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APPENDIX D

To the fullest extent permitted by the applicable law, Service Provider waives all rights against Tuskegee University for recovery of damages to the extent these damages are covered by any insurance coverages maintained by the Service Provider. To the extent that the Service Provider is obligated to obtain Workers' Compensation insurance under the applicable laws, Service Provider's Workers' Compensation policy must have the Waiver of Our Right to Recover from Others Endorsement with Tuskegee University identified on the schedule of its policies.

Limitation on Liability. The Parties agree that Tuskegee University's liability to Service Provider shall be limited to the amount of the actual damages sustained by Service Provider, but in no event shall exceed the amount of the actual damages sustained by Service Provider. The Parties agree that Tuskegee University's liability to Service Provider shall be limited to the amount of the actual damages sustained by Service Provider, but in no event shall exceed the amount of the actual damages sustained by Service Provider.

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