

**SCOTT SILVEIRA HORSES**  
**AND ALL OF ITS SUBSIDIARIES & ASSIGNEES**  
2290 Lil's Place, Templeton, Ca. 93465  
(805) 423-7663  
[www.Scottsilveirahorses.com](http://www.Scottsilveirahorses.com)

**RELEASE AND HOLD HARMLESS AGREEMENT**  
**BASIC**

WHEREAS, the UNDERSIGNED acknowledges the inherent risks involved in riding and working around horses, which risks include bodily injury from using, riding or being in close proximity to horses, among other risks and further, that both horse and rider can be injured in normal use or in competition and schooling. Ride at your own risk. Signs are posted in barn for complete list of rules, emergency procedures, and insurance information.

IN CONSIDERATION, therefore, for the privilege of riding and/ or working, around horses at SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES, the undersigned does hereby agree to hold harmless and indemnify SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES and further release them from any liability or responsibility for accident, damage, injury, or illness to the Undersigned or any horse owned by the Undersigned or to any family member or spectator accompanying the Undersigned on the premises of SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES.

**CLIENT INFORMATION**

Name of Client: \_\_\_\_\_

Client Age ( if under 18) : \_\_\_\_\_

Client Birthday: \_\_\_\_\_

Do you have any health concerns that may prohibit, or cause illness, while riding? \_\_\_\_\_

If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

Do you have any prior riding experience? \_\_\_\_\_

If yes, please explain: \_\_\_\_\_

\_\_\_\_\_

Does client have appropriate medical insurance or have sufficient funds to pay the costs of their own medical care if an injury should occur? \_\_\_\_\_

**Initial here:** \_\_\_\_\_

## ARBITRATION OF DISPUTES

Both client \_\_\_\_\_ and SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES agree that any dispute or claim in law or liability between client and SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES out of this Release and Hold Harmless Agreement which is not settled through mediation, shall be decided by neutral, binding arbitration and not by court action, except as provided by California law for judicial review of arbitration proceedings.

The arbitration shall be conducted in accordance with the rules of either the American Arbitration Association (AAA) or Judicial Arbitration and Mediation Services, Inc./Endispute (Jams/Endispute). The selection between AAA and JAMS/Endispute rules shall be made by claimant first filing for arbitration. The parties to arbitration may agree in writing to use different rules and/or arbitrator(s). In all other respects, the arbitration shall be conducted in accordance with Part III, Title 9 of the California Code of Civil Procedure. Judgement upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof. The parties shall have the right to discovery in accordance with Code of Civil Procedure 1283.05.

**Sign Name:** \_\_\_\_\_

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

## MEDICAL RELEASE

- I authorize SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES to obtain medical attention for my child \_\_\_\_\_ in the event of an emergency.
- I am over 18 years old and I authorize SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES to obtain medical attention for me in the event of an emergency.

**Print Name:** \_\_\_\_\_

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

**Sign Name:** \_\_\_\_\_

**SCOTT SILVEIRA HORSES, AND ALL OF ITS  
SUBSIDIARIES & ASSIGNEES**  
2290 Lil's Place, Tempelton, Ca. 93465  
(805) 423-7663  
[www.Scottsilveirahorses.com](http://www.Scottsilveirahorses.com)

**RULES AND CONDUCT AGREEMENT**

**A. SCOTT SILVEIRA HORSES, and all of its subsidiaries & assignees  
RULES**

1. Failure to abide by any of these rules will result in your immediate ejection from SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES.
2. Everyone who comes onto SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES property must sign a release and hold harmless agreement. There are no exceptions.
3. If gates/doors are open please leave them open, if they are closed please keep them closed.
4. No smoking allowed anywhere on premises.
5. No alcohol, drugs or other intoxicants allowed on premises.
6. Children are to stay with their parents, and not run around "loose".
7. All children under the age of 18 are to wear a helmet at all times.
8. You must wear boots with a heel when riding.
9. No running or yelling in the barn – no tantrums
10. Do not go on the trails without prior permission
11. The house is our private residence. Please treat it as such.
12. Do not feed or pet horses through the fence or stall dividers.

