™; "you" and "entrant" means each person who wishes to enter. By entering this Promotion you agree that you have read and understood these Rules and that you agree to comply with and be bound by the Rules. Foresters reserves the right to modify these Rules.

#### Promotion Period

The full Promotion runs from 12:00 a.m. Eastern Time (ET) on August 21, 2023, to 11:59:59 pm (ET) on September 30, 2023. This is the duration of the Promotion. All applications must have a signed date between August 21, 2023, and September 30, 2023, and premium collected by Foresters on or before November 6, 2023. Future dated applications where premium is first collected after November 6, 2023, do not qualify.

#### Cash Prize Details

There are three hundred (300) Marketing Allowance prizes to be awarded to those who have placed the highest number of new Foresters applications during the Promotion period. Minimum requirements to be eligible: **Three (3)** new applications with a combined **\$3,000 in Annualized Premium** (all Foresters products are eligible). Tiebreakers will be decided based on the greatest combined annualized premium.

Agent Rank – Highest number of Applications	Reward
1st	\$3,000
2nd	\$2,750
3rd	\$2,500
4th	\$2,250
5th	\$2,000
6th - 10th	\$1,500
11th - 20th	\$1,000
21st - 30th	\$750
31st - 50th	\$500
51st - 300th	\$250

Federal/state income tax incurred as a result of winning a prize is the responsibility of the winner. If the cumulative total of the prize(s) won by an individual is USD \$600.00 or higher in a given year, a 1099 tax form in the amount of the fair market value of the prize(s) awarded to that individual will be issued. It is suggested that participants consult their tax advisor in regard to tax treatment.

### Eligibility

The Promotion is intended to be conducted in the United States only. The Promotion is not offered in the state of New York. This promotion shall only be construed and evaluated according to the laws of the state in which the entrant resides. Void in whole or in part where prohibited by law. The Promotion is open to eligible producers selling insurance products offered by the Independent Order of Foresters. Entrants must be legal residents of their state and meet the other requirements under these promotion rules. Entrants must be of the age of majority or older in their state of residence at the time of entry. Entry in this promotion constitutes acceptance of these rules.

### Persistency or Placement

Agents must be in good standing to receive a prize. We reserve the right to assign prizes at our sole discretion.

- Foresters will count future dated premium through Monday November 6, 2023.
- Foresters will reverse any certificate credit that originally qualified for this promotional period - that changes from Active status to a Not Active status due to a premium refund of any nature or any reason. Foresters will track negative activity through November 10, 2023, on eligible certificates.
- Foresters will make final standings available by November 13, 2023. In the event one or more producers are tied for rank based on the total number of submitted, issued, and paid, applications, the producer with the greatest combined annualized premium will prevail.

### Delivery of Reward

- All Marketing Allowance earned will be awarded by Wednesday November 29, 2023, provided that the winners have complied with all Promotion Rules and Requirements.

### How to Enter

- A minimum number of **three (3)** new applications with a combined **\$3,000 in Annualized Premium** (all Foresters products are eligible). Tiebreakers will be decided based on the greatest combined annualized premium.
- Entry and ranking will be automatic and updated daily on the scoreboard.

### How the Winner is Chosen

The winners will be chosen automatically by their ranking on November 13, 2023.

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### Personal Information

By entering this Promotion, you agree that Foresters can collect, use and disclose your personal information to:

- administer this Promotion
- update your contact information on your producer file
- detect errors, fraud and other illegal activity, and protect Foresters, its affiliates and other third parties from them
- as otherwise permitted or required by law.

Foresters and any third party agents will be required to protect all personal information in a manner that is consistent with Foresters Privacy Policy (<https://www.foresters.com/foresters-us-producer-privacy-notice>). By entering this Promotion you agree that you have read and accepted this Privacy Policy.

## **Publicity**

By entering the Promotion, you irrevocably agree that if you win Foresters may, unless prohibited by law, use your name, city of residence, photograph, image and/or likeness for any advertising or promotional materials, including but not limited to our website, news releases and on social media sites, without further compensation, in perpetuity and worldwide.

