

# Wethersfield Community Television (WCTV) PUBLIC ACCESS HANDBOOK

(Revised January 2022)

## Wethersfield Community Television (WCTV) 30 Greenfield St Wethersfield CT 06109

**Located in the Wethersfield Pitkin Community Center** 

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#### **INTRODUCTION - Welcome to Wethersfield Community Television**

#### **Wethersfield Community Television – WCTV**

Wethersfield Community Television (WCTV) is a Public, Educational and Governmental (PEG) Access channel located in the Wethersfield Community Center. WCTV is committed to providing opportunities for community expression on issues and topics that affect the lives of the residents of the Town of Wethersfield.

WCTV has been a part of the Wethersfield Community since 1984. The station is run solely by volunteers. Opportunities are always available for new people to host, produce or learn to run the camera equipment either in the studio or at town events. We are governed by a Board of Directors, that live in Wethersfield. Email for the most current list of Board members at wethty@wctv14.com.

Our main goal is to provide the citizens of Wethersfield with informative programming and important information regarding the events in our Community. In addition to airing shows we also offer a Community Bulletin Board (scroller) where we post announcements and information of events taking place in our town, schools and library. Contact us with the details of the events via the "Contact Us" function on our website. Information may also be sent via email to: wethtv@wctv14.com.

Wethersfield TV also offers a website where people can view Channel 14 shows On Demand from anywhere in the world. The website can be found at <a href="https://www.wctv14.com">www.wctv14.com</a>.

WCTV is generally on-air from 8:00 AM through 11:00 PM (EST). In order to fill the open timeslots, Channel 14 may also air shows from across the country filmed by other PEG Access channels. The shows are made available from the Peg Media internet site. Please see: www.Pegmedia.org for further information.

#### Wethersfield Government TV - Channel 16

In addition to Channel 14, Wethersfield Town Hall produces the town Government programs available on Channel 16. The shows that generally play on Channel 16 are the Town Council Meetings and the Board of Education meetings. The shows are filmed live from Town Hall and replayed several times per week. The Town Council meetings are usually held on the 1<sup>st</sup> and 3<sup>rd</sup> Mondays of the Month and the Board of Education meetings are held on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesdays of the month. Please see the Town Calendar or website for meeting days and times. Contact the Town Manager for any issues regarding the shows on Wethersfield Government TV – Channel 16.

Wethersfield Channel 14 and 16 are affiliated with COX TV in Manchester CT. In addition to Wethersfield, COX serves the towns of Glastonbury, Manchester, Newington, Rocky Hill and South Windsor (the "franchise area"). COX operates channel 15, the system-wide Public Access channel, as well as Channel 14 in Glastonbury, Manchester and South Windsor. The towns of Newington, Rocky Hill and Wethersfield each have non-profit local user groups, with facilities and equipment available for use. These user groups all operate on Channel 14 and are designed to provide town specific programming for producers.

The User groups and their contact information are as follows:

- Newington Community Television (NCTV) –860-667-5814 www.nctv.org
- Rocky Hill Community Television (RHCTV) 860-257-7488 www.rhctv.org
- Wethersfield Community Television (WCTV) 860-500-7183 www.wctv14.com

This handbook outlines the procedures developed by COX TV in conjunction with the Advisory Council and the local user groups, to encourage and facilitate the production and telecast of Public Access programming. These rules govern the use of Wethersfield's public access equipment and the studio in Wethersfield. Please carefully read the following policies and procedures that have been developed to ensure the proper utilization of our Public Access station.

This handbook is based upon the fundamental purposes of PEG access (as described in PURA regulations section 16-333-33c [9]) that include but are not limited to:

- · Enhancing First Amendment rights;
- Providing for the dissemination of diverse views and for a marketplace of ideas and information;
- Capitalizing on the possibilities inherent in "narrowcasting," as contrasted with broadcasting;
- Providing for viable alternatives to commercial programming;
- And, enhancing a sense of community among residents of Wethersfield.

