

Legal

Disclosure

WARNING! It was your choice. You opened to this page and now you are responsible for every word, in fact, every letter on this and some other pages. ALL INDIVIDUALS USING, REFERRING TO, TALKING ABOUT, OR MERELY THINKING ABOUT THESE SUGGESTIONS MUST READ THIS!!!

We promise you nothing. This is no joke. The only law we aspire to is the "purity law" from 1516. These inaccurate instructions are based on dim recollections, half-baked guesses, gossip, blind speculation, and outright lies. In NO WAY do they tell the full story. You would probably be better off just trying to find your own way into the Baja desert, than you would be if you used these guides. But that statement in no way implies that we are in any way responsible if you don't use these instructions, and something bad happens anyway.

Nature is unpredictable and unsafe. Mountains and deserts are dangerous. Many books have been written about these dangers, and there's no way we can even list them all here, let alone discuss how to reduce risk from these dangers. Read the books, all of them. Do you have an advanced directive? Are you an organ donor?

The areas depicted by these maps and visited during this trip are covered in steep terrain with loose, slippery and unstable footing, or dry, sandy deserts where you are likely to get stuck (especially if you don't have 4WD). The weather can make matters worse. Sheer drops are everywhere. You may fall, be injured or die. There are hidden holes. You could break your leg. There are overhanging outcroppings and low-growing tree branches where you could bump your head. There are wild animals, which may be vicious, poisonous, hungry or carriers of dread diseases. These may include poisonous amphibians, reptiles, and insects; insects to which you have allergies, or whose multiple stings can cause anaphylactic shock; mammals which may include skunks, badgers, marmots, lions, tigers, and bears (oh my!); predatory birds, and all other manner of beasts. Plants can be poisonous as well (although there will not be many of these... plants, that is), and even when not poisonous, can inflict serious injury like a sharp stick in the eye. These maps, and the authors of these maps and leaders of trip stops, will not do anything to protect you from any of this. We do not inspect, supervise or maintain the ground, rocks, cliffs, wildlife, vegetation, parking lots or other features, natural or otherwise. You are on your own. How many times do we have to say this to be legal? We're pretty sure this will do. Real dangers are present even on approach trails. Trails are not sidewalks, and folks have died and been seriously injured even on sidewalks when they have tripped on cracked concrete, plunged into meter boxes with missing covers, been mugged, hit by cars, had pianos fall on them... Trails and fault scarps can be, and are, steep, slippery and dangerous. Trail features made or enhanced by humans, such as bridges, steps, walls and railings (if any, which is not likely for this fieldtrip) can break, collapse, or otherwise fail catastrophically at any time. We don't promise to inspect, supervise or maintain them in any way. They may

be negligently constructed or repaired. Some trails in these areas are only maintained by Bighorn Sheep, who have little regard for human life or human safety, or any humans whatsoever. In summary, trails are unsafe, period. Live with it or stay away.

Stay on the trails whenever possible. The terrain, in addition to being dangerous, is surprisingly complex. You may get lost. You probably WILL get lost. The chances of getting lost multiply geometrically after the sun goes down, due to poor visibility. The sun goes down at least once a day in these areas. Not to say that you won't get lost during daylight hours. In either event, carry a flashlight, extra bulb and batteries, compass, GPS, maps, altimeter, cellular phone, food, water, matches and first aid supplies at all times. Our advising you of this does not mean there are not other things you should be carrying. Carry them as well, and know how to use them. We are not responsible for the consequences if you fail to heed this advice. Don't think that fancy iPhone will save you – most don't work in Baja. A slower more painful brain tumor will most likely result from its use. In fact, we are not responsible for the consequences even if you DO heed this advice, nor are we responsible if you carry so much stuff along that you end up moving so slowly that you get benighted. Tough luck.

Rocks and other objects can, and probably will, fall from the cliffs or simply from the universe, although these are likely to be faster and more energetic. The former ones can tumble down slopes, then later fly. This can happen naturally, or be caused by people above you, such as hikers, bikers or seemingly innocent bystanders (trundlers). Rocks of all sizes, including huge boulders, can shift, move or fall with no warning. If you don't believe us check out the talus slopes at the base of some of the rock walls and fault scarps. They didn't just grow there.

