

VIRTUAL TARGET, LLC

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**RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF RISK, AND
INDEMNITY AGREEMENT**

Virtual Target, LLC (“VT”) hopes that training with a Ti Training Simulator (“Simulator”) and/or Airsoft Guns will significantly improve your firearm skills. We also hope you will find using the Simulator and/or Airsoft Guns is a thrilling and realistic experience. However, for some individuals under certain circumstances, use of the Simulator and/or Airsoft Guns can, potentially, have harmful effects on your health or safety. Before using VT equipment and facilities, you must understand the inherent risks of using the Simulator and/or Airsoft Guns, assess your vulnerability to those risks, and either choose not to use the equipment or waive liability as to VT for injury, sickness or death that may result from those inherent risks.

Please read through the following information carefully before you decide to use the Simulator and/or Airsoft Guns. Please ask us if any of the information is unclear to you. You must review and agree to this waiver before VT will allow you to use any VT equipment.

HEALTH AND SAFETY PRECAUTIONS: IMPORTANT INFORMATION

Read the following warnings before using the Simulator and/or Airsoft Guns. If you believe any of these precautions apply to you, please read the detailed information following this table. Failing to do so may cause injury, illness or even death. If you or family members have had seizures, epilepsy, or blackouts, you may be vulnerable to photosensitive seizures that may be triggered by videos that play during the use of the Simulator. Please read the detailed information on photosensitive seizures on the following page to determine whether to use the Simulator. If you experience persistent or recurring discomfort, pain, throbbing, aching, tingling, numbness, burning sensation, or stiffness during or after use of the Simulator, you may be experiencing musculoskeletal disorders or repetitive motion injuries and should IMMEDIATELY CEASE USE OF THE SIMULATOR AND/OR AIRSOFT GUNS AND SEE A DOCTOR. Use of the Simulator may trigger motion sickness or “sim sickness” in some individuals due to the difference in the field of vision and focus points between the real world and the virtual world. Cease use of the Simulator if you experience disorientation or motion sickness. The radio-frequency emissions of the Simulator may interfere with pacemakers or other implanted electrical devices. Consult a doctor before using the Simulator if you have any such devices. All participants should review and understand the warnings regarding pinch and impact risk.

RELEASE AND WAIVER

I HEREBY RELEASE, DISCHARGE AND COVENANT NOT TO SUE VT, any directors, officers, agents and employees of VT (all for the purposes herein referred to as Releasees), FROM ALL LIABILITY TO ME, my personal representatives, assigns, heirs, and next of kin, FOR ANY AND ALL CLAIMS, DEMANDS, LOSSES, OR DAMAGES ON ACCOUNT OF

ANY INJURY TO ME, INCLUDING BUT NOT LIMITED TO DEATH, CAUSED OR ALLEGED TO BE CAUSED IN WHOLE OR IN PART BY THE INHERENT RISKS OF THE USE OF VT EQUIPMENT OR FACILITIES. If despite this release, I, or anyone on my behalf, makes a claim against any of the “Releasees” named above, I AGREE TO INDEMNIFY AND SAVE AND HOLD HARMLESS THE “RELEASEES” and each of them from ANY LITIGATION EXPENSES, ATTORNEYS FEES, LOSS, LIABILITY, DAMAGE, OR COST THEY MAY INCUR DUE TO THE CLAIM MADE AGAINST ANY OF THE “RELEASEES” NAMED ABOVE, FOR ANYTHING OTHER THAN THE GROSS NEGLIGENCE, RECKLESSNESS, OR INTENTIONAL MALFEASANCE OF THE RELEASEES. I AGREE, and, as a condition of being allowed to use the VT equipment and facilities, warrant that I am comfortable in and around Simulators and/or Airsoft Guns and that I am in good physical health. In particular, I warrant that I have none of the medical conditions indicated in the Health and Safety Precautions that would be adversely affected by my use of VT equipment and facilities. I also warrant that I am not pregnant, and if so I agree to waive and release all liability to the company and all released parties from any complications to me or my unborn child. VT RECOMMENDS THAT ANY PARTICIPANT OR OBSERVER, WITH ANY MEDICAL CONDITION OR WHO IS OR MAY BE PREGNANT, SHOULD CONSULT WITH HIS OR HER PHYSICIAN, PRIOR TO USING VT EQUIPMENT. BY AGREEING TO THIS WAIVER YOU ACKNOWLEDGE THAT YOU HAVE READ AND UNDERSTOOD THE RISKS INHERENT IN THE USE OF VT EQUIPMENT AND FACILITIES AND ARE VOLUNTARILY ASSUMING THE RISKS INHERENT IN THE USE OF VT EQUIPMENT AND FACILITIES. YOU ACKNOWLEDGE THAT VT ASSUMES NO LIABILITY FOR ILLNESS OR INJURY RESULTING FROM THE INHERENT RISKS OF USE OF VT EQUIPMENT AND FACILITIES. YOU ALSO ACKNOWLEDGE THAT YOU HAVE HAD ADEQUATE TIME TO READ THIS DOCUMENT AND TO DECIDE WHETHER TO USE VT EQUIPMENT AND FACILITIES. I HAVE READ THIS RELEASE AND WAIVER OF LIABILITY, ASSUMPTION OF RISK AND INDEMNITY AGREEMENT; I FULLY UNDERSTAND ITS TERMS; I AM OF LAWFUL AGE AND AM LEGALLY COMPETENT TO SIGN IT; I UNDERSTAND THAT I HAVE GIVEN UP SUBSTANTIAL RIGHTS BY SIGNING IT; I UNDERSTAND THAT THE TERMS HEREIN ARE CONTRACTUAL AND NOT A MERE RECITAL; I HAVE SIGNED IT FREELY AND VOLUNTARILY WITHOUT ANY INDUCEMENT, ASSURANCE, OR GUARANTEE BEING MADE TO ME; AND IF I HAVE ANY DOUBTS CONCERNING THE CONTENTS OF THIS AGREEMENT, I WILL CONSULT AN ATTORNEY BEFORE AGREEING TO IT.

