

The Mother Load Sale, LLC-- Seller Contract

TMLS Fall 2010 Sale will take place Saturday, Oct. 16th (9am-1pm) and Sunday, Oct. 17th (12-2pm) at Cleveland Middle School, 6910 Natalie Ave NE, Albuquerque, NM, 87110. **The exclusive TMLS PreSale will be held on Friday, October 15th (7-9pm).** Space is limited, and sellers will be accepted on a first-come, first-serve basis. For additional info, please refer to The Mother Load Website at: www.TheMotherLoadSaleABQ.com or contact Anita Suazo, Owner, at Anita@TheMotherLoadSaleABQ.com

To register as a seller, **mail only PAGE THREE of this contract**, your non-refundable **\$10 seller's fee** (check or money order) made payable to *The Mother Load Sale*, and a **self-addressed, stamped check-size envelope** to:

The Mother Load Sale, LLC
PO Box 65478
Albuquerque, NM 87193-5478

By signing this contract and selling at this event, I agree to the following terms and conditions:

Payments

- Seller must provide a non-refundable \$10 seller's fee and self-addressed, stamped, check-size envelope (SASE) at time of contract submission. Contracts that do not have both the fee and the SASE enclosed will not be accepted until both are received.
- Seller may agree to work a volunteer shift during the sale and receive 75% of the total dollar amount of their items sold. If seller **does not** agree to work a shift, the commission will be 65% of the total dollar amount of their items sold. Sellers may increase their commission to up to 100% through the TMLS Referral Program (see website).
NEW Sellers are no longer *required* to personally participate in Friday's set-up. For 10% less commission, a seller may "drop off" their items for sale on Friday between 5-7pm and TMLS staff will place a seller's items on the sales floor for them. Sellers choosing this option may still work a volunteer shift on any sale day.
- If seller signs up for a volunteer shift and is a "no show" or if seller shows up for shift with child/ren (and is therefore unable to work shift), the commission will be reduced to 65% of the total dollar amount of their items sold **minus a \$50 fee**. If a seller confirms their assigned volunteer shift when assigned and then cancels, there will be a **\$25 fee**. There will be NO shift changes after final confirmation. **Volunteers are required to report 20 minutes early for their shift.** Those who are late for their assigned shift will have their final sales check docked **5% for every 15 minute increment past the scheduled arrival time**. As volunteers are required to arrive 20 minutes early for their shift, arriving only 5 min. early or as shift actually begins WILL result in a 5% profit decrease. If you know you are going to be late, call Anita immediately at 417-3188 so your shift can be covered until you arrive.
- Sellers who attempt to sell prohibited, safety-related items (see Item Prep clause below) will incur a **\$50 fee PER ITEM**.
- Sellers who place items on sales floor which require batteries to function but do not include those batteries will be charged a **\$2 fee PER ITEM**.
- ***NEW*** Sellers will be charged a **\$10 FEE** if they do not leave a bin/box labeled with their seller number for Sunday's take-down. Box/bin needs to be labeled ON ALL FOUR SIDES with seller number.
- *The Mother Load Sale* shoppers have 48 hours from the end of the sale on Sunday to report items that are broken, missing parts, etc. Such cases will be handled at TMLS's discretion and, if a refund is provided, the corresponding profit will be deducted from seller's final check.
- *The Mother Load Sale, LLC* will deduct any monies owed from the seller's final sales check.
- *The Mother Load Sale, LLC* will mail sales check to seller within 7 business days following the end of the sale using SASE provided. If seller wishes to have the check mailed to a different address, a new SASE must be provided no later than the last day of the sale.

