

# Applebee's Ultimate Tailgater Sweepstakes

## OFFICIAL RULES

**NO PURCHASE NECESSARY TO ENTER OR WIN. PURCHASE DOES NOT IMPROVE CHANCES OF WINNING. THE FOLLOWING PROMOTION IS OPEN ONLY TO QUALIFIED PERSONS (AS DEFINED IN THE RULES BELOW). VOID ELSEWHERE AND WHEREVER PROHIBITED.**

**Sweepstakes Dates:** The sweepstakes will occur **12:01a.m. on 10/5/09 until 12:00a.m. on 11/1/09**. The sweepstakes is subject to all applicable federal, state and local laws and regulations and is void where prohibited.

**Who May Enter:** Sweepstakes is open to legal residents of the United States, who reside within 100 miles of a metro Atlanta Applebee's Restaurant location, and who are age 21 or older as of date of entry, and have a valid driver's license, except the following classes of persons who are not eligible to enter:

- (a) Employees, officers, and directors of **Applebee's Services, Inc., AppleCreek Management Company, Inc., and The Coca-Cola Company** (collectively, "Sponsor"), each of their respective franchisees, parents, affiliated companies, subsidiaries, distributors, retailers, printers, advertising and promotion agencies, and any and all other companies associated with the design or execution of this promotion (collectively, "Released Parties"), and the members of the immediate families or households, whether or not related, of any of the above. "Immediate family members" includes, for purposes of this promotion, parents (including in-laws), grandparents, siblings (including step-siblings), children (including step-children), grand children (including step grand children) and each of their respective spouses.
- (b) Anyone who does not have internet access.

**How to Enter:** Go online to [www.ApplebeesAtlanta.com](http://www.ApplebeesAtlanta.com) or [www.ApplebeesATL.com](http://www.ApplebeesATL.com) and click on the "Get Our Emails" tab. Follow the instructions to register for Applebee's e-Newsletter. You will receive an opt-in confirmation e-mail in the inbox of the e-mail address account you provided during the e-Newsletter registration process. You must click on the link provided in the e-mail received in order to verify and complete your e-Newsletter registration. Maximum of one registration per e-mail address account. All contestants may only submit an e-mail registration on their own behalf. Eligible e-mail registrations must be received between 12:01a.m. on Monday, October 5, 2009 and 12:00a.m. Sunday, November 1, 2009. Incomplete e-mail opt-in verifications, unknown e-mail addresses, and e-Newsletter unsubscribers will be disqualified. Sponsor not responsible for late, lost, misdirected, incomplete or stolen entries, or for e-mail registrations submitted in a manner that is not expressly allowed under these rules. All such e-mail registrations will be automatically void. All e-mail registrations received become the property of the Sponsor.

The (40) participating metro Atlanta Applebee's Restaurant locations include:

