

# FALL FESTIVITIES

## \$1,000 PHOTO DRAWING



**Five winners will be drawn to receive \$1,000 each! No Purchase Necessary to Win!**

Submit your entry at [NEST529.com/fall](http://NEST529.com/fall). See below for complete rules and eligibility requirements.

### NEST 529 Fall Festivities \$1,000 Photo Drawing Official Rules (“Drawing”)

1. **Eligibility:** Participation is open only to individual legal residents of one of the 50 States in the United States, except as excluded by the next sentence, and the District of Columbia (“Qualifying Area”) who have reached the age of majority at the time of entry (“Entrant”). U.S. residents in Florida, New York, Puerto Rico, or the U.S. territories are not eligible to enter or win a Prize (as defined in section 5). Void where prohibited or restricted by law.
 

Employees of First National Bank of Omaha (“Sponsor”), the Nebraska State Treasurer (“Treasurer”), the Nebraska Educational Savings Plan Trust (“Trust”), the Nebraska Investment Council (“Council”), Ascensus College Savings Recordkeeping Services, LLC, and any other FINRA member, and each of their respective parents, related subsidiary and affiliated companies, officers, directors, agents, and representatives (collectively “Releasees”) and each of their immediate family members (spouse, parents, children and siblings, and their respective spouses, regardless where they live) and individuals living in the same households of the above, whether or not related, are not eligible to enter or receive a Prize.

Each Entrant, by participating in this Drawing, agrees to be bound by these Official Rules and the decisions of the Sponsor. The Drawing is subject to all applicable federal, state, and local laws and regulations.
2. **To Enter:** There are two (2) ways to enter the Drawing:
  - (A) Entrant may submit a photo, per specifications below, with the entry form at [www.NEST529.com/fall](http://www.NEST529.com/fall) between 12:00:00 a.m., Central Time (“CT”), on September 25, 2018 and 11:59:59 p.m., CT, on November 10, 2018 (“Entry Period”). The photo and entry form must comply with the following to be considered a “Submission”:
    - The Beneficiary, as defined below, must be in the photo OR have taken the photo;
    - The photo cannot have been taken by a professional photographer;
    - The photo must be a fall theme, and include a 15-word or less caption describing the photo in the entry form;
    - The photo must be in digital format (taken with a smartphone, tablet, digital camera, etc.), and a file size less than 50mb; and
    - The entry form must include the Entrant’s first and last name, address, city, state, ZIP code, phone number, the name and age of the Beneficiary as of November 10, 2018, and the photo caption.

Your Submission will be reviewed by the Sponsor to ensure compliance with the Official Rules. Submissions, including the photo and the caption, must be deemed family friendly, in the sole discretion of the Sponsor.
  - (B) Entrant may enter the Drawing without submitting a photo by hand-printing in ink the following information on a 3” x 5” card: Entrant’s first and last name, address, city, state, ZIP code, phone number, the name and age of the Beneficiary who must be 12 years old or younger as of November 10, 2018, and the words “NEST Fall Festivities.” Mail the card in a stamped #10 envelope to: First National Bank of Omaha, Attn: NEST Fall Festivities Photo Drawing, 1620 Dodge St., Stop 1105, Omaha, NE 68197-1105. Entries must be postmarked during the Entry Period and received by November 19, 2018. No photocopies, computer generated facsimiles, mechanically reproduced, or mass entries permitted.
3. **Winner Selection:** On or about November 26, 2018, five (5) winners will be selected by the Sponsor in random drawings from eligible entries (each a “Winner,” collectively the “Winners”). The Drawing will be conducted under the direction of the Sponsor whose decisions are final and binding in all matters related to the Drawing. Prizes are not a recommendation to invest in the NEST Direct College Savings Plan (“Plan”). Investment returns are not guaranteed and a Winner could lose money by investing in the Plan.
4. **Odds:** The odds of winning depend upon the total number of eligible entries received during the Entry Period.
5. **Prizes:** The five (5) selected Winners will each receive \$1,000 in the form of a contribution to a Plan account established by the Sponsor for the benefit of the Beneficiary (the “Prize”). The Trust will own the Plan account established under the Drawing and disburse the funds only when the Beneficiary provides proof of enrollment at an eligible educational institution.
 

