

TOPS FRIENDLY MARKETS, LLC
Grand Prize Birthday Bash Event
OFFICIAL RULES

Contest begins: Saturday, July 12, 2008 at 11:00 AM

Contest ends: Sunday, July 13, 2008 at 4:00 PM

- HOW TO PLAY:** NO PURCHASE NECESSARY TO ENTER OR WIN. You must have a registered TOPS BONUSCARD to play. You may obtain a BONUSCARD at no cost at any Tops location by filling out an application at the customer service desk during regular store business hours, or by visiting the Tops Tent at the Taste of Buffalo on Saturday, July 12 between the hours of 11am and 8pm and on Sunday, July 13, 2008 between 11 am and 2 pm. The Tops tent is located at Niagara Square and Delaware Avenue in downtown, Buffalo, NY. Each hour, from 11:00 AM to 8:00 PM on Saturday, July 12, 2008 and each hour from 11:00 AM and 2:00 PM on Sunday, July 13, 2008, a new celebrity's birthday (month and day only) will be posted on the electronic billboard located at the Tops tent. Match your birth date with the celebrity's birth date posted that hour. You will need to show photo ID as proof and present a registered BONUSCARD®. If you match the birth date shown and you meet the eligibility requirements set forth herein, you will win a Perry's Ice Cream Bowl and Spoon Set while supplies last (ARV is \$1.99) and have an opportunity to qualify for the Grand Prize Birthday Bash Event. All persons that successfully match their birthday will receive the opportunity to select a winning invitation to take part in the Grand Prize Birthday Bash Event and become eligible to win one of three grand prizes. *Odds of matching your birthday with the celebrity birthday are 1:28.*

Qualifying for the Grand Prize Birthday Bash Event: Each qualified contestant will place their hand in a bag containing winning and non-winning Grand Prize Birthday Bash invitations and will be instructed to draw out one invitation. If the contestant picks an invitation that reads: CONGRATULATIONS! YOU'RE INVITED!, the contestant will become eligible to win one of three prizes at the Grand Prize Birthday Bash Event held at approximately 4:00 pm, Sunday, June 13, 2008. Twenty-five (25) winning Grand Prize Birthday Bash Event invitations will be made available. *Odds of winning a Grand Prize invitation are currently 25:200*

Grand Prize Birthday Bash Event: Three (3) Grand Prize winners will be determined out of the twenty-five (25) Grand Prize Qualifiers at the Grand Prize Birthday Bash Event on Sunday, July 13, 2008. The Qualifier, or an authorized agent, must be present and register at 4:00PM at the Grand Prize Birthday Bash Event and present their winning invitation and their photo identification, to register and be eligible to claim a Grand Prize. Under no circumstance will the authorized agent be eligible to lay claim to any prize won by the registered BONUSCARD holder contestant and shall not be compensated in any way. Upon registration, each of the twenty-five (25) Grand Prize contestants will randomly select a number that will determine the order in which they will line up to select a small Birthday Box. Three (3) small Birthday Boxes contain a winning Birthday Candle and the remaining boxes are empty. One small Birthday Box will be made available for every contestant that is registered by 4:15pm on Sunday, July 13, 2008. There will be no more than twenty-five (25) contestants, but there may be less. In any case, all three (3) Grand Prizes will be awarded. Once a small Birthday Box has been selected, the Grand Prize contestant will open their selected small Birthday Box. If the contestant finds a colored birthday candle inside of their small Birthday Box,

they will win the prize inside the oversized Grand Prize Birthday Prize box with the same color ribbon. There are three (3) oversized Grand Prize Birthday Boxes each containing a different prize. In no event will Tops Markets, LLC or any sponsors be liable for more than the stated number of prizes in Rule 3. (Example: Each oversized Grand Prize Birthday Box is wrapped in a different color ribbon. If a contestant finds a red candle inside their small Birthday Box, they will win the prize inside the oversized Grand Prize Birthday Box that is wrapped in a red ribbon). *Each potential Grand Prize winner will be required to complete and return an affidavit of eligibility, liability, and publicity release (where legally permitted) prior to claiming any prize.*

All prizes are non-transferable, and no substitutions will be made, unless otherwise agreed upon by SPONSORS. SPONSORS also reserve the right to cancel this promotion at any time during the promotion period. SPONSORS are not responsible for winner limitations that prevent acceptance or use of any prize. All federal, state and local taxes where applicable are the sole responsibility of the prize recipient. Each winner is responsible for, if applicable, all relevant taxes, licensing fees, insurance, titles, passports, visas, ground transportation, meals or personal expenses as expressly set forth in the rules. Each winner will receive an IRS Form 1099 for the fair market value if the prize is in excess of \$600.