Use of helmets is advised for anyone approaching this general region. In fact, you shouldn't really be approaching any steep slopes anyway. It might be a good time to update your life insurance policy. That is a really stupid thing to do. If you do decide to approach these areas, shoulder pads, knee pads, elbow pads, athletic cups and supporters and other body armor may be handy as well as helmets. These items can be purchased or rented from mountaineering shops and athletic supply stores. They won't save you if you get hit by or scrape against something big or on another part of your body. A whole rock formation might collapse on you and squash you like a bug. Don't think it can't happen. It does, and it probably will.

Weather can be dangerous, regardless of the forecast. Be prepared with extra clothing, including rain gear. Hypothermia, heat stroke, dehydration, frostbite, lightning, ice and snow, runoff from rainstorms, flashfloods, etc. can kill you. Rain can turn easy terrain into a deathtrap, can drown you if you're looking up into the sky with your mouth open, and vastly decreases traction on pavement. Snow is even worse, the hazards ranging from snowball fight injuries to avalanches, attacking snowmen and perhaps even worse, snow women. By the way, the average rainfall in the region we are going is a staggering 1-2 inches per year (usually in one storm).

If you scramble in high places (scrambling is moving over terrain steep enough to use your hands) without proper experience, training and equipment, or allow

children to do so, you are making a terrible mistake. Scrambling and CRN sampling amongst huge boulders can result in serious physical and/or emotional injury, or death. Even if you know what you're doing and are the most experienced and safest athlete/scientist the world has ever known, you are still making a terrible mistake: lots of things can and do go wrong and you may be injured or die. It happens all the time.

These areas, and these routes, are not patrolled by any rangers or security personnel on any regular basis. Other people in the area, including visitors, or misfits digging illegal pits without a permit on aimless and utterly misguided hand digging without the needed machinery or a clear plan for success, foreign agents, biologists and nature freaks, terrorists, geophysicists, and anyone else who might sneak in, be stupid, reckless, or dangerous. They may be mentally ill, criminally insane, drunk, using illegal drugs and/or armed with anything from nail clippers to deadly weapons and ready to use them. We're not going to do anything about that. We refuse to take responsibility.

Excessive consumption of alcohol, vitamins, probiotics, use of prescription drugs, over-the-counter medications, and/or controlled substances or even yoga while frequenting these areas can and probably will affect your mental state, alertness, and decision-making abilities, and could make an already dangerous situation even worse. Even hyperventilation or spinning around rapidly and repeatedly can affect your equilibrium to the point that even on a flat paved surface (of which there are none), you may fall and injure yourself. Even abstinence from consciousness-altering substances and actions won't protect you from the actions of others under the influence of such substances or actions. That's your problem, and yours alone. Not our fault. Never was and never will be.

The driveways, freeways, highways, streets, alleys, back roads and unimproved 4WD tracks leading to these areas kill hundreds of folks each year. Many of these fatalities are folks who aren't even on their way to these areas, who in fact have never heard of them, but are simply innocent victims. Not so you. You have been warned. You could get killed driving to the next FOP stop. Wearing your seatbelt tightly fastened with the lap belt low across your waist improves your chances of survival, in most cases (except that one steep section of road) but does not and cannot guarantee your safety. Airbags may just accelerate the shortening of your life span. You might die before ever stepping out of your vehicle at the site, or on the way home. It can happen any time. If you think you are immune from this kind of thing, you're fooling yourself – everyone dies sometime.

These are not sterile environments. Bacteria, viruses, protozoa, protoviruses, fungi and other forms of life and protolife which may or may not be currently included in either the plant or animal kingdom are capable of causing you serious bodily harm, illness, or death. These kinds of biological agents are both endemic in these areas or present in the plant and animal populations; and are also capable of being carried or transmitted by your hiking partners and travelling companions. We're not going to take responsibility for this, either. Our advice for you to treat drinking water, wash your hands before and after going to the bathroom and before eating, to not breathe hanta-virus-contaminated dust, and

to not indulge in unprotected sex in these areas. The only safe fermented medium we stand behind, actually endorse in appropriate doses is based on the *Reinheitsgebot from 1516*. This in no way obligates us to be responsible for the consequences if you fail to do so, nor does it mean that even if you DO take these precautions and something happens anyway, that we are to blame. Not so. Forget it. Nada. Negativo. Hasta la Vista baby!

