



**INTERCOLLEGIATE ATHLETICS GAME CONTRACT BETWEEN
THE REGENTS OF THE UNIVERSITY OF NEW MEXICO ("UNM")
and THE UNIVERSITY OF COLORADO ("CU")**

SPORT: Women's Soccer

GAME SITE: UNM Soccer Complex - Albuquerque, NM

DATE/TIME: Thursday, September 7, 2023 at 7:30pm MT MM
MM

1. The parties agree to participate in an athletic contest ("Game") between their Women's Soccer teams on the date and at the time set forth above.
2. Officials for the Game shall be assigned by the Mountain West Conference.
3. The eligibility rules governing participation in the Game shall be those established by the faculties of the respective institutions and the Athletic Conferences involved.
4. CU will be allowed 30 complimentary tickets for the above Game.
5. UNM retains all rights to broadcast the Game on radio, television, the internet, and any other medium.
6. CU grants to **UNM** the non-exclusive, worldwide_royalty- free right and license to use (i) the trademarks, service marks and other indicia of and relating to any teams participating in said Game and (ii) the names, images, likenesses, biographical details, privacy rights, publicity rights, and all other indicia of identity of participants and other individuals involved in the conduct of the Game for the sole purposes of broadcasting, advertising and promoting the Game. Any other use of CU's trademarks, service marks, or other indicia is prohibited.
7. The parties agree that if either institution breaches this contract by refusing to play at the time and place agreed upon, the non-breaching party shall sustain damages that are difficult (if not impossible) to calculate. Therefore, the parties agree that in the event one party refuses to play at the time and place agreed upon, it shall pay to the other party, the sum of ten-thousand dollars (\$10,000.00).
8. **Force Majeure:** No party shall be liable or responsible to the other party, nor be deemed to have defaulted under or breached this contract, for any failure or delay in fulfilling or performing any term of this Agreement, when and to the extent such failure or delay is caused by or results from acts beyond the impacted party's ("Impacted Party") reasonable control, including, without limitation, the following force majeure events ("Force Majeure Event(s)": (a) acts of God; (b) tornado, (c) haboob, (d) drought, (e) flood, (f) fire, (g) earthquake, (h) explosion; (i) war, (j) invasion, (k) hostilities (whether war is declared or not), (l) terrorist threats or acts, (m) riot or other civil unrest; (n) government order or law; (o) embargoes or blockades in effect on or after the date of this Agreement; (p) action by any governmental authority that makes performance impractical or impossible; (q) declaration of a national, regional or local emergency; (r) strikes, labor stoppages or slowdowns or other industrial disturbances; (s) shortage of adequate power or transportation facilities; (t)

pandemic or other health emergency; and, (u) other similar events beyond the reasonable control of the Impacted Party.

- 9. Other Considerations: UNM to return to CU during 2024 season.

[END: SIGNATURES FOLLOW]

Signature: Matt McKernan
Matt McKernan (May 18, 2023 09:22 MDT)

Email: mckmatt@unm.edu

FOR: THE UNIVERSITY OF NEW MEXICO

Ed Manzanares
Ed Manzanares (May 18, 2023 10:59 MDT)
Sport Coordinator Date

Heather Dyche
Heather Dyche (Jun 1, 2023 09:23 HST)
Coach Date

Eddie Nunez
Eddie Nunez (Jun 1, 2023 13:46 MDT)
Athletic Director or Designee Date

FOR: THE UNIVERSITY OF COLORADO

DocuSigned by:
Danny Sanders 6/21/2023
4340B288CAF648C...
Coach Date

DocuSigned by:
Cheryl... 6/21/2023
F3163BE9C24848A...
Athletic Director or Designee Date

DocuSigned by:
Todd Haggerty 6/21/2023
98FBAB8DC8A84A4...
University of Colorado Boulder - CFO Date

DocuSigned by:
Elvira Strehle-Henson 6/15/2023
4E18B350A13E419...
Approved as to Legal Sufficiency Date