**Initial here:** \_\_\_\_\_

## B. AWARENESS

Equine activities come with certain risks. You need to be aware that the laws prevent equine activity participants and their families from bringing suit and recovering money if an injury or death results from an inherent risk. There are inherent risks, dangers and conditions, which are an integral part of equine activities. These include but are not limited to:

1. The propensity of the horse to behave in ways that may result in injury, harm, or death to persons around them;
2. The unpredictability of the horse's reaction to such things as sounds, sudden movement, and unfamiliar objects, persons, or other animals;
3. Certain hazards such as surface and subsurface conditions;
4. Collisions with other animals or objects;
5. The potential of a participant to act in a negligent manner that may contribute to injury to the participant or others, such as failing to maintain control over the animal or not acting within his or her ability

SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES makes sure that the tack and equipment that we provide is in good working condition. We take great care to match the rider with the horse that best suits the riders needs. We have posted warning signs where needed so that you are aware of a particular danger.

We have a first aid kit located in the tack room of the barn.

We recommend that you wear gloves when riding and working a horse. This will prevent your hands from getting rope burns and other injuries. We require that you wear good quality riding boots *with a heel*. You may not wear flat-soled shoes, such as running shoes, loafers or sneakers. Flat-soled shoes can get caught in a stirrup and cause serious injury.

**Initial here:** \_\_\_\_\_

## C. HELMETS

Children under 18 **must wear** a safety helmet while riding and/ or working around horses at SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES. Why use a safety helmet? Any horse-related activity can deliver a deadly impact to your head if you get kicked or fall. Without protective headgear you may be lucky enough to walk away from an incident with bumps, cuts and bruises. The fact is, serious damage that you cannot see may already have occurred inside of your head. When you try to resume your normal functions after a head injury, you might discover that you cannot concentrate, your memory is cut short, and you cannot speak or think as well. Sooner or later, you might also find that you cannot see, read, hear, smell, taste, or move as well as you used to. You might have dizzy spells or become more irritable or lethargic. These are often symptoms of “closed head injuries.” Safety helmets are designed to cushion and re-distribute the force of certain blows to the head. Wearing a safety helmet could allow you to walk away virtually unharmed from an accident that might otherwise have killed you or required costly long-term care. In other cases, the helmet might greatly reduce the injury. To work effectively, a helmet must be properly fitted and secured. Helmets should provide a snug yet comfortable fit. Helmets that slide or loosen, even after being strapped on, signal an improper fit. Most equestrian safety helmets are designed to rest in a level position on the head with the front brim about an inch above the eyebrows. Keep the following concepts in mind:

1. Look for the ASTM and SEI initials on the helmet label BEFORE you buy, which will reflect the equestrian standard of protection and certification. These helmets reduce the risk of head injury compared with helmets of lesser standards.
2. NEVER borrow someone else’s safety helmet unless you are certain that it fits properly.
3. DO NOT ASSUME that helmets are only for riding activities. Your helmet might protect you from head injuries that can occur while grooming, leading, or just being near horses.
4. Although proper headgear may prevent or lessen the severity of some head injuries, remember that even a safety helmet cannot protect you against all head injuries, especially injuries that occur outside of the helmet area.

**BY SIGNING HERE you acknowledge that you have read, received, and understand the above information regarding helmets.** \_\_\_\_\_ **Date:** \_\_\_\_\_

Parent/Guardian if child is under 18

**BY SIGNING HERE you acknowledge that you have read, received and understand the above information regarding helmets, that you are 18 or older and have chosen to NOT wear a helmet in spite of the repeated warnings listed above:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Must be 18 or over

Some, not all, of the SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES Rules and Hold Harmless Agreement, Helmets, Awareness, Do’s and Don’ts, Let us Know and Arbitration were taken from *Equine Law and Horse Sense* written by Julie I. Fershman Attorney at Law and *The Equine Legal Handbook* written by Gary R. Katz.

## D. DO'S and DON'TS for handling an incident

DO act quickly and obtain medical assistance where needed, as soon as possible. If injured party is not moving dial 911.

DO admit injury.

DO understand that each and every horse is different and what is ok for one might not be for another.

DO ask for help.

DO ask questions. There are no stupid questions.

DO make yourself aware of the location of the First Aid Kit in the barn and use it when needed.

DO make yourself aware of the stable rules posted in the barn.

DO read and understand the Barn Fire Safety plan, and make sure you know where to go and what to do.

DO let us know if something that we are asking you to do is frightening. We will understand.

DO talk to us if you have a problem with the lesson plan. We will work with you.

DO let us know if there are horse camps or barn tours or classes that you are interested in us organizing.

DO feel like you have a say in upcoming events.

DON'T make your own rules. The rules are posted for your safety.

DON'T hold your fears in, they will only get worse.

DON'T walk away feeling let down because you did not talk to us.

