

Meetings and Events:
Balancing the Liability Issues
with the Fun



Join Us Face-to-Face



Thursday, June 2, 2011

www.DestinationShowcase.com



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**America: Land of the Free,
Home of the Lawsuit**

Our Mottos for the Day

- It's easier (and cheaper) to keep your organization out of trouble than to get it out of trouble
- Hope for the best, plan for the worst

Risk Management

- Focus On:
 - Risk Management Techniques
 - Possible Sources of Liability

Risk Management Techniques

- Avoid the Risk
- Accept the Risk
- Transfer the Risk
 - Indemnification – “The Belt”
 - Good word: DEFEND
 - Bad word: SOLE

Sample Indemnification Clause

- Vendor shall indemnify, defend, and hold harmless Group, its officers, directors, employees and agents and each of them (collectively "the Indemnitees"), from and against any and all claims, demands, actions, judgments, costs, and expenses, including costs of defense thereof, incurred by any of the Indemnitees caused by or arising from the negligence, gross negligence, or intentional misconduct of Vendor, its officers, directors, employees, agents or contractors. The terms of this provision shall survive the termination or expiration of this Agreement.

Insure the Risk

- Insurance – “The Suspenders”
- Types:
 - General Commercial Liability
 - Property & Casualty
 - Directors & Officers
 - Event Cancellation
 - Publisher’s Liability

Releases and Waivers

- Knowing and Voluntary
- Enforcement Policy

Sources of Liability

- Tort
- Contract
- Statutory

Tort

- Negligence
 - Duty
 - Breach
 - Cause
 - Damages

Tort

- Liquor Liability
- Defamation

Contract

- Hotel and Facility Contracts
- Vendor Contracts
- Speaker and Entertainer Contracts

Statutory

- Trademark/Copyright
 - Ownership
 - Infringement

Statutory

- Music Licensing
- Americans with Disabilities Act
 - Title III (Public Accommodations)

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DMAI's
*Destinations
Showcase*

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Audience Q&A



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Thank You!

- Survey and CMP Credit Confirmation:
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