

The ACEC Oregon Risk Management Committee presents...



## “Indemnification Clauses in Contracts”

presented by Beth Andrus & Terry Scanlan, Skellenger Bender

Topics for discussion include:

- What does indemnification mean?
- How does indemnification differ from the “duty to defend?”
- What language should you avoid and why?
- How do these clauses impact you and your firm when claims arise?
- How do other states handle indemnification clauses in public works contracts?
- What indemnification clauses will you see in standard consulting agreements of local government agencies?
- What negotiation strategies have worked to re-draft ugly indemnification clauses?

**ABOUT THE SPEAKERS:** **Beth M. Andrus**, a partner with the law firm of **Skellenger Bender**, has represented design professionals for over 15 years. Her law practice emphasis is the representation of design professionals in claims and risk management, contract review, litigation and licensing board proceedings. She also counsels member firms on employment and business law issues. She has experience drafting standard contract terms for engineering firm clients, including indemnification clauses in owner and subconsultant agreements. Ms. Andrus also has extensive experience defending claims against design professional firms and resolving disputes arising out of overly broad or onerous defense/indemnification language in agreements. Ms. Andrus is a member of ACEC’s Legal Counsel Forum and is a frequent CLE presenter on the law in Washington and Alaska as it pertains to design professional liability. **Terence J. Scanlan**, a principal with Skellenger Bender, practices in the firm’s litigation group. He has extensive jury trial experience in both state and federal courts and handles matters in the Pacific Northwest and in Alaska. He has been extensively involved in complex litigation involving claims for alleged pipeline design defects, construction management issues, retaining wall failures, landslides, and other geotechnical and general engineering issues. Terry frequently speaks on contracting and risk management issues concerning design professionals, including for ASFE counsels’ forum, the ACEC attorney’s roundtable and ACEC Washington.

**WHAT: “Indemnification Clauses in Contracts”**

**WHEN