Any disbursement of funds may only be used for tuition and fees associated with qualified higher education expenses (other than room and board) at an eligible educational institution. Any disbursement will be sent directly to the eligible educational institution where the Beneficiary is enrolled. Any refunds from the eligible educational institution and any unused funds remaining in the Plan account will revert to the Trust. The Plan account will be wholly invested in the FDIC-insured Bank Savings Investment Option unless the Sponsor is directed otherwise by the Council and Treasurer. Neither the Entrant nor the Beneficiary will have any ownership rights, title, interest in, or power or control over the Plan account established in the Drawing. Access to the Plan account shall be limited to the Sponsor who will administer the Plan account for the benefit of the Beneficiary with the permission of the Treasurer. Once the Plan account is established, no change in Beneficiary is allowed and no transfer of Plan account funds is permitted. All disbursements from the Plan account must be made before the Beneficiary reaches 30 years of age. All Plan accounts held in the Nebraska 529 College Savings Plan for the Beneficiary, including Plan

account established under the Drawing, will be aggregated for the purpose of the Nebraska 529 College Savings Plan's Maximum Contribution Limit. All questions regarding the Plan account should be directed to the Sponsor at the address listed below in Section 12.

The Actual Retail Value ("ARV") of each Prize is \$1,000, with a total ARV for all Prizes of \$5,000. The Prizes may be considered income, and any and all taxes and fees resulting from the receipt of the Prizes are the responsibility of the Winner. Please consult your tax advisor regarding the tax consequences of accepting the Prize.

- 6. Winner Notification:** Winners will be notified by telephone or email. It is anticipated that the Winners will be notified by December 10, 2018. The Prize may be awarded to an alternate Winner (selected in a random drawing from among all remaining eligible entries) if: (i) the winning Entrant or Beneficiary associated with such winning entry is not compliant with the Official Rules; (ii) the Plan account documentation is not returned in good order within fourteen (14) days after mailing to Winner; (iii) the Beneficiary is not eligible to open a Plan account; (iv) the Winner does not send a reply email from the email address provided on the entry form within forty-eight (48) hours from notification of winning a Prize; or (v) three good faith attempts to contact the Winner live by telephone are unsuccessful (although Sponsor may, in its sole discretion, choose to leave a message or messages on the potential Winner's voicemail service or answering machine, such messages are solely to facilitate contact and do not constitute a "conversation" for purposes of these Official Rules).

The Winners will be required to complete all documentation necessary to open the Plan account (including name, address, Social Security number, date of birth and other identifying information for the Beneficiary) and may be required to sign other legal documents relating to the Drawing, including but not limited to adherence to these Official Rules for the Drawing, liability releases and/or publicity releases. A Winner is not required to have an existing Plan account or to open another Plan account in addition to the Plan account established by the Sponsor as part of the Prize; however, a Winner cannot deposit any additional dollars into the Plan account established by the Sponsor. Therefore, if the selected Winner or other individual wants to contribute his/her own funds into a Plan account for the Beneficiary, he/she will need to have an existing Plan account or open a different Plan account.

The potential Winners are subject to eligibility verification by the Sponsor. An Entrant is not a Winner of a Prize, and a Beneficiary is not entitled to the Prize, unless and until verification of the Entrant's and Beneficiary's eligibility, and the Entrant has been notified that verification is complete. The Prize is nontransferable.

No more than the stated number of Prizes will be made. In the event that production, technical, seeding, programming, or any other reasons cause more than the stated number of Prizes, as set forth in these Official Rules to be available and/or claimed, the Sponsor reserves the right to award only the stated number of Prizes among all legitimate, un-awarded, eligible Drawing claims.

- 7. Release:** Each Entrant agrees by entering and each Beneficiary agrees by accepting a Prize, except where prohibited by law, to release and discharge, hold harmless and indemnify Releasees and all others associated with the development and execution of this Drawing, from any and all tax liability that may be imposed or associated with receipt or use of the Prize, and from and against any and all claims, actions, proceedings, and liability for any damages, expenses, fees, injury, or losses sustained in connection with the Drawing or acceptance, possession, use, misuse or nonuse of the Prize.