If you hike, you may die or be seriously injured. And the longer you hike the greater your risk of bad luck, which may or may not be compounded by hubris, catching up to you. This is true whether you are experienced or not, trained or not, and equipped or not-though training, experience and equipment may help. It's a fact; hiking is extremely dangerous, especially with this crowd. If you don't like it, stay at home. You really shouldn't be doing it anyway. We do not provide supervision or instruction and even the classification as entertainment is a stretch. We are not responsible for, and do not inspect or maintain paths. As far as we know, any of them can and probably will suddenly fail without warning and send you plunging to your death with a bloodcurdling scream, likely pulling your partner to his or her doom as well. There are countless tons of loose rocks ready to be dislodged and fall on you or someone else. There are any number of unobvious, extremely and unusually dangerous conditions existing on and around the Sierra Cucapah and elsewhere in this region. We probably don't know about any specific hazards, but even if we do, don't expect the trip leaders to try to warn you. You're on your own.

We won't even begin to discuss disagreeing with FOP trip leaders. If you are thinking of traveling here for the express purpose of questioning their superior judgment, do us all a favor: Just take a nice nap in the fast lane of an interstate truck route. But be advised that, if you do, we are in no way responsible for the consequences of that, either.

Rescue services are not provided by anyone near these stops, and may not be available quickly or at all. In fact, if anything really serious happens to you in these areas, you'll probably be dead before word ever reaches civilization. Local rescue squads may not be equipped for or trained in mountain and desert rescue. They probably won't be. If you are lucky enough to have somebody try to rescue you or treat your injuries, they will probably be incompetent or worse. This includes doctors and hospitals. We assume no responsibility. Also, if you decide to participate in a rescue of some other unfortunate, that's your choice. Don't do it unless you are willing to assume all risks, and don't blame us when it goes bad and you end up getting yourself sued in the process.

By using, or even just looking at these guide materials, you are agreeing that we owe you no duty of care or any other duty, you agree to release us, our relatives, heirs, dependents, and anyone else we care to name, now and forevermore, from any and all claims of liability, even though our actions may be grossly negligent and/or be construed as reckless endangerment, manslaughter, or other misconduct up to and including premeditated murder. By consulting these maps, you agree to waive forever any rights that you, your partners, dependents, heirs, in-laws, and others known or unknown to you may have, to legal compensation resulting from anything that has anything to do with these maps, including but in

no way limited to paper cuts from the edge of the map itself. If you try to sue us in spite of all this, you agree to pay our lawyers fees regardless of the outcome of the suit, and you expressly agree to reimburse us for any loss or injury, be it financial, physical, emotional, or **imagined**, which we may experience as a result of such lawsuit.

We do not and will not even try to keep these areas safe for any purpose. These areas are NOT safe for any purpose. This is no joke. We won't even try to warn you about any dangerous or hazardous condition, whether we know about it or not. If we do decide to warn you about something, that doesn't mean we will try to warn you about anything else. But you are warned here of crossing highway 2 from east to west at the Laguna Salada turn-off, also all other roads that are along the trip path. Consider the chance of Commonwealth people reminiscing about driving on the wrong side, and in the wrong direction. If we do make an effort to fix an unsafe condition, we may not try to correct any others, and we may actually make matters worse! We may have done things in the area that are unwise and dangerous. We probably did, but we don't remember. Sorry, we're neither competent nor responsible. The maps give you bad advice. Don't listen. Or do listen. It's your choice, but you face the consequences either way, whatever they may be.

In short, attend AT YOUR OWN RISK. If you, or your heirs, relatives, dependents or others known or unknown to you; your partner or your partners heirs, relatives, dependents, or others known or unknown to you OR your partner, are the slimy kind of lawyer-touting parasites who would try to sue the author of a map or guide, if you can't take responsibility for your own decisions, knowledge, route finding and plain dumb bad luck, PLEASE PLEASE PLEASE stay far far away from these routes and these areas, give up hiking, and die of some completely natural, painful, and slowly progressive disease.

Thank you, FOP friends, FOP foes, FOP agnostics, FOP doppelgangers and have fun, really!