DETAILED HEALTH AND SAFETY PRECAUTIONS

WARNING – PHOTSENSITIVE SEIZURES

A very small percentage of people may have seizures or blackouts when exposed to certain visual images, such as light flashes or patterns that may appear in videos. This may occur while they are watching videos such as those that play during the use of the Simulator. Even if they have never had a seizure or epilepsy before, some people may have an undiagnosed condition that can cause these “photosensitive epileptic seizures” while watching the videos that are part of the Simulator. These seizures may have a variety of symptoms, including lightheadedness,

altered vision, eye or face twitching, jerking or shaking of arms or legs, disorientation, confusion or momentary loss of awareness. Seizures may also cause loss of consciousness or convulsions that can lead to injury or death from falling down or striking nearby objects. Immediately stop using the Simulator and consult a doctor if you experience any of these symptoms. Anyone who has had a seizure, loss of awareness, or other symptom linked to an epileptic condition, or has a relative with a history of seizures or epilepsy, must consult a doctor before using the Simulator.

WARNING – REPETITIVE MOTION INJURIES, MUSCULOSKELETAL DISORDERS, AND EYESTRAIN

When using the Simulator or Airsoft Guns, as with many activities, you may experience occasional discomfort in your hands, arms, shoulders, neck, or other parts of your body. However, if you experience symptoms such as persistent or recurring discomfort, pain, throbbing, aching, tingling, numbness, burning sensation, or stiffness, **DO NOT IGNORE THESE WARNING SIGNS – STOP USING THE SIMULATOR AND/OR AIRSOFT GUNS. PROMPTLY SEE A QUALIFIED HEALTH PROFESSIONAL**, even if symptoms occur when you are not using a Simulator and/or Airsoft Guns. Symptoms such as these can be associated with painful and sometimes permanently disabling injuries or disorders of the nerves, muscles, tendons, blood vessels, and other parts of the body. These musculoskeletal disorders (MSDs) include carpal tunnel syndrome, tendonitis, tenosynovitis, vibration syndromes, and other conditions.

While researchers are not yet able to answer many questions about MSDs, there is general agreement that many factors may be linked to their occurrence, including medical and physical conditions, stress and how one copes with it, overall health, and how a person positions and uses their body during work and other activities (including use of the Simulator and/or Airsoft Guns). Some studies suggest that the amount of time a person performs an activity may also be a factor.

Some guidelines that may help you work and use the Simulator and/or Airsoft Guns more comfortably and possibly reduce your risk of experiencing an MSD, such as:

- Avoid excessive use.
- Position yourself to use comfortable, not awkward postures.
- Keep your hands, fingers, and other body parts as relaxed as possible.
- If your shoulders, arms, legs, or eyes become tired or sore while using the Simulator and/or Airsoft Guns, or if you feel symptoms such as tingling, numbness, burning or stiffness, stop and rest for several hours before using the Simulator again.

