



Client has requested that RDA Group perform survey research services on [Client]’s behalf. In order to permit RDA Group to conduct this research, Client will provide RDA Group with a list of its customers and their contact information to allow RDA Group to send text-message invitations to participate as respondents in the research (the “Customer List”).

Pursuant to the federal Telephone Consumer Protection Act (“TCPA”) and numerous similar state laws, express consent of the consumer must be received before any call may be made to the consumer’s cell phone using “equipment which has the capacity to store or produce telephone numbers to be called, using a random or sequential number generator, and to dial such numbers.” Text messages currently are considered by the Federal Communications Commission (“FCC”) as a “call” that may be subject to the TCPA.

Client represents and warrants to RDA Group that all individuals included in the Customer List provided by Client to RDA Group have consented to receive automated messages, including text messages, from Client for purposes that include survey research. Client acknowledges and agrees that it is solely responsible for ensuring that consent from all such individuals has been obtained. All text-message invitations to participate in the research must include a clear identification within such invitation that Client is the source or originating entity of the invitation to enable the text recipient to determine that Client was responsible for the message.

Client agrees to defend, indemnify, and hold RDA Group, its subsidiaries and affiliates, and each of their respective owners, directors, officers, employees and agents harmless from and against any and all claims, liabilities, losses, fines, penalties, damages, judgments, expenses and costs, including, without limitation, reasonable attorneys’ fees, arising out of or relating to the sending of text messages by RDA Group to the individuals on the Customer List.

The provisions of this letter supersede any conflicting provisions in any other agreement between the parties (whether oral or written) with respect to the subject matter addressed in this letter.

CLIENT

RDA GROUP

Client’s Company: _____

Signature: _____

Client’s Signature: _____

Print Name/Title: _____

Print Name/Title: _____

Date: _____

Date: _____