Item Preparation (See "What Can U Sell?" page of TMLS website for more complete list of items)

Seller agrees to sell a minimum of 30 gently used or new items in any combination from the categories listed below:

- Baby/children's furniture & large equipment: car seats, strollers, baby swings, high chairs, booster seats, cribs,
- Baby Equipment: Nursing & feeding equipment, breast pumps, bottles, carriers, slings, diaper bags, nursing bras
- Any and ALL Baby/children's clothing and shoes from size Newborn to middle-school-aged 14/16.
- Children's Accessories such as hats, bibs, socks, hair bows, etc. are accepted year-round.
- Cloth Diapers - new or used (if bleached with no stains), unstained bibs, burp cloths, bath towels, washcloths, etc.
- Children's sporting equipment
- TOYS - Clean toys (batteries included for on-site testing) of all types/sizes, puzzles, etc. no missing pieces
- Child-appropriate VHS/DVD/CDs accepted year-round. No "R" rated material.
- Electronics - gaming systems (Wii, Nintendo, Gameboys, X-Box, etc.), Child-appropriate games, iPods, mp3 players, computer software, Gameboys, child-friendly radios, CD players, Story Readers, Character TVs etc.
- Books - children's books of all shapes/sizes/levels, educational/homeschooling materials, pregnancy, parenting books
- Nursery/Children's bedding & decor - bedding, lamps, wall-hangings, shelving, pillows, etc.
- Maternity clothing that is NOT faded, torn or stained, all maternity items. Nursing bras.

Prohibited items (any such items WILL be removed from the sales floor):

- items from list above that are faded, torn, stained, broken or not functioning
- used undergarments other than maternity bras
- VHS/DVDs or CDs without a cover/case or damaged VHS/DVDs or CDs please take the time to verify that your item has no scratches, skips, etc.), "Homemade" or copies of music or videos
- No "M" Mature games or "R" movies. All electronic game systems games must be child appropriate.

THE FOLLOWING ITEMS ARE PROHIBITED FOR SAFETY-RELATED REASONS. SUCH ITEMS WILL BE REMOVED FROM SALES FLOOR, AND SELLER WILL INCUR A \$50 FEE PER ITEM. SHOULD A PROHIBITED ITEM GO UNDETECTED AND BE SOLD, IT IS THE RESPONSIBILITY OF THE SELLER, NOT THE MOTHER LOAD SALE, LLC:

- jewelry
- stuffed animals
- dolls that have buttons, eyes, noses or other small parts that are not securely fastened and could present a choking hazard for young children
- car seats that have been in accidents or which are older than 5 years (based on date of manufacture stamped on seat) or seats that are missing their manufacturer sticker/stamp
- mattresses except for crib/toddler bed mattresses
- recalled items

****Note that it is illegal under federal law to knowingly sell or re-sell a recalled product.** It is the responsibility of each seller to visit the U.S. Consumer Safety Product Commission website at <http://cpsc.gov/cpsc/pub/prerel/prerel/html> to verify whether any item being sold has any recall pertaining to it. Sellers must properly prepare, hang (clothing) and tag ALL items according to guidelines provided on The Mother Load Sale website. Note that all sellers must use online inventory and tagging system. Items not properly prepped and tagged WILL be removed from the sales floor.

- To maximize sales, *The Mother Load Sale*, LLC offers the option of including items in the 2-hour 50% Off Sale on Sunday. All items sold at Friday night pre-sale and on Saturday will be sold for full price, but those whose tag indicates a discount will be sold at 50% off the marked price on Sunday. Items that are not marked with the symbol denoting that the item can be 50% off will be sold for full price on Sunday.

Friday Set-Up and Sunday Pick-Up

- **Friday - *NEW* - Seller sign in begins at 5:40pm, set-up will start at 6pm on Friday.** All items must be on the sales floor no later than 9pm. Sellers will be allowed to begin shopping only after ALL of their merchandise has been placed on the sales floor. Cashiers will open at 7pm.
- Seller must leave plastic bin/s at the event location after set-up. ***NEW*** The bin/s must be clearly marked ON ALL FOUR SIDES with their Seller Number. The bin will be used to collect unsold items at the end of the sale, so PLEASE bring enough bins of sufficient size based on the total number of items you have placed on the sales floor. ***NEW*** Sellers will be charged a **\$10 FEE** if they do not leave a bin/box labeled with their seller number for Sunday take-down.
- Seller will have the opportunity to shop during the **Friday Night Pre-Sale from 7pm to 9pm on Friday**. No guests.
- **Sunday - Sellers must pick up all of their unsold items between 5 and 5:30pm.** There will be no early or late pick-ups of unsold items. ***NEW*** Seller Check out will now involve a thorough inspection of seller bins by volunteers. This will ensure that all items going home with sellers do belong to them. Sellers may send a designated representative (another seller, friend, family member) to pick up unsold items. Any items not picked up by 5:30pm will be donated to a charity designated by *The Mother Load Sale*, LLC or become the property of *The Mother Load Sale*, LLC.
- Sellers may NOT use facility dumpsters to dispose of items.