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| <b>Applebee's</b><br>475 Franklin Road<br>Marietta, Georgia 30067          | <b>Applebee's</b><br>2095 Pleasant Hill Road<br>Duluth, Georgia 30096  | <b>Applebee's</b><br>4210 Johns Creek Parkway<br>Suwanee, Georgia 30024     | <b>Applebee's</b><br>1647 North Expressway<br>Griffin, Georgia 30223       |
| <b>Applebee's</b><br>3690 Cascade Road<br>Atlanta, Georgia 30331           | <b>Applebee's</b><br>5200 Highway 78<br>Stone Mountain, Georgia 30087  | <b>Applebee's</b><br>815 Industrial Boulevard<br>McDonough, Georgia 30253   | <b>Applebee's</b><br>6915 Douglas Boulevard<br>Douglasville, Georgia 30135 |
| <b>Applebee's</b><br>655 Duluth Highway<br>Lawrenceville, Georgia 30045    | <b>Applebee's</b><br>2445 Mall Boulevard<br>Kennesaw, Georgia 30144    | <b>Applebee's</b><br>4685 Nelson Brogdon Blvd.<br>Sugar Hill, Georgia 30518 | <b>Applebee's</b><br>2404 Dallas Highway<br>Marietta, Georgia 30064        |
| <b>Applebee's</b><br>1448 Dogwood Drive<br>Conyers, Georgia 30013          | <b>Applebee's</b><br>826 Turner McCall Blvd.<br>Rome, Georgia 30161    | <b>Applebee's</b><br>2945 Stonecrest Circle<br>Lithonia, Georgia 30038      | <b>Applebee's</b><br>1524 Lafayette Pkwy<br>LaGrange, Georgia 30240        |
| <b>Applebee's</b><br>1705 Browns Bridge Road<br>Gainesville, Georgia 30501 | <b>Applebee's</b><br>504 Lakeland Plaza<br>Cumming, Georgia 30040      | <b>Applebee's</b><br>5176 Highway 278, NW<br>Covington, Georgia 30014       | <b>Applebee's</b><br>550 Thornton Road<br>Lithia Springs, Georgia 30122    |
| <b>Applebee's</b><br>2728 Spring Road SE<br>Atlanta, Georgia 30339         | <b>Applebee's</b><br>3676 Highway 138 SE<br>Stockbridge, Georgia 30281 | <b>Applebee's</b><br>105 East Ridgeway Road<br>Commerce, Georgia 30529      | <b>Applebee's</b><br>1531 Highway 400 South<br>Dawsonville, Georgia 30534  |
| <b>Applebee's</b><br>2226 West Broad Street<br>Athens, Georgia 30601       | <b>Applebee's</b><br>1925 Scenic Highway<br>Snellville, Georgia 30078  | <b>Applebee's</b><br>5149 Jimmy Lee Smith Pkwy.<br>Hiram, GA 30141          | <b>Applebee's</b><br>130 Perimeter Center Place<br>Atlanta, GA 30346       |
| <b>Applebee's</b><br>185 Cherokee Place<br>Cartersville, Georgia 30120     | <b>Applebee's</b><br>971 Bullsboro Drive<br>Newnan, Georgia 30263      | <b>Applebee's</b><br>145 Martin Luther King Jr., Blvd<br>Monroe, GA 30655   | <b>Applebee's</b><br>4705 Memorial Drive<br>Decatur, Georgia 30032         |
| <b>Applebee's</b><br>1105 Southpark Street<br>Carrollton, Georgia 30117    | <b>Applebee's</b><br>1421 Riverstone Parkway<br>Canton, Georgia 30114  | <b>Applebee's</b><br>6649 Roswell Road<br>Atlanta, Georgia 30328            | <b>Applebee's</b><br>6727 Tara Boulevard<br>Jonesboro, Georgia 30236       |

Applebee's  
125 Gwinco Boulevard  
Suwanee, Georgia 30024

Applebee's  
792 Glynn Street  
Fayetteville, Georgia 30214

Applebee's  
2050 Lawrenceville Highway  
Decatur, Georgia 30033

Applebee's  
4353 Lawrenceville Highway  
Tucker, Georgia 30084

**Finalist Selection & Notification:** A random drawing will be held on or about Friday, November 6, 2009 from among all eligible e-Newsletter opt-in registrations received between 12:01a.m. on 10/5/09 until 12:00a.m. on 11/1/09. A total of one official grand prize winner will be selected.

Only the **(1)** randomly selected grand prize winner will be contacted. The winner's name will be posted at the office of AppleCreek Management Company, Inc. Any entrant may request the winner's name by writing to AppleCreek Management Company, Inc. at 6620 McGinnis Ferry Road, Suite A, Johns Creek, GA 30097, Attention: Sweepstakes. The one grand prize winner will be directly contacted by the contest administrator on or about Friday, November 6, 2009, based on the contact information provided by the consumer during the e-Newsletter opt-in registration process. The selected grand prize winner must immediately acknowledge his/her acceptance of the grand prize package to the sweepstakes administrator at the time of initial contact. If the winner fails to acknowledge return contact from the initial notification within 5 business days, or does not accept the grand prize package, then the initial grand prize winner will be disqualified. An alternate winner will then be selected from all remaining eligible registrations received and notified per the procedures outlined above. Decisions of judges in the selection, notification and confirmation of grand prize winner within the required time limit, and all matters related to the sweepstakes are final and binding.

**Grand Prize Sweepstakes:** A maximum of (1) grand prize will be awarded. If there are no eligible applicants, then the grand prize will not be awarded.

**Prize Awards & Delivery:** The selected grand prize winner will be eligible to claim the grand prize package, subject to approval and verification of compliance of these official rules. The grand prize package is limited to the following items:

- Coca-Cola Gazebo 5'x5'
- Coca-Cola Folding Chairs (4)
- Coca-Cola Folding Table
- Coca-Cola Grill Master BBQ Cooler Set
- Coca-Cola Coleman® 40-Quart Wheeled Cooler
- Coca-Cola Cooler Tub
- Coca-Cola Red Timberline Colorado® Blanket
- Coca-Cola Melamine Serving Bowl
- Coca-Cola Melamine Chip and Dip Tray
- Coca-Cola 11" Melamine Plates – Set of 4
- Coca-Cola 15 oz. Things Go Better with Coke Tumblers (4)
- Coca-Cola Red Koozies® (4)
- Coca-Cola Red Apron with Pockets
- Coca-Cola Binoculars
- Coca-Cola Custom Football
- Coca-Cola Football T-Shirts XL (4)
- \$500.00 Cash

**No merchandise substitutions or cash value for merchandise will be provided. Please allow 4-6 weeks for delivery. The total prize value is \$930.57. The odds of winning are dependent upon the total number of eligible e-newsletter opt-in registrations received during the designated sweepstakes timeframe.**

All other costs related to prize delivery and acceptance is the responsibility of the grand prize winner including but not limited to federal, state and local taxes. All properly claimed prizes will be awarded. Prizes are non-transferable and no cash redemption or prize substitution allowed, except at Sponsor's sole discretion or as provided herein.