*The NEST Direct and NEST Advisor Plans (the "Plans") are sponsored by the State of Nebraska and administered by the Nebraska State Treasurer. The Plans offer a series of investment portfolios within the Nebraska Educational Savings Plan Trust, which offers other investment portfolios not affiliated with the Plans. The Plans are intended to operate as qualified tuition programs to be used only to save for qualified higher education expenses, pursuant to Section 529 of the U.S. Internal Revenue Code.*

*An investor should consider the Plan's investment objectives, risks, charges and expenses before investing. The Program Disclosure Statements at NEST 529.com or NEST529Advisor.com, which contain more information, should be read carefully before investing.*

*Investors should consider before investing whether their or their beneficiary's home state offers any state tax or other state benefits such as financial aid, scholarship funds, and protection from creditors that are only available for investments in such state's qualified tuition program and should consult their tax advisor, attorney and/or other advisor regarding their specific legal, investment or tax situation.*

Participation in the Plans does not guarantee that contributions and the investment return on contributions, if any, will be adequate to cover future tuition and other higher education expenses, or that a beneficiary will be admitted to or permitted to continue to attend an eligible educational institution.

**Nebraska Educational Savings Plan Trust** Issuer  
**Nebraska Investment Council** Investment Oversight  
**First National Capital Markets** Distributor, Member FINRA, SIPC  
First National Capital Markets and First National Bank of Omaha are affiliates.

Investments Are Not FDIC Insured\* | No Bank, State or Federal Guarantee | May Lose Value

\*Except the Bank Savings Investment Option

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- 8. Publicity:** Except where prohibited by law, each Entrant by entering the Drawing, and each Beneficiary by accepting a Prize, grants the Sponsor and its designees the right to publicize the Entrant's and Beneficiary's first and last name, photograph, image, likeness, voice, statements, and certain biographical information in all manner and media, worldwide and in perpetuity, for advertising, marketing, trade and promotion purposes, worldwide and in perpetuity, in any and all forms of media, now known or hereafter devised (including, without limitation, the Internet), without additional compensation, and without opportunity for review.
- 9. Limitations of Liability:** Releasees are not responsible for technical, computer, mechanical, printing, typographical, human or other errors relating to, or in connection with the Drawing, including, without limitation, errors which may occur in connection with the administration of the Drawing, the processing of entries, the announcement of the Prizes or in any Drawing related materials; or for stolen, lost, late, misdirected, damaged, incomplete, inaccurate, undelivered, delayed or illegible entries or postage due entries or mail; or for electronic, computer, or telephonic malfunction or error, fail to enter into the processing system, or are processed, reported, or transmitted late or incorrectly, or are lost for any reason, including computer, telephone, paper transfer, or human or other error. If, in the Sponsor's opinion, there is any suspected or actual evidence of electronic or non-electronic tampering, fraud, or abuse with any portion of the Drawing, or if computer viruses, bugs, unauthorized intervention, fraud, or technical difficulties or failures compromise or corrupt or affect the administration, integrity, security, fairness, or proper conduct of the Drawing, the Sponsor, at its sole discretion, reserves the right to disqualify any individual who tampers with the entry process or does not comply with the Official Rules, and/or void any entries submitted fraudulently, to modify or suspend the Drawing, or to terminate the Drawing and award the Prize using all eligible, non-suspect transactions received as of the termination date. As a condition of entering the Drawing, Entrants agree, and by accepting a Prize Beneficiaries agree, that: (i) under no circumstances will Entrants or Beneficiaries be permitted to obtain awards for, and Entrants and Beneficiaries hereby waive all rights to claim, punitive, incidental, consequential, or any other damages, other than for actual out-of-pocket expenses; (ii) all causes of action arising out of or connected with this Drawing or the Prize awarded, shall be resolved individually, without resort to any form of class action; and (iii) any and all claims, judgments, and awards shall be limited to actual out-of-pocket costs incurred and, in no event, shall Entrant or Beneficiary be entitled to receive attorneys' fees or other legal costs. Sponsor reserves the right to modify Prize award procedures. This Drawing and these Official Rules shall be interpreted in accordance with the laws of the State of Nebraska, without regard to its principles of conflicts of law and jurisdiction, and venue shall be solely within the State of Nebraska.
- 10. Entrant's Personal Information:** Information collected from Entrants, including information about their Beneficiary, will be maintained by the Sponsor and its representatives in accordance with applicable federal and state consumer privacy laws, rules, and regulations.
- 11. Winners' Names:** For a list of Winners' names (available on or about December 20, 2018), send your request and a separate self-addressed, stamped envelope, to: First National Bank of Omaha, Attn: NEST Fall Festivities Photo Drawing, 1620 Dodge St., Stop 1105, Omaha, NE 68197-1105.
- 12. Sponsor:** First National Bank of Omaha, 1620 Dodge St., Stop 1105, Omaha, NE 68197-1105.



Nebraska State Treasurer, Trustee

 First National Bank Omaha

Program Manager