

Please note: This rather extreme contract reflects several undesirable outcomes of agreements that have lately been experienced by us. They reflect the changes in our society and its ever increasingly litigious nature and the banality of humans, who, unfortunately are not dogs.

The parties (buyers and Echo View Dalmatians) agree they are entering into this written Contractual Agreement in good faith & fair dealing & the implied understanding requires the parties to use their best efforts to fulfill the terms & objectives of the Contractual Agreement. The singular form of Buyer & Breeder includes the plural. If any provision of this Contractual Agreement is held ineffective unenforceable or invalid, the remaining provisions will nevertheless be given full force & effect & remains valid & enforceable.

Any mediation or litigation shall be executed in the Province of Alberta, Rocky Mountain House, Clearwater County. Buyer & Breeder agree that the proper venue for any legal action taken to enforce the terms & conditions of this Contractual Agreement shall lie in Clearwater County & that this Contractual Agreement shall be interpreted in accordance with the laws of the Province of Alberta, Canada, without regard to conflicts of law provisions. The parties agree to submit to the personal jurisdiction of the Province of Alberta, Canada. If either party named herein brings legal action or arbitration to enforce the terms of this Contractual Agreement or to declare rights hereunder, the prevailing party in any such action, trial, arbitration or appeal, shall be entitled to all costs & expenses, including expert witness fees & reasonable attorneys' fees, incurred by the prevailing party in resolving such dispute as fixed by the court or arbitrator. Any specific right or remedy provided in this Contractual Agreement will not be exclusive but will be cumulative of all other rights & remedies. The rights & remedies conveyed upon the Breeder will be in addition to & not in substitution of or in derogation of the rights & remedies conferred by the laws of the Province of Alberta, Canada.

The parties agree to resolve any disputes arising under this Contractual Agreement first through mediation &, if unsuccessful, through arbitration as outlined hereafter:

Mediation. Buyer & Breeder agree to mediate any dispute or claim arising between them out of this Contractual Agreement, or any resulting transaction, before resorting to arbitration or court action. Mediation fees, if any, shall be divided equally among the parties involved. If, for any dispute or claim to which this paragraph applies, any party commences an action without first attempting to resolve the matter through mediation or refuses to mediate after a request has been made, then that party shall not be entitled to recover attorney fees, even if they would otherwise be available to that party in any such action.

Arbitration. Buyer & Breeder agree that any dispute or claim in law or equity arising between them out of this Contractual Agreement, which is not settled through mediation, shall be decided by neutral, binding arbitration. The arbitrator shall be a retired civil judge or justice, or an attorney, unless the parties mutually agree to a different arbitrator, who shall render & award in accordance with the laws of the Province. Judgment upon the award of the arbitrator may be entered in any court having jurisdiction, & the parties shall have the right to discovery in accordance with the Provinces civil code.

The Breeder neither makes nor implies any warranties or guarantees, expressed or implied, other than those written in the Contractual Agreement including, without limitation, the warranties of merchantability & fitness. All understandings between the parties pertaining to its subject matter are incorporated in this Contractual Agreement. Its terms are intended by the parties as final & an exclusive expression of their agreement with respect to its subject matter & may not be contradicted by evidence of any prior written or oral agreement & it supersedes all prior contemporaneous agreements, representations & understandings of the parties both verbally or in writing.

The Contractual Agreement may be executed in any number of counterparts, each of which shall be deemed an original. All of which together shall be deemed as one & the same instrument. However, neither this Contractual Agreement nor any provisions in it may be extended, amended, modified, altered, or changed, except in writing & signed by both Buyer and Breeder and each acknowledges a receipt of a copy of the new agreement.

This document (Sales Agreement and Guarantee & Legalities) constitutes the entire agreement & by signing I attest I have read, understood, & agree to the terms & conditions in this Contractual Agreement & it is mutually stipulated to have been entered into in Leslieville, AB, regardless of the place where it was physically signed.