

The Mother Load Sale, LLC – Seller Contract

The Fall 2011 Sale will take place Friday, Oct 14th through Sunday, Oct. 16th at Cleveland Middle School, 6910 Natalie Ave NE, Albuquerque, NM, 87110. Space is limited, and 100 Fall sellers will be accepted on a first-come, first-serve basis. For additional info, please refer to our website at: www.TheMotherLoadSaleABQ.com or contact Anita Suazo, Owner, at TheMotherLoadSale@gmail.com

To register as a seller, **MAIL ONLY PAGE THREE** of this contract, your non-refundable **\$15 seller's fee (CASH or Money Order)**, and a **self-addressed, stamped check-size envelope** to:

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

By signing this contract and selling at this event, I agree to the following terms and conditions: (*NEW* items in RED!)

** Please keep a copy of all pages of this contract for future reference. **

Payments:

- Seller must provide a **CASH non-refundable \$15** seller's fee and self-addressed, stamped, check-size envelope (SASE) at time of contract submission. Sellers will not be considered registered until **both** the fee and the SASE are received.
- The base commission earned is **50%** of the total dollar amount of their items sold. Sellers may increase that amount by working a volunteer shift for +10%, **distribute TMLS flyers for +5%**, or sign up men for the ManPower shifts for +5% per shift. (see website.)
- Sellers are not **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 4-6pm 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 10% 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 **cancel**s less than 5 days prior to the sale, there will be a **\$25 FEE**. There will be NO shift changes after final confirmation. **Volunteers are to report 20-30 minutes early for their shift to sign in.** 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.
- 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 **\$2/ITEM**
- Sellers will be charged a **\$10 FEE** if they do not have a bin/box labeled with their seller number for Sunday's take-down (see below)
- *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
- **** See important note about these items below in PROHIBITED ITEMS ****
- **- NO used breast pump tubing (it cannot be properly sterilized).** We do accept NEW or unused tubing.
- **- NO used teething rings, used pacifiers or used yellow latex nipples.** We do accept clear, silicone nipples with little/no wear.
- 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 - Bikes must be in excellent condition and pass inspection (tires, breaks, no rust)
- TOYS - Clean toys (batteries included for on-site testing) of all types/sizes, puzzles, etc. no missing pieces
- Stuffed animals that move, talk, walk, sing, etc. (No plain stuffed animals will be accepted)
- 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): READ CAREFULLY!!

- **Sellers who attempt to sell prohibited, safety-related items (see Item Prep clause below) will incur a \$50 fee PER ITEM.**
 - 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
 - "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:

- Any/All jewelry
- Dolls/Toys that have buttons, eyes, noses or other small parts that are not securely fastened and could present a choking hazard for young children
- **NO (plain) stuffed animals that do not "do" anything.**
- *** NEW* NO textbooks or teaching materials** unless specifically for Preschool – 6th grades.
- **NO** fast food kids meal toys or grab bags
- **NO** Used breast pump tubing (it cannot be properly sterilized). We do accept new or unused tubing.
- **NO** FOOD of any type or FORMULA
- **NO** MEDICINE of any type
- **NO** Used teething rings, used pacifiers or used yellow latex nipples. We do accept clear, silicone nipples with little/no wear.
- 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
- Any/All 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/cpscpub/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, TMLS, LLC offers the option of including items in the 4-hour, 50% Off Sale on Sunday. All items sold on Friday and/or 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's Take-Down Process:

- Detailed instructions/times for Friday Set-Up will come in late September. All items must be on the sales floor by 10:00pm.
- All Sellers & Non-Selling Volunteers will have the opportunity to shop during the **Friday Night PreSale 7:00-9:30pm** on Friday. Sellers will be allowed to enter first, then immediately followed by Non-Selling Vols, then business sponsors and CMS staff.
- **The PUBLIC PreSale will now be offered 7:30am-9am on Saturday morning for \$10 admission. No public at Fri. PreSale.**
- **SUNDAY SORT & SHOP (2:30pm-4pm):** To keep your base commission %, sellers who want any of their items returned to them after the sale are *required* to return to the sale at 2pm and participate in the item-sorting process. Sellers who choose not to participate in Sunday's sorting may either donate all unsold items to our charity or make arrangements with Anita to pick up those items at a later time earning 10% less commission. **All sellers will sort out all unsold items on the sales floor for all sellers, not pick out their own.** Sellers are allowed to SHOP while they SORT. Bin checkout ends at 4pm. One cash register will be open until 4pm.
- **** SELLERS MAY NOT BRING CHILDREN TO SUNDAY'S SHOP & SORT = \$20 FINE per child!! ** No exceptions.**
- Sellers must bring bins/boxes (1 bin per 100 items brought on Friday) with them at 2:30pm Sunday when sorting begins. **ALL boxes/bins needs to be labeled with seller number LARGE & CLEARLY ON PAPER and taped to ALL FOUR SIDES.** Sellers wishing to DONATE ALL unsold items on Sunday (and therefore not returning Sunday for sorting/pick-up) must notify Anita before Friday AND must leave a labeled BOX (will not be returned) for their items with her on FRIDAY NIGHT.
- After the sorting process, all seller bins/boxes must be thoroughly inspected and signed out by a volunteer before sellers can leave with their items. This will ensure that all items going home with sellers do belong to them. 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 TMLS, LLC.
- Sellers may NOT use facility dumpsters to dispose of items. DONATE THEM!