Sponsor reserves the right to substitute a prize of equal or greater value if an advertised prize becomes unavailable. Winner will be required to complete and return a W-9 form (*if prize value exceeds \$600.00*), affidavit of eligibility, and liability/publicity release, and present a valid driver's license before prize will be awarded. Winner of prize will be issued a 1099 form reflecting the value of the prize(s) and is responsible for paying all applicable taxes on prize(s). Failure to collect or properly claim any prize in accordance with these rules will result in forfeiture of the prize. If forfeited for any reason, finalist will not receive any other prize substitution or compensation. Total value of all available prize awards: **\$930.57**.

**Additional Rules & Restrictions:** By participating in this sweepstakes, entrants agree to abide by and be bound by the Official Rules and the decisions of the Administrator, which shall be final in all matters relating to this sweepstakes. In the event an entrant wins the grand prize, and is later found to be in violation of these rules he/she will be required to forfeit the prize or to reimburse Sponsor for the stated value of the prize if such violation is discovered after winner has used the prize. Participation in sweepstakes constitutes permission for the Sponsor and its agencies to use winner's name and/or likenesses for purposes of

advertising and trade in any media worldwide without limitation or further compensation unless prohibited by law. False, fraudulent or deceptive entries or acts shall render entrants ineligible for any prize.

Sponsor and Administrator are not responsible for any typographical or other error in the printing or advertising of the offer, administration or execution of the sweepstakes or in the announcement of the grand prize winner. By accepting the prizes advertised, the grand prize winner agrees to hold sponsor, and Released Parties, from any claims, losses, actions, or damages of any kind, whether actual, incidental or consequential, for injury (including but not limited to death), damages, losses or expenses arising out of or relating to entrant's participation in this sweepstakes, or the acceptance, possession or use/misuse of any prize, or participation in prize-related activities (including but not limited to travel related thereto), and to assume all liability in connection therewith.

Released Parties shall not be liable to the grand prize winner, entrant or any other person for failure to supply the prize or any part thereof by reason of any acts of God, any actions, regulations, orders, or requests by any governmental entity, equipment failure, terrorist acts, war, fire, unusually severe weather, embargo, labor dispute or strike, labor or material shortage, transportation interruption of any kind, or any other cause beyond Released Party's sole control. No more than the advertised number of prizes will be awarded for any reason.

**IN CASE OF DISPUTES:** By participating, each entrant agrees that (1) any and all disputes, claims, and causes of action arising out of or in connection with this Promotion, or any prizes awarded, shall be resolved individually, without resort to any form of class action, and any judicial proceeding shall take place in a federal or state court within the State of Georgia; (2) any and all claims, judgments, and awards shall be limited to actual out-of-pocket costs incurred, including costs associated with entering this Promotion, but in no event attorneys' fees; and (3) under no circumstances will entrant be permitted to obtain awards for, and entrant hereby waives all rights to claim, punitive, incidental, and consequential damages, and any other damages, other than for actual out-of-pocket expenses, and any and all rights to have damages multiplied or otherwise increased. All issues and questions concerning the construction, validity, interpretation and enforceability of these Official Rules, or the rights and obligations of entrant and Sponsor in connection with this Promotion, shall be governed by, and construed in accordance with the laws of the State of Georgia, without giving effect to any choice of law or conflict of law rules or provisions (whether of the State of Georgia or any other jurisdiction), that would cause the application of the laws of any jurisdiction other than the State of Georgia.

**Odds:** The odds of being selected as an official grand prize winner are dependent upon the total number of eligible e-newsletter opt-in registrations received during the designated sweepstakes timeframe.

**Sponsors:** Applebee's Services, Inc. 4551 W. 107<sup>th</sup> Street, Suite 100, Overland Park, Kansas 66207  
AppleCreek Management Company, Inc. 6620 McGinnis Ferry Road, Duluth, GA 30097  
The Coca-Cola Company, P.O. Box 1734, Atlanta, GA 30301, USA

**Sweepstakes Promoter/Administrator:** This sweepstakes is promoted and administered by AppleCreek Management Company, Inc., 6620 McGinnis Ferry Road, Duluth, GA 30097.