## **Limitation of Liability**

Foresters assumes no responsibility or liability for lost, late, misdirected or incomplete entries, notifications, responses, replies or for any computer, mobile device, online, telephone, hardware, software or technical malfunctions that may occur. This includes, but is not limited to, malfunctions that may affect the transmission or non-transmission of an entry. Foresters is not responsible for any incorrect or inaccurate information, whether caused by website users or by any of the equipment or programming associated with or utilized in the Promotion or by any technical or human error which may occur in the administration of the Promotion. Foresters assumes no responsibility for any error, omission, interruption, deletion, defect, delay in operation or transmission, communications line failure, illegal tampering, theft or destruction or unauthorized access to, or alteration of, entries. Foresters is not responsible for any problems, failures or technical malfunction of any telephone network or lines, computer online systems, servers, providers, computer equipment, mobile devices, software, e-mail, players, or browsers, on account of technical problems or traffic congestion on the Internet, at any website, or on account of any combination of the foregoing. Foresters is not responsible for any injury or damage to entrant or to any computer or mobile device related to or resulting from participating in, or downloading materials for, this Promotion. Entrant assumes liability for injuries caused or claimed to be caused by participating in the Promotion, or by the acceptance, possession, use of, or failure to receive any prize. Foresters assumes no responsibility or liability in the event that the Promotion cannot be conducted as planned for any reason, including those reasons beyond the control of Foresters, such as infection by computer virus, bugs, tampering, unauthorized intervention, fraud, technical failures, or corruption of the administration, security, fairness, integrity or proper conduct of this Promotion.

## **Release**

The winner may, at Foresters sole discretion, be required to execute and return to the address provided by Foresters a legal agreement and release ("Release") that confirms the winner's: (i) eligibility for the Promotion and compliance with these Rules; (ii) acceptance of the prize as offered; (iii) release of and holding harmless of Facebook, The Independent Order of Foresters and their respective affiliates, subsidiaries, advertising and promotion agencies and each of their respective past and present directors, managers, officers, shareholders, members, employees, representatives, attorneys and agents (collectively the "Releases") from any and all liability for any loss, harm, damages, cost or expense arising out of participation in this Promotion, participation in any Promotion-related activity or the acceptance, use, or misuse of any prize including without limitation, costs, injuries, losses related to personal injuries, death, damage to, loss or destruction of property, rights of publicity or privacy, defamation, or portrayal in a false light, or from any and all claims of third parties arising therefrom; and (iv) grant to Foresters the unrestricted right, in Foresters' collective or individual discretion, to use or reuse the winner's likeness, name, appearance and biographical material in any and all media now known or hereafter devised. The executed legal agreement and Release must be returned within fourteen (14) days of the selected winner's response in notification as a selected winner or will be disqualified and the prize forfeited.

## General Rules

We reserve the right to cancel, suspend and/or modify this Promotion if any factor beyond our control negatively affects the proper functioning of this Promotion. Examples of such factors include, but are not limited to, large-scale blackouts, any electronic attempt to disrupt our ability to receive eligible entries, and any delay that would make it difficult for us to meet the timelines set out in these rules. We reserve the right to disqualify anyone who violates these Rules or tries to tamper with the entry process or the operation of this Promotion. Foresters reserve the right to modify these Rules at any time. Decisions by Foresters about how to apply these Rules will be final and binding.

## Governing Law

This Promotion is subject to the laws of the State in which the eligible entrant resides, and any applicable federal laws. This Promotion and the Rules will be exclusively governed and construed in accordance with the laws of the province of Ontario. Any dispute arising hereunder shall be governed by the laws of Ontario and adjudicated in the applicable court in Toronto, Ontario, Canada. We can change these Rules without notice if necessary to comply with any law that applies to this Promotion. This Promotion is void in part or in whole where prohibited by law.

## Questions

If you have any questions about this Promotion, please contact Foresters Sales Support at [foresterssalesdesk@foresters.com](mailto:foresterssalesdesk@foresters.com) , or call 1 866 466 7166, option 1 (Sales). Foresters Financial and Foresters are trade names and trademarks of The Independent Order of Foresters (a fraternal benefit society, 789 Don Mills Road, Toronto, Canada M3C 1T9) and its subsidiaries.

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