Indemnification

- Seller must be at least 18 years of age.
- *The Mother Load Sale*, LLC is NOT responsible for items lost, damaged, stolen or misplaced during the sale.
- Seller agrees to hold harmless *The Mother Load Sale*, LLC, its personnel and volunteers, heirs and assigns for any injury sustained during transportation, set up, sale or pick up of items.
- *The Mother Load Sale LLC* reserves the right to cancel or postpone sale due to unforeseen circumstances. In that event, seller will have the right to a refund of \$10 seller's fee.
- Seller signature on this contract gives *The Mother Load Sale*, LLC permission to take photographs during Friday night set-up & pre-sale that may be used on its website.

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The Mother Load Sale, LLC
PO Box 65478
Albuquerque, NM 87193-5478

SELLER # (office use) _____

SELLER INFORMATION

Printed name: _____ Signature: _____

Date: _____

Phone #: _____ Cell Phone #: _____

Address: _____ City: _____ State: _____ Zip: _____

Email address: _____

If referred to the sale by a current seller, please provide their name: _____

If new to the sale, how did you hear about us? _____

Have you seen TMLS advertised? If so, where? _____

Have you participated in any other Consignment Sales? If so, what was the sale/where? _____

Did they use My Consignment Manager for their barcoded tags? If so, what was your Seller #: _____

Instead of placing your items for sale on the sales floor YOURSELF during the Friday Night Set-Up Hour, would you like to PRE-arrange to DROP OFF your items for sale and therefore earning 10% LESS of the total profit from the sale of your items?

Yes _____ No _____

Will you be working a volunteer shift in order to earn 75% of the total profit from the sale of your items?

Yes _____ No _____

If so, please indicate your shift preference. Shifts are assigned according to both the order in which sellers sign up and the needs of *The Mother Load Sale*. If you provide only one shift choice, and we are unable to accommodate your request, you will not be able to work a volunteer shift, so **please indicate at least two choices**.

1st choice _____ 2nd choice _____ 3rd choice _____

Sellers will need to arrive *NEW* 20 minutes prior to beginning of shift (5% late penalty for every 15 min. late) Sellers MAY NOT bring children or guests with them to their shift.

Shift A: (3:40pm) **4pm-10pm on Friday, Oct. 15th, 2010** – must arrive at 3:40pm to check-in

****note that Shift A includes time for seller to set up own items & to shop at Pre-Sale****

****note that, due to safety concerns, pregnant women MAY NOT work the Friday Night volunteer shift.****

Shift B: (8:40am) **9am-1pm on Saturday, Oct. 16th, 2010** – must arrive at 8:40am to check-in

Shift C: (11:40am) **12pm-4pm on Sunday, Oct. 17th, 2010** – must arrive at 11:40am to check-in

IF YOU ARE WORKING YOUR VOLUNTEER SHIFT please indicate any physical limitations (pregnancy, back problems, etc.) that we need to be aware of when assigning shift: _____

IF A FRIEND/FAMILY MEMBER WILL BE WORKING YOUR VOLUNTEER SHIFT, or wants to sign up for the ManPower Bonus Volunteer Shifts please provide their name/phone/email below AND ask them to complete a **Non-Seller Volunteer Registration Form** or **ManPower Volunteer Form** (both available on TMLS website). These additional forms **MUST** be received for seller to be assigned a volunteer shift. If the additional forms are not received at least 2 weeks prior to the sale, the assigned seller will not receive the additional commission %.

NAME _____ Phone: _____ Email: _____