DON'T assume that what you are doing is correct. If you are not sure, ask an instructor.

**Initial here:** \_\_\_\_\_

## E. BARN FIRE SAFETY PLAN

In the event of a fire, quickly and calmly leave the barn through the nearest aisle-way door. Notify SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES staff IMMEDIATELY.

Gather around ton the lawn in front of the house.

Do NOT attempt to rescue a horse yourself. This is extremely dangerous. Leave the building quickly and calmly and notify SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES staff immediately. Then go to the wagon wheel on the lawn in front of the house.

SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES staff will handle horses in the barn. Do NOT attempt to do this yourself, it is extremely dangerous.

Do NOT interfere with the CDF. Stay well away from them.. When fire trucks arrive, they will need free and clear access to it.

**Initial here:** \_\_\_\_\_

## F. INSURANCE & OTHER IMPORTANT INFORMATION

### **Farrier**

**Our Farrier is: Ben Renteira**

### **Vet**

**Our vet for all of our horses: Dr. Steve McClenny (805) 237-0214**

## G. LET US KNOW

We have posted the stable rules in the barn aisle way, along with the first aid kit. SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES checks all stalls and pastures daily for exposed nails, gaping holes, sharp corners or objects. Our goal is to repair them promptly. We strive to keep both entrances to the barn as clear as possible of debris and manure. Warning signs are posted where necessary.

We try to keep up with all the repairs and maintenance. We would appreciate your help in letting us know if you see any possible hazards or repairs that we have missed.

Let us know if you see someone participating in an unsafe manner of riding, grooming, leading, etc.

We have a message board and note pad so that you may let us know of any problems that you see. We encourage you to let us know.

**Everyone** that enters the SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES facility must sign our RELEASE AND HOLD HARMLESS AGREEMENT. Even if they are “just watching,” or are coming “just once.” This includes family members. There are no exceptions.

**Initial here:** \_\_\_\_\_

**PLEASE READ THIS CAREFULLY AND INITIAL IN SPACES PROVIDED**

1. I understand that horseback riding will expose me to the normal risks outlined in the “Awareness” section above, and others not mentioned herein. \_\_\_\_\_ **(Initial here)**

2. I agree that I am responsible for my own safety. \_\_\_\_\_ **(Initial here)**

3. I agree that SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES, their employees and agents will not be liable if I suffer personal injury or death, except if caused by their gross negligence or willful and wanton misconduct. \_\_\_\_\_ **(Initial here)**

4. I have been given a copy of the RELEASE AND HOLD HARMLESS AGREEMENT, a MEDICAL RELEASE and a RULES AND CONDUCT AGREEMENT for SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES. I have been shown where the warning signs, first aid kit, and rules are posted and I have been shown where to go and what to do in the event of a fire.  
\_\_\_\_\_ **(Initial here)**

**LIST OF PEOPLE AFFECTED BY THIS AGREEMENT**

List names of all children and family members that this release covers:

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Relation: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Relation: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Relation: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Relation: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Relation: \_\_\_\_\_

Name: \_\_\_\_\_ Age: \_\_\_\_\_ Relation: \_\_\_\_\_

Friends must have a separate Release Form signed by their parent if they are under 18 years of age. “Friends” may not sign for “friends”. If they do not have a signed release from their parent they will be asked to sit in your car while you are on the premises.

## AUTHORIZATION SIGNATURE

I have read and understand the RELEASE AND HOLD HARMLESS AGREEMENT and the RULES AND CONDUCT AGREEMENT and this entire agreement for SCOTT SILVEIRA HORSES, AND ALL OF ITS SUBSIDIARIES & ASSIGNEES. By signing this I admit that: (1) I am NOT dazed, suffering from shock, or under the influence of drugs; (2) this release was NOT misrepresented, (3) there is no fraudulent or improper conduct by the party who benefits from this release; or, (4) I was not coerced to sign this agreement, and I am not signing it under duress, (5) I am the legal parent or guardian over the above named children and have the proper authority to sign for them.

Children over 18 may sign for themselves and do not need a parent or guardian signature.

**Print Full Name:** \_\_\_\_\_

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

**Your relationship to the child:** \_\_\_\_\_

**Sign Full Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**Home phone:** \_\_\_\_\_

**Email address:** \_\_\_\_\_

**Person to contact in case of emergency: Name:** \_\_\_\_\_

**Phone:** \_\_\_\_\_

**Family Doctor (In case of emergency): Name:** \_\_\_\_\_

**Phone:** \_\_\_\_\_