2. **ELIGIBILITY:** Entrants must have a registered BONUSCARD®. You must be a legal resident of New York or Pennsylvania, and 18 years of age or older. Employees and their immediate family members of TOPS MARKETS, LLC, Perry's Ice Cream, Taste of Buffalo Board of Directors, their parents, agencies or affiliates are not eligible to enter or win.
3. **Grand Birthday Bash Event PRIZES:** Three (3) Grand Prizes: One (1) prize of twenty-five (25) admission tickets and a Birthday bash picnic for twenty-five (25) at Darien Lake Theme Park. (ARV. \$1,371); One (1) prize of \$1,000 Tops gasoline gift card (ARV \$1000); One (1) prize of a Meet 'n Greet Country Superstar, Taylor Swift and front row tickets for two (2) at America's Fair on August, 11 2008. (ARV is \$110); (Tops and America's Fair are not responsible for replacing or reimbursing winners with any form of compensation for events being cancelled, rescheduled or delayed. All cancellations are deemed beyond the control of Tops, America's Fair or its sponsors. Additionally, Tops and America's Fair is not responsible for any expenses incurred by contest winner as a result of such cancellation or delay.)

All decisions of the Tops Community Relations Department shall be final. Prize may be forfeited if the notification is mailed and returned as undeliverable mail without a forwarding address, or if the Winner is unable to be contacted by telephone. Prizes will be delivered within ten (10) days of the event. *Odds on winning are 3:25*

4. **CONDITIONS:** The potential Grand Prize winners will be required to complete and an affidavit of eligibility, liability, and publicity release (where legally permitted) prior to claiming any prize. Failure to comply with this requirement or will result in forfeiture of prize and an alternate winner may be determined or selected by the SPONSORS at their sole discretion. Participation in the Contest or acceptance of prize also constitutes permission to use Contestant's name, biographical information and/or likeness for Sponsor's promotional and/or advertising purposes without notice or compensation. In addition, each Contestant, including the Grand Prize winner, must provide written consent before participating in the Contest to be filmed prior to, during and immediately after the Contest and permit the broadcast, publication or other use of said film and audio footage, in whole or in part, by

Sponsor for news purposes, worldwide in any media now known or hereafter developed, including but not limited to the World Wide Web, in perpetuity and at no additional compensation. In the event of noncompliance with these Official Rules, Contest opportunity and/or prize will be forfeited. Sponsor reserves the right at its sole discretion to disqualify any Contestant who tampers or attempts to tamper with the Contest process or the operation of the Contest, violates these Official Rules, or acts in an unsportsmanlike or disruptive manner, or with intent to annoy, abuse, threaten or harass any other person.

Disclaimers and Waivers: Contestants assume all liability for any injuries or damages caused or claimed to be caused by his or her participation in the Contest and/or any travel related thereto and/or the acceptance and/or use of any prize. Contestants release each of the SPONSORS, their affiliates, subsidiaries, agents, representatives, heirs and assigns, advertising and promotion agencies and each of their respective officers, directors and employees (the "Released Parties") from any such liability. The Released Parties assume no responsibility for human or other error, which may occur in the processing of entries for the Contest. The prize and all elements thereof are provided "as is" without warranty of any kind, either express or implied, including but not limited to, the implied warranties of merchantability, fitness for a particular purpose or non-infringement to the extent allowed by law. As a condition of participating in the Contest, the Contestant agrees that any and all disputes, which cannot be resolved between the parties, and causes of action arising out of or connected with the Contest, shall be resolved individually, without resort to any form of class action. All decisions of the Tops Marketing Department shall be final.

5. **WINNERS LIST:** To obtain a list of winners, send a self-addressed, stamped envelope to: Birthday Bash, TOPS Markets, P.O. Box 1027, Buffalo, NY 14240 by July 31st, 2008.
6. **SPONSORS:** Tops Markets, LLC, Buffalo, NY, 14240 and Perry's Ice Cream. The Sponsors reserve the right to make changes in the rules of the contest including the substitution of a prize vehicle of equivalent value, which will become effective upon announcement.
7. **APPLICABLE LAW:** this contest is subject to all federal, state and local laws and regulations and is void where restricted or prohibited by law.