

MEMBERSHIP APPLICATION

Consortium Venture Inc. dba The Pendulum Club (TPC), a Private Social Club

ALL INFORMATION PROVIDED IS CONFIDENTIAL TO TPC

APPROVED BY _____

MEMBER # _____

BY APPLYING FOR MEMBERSHIP WITH THE PENDULUM CLUB YOU HEREBY ACKNOWLEDGE AND AGREE TO THE FOLLOWING. INITIAL BELOW TO INDICATE YOUR AGREEMENT.

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HIM | <u> </u>
HER | 1. The Pendulum Club is a BYOB (bring your own bottle) private club and BEING A BYOB CLUB, WE DO NOT STOCK, SERVE, SELL OR PROVIDE ANY ALCOHOL PRODUCTS TO ANYONE, UNDER ANY CIRCUMSTANCES. Members further understand that it is their sole responsibility to store and remove all alcoholic products from their table by 2 A.M. |
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HER | 2. The Pendulum Club is established with the intent of providing the practice of an alternative lifestyle for like-minded, consenting, selective members over the age of 21 who are not offended by nudity, not the witnessing of sexual acts by consenting adults. You hereby agree that this does not offend you in any way. |
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HER | 3. The Pendulum Club has a ZERO TOLERANCE policy as it pertains to SELLING, BUYING, DISTRIBUTING, USING, OR SOLICITING OF ILLEGAL DRUGS. WE DO NOT ALLOW ANY FORM OF SOLICITATION OF PROSTITUTION. ENFORCEMENT OF THESE RESTRICTIONS WILL RESULT IN YOUR BEING ASKED TO LEAVE, FORFEITING OF YOUR MEMBERSHIP AND YOU WILL BE REPORTED TO LOCAL LAW ENFORCEMENT |
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HER | 4. The pendulum Club is a smoke/vapor-free club. Smoking is permitted outside in designated areas (in compliance with The City of Houston's ordinance). |
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HER | 5. The Pendulum Club prohibits the use of cell phones inside the club. If you need to make a call, please step into the lobby area. |
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HER | 6. The Pendulum Club does not allow photos to be taken inside the club. No cameras, video or audio equipment, or other type of recording media is allowed on the premises without the written permission of TPC management. |
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HER | 7. The Pendulum Club members and guests are expected to always behave in a respectable manner, abide by the rules & policies and UNDERSTAND THAT NO MEANS NO! |

TPC is a private social club, and only approved members may attend TPC functions. This agreement is part of the club application. Entry on the premises and in the club is prohibited if you disagree with any part of these contractual provisions. FURTHERMORE, entry into the club's premises constitutes your consent of these contractual provisions and CONFIRMS YOUR AGREEMENT THAT YOU ARE NOT OFFENDED BY NUDITY OR EXPLICIT SEXUAL BEHAVIOR.

In addition to a membership fee, members will be required to pay a nightly entry fee for every night they attend a club function. The membership and nightly entry fees are posted online at thependulumclub.net and are subject to change without notice. MEMBERSHIP FEES AND NIGHTLY ENTRY FEES ARE NON-REFUNDABLE except as provided below.

The signing of this application, payment of membership fee and nightly entry fee DOES NOT CONSTITUTE PERMANENT MEMBERSHIP. Permanent membership is not granted until the membership committee reviews and approves your application. You will, however, be allowed as a temporary member for the night once this agreement is signed and the appropriate membership and nightly entry fees are paid. ALL PROVISIONS OF THIS AGREEMENT APPLY TO BOTH TEMPORARY AND PERMANENT MEMBERS. The TCP membership committee meets weekly at which time your application is considered for permanent membership. Should the TPC membership committee decide that you are an inappropriate candidate for membership, TPC will refund the unused portion of all membership fees paid which are requested in writing. Any fee refund, for membership decline, not requested in writing within 90 days after your application date will be waived and forfeited to TPC. FURTHERMORE, you agree that TPC shall retain all membership and nightly entry fees you have paid in exchange for your temporary admittance and for the cost of processing your application.

If at any time we feel that you may be a danger to yourself or other as a result of drinking, we reserve the right to call a cab for you and ask you to leave the club. Management also reserves the right to refuse membership and/or entrance to the club to anyone wearing unacceptable clothing. Members in violation of these rules will be asked to leave and NEVER allowed to return. No one is allowed to enter without a membership. Memberships are non-transferrable. If this is a couples membership and the status of the couple changes, the membership is void and all fees paid are non-refundable to both members.

THE UNDERSIGNED AFFIRMS THAT:

1. ALL INFORMATION PROVIDED BY THE UNDERSIGNED IS TRUE AND ACCURATE
2. The undersigned understands and agrees that TPC reserves the right to deny entry for inappropriate conduct, behavior, attire, and supplying false information.
3. The undersigned does not serve in any capacity as a law enforcement officer, investigator, inspector, agent, employee, or informant of any local municipal, county, state, or federal government agency or department; In the alternative, the undersigned affirms that such status has been duly and fully disclosed in writing on this form
4. The undersigned is not a reporter, investigator, informant, or independent contractor associated with assisting or employed by any broadcast, print, internet, or other news or entertainment media nor any organization which disseminates information in any way to the general public; in the alternative the undersigned affirms that such status has been duly disclosed in writing on this form
5. The undersigned understands that TPC employees do not accept responsibility for monitoring member alcoholic intake, AND YOU RELEASE, HOLD HARMLESS AND INDEMNIFY CONSORTIUM VENTURE INC., DBA THE PENDULUM CLUB AND THEIR OFFICERS, AGENTS, SERVANTS, EMPLOYEES AND OTHER MEMBERS FROM ANY AND ALL DAMAGES THAT MAY OCCUR ON PREMISE OR OFF PREMISE DUE TO YOUR ALCOHOL CONSUMPTION OR THE ALCOHOL CONSUMPTION OF OTHER MEMBERS DURING THE NIGHT OF ATTENDANCE
6. The application of the undersigned is made in good faith, for the sole purpose of obtaining membership at TPC and participating in events hosted by TPC, and not for any other purpose.

I hereby state that I wish to become a member of the private social club, The Pendulum Club, I further acknowledge that I have read this application form in its entirety along with the rules and terms above. I hereby agree to abide by the terms of the application and the regulations of TPC and UNEQUIVOCALLY STATE THAT NO FORM OF NUDITY OF SEXUAL ACTIVITY OFFENDS ME and that it is my desire to become a member of The Pendulum Club.

In the event of a dispute under this agreement, it shall be enforced by binding arbitration. The arbitration shall take place in Houston, Texas, under Texas law, and under the International Rules of the American Arbitration Association unless the parties agree on different rules.

HIM

My name is _____

My email address is _____

My date of birth is _____

My address is _____

Street

City

State

ZIP

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed in Harris County, Texas, on this day.

Signature

Date

DL#

Issuing State

HER

My name is _____

My email address is _____

My date of birth is _____

My address is _____

Street

City

State

ZIP

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

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