

630-965-2354

**2014 Wheaton Brew Fest**  
August 2, 2014  
Memorial Park 208 W. Union Street  
Wheaton, IL 60187

PERFORMANCE AGREEMENT

The below mentioned entertainment agrees to perform at 2014 Wheaton Brew Fest on the following dates and times.

**3 In Counting Band**

Saturday, August 2, 2014  
1:30 p.m. – 3:15 p.m.  
2-45 min sets with one 15 min break  
Performers will supply sound system.

Please list all members performing:

- \_\_\_\_\_  
Mike Hayes
- \_\_\_\_\_  
Matt Hines
- \_\_\_\_\_  
Matt Nanke
- \_\_\_\_\_  
Rob Kletsy
- \_\_\_\_\_

This performance will be marketed in performer's website and/or email blasts of upcoming performances.

**In the event that this performance is cancelled by officials of 2014 Wheaton Brew Fest due to dangerous weather or any other unsafe condition, 3 In Counting Band will be rescheduled for a performance, at no additional cost, within Wheaton Park District's facilities date to be determined and agreed upon by performer and Wheaton Park District.**

Music shall not be offensive, vulgar, obscene, or inappropriate for the ambiance and atmosphere of the 2014 Wheaton Brew Fest. Entertainers shall at all times conduct themselves professionally, courteously and appropriately for this family-friendly facility.

Entertainers are solely responsible for properly setting up their equipment and removing equipment. The 2014 Wheaton Brew Fest is not responsible for the entertainers' personal property and shall not be liable for any damages, lost, or stolen property. All cords, cables, equipment etc. must be properly and safely positioned so as not to create a trip hazard for patrons and staff.

To the fullest extent permitted by law, Fresh Hops shall indemnify and hold harmless the 2014 Wheaton Brew Fest committee its officers, officials, employees, volunteers and agents from and against all claims, damages, losses and expenses, including but not limited to legal fees (attorney's and paralegals' fees and court costs), arising out of or resulting from the entertainers' activities; except to the extent caused in whole or in part by any negligent or wrongful act or omission of a party indemnified hereunder. 3 In Counting Band, as listed above, shall similarly protect, indemnify and hold and save harmless the 2014 Wheaton Brew Fest Committee, its officers, officials, employees, volunteers and agents against and from any and all claims, costs, causes, actions and expenses including but not limited to legal fees, incurred by reason of 3 In Counting's breach of any of its obligations under, or 3 In Counting's default of, any provision of the agreement.

The Wheaton Park District reserves the right to cancel this agreement at any time for breach of this agreement, or for any reason other than breach of contract upon 7 days notice provided to the entertainers.

Agreed payment for such performance(s) \$ 750.00 Entertainment's name: 3 In Counting Date: 3/26/14

Authorized signature for Entertainment: Michael C. Hayes

2014 Wheaton Brew Fest, Wheaton Park District, Authorized signature: [Signature]

\*\*This agreement will be considered final upon the signature of Wheaton Park District's Director, Michael Benard.

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