



DEVINE OWENS ELECTRONICS RECYCLING LLC

917 Madison Street
Gary, IN 46402
Telephone: (708) 479-8108

**ELECTRONIC RECYCLING SERVICES AGREEMENT
PREPARED FOR:
COMPANY XYZ**

1. REMOVAL and DISPOSAL

DEVINE OWENS ELECTRONICS RECYCLING LLC, hereinafter referred to as DEVINE OWENS, agrees to handle the removal and disposal of all computer CPU's, monitors, equipment, peripherals and accessories, including batteries ("Equipment") from COMPANY XYZ facilities. DEVINE OWENS will supply a crew to complete the palletizing, loading and hauling tasks. DEVINE OWENS agrees to dispose of any Equipment, which is non-functioning, according to EPA standards. This effort will ensure that COMPANY XYZ makes a good hazardous waste determination. All equipment, which is non-functioning, will be sent to licensed smelters. No equipment will ever reach a landfill.

2. REFORMATTING and ASSET TAG REMOVAL

DEVINE OWENS agrees to completely and permanently erase hard drives and other erasable media storage devices tendered by COMPANY XYZ. DEVINE OWENS will remove all identifying labels (asset tags) and erase all data of COMPANY XYZ and its subsidiaries from all equipment.

DEVINE OWENS utilizes the Devine Erasure system. This erasure system ensures that all data storage medium is wiped or overwritten with "1" then with "0". The process is completed three times.

Devine Erasure is powerful and compact DOS software that destroys all data on hard drives and other magnetic media completely, excluding any possibility of future recovery of deleted files and folders. It uses access to the drive's data on a physical level via BIOS bypassing logical drive structure organization, thus it does not matter what operating systems and file systems are located on the machine. Devine Erasure conforms to US Department of Defense clearing and sanitizing standard Dod5220.22-M. You can be sure that once you clean up with Devine Erasure, sensitive information is purged out forever.



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3. INVENTORY and CERTIFICATES OF DESTRUCTION

DEVINE OWENS agrees to inventory all equipment by serial number and asset tag number with a copy of that information and certificates of destruction of software and data provided electronically by serial number to COMPANY XYZ not more than one month after the date of the pick up.

4. DATA AND COPYRIGHT AGREEMENT

DEVINE OWENS agrees that, at all times during the term of this Agreement, it will maintain confidentiality and will not permit the release of any Data, or information in any form. In any event, upon expiration or termination of this Agreement for any reason, DEVINE OWENS hereby agrees to return, or destroy any data in its possession as a result of performing services during the term of this Agreement. DEVINE OWENS agrees that copyrighted works of COMPANY XYZ may not be copied or distributed without written permission of COMPANY XYZ .

5. LIMITATION OF LIABILITY

EXCEPT FOR DEVINE OWENS'S OBLIGATIONS RELATED TO COMPLIANCE WITH ENVIRONMENTAL LAWS, DESTRUCTION OF SOFTWARE AND DATA, AND INDEMNIFICATIONS SET FORTH IN THIS AGREEMENT, NEITHER DEVINE OWENS NOR COMPANY XYZ WILL BE LIABLE TO THE OTHER HEREUNDER FOR ANY INDIRECT, SPECIAL, CONSEQUENTIAL OR PUNITIVE DAMAGES HOWEVER ARISING.



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7. TERMS

THIS AGREEMENT WILL BECOME EFFECTIVE ON THE DATE LAST SIGNED BELOW AND WILL REMAIN IN EFFECT UNLESS EITHER PARTY TERMINATES BY PROVIDING 30 DAYS ADVANCE WRITTEN NOTICE.