

Thos. Moser Contract
Five Guys Product Disclaimer

Thos. Moser Contract warrants that all Five Guys Product shall be, at the time of delivery, free from material defects in workmanship. In the event of any defect or non-conformance, the Five Guys Product shall be repaired or replaced, as determined by Thos. Moser Contract, at its sole cost and expense. You agree to provide prompt notice to Thos. Moser Contract of any defect or non-conformance immediately following inspection at point of delivery. Failure to provide prompt notice of any defect or non-conformance following inspection at time of delivery shall void this warranty.

This limited warranty does not apply to the installation of the Five Guys Signs. The Sign Installation Instructions accompanying the Five Guys Signs are provided for your ease of reference, but you are solely responsible for installation of the Five Guys Signs, and Thos. Moser Contract disclaims all responsibility for Five Guys Sign installation. Specific installation details, workmanship, structural design and accounting for any environmental conditions, such as the nature and condition of the surface and subsurface to which the Five Guys Signs are affixed or installed, are beyond the Thos. Moser Contract's control and Thos. Moser Contract disclaims any and all responsibility for improper, inadequate or faulty installation, workmanship, design or failure to identify or account for any environmental, surface or subsurface conditions that may exist.

This warranty does not cover abnormal or unexpected use, conditions, events or abuse in any way, including, but not limited to, damage from mishandling or misuse, excessive heat, cold or fire or other environmental conditions, physical or chemical abuse, vandalism, tampering with the Five Guys Product, improper care or maintenance.

Except for the limited warranty set forth above, Thos. Moser Contract makes no warranty, express or implied, as to any matter and expressly disclaims any implied warranty of merchantability and any implied warranty of fitness for a particular purpose.

To the maximum extent permitted by law, Thos. Moser Contract disclaims any and all liability associated with the sale, supply, delivery, possession installation, display or use of the Five Guys Product, including any liability for negligence, strict liability or under any other legal theory and expressly disclaims responsibility and liability for any consequential, incidental, special or indirect damages whatsoever (including without limitation damages for loss of business profits, business interruption, loss of reputation, damage to personal property, death or personal injury or other losses arising from the sale, supply, delivery, possession, installation, display or use of the Five Guys Product. In all events, Thos. Moser Contract's liability shall be limited to the repair or replacement of any defective product, as specified above.