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 **\$15** 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.

To register as a seller, **MAIL ONLY THE NEXT PAGE – PAGE THREE** of this contract, your non-refundable **\$15 seller's fee** (**CASH** 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

Please keep a personal copy of all pages of this contract for future reference.

SELLER # (office use) _____

Fall 2011 SELLER INFORMATION: (due by October 1, 2011)

Printed name: _____ Signature: _____

Date: _____ Phone #: _____ Cell Phone #: _____

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

Email address: (PRINT clearly) _____ (TMLS will not give to ANY outside source!)

Have you participated in TMLS before? If so, when? _____

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

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

FRIDAY Drop-Off: Instead of placing your items for sale on the sales floor yourself during Friday Night Set-Up, would you like to PRE-arrange to DROP OFF your items for sale (staff will place on the sales floor) therefore **earning 10% LESS commission?**

Yes _____ No _____

Are you planning on bringing: Boys' clothing? Y / N Sizes: _____ Girls' Clothing: Y / N Sizes: _____

SUNDAY Pick-Up: Instead of participating in Sunday's SHOP & SORT (2:30 – 4pm) would you like to PRE-arrange to PICK UP your unsold items at a later time, and therefore **earning 10% LESS commission?**

Yes _____ No _____

Fall 2011 VOLUNTEER INFORMATION: (due by October 1, 2011)

Will you be working a full volunteer shift in order to **earn + 10% commission** of the total profit from the sale of your items? (or will someone be working in your place so you can earn the 10% commission – if so, inform Anita and provide their contact info.)

Yes _____ No _____

If so, please indicate your shift preferences below. Shifts are assigned according to both the order in which sellers sign up and the needs of The Mother Load Sale. I really do all I can to accommodate requests, but please understand that they are just that - REQUESTS. In order to actually hold TMLS, we must have ample staff on every shift, early and late. Preference given to those who sign up early. **Vol Shift assignments will go out on October 1st.** Please make childcare and work arrangements accordingly.

**** Please indicate at least two choices, preferably three.** 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. (Choices: A, B1, B2, C)

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

Shift A: (2:40pm) 3:00pm-10:30pm on Friday, Oct. 14th – must arrive & sign-in by 2:40pm

Although 7.5 hours total, Shift A includes time (4-5:30pm) for seller to set out own items and time (7-9pm) to shop at PreSale

****NEW - Due to the speed/accuracy needed for set-up, former, experienced volunteers/sellers will be assigned this shift first.**

****IMPT NOTE:** Due to safety concerns, pregnant women MAY NOT work the Friday Night volunteer shift.**

***NEW* Shift B1: (6:40am) 7am-1pm on Saturday, Oct. 15th** – must arrive & sign in by 6:40am. BRING COFFEE!

***NEW* Shift B2: (8:40am) 9am-3pm on Saturday, Oct. 15th** – must arrive & sign in by 8:40am.

Shift C: (8:40am) 9am-3pm on Sunday, Oct. 16th – must arrive at 8:40am to check-in

- * Sellers will need to arrive **20-30 minutes prior to beginning of shift (5% late penalty for every 15 min. late)**
- * Sellers **MAY NOT bring children/guests with them to their Vol. shift, Friday Night Events or Sunday's Shop & Sort!**
- * **IF Kids during Vol. shift = seller drops -10%. If kids at Friday Set-Up or Sunday Shop & Sort = \$20 fine per child**

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

If you have volunteered with TMLS at a past sale, please indicate where you worked (i.e. books, girls' racks, cashier, etc.)

How TALL are you? _____ (efforts will be made to try assign shorter Vols to bottom rows of clothing racks)

**** MANPOWER VOLTS:** If you know a male that wants to sign up for the ManPower Volunteer shift(s) on your behalf please request a separate **ManPower Volunteer Form** from Anita and return to her ASAP. THESE SHIFTS FILL UP very quickly.

**** NON-SELLING VOLTS:** ONLY Sellers and Volunteers will be invited to shop at our EXCLUSIVE Friday Night Presale. No guests, kids, no members of the public allowed. If you have a friend/family member that wishes to volunteer in order to attend the Friday PreSale, please inform them to print/mail a **Non-Selling Volunteer Registration Form** from the website.