

TERMS AND AGREEMENTS

FULL CONDITIONS LIABILITY OF ECS MOTORCYCLE MESSENGER, LLC AND ITS' AFFILIATES AND THEIR DIRECTORS, OFFICERS, EMPLOYEES, AGENTS AND INDEPENDENT CONTRACTORS (COLLECTIVELY, "THE COURIER ORGANIZATION") FOR LOSS OR DAMAGE OF SUCH SHIPPER'S SHIPMENT WILL NOT EXCEED SUCH SHIPMENT'S DECLARED VALUE, DEPRECIATED VALUE, REPLACEMENT COST, OR REPAIR COST OR US\$500, WHICHEVER IS LESS. IF WHEN TENDERING A SHIPMENT FOR CARRIAGE, SHIPPER STATES ON THE RESPECTIVE WAYBILL OR LOG A DECLARED VALUE OF SUCH SHIPMENT HIGHER THAN US \$500 AND SHIPPER PAYS THE REQUIRED SURCHARGE LISTED, THE COURIER ORGANIZATION'S LIABILITY FOR LOSS OR DAMAGE OF SUCH SHIPMENT WILL NOT EXCEED SUCH SHIPMENT'S DECLARED VALUE, DEPRECIATED VALUE, REPLACEMENT COST, OR REPAIR COST, WHICHEVER IS LESS. NO DECLARED VALUE OF A SHIPMENT SHALL EXCEED US\$5000.00. The required surcharge referenced above is US \$1.50 per \$100 or fraction thereof for the declared value of a shipment of more than US\$5,000. An automatic charge of \$1.50 per shipment applies to coverage up to \$500.00 will all considerations as outlined above unless previously declined in writing. Delivery by a stipulated date or time cannot be guaranteed. The Courier Organization shall not be liable for any delay in the delivery of shipment. In no event shall the Courier Organization be liable for any of the following: (i) special, consequential, indirect or incidental damages or losses, such as by way of example and not of limitation, lost profits, income or business opportunity, and interest; (ii) damages or losses not caused by the negligence or willful misconduct of anyone in the Courier Organization; (iii) acts or omissions of another; (iv) damages or losses caused directly or indirectly by hazards or dangers incident to a state of war or belligerency; (v) any act or restraint of ay government or public authority acting with actual or apparent authority; (vi) strikes, riots, or civil commotions; (vii) disasters and weather conditions; and/or (viii) acts of God and/or any other circumstances outside the control of the Courier Organization. Liability is for the shipment's loss or damage only. Should any claim in any amount be asserted against the Courier Organization by any third party in connection with shipper's shipment, shipper indemnifies and holds harmless the Courier Organization against any such claim regardless of the cause. Claims regarding loss or damage or any kind must be made within forty-five (45) days after delivery.

ECS Motorcycle Messenger, LLC

310-571-5327