If you have questions about how your own lifestyle, activities, or medical or physical condition may be related to MSDs, see a qualified health professional.

WARNING – MOTION SICKNESS

Videos like those used with the Simulator, can cause motion sickness in some users. If you feel dizzy or nauseous when using the Simulator, stop using the Simulator and rest. Do not drive or engage in other demanding activity until you feel better.

WARNING – SIM SICKNESS OR VERGENCE-ACCOMMODATION CONFLICT DUE TO USE OF SIMULATOR

- Any discrepancy between what a user sees and feels could lead to motion sickness.
- Per Live Science “A number of studies have examined what is sometimes referred to as ‘cybersickness’ or ‘sim sickness’ (short for simulation sickness). These feelings explain why some people feel sick in 3D movies...in the real world, you’re getting input from multiple senses, and they’re all in perfect agreement . . . In virtual reality, however, ‘the brain is expecting everything to be in sync, but things are not in sync . . . the virtual world is ‘incomplete.’”
- Per VB Games Beat “With VR our eyes always focus on a fixed point while trying to converge or diverge toward objects that can appear either nearby or distant. This mismatch is known as the vergence-accommodation conflict, and it’s the reason many people experience visual discomfort when using a [virtual reality system].”
- Some users have noted sustained visual effects after long use of virtual reality simulators.
- If you have questions about or experience symptoms related to sim sickness or vergence-accommodation conflict that do not quickly resolve after discontinuing use of the Simulator, see a qualified health professional

WARNING – PINCH AND IMPACT RISK

VT’s Simulator training firearms and Airsoft Guns are intended to simulate the use of real firearms. Consequently, the Simulator training firearms and/or Airsoft Guns have the same pinch risk and impact risk as real firearms. For example, a pinch risk is present when loading a magazine, manipulating the slide release and otherwise using the equipment, including, but not limited to, the reciprocating action of the slide, which may impact or pinch a participant’s hand. Following instructions from VT staff for proper hand placement and operation may reduce (but not eliminate) the risk of pinch and impact injuries.

WARNING – HEARING LOSS

Our Simulator uses realistic sound effects to mimic the real world environments, including high volume simulated gunshot sounds. Extended exposure to high volumes may result in temporary or permanent hearing loss. We recommend the use of hearing protection.

WARNING – RICOCHET/IMPACT RISK

Airsoft Guns propel plastic pellets at a sufficient velocity to cause wounds to human skin and permanent damage to the human eye. While VT has taken measures to reduce the risk of ricochet, not all risk of ricochet can be limited, and it is possible that a plastic pellet may rebound one or more times off a wall, floor, or target. Use of eye protection is required by all participants and observers using Airsoft Guns. It is also possible that you or another participant may negligently or recklessly discharge an Airsoft firearm towards another person. To reduce the risk of injury, all participants are expected to follow the four basic rules of firearm safety when using VT equipment:

1. Treat all guns (including Airsoft Guns) as if they are always loaded.
2. Never point the gun at anything that you are not willing to destroy.
3. Keep your finger off the trigger until your sights are on target and you have made the decision to shoot.
4. Be sure of your target and what is behind it.

WARNING – RADIO FREQUENCY INTERFERENCE

•The Simulator can emit radio waves that can affect the operation of nearby electronics, including cardiac pacemakers.

•Do not operate the Simulator if you have a pacemaker or other implanted medical device without first consulting your doctor or the manufacturer of your medical device.

WARNING – LASER DEVICE

The Simulator is a Class I laser product. Caution: Use of controls or adjustments or procedures other than those specified may result in hazardous radiation exposure.

BY SIGNING BELOW, YOU ACCEPT RESPONSIBILITY FOR ANY AND ALL DAMAGE TO OUR FACILITY AND/OR OR EQUIPMENT THAT OCCURS AS A RESULT OF YOUR RECKLESS, NEGLIGENT, OR CARELESS ACTIONS. IF YOU HAVE QUESTIONS AT ANY TIME REGARDING THE OPERATION OF OUR EQUIPMENT, PLEASE ASK!

By signing below, I acknowledge that I have read, fully understand and agree to the foregoing Release and Waiver of Liability, Assumption of Risk, and Indemnity Agreement.

Date: _____

If signing on behalf of a minor child:

Signature: _____

Minor’s name: _____

Print Name: _____

Minors name: _____

Date: _____

Signature of Parent/Legal Guardian