#### **FACILITY OPERATION AND GUIDELINES**

#### A. Hours of Operation

WCTV is staffed by volunteers; therefore, there are no set hours of operation. Generally, the Studio is open Mondays & Fridays from 10:00 a.m. until 2:00 p.m. and Wednesday evenings from 5:00 p.m. until 7:00 p.m. Please contact the TV Station before visiting, to insure it is open. The Pitkin Community Center and WCTV are closed on all recognized holidays, and WCTV follows the normal holiday and inclement weather for closings. Hours by appointment may be made at least one week in advance and will be granted at the discretion of WCTV. Persons residing in Wethersfield are encouraged to contact the staff for more information about reserving the studio or using the equipment.

Contact us by the following methods:

- 1. Phone: leave message at 860-500-7183
- 2. Email: wethtv@WCVT14.com
- 3. At our website: www.WCTV14.com, send a message via the "Contact Tab"

#### B. Reserving the Production Facilities and Equipment

WCTV facilities and equipment are provided free of charge for the use of Wethersfield residents to produce and air non-commercial Public Access programs. All programs produced using the facilities and equipment must be aired on Cox Channel 14. WCTV reserves the right to ask for proof of residency (i.e. a valid State of Connecticut driver's license) before any studio, equipment usage or editing time is booked.

All facilities and equipment must be scheduled through the WCTV operations coordinator and/or the president. Public Access programs must be produced in accordance with federal, state and local laws and the guidelines set forth in this Handbook.

All Public Access Users **MUST** complete the Public Access User's Application Form. The scheduling of facilities is provided on a first-come, first-serve, non-discriminatory basis. The facilities include a production studio, a production booth and editing equipment. Access users are required to give notice of cancellation for studio, equipment or editing reservations at least 24 hours in advance. Scheduling changes can be adjusted at the discretion of WCTV.

#### C. Producers and Crew Members

A producer is the person responsible for the program, and a crew member is an individual who assists in the production of a producer's program. Producers and crew members must be at least eighteen (18) years of age and have completed the basic Public Access Production Workshop (subject to exceptions). All users utilizing WCTV equipment/facilities must be a resident or be associated with a non-profit organization within the Wethersfield area. WCTV reserves the right to require a valid driver's license to prove residency or contact information for an individual who can confirm association with the non-profit organization. Eligibility for usage of specific equipment or equipment packages by the individual/groups will be determined by their knowledge and expertise as proven to the WCTV Coordinator, based on completion of various training workshops, proven proficiency and hands-on experience. For more information about training workshops please contact WCTV.

#### D. Training

The WCTV volunteers provide basic training in production, camera operation and editing. In order to qualify for use of equipment and/or studio facilities users must complete the basic WCTV Production Workshop. This workshop will cover various aspects of producing a Public Access program, utilizing basic production equipment and techniques.

#### E. Editing

WCTV offers workshops covering basic editing techniques using transitions, graphics, voiceovers and music inserts. Our primary editing utilizes up-to-date software. WCTV generally uses SD cards for the field cameras and captures mpeg, mp4, cloud, and live streaming files in the studio. We are not responsible for loss of SD cards or loss of footage. Footage may be left on the computers for one (1) week during the editing process after which it will be deleted unless special arrangements are made.

#### F. Character Generator

WCTV offers a system for graphics or titling of programs in both the studio and edit suites. CG training is also available on an individual basis. The training includes an overview of font styles, colors, shadows and importing pictures or creating backgrounds. Contact WCTV for more information or to schedule training.

#### **G. Field Equipment**

The field equipment generally consists of a Panasonic camera, case, battery, battery charger, SD card and tripod. Microphones and portable lights are also available and must be requested. Field equipment cannot be taken outside the State of Connecticut, unless approved by the WCTV operations coordinator. Appropriate and sufficient identification is required before equipment is removed from the premises.

WCTV reserves the right to refuse use of Public Access equipment to any individual who is unable or refuses to present sufficient personal identification. An access user must sign the Equipment Sign-Out Form before taking equipment and agrees to exercise proper care of the equipment in accordance with instructions given by the staff. Proper care of equipment must be exercised at all times (i.e., DO NOT leave equipment in car during extreme heat/cold conditions).

WCTV operations coordinator must verify and sign out all equipment that leaves the premises. Upon return of the equipment, the Coordinator must verify that all equipment has been returned and will sign the equipment back in. The user must notify staff of any problems with the equipment. The individual borrowing the equipment will bear all costs if the equipment must be repaired or replaced due to theft, abuse or loss.

Portable equipment is available for a forty-eight (48) hour period. For weekend use, equipment may be picked-up on Friday and returned on Monday. WCTV will handle special requests for use of equipment for more extended periods of time on a case-by-case basis. An individual Access user or group may borrow the equipment a maximum of four times per month; exceptions to this will be made at the discretion of the staff and are contingent upon availability of equipment. Penalties for the late return of equipment are covered in the "Violations" section of this handbook.

#### **H. Studio Productions**

The studio can be reserved on a first-come, first-served basis, at least two weeks in advance, but no earlier than eight weeks in advance of the production date. Studio production time is limited to a three-hour reservation (including studio setup/breakdown). These requirements may be waived at the discretion of the staff. The staff is available for technical assistance and consultation and will at all times make a good faith effort to assist in maximizing the success of the production.

It is the responsibility of the producer to provide a production crew for all studio programs. The producer must supply a minimum of three (3) qualified crew members for a show with one or two people on the set and a minimum of four (4) qualified crew members for a show with three or more people on the set. Producers and crew must arrive a minimum 15 minutes prior to their scheduled studio time. Upon completion of the studio time, producers, crew and guests are asked to leave the premises within 15 minutes after breakdown. The producer must remain on the premises throughout the production and should not leave until the entire crew and guests have left the building. Only individuals necessary to the production should be present in the facility.

It is the Producer's responsibility to work within the technical capabilities of the facilities and they must ensure that the equipment in the studio is NOT modified in any

way. This includes the cameras, computers, switcher, soundboard, and all wiring. If any technical equipment is modified, the producer and crew will not be allowed to use the studio again. If any studio equipment is broken or damaged, exclusive of normal wear and tear, the Producer shall be responsible for the full cost of repair and/or replacement as required.

WCTV provides a basic studio set and some props. Producers may supplement with their own set and props within reason. It is recommended to limit the talent to four people on the set at one time. Productions that create excessive noise (e.g., live bands) or disrupt other activities in the building will be scheduled at the sole discretion of WCTV.

#### **House Rules**

All interaction between public access staff and users shall be conducted with courtesy and civility. Cooperation and courtesy of the producer and crew is a MUST to ensure a successful production. Producers and guests should remain in the studio area while a show is being produced. Restroom facilities are available. WCTV's telephone, for personal use and office equipment are off-limits. No food or drink is allowed in the studio, control room or edit suites. Coffee and water may be used on the set, (but not the production booth) during a production or when the show features food preparation. No smoking is allowed in the facility. The possession and/or use of alcohol or drugs on town property or during possession of Public Access equipment is strictly forbidden. Anyone who possesses these items, or appears to be under the influence of alcohol/drugs will be asked to leave the premises. No obscene material, sexually explicit conduct or profane language is allowed on the WCTV Communication's property.

#### **BECOMING A PUBLIC ACCESS PRODUCER**

#### A. Producer's Responsibilities and Rights

The producer has a variety of responsibilities (i.e. assembling a trained crew, scheduling the use of the facilities and equipment, contacting and scheduling guests, conducting research, writing scripts, and providing talent). The producer must inform all on-camera talent and guests that Public Access programming is independently produced and he/she is not an employee or representative of WCTV. The producer is responsible for obtaining all the necessary rights and clearances for copyrighted material and permission to transmit it over the Public Access channel(s). The producer should encourage all guests to complete a Talent Release form. A Talent Release Form can be obtained from WCTV. The producer is responsible for making sure that the program and individuals involved in the production adhere to the rules in this handbook. Producers of Public Access programming retain all rights to their program content. However, in Educational and Government Access operations, producer's rights shall be subordinate to the rights of the government agency.

#### **B. Program Content**

Material aired over the Wethersfield Community Television, whether produced locally or provided from another source, must comply with the following criteria:

#### 1. NO COMMERCIALISM

- a. No endorsement or advertising of any products and/or services;
- b. No mention of seminars, lectures, or consultation for which the viewer will eventually be charged;
- c. No mention of commercial activities, including, but not limited to, concert and club dates:
- d. No solicitation of monetary donations or contributions of any kind, including, but not limited to, advertising on behalf of candidates for public office, except as hereinafter provided;
- e. No use of the channel, facilities or equipment for financial gain, unless a written agreement is made prior to production as hereinafter provided;
- f. No selling or promotion of program time, charging guests or otherwise engaging in profitable use of community access facilities/equipment or programs produced, except as hereinafter provided;

**NOTE**: Non-profit local user groups may solicit donations or contributions to finance local public access operations or in support of charitable or public service organizations and projects. The local sponsor must edit programs containing references to monetary donations or contributions to profit-making organizations.

### 2. NO PROMOTION OF LOTTERY MATERIAL, GIFT ENTERPRISES OR SIMILAR SCHEMES

- 3. NO LIBELOUS, SLANDEROUS OR ILLEGAL MATERIAL \*
- 4. NO OBSCENE MATERIAL, SEXUALLY EXPLICIT CONDUCT, PROFANE LANGUAGE OR MATERIAL SOLICITING OR PROMOTING UNLAWFUL CONDUCT\*
- 5. NO MATERIAL WHICH INCITES VIOLENT OR HARMFUL ACTS \*
- \* As they refer to state and federal laws

#### C. Publicity and Promotion

Every attempt will be made to air programming as scheduled; however, there is no guarantee of compliance with program schedules. The producer must assume the risk of noncompliance. Due to circumstances beyond the control of the channel operator WCTV will not be held responsible for losses sustained as the result of failure to comply with program schedules.

#### D. Viewer Response

Viewer response may be encouraged by displaying the producer's address, e-mail address, website and/or phone number. The response address, e-mail address, website or phone number may not be that of a commercial business or service, and no business names can be displayed. The only lead announcement allowed is "For more information contact...." WCTV's address or phone number must not be used for this purpose.

#### E. Disclaimer

WCTV will air a disclaimer graphic stating "The views and opinions expressed on the following programs are not necessarily those of WCTV or its volunteers."

#### F. Financial Sponsorship

Financial sponsorship by a business, individual or non-profit organization is allowed. Sponsorship contributions are for production expenses exclusive of time (i.e., videotape, props, and transportation for guests). All sponsorship must be declared prior to airtime. Producers must return to their sponsors any funds collected which exceed production costs. Commercial advertising is prohibited during Public Access programming. Sponsorship acknowledgment is allowed utilizing the following guidelines, which allow you to identify your sponsors without creating an advertising or promotional effect.

#### 1. Placement of Credits

Sponsor credit may appear at the beginning and/or end of the program in audio and/or video. Sponsor credits may be 15-30 seconds in length per sponsor. In the case of multiple sponsors, total sponsor credit may not exceed 45 seconds (1 minute and 30 seconds if it appears at the beginning and end).

#### 2. Permissible Audio

Sponsorship credit must contain the following lead announcement followed by the names of the sponsors. No other description of the sponsor is allowed. "The following/preceding Public Access program has been presented through the assistance of...." General musical background audio is acceptable provided it is not promotional. No jingles are allowed. The producer must obtain permission necessary for the use of copyrighted music.

#### 3. Permissible Video

- a. Corporate, partnership, proprietorship or other business logos, animated or otherwise.
- b. Non-promotional slogans or tags.
- c. The outside view of the business or enterprise as long as it is not promotional.
- d. Sponsor's name and city. No phone numbers or addresses can be listed.

#### 4. Courtesy Credits

Credits at the end of the program that acknowledge contributors of in-kind services to the production (such as "hair by") are considered courtesy credits. Only the entity's name and the city in which it is located is allowed, no phone numbers or addresses can be listed. Courtesy credits are in addition to sponsorship credits. Programs utilizing WCTV's facilities, resources or equipment should give credit to Wethersfield Community Television, Wethersfield, CT.

#### G. Commercial Use of Public Access Programming

No public access programming shall be utilized for commercial purposes without express, prior, written agreement between the producer and the provider of access facilities and/or equipment. Such agreement may provide for the sharing of profits realized from such commercial use. If the provider of access facilities and/or equipment is WCTV, prior

consultation with COX Communications is required. The program must air on WCTV Cox channel 14 before it is used for commercial purposes.

#### WCTV will not:

- 1. Duplicate a program, or any portion thereof, without prior permission of the producer.
- 2. Use a program on any commercial or non-access channel(s) or distribute the program commercially.
- 3. Make a copy for a third party, except when required by a regulatory body or a court of appropriate jurisdiction.

#### **AIRTIME**

#### A. Rules for Airtime

Airtime on WCTV is made available free of charge on a first-come, first-serve, non-discriminatory basis. Every effort is made to insure that programs are aired at the requested time, but is dependent on the volume of requests and other factors. The program and application for airtime must be submitted at least 20 business days prior to the requested time. The local producer or local sponsor will be given prior notification as to the exact airtime of the program. There may be technical problems or extenuating circumstances beyond the control of WCTV that may cause the cancellation or postponement of programs. The producer will be given as much advance notice as possible. Whenever possible, the program will be rescheduled. Program time slots shall not exceed two consecutive hours unless prior agreement has been made with WCTV. Multiple copies of the same program, even if submitted by different applicants or under different names, will NOT be accepted. The process of "looping" (i.e. running a 10 minute segment back-to-back three times to make a 30 minute show) is also not acceptable.

#### **B. Programs Produced Outside the Franchise**

Programs produced outside the franchise area may be submitted for airtime on Channel 14 if they meet the rules and are for the benefit of persons residing in the Wethersfield area (see Conn. General Statute 16-333).

#### C. Program Scheduling Conflicts

WCTV shall make every effort to schedule programming in accordance with the airtime requested. Where a requested airtime is already allocated, the operator shall notify the applicant as soon as reasonably possible and offer alternatives. When simultaneous applications are received for the same airtime, the following order of priorities shall govern:

- 1. Locally produced live educational or governmental access programming
- 2. Locally produced live public access programming
- 3. Locally produced recorded educational or governmental access programming, not previously aired
- 4. Locally produced recorded public access programming, not previously aired
- 5. Locally produced recorded educational or governmental access replays
- 6. All other community access programming time slots are non-transferable and the 13week rule will be applied to resolve unavoidable conflicts involving series
- 7. programming in accordance with Connecticut General Statutes, Sec. 16-331a(e).

Scheduled programming may be pre-empted at the discretion of the channel operator by public service announcements concerning national, state or local emergencies or by unique and unanticipated live programming of a high newsworthy character. The channel operator will make every effort to resolve scheduling conflicts. Any applicant aggrieved by a local scheduling decision may appeal to the Cable Advisory Council.

#### D. Program Labeling Policy

For programs captured in the studio on the DVME software:

Programs MUST be labeled correctly with all the necessary information included on the MPEG and MPG4 file:

Full Show Title: Must be clearly indicated.

Guest Name: When applicable

**Date Produced:** The date(s) this episode was produced.

For example a Meet the Author show, with John Smith as guest, filmed on January 5, 2014, would be named as follows: Meet the Author John Smith 01052014.

#### DVDs and CLOUD files should be labeled as follows:

Full Show Title: Must be clearly indicated.

Guest Name: When applicable

**Date Produced:** The date(s) this episode was produced.

Run Time (RT): This is the actual length of the program and needs to be clearly and

accurately indicated. Example: 1 hour. 23 minutes. 45 seconds. = (RT 1:23:45) This is the total time from the start of your program until the end credits excluding the pre-roll time.

Name of the Producer or Local Sponsor and Phone Number: The contact person for the

show.

#### **E. WCTV ARCHIVE**

All past shows that have aired on WCTV are housed in the TV Studio at 30 Greenfield Street. Shows are either in VHS, DVD, or mpeg format. Most shows have been recorded in a catalogue and are available for purchase. Contact WCTV for further information by email at wethtv@wctv14.com

#### MOBILE STUDIO GUIDELINES: (LIVE STREAMING)

The mobile studio consists of a computer, wireless card and camera package. The mobile studio is used to film live events directly to Channel 14 and on the website for immediate viewing. The mobile studio is available for special events (example: concerts, graduations, and sporting events).

#### A. Producer Qualifications:

A producer must meet all of the following criteria to be qualified for the use of the mobile studio.

- 1. Must be at least 18 years of age and a resident of Wethersfield.
- 2. Successfully completed basic Public Access Production Workshops and Mobile Studio Training class.
- 3. Must have worked on one prior mobile studio production, or has produced/directed one Studio production.

#### **B. Crew Qualifications**

The following requirements must be met to be a qualified Crew member.

- 1. Must be at least 18 years of age and a resident of Wethersfield or be associated with a non-profit organization within the franchise area. Channel 14 reserves the right to require a valid driver's license to prove residency or contact information for an individual who can confirm association with the non-profit organization.
- 2. Successfully completed basic Public Access Production Workshops and Mobile Studio Training class.

#### C. Producer Responsibilities:

The producer is responsible for all aspects of the production including, but not limited to:

- 1. Providing properly qualified Crew members
- 2. Setup and operation of all equipment
  - a. Camera setup/operation
  - b. Running of audio/video/camera cables
  - c. Technical directing
  - d. Character generator operation
- 3. Securing all location paths
- 4. Clearances and access to points of entry/exit prior to arrival of mobile studio
- 5. Access to electrical power (if needed)
- 6. Contacting and scheduling guests
- 7. Conducting research
- 8. Writing scripts
- 9. Ensuring all crew members abide by WCTV rules and regulations as they pertain to the use of Channel 14 facilities and equipment.
- 10. Informing all on-camera talent and guests that WCTV is independently produced programming and that he/she is not an employee or representative of WCTV.
- 11. The Producer is responsible for any damage that may happen to the mobile studio and its equipment during the entirety of the production.

#### D. Schedule and Requests

A Mobile Studio Request Form must be completed in full and submitted to the Public Access Engineer for approval at least fifteen (15) business days before the production. However, Mobile Studio Request Forms cannot be submitted more than 60 business days before the date of the production. It is recommended that the Producer call WCTV Engineer before submitting a request to check mobile studio availability. Incomplete Mobile Studio Request Forms will not be accepted. The requesting producer will receive a phone call from the Engineer, approving or denying the request.

Once a Mobile Studio Request Form has been accepted, all crew changes and/or additional equipment requests require approval of the Public Access Engineer.

**Priority** The mobile studio is scheduled on a first-come, first-serve basis. The mobile studio is to be used for special events that cannot be recorded in the Production Studio.

Note: Live air time will take preference over recorded programs, all other things being equal. In the case of scheduling conflicts mobile studio producers can appeal to the Cable Advisory Council.

**E. Engineer Responsibilities** The Mobile Studio Engineer is responsible for the technical aspects and safety of the mobile studio and equipment. The Engineer will not take the place of any absent crew member. The Mobile Studio Engineer reserves the right to cancel or end the production early due to inclement weather or any other unforeseen factors that might lead to the endangerment of the mobile studio, equipment, or crew.

#### **VIOLATIONS AND PENALTIES**

In order for the WCTV Handbook to be effective, a penalty system has been instituted. There are two types of rules which, if violated, can result in restrictions on a User. WCTV is authorized to issue warnings and suspensions, which will be provided in writing. If the user disputes the penalty an appeal can be made to the Cable Advisory Council.

#### A. Major Violations:

Major violations will result in an immediate 90-day suspension. The WCTV Board of Directors will conduct a review of the individual/group responsible for the violation. These may include, but are not limited to:

- a. Commercial or profit-making use of facilities without prior written agreement.
- b. Material misrepresentation of affiliation with WCTV beyond that of a public access user.
- c. Falsifying forms.
- d. Taking or reserving equipment without staff permission.
- e. Modification or abuse of equipment, including attempted repair.
- f. Entering areas posted as off-limits.
- g. Use of alcohol and/or drugs while on WCTV property.
- h. Possession of alcohol and/or drugs while on WCTV property.
- i. Abuse or harassment of staff and other access users.

WCTV reserves the right to permanently ban privileges for repeated major violations or for an infraction so egregious that the penalty is warranted.

#### **B.** Minor Violations:

Minor violations will result in the following series of actions within a one-year period:

First Violation - written warning

Second Violation - 30-day suspension

Third Violation - 90 day suspension

Minor violations include, but are not limited to:

- a. Failure to cancel a reservation in accordance with set guidelines.
- b. Late pick-up or return of equipment without notification and approval.
- c. Mishandling of equipment.

- d. Eating, drinking or smoking in prohibited areas.
- e. Failure to clean up after using the facilities.
- f. Failure to meet program content guidelines.

#### C. Legal Requirements and Reservation of Rights:

WCTV does not enter into any contract or other binding agreement with an Access User, Applicant or Person seeking to become an Applicant by virtue of the existence of these rules and policies. WCTV expressly reserves the right to alter, adjust, modify, change, delete, substitute and to implement and enforce these rules and policies. Nothing contained herein shall be construed to constitute a waiver of the Company's rights under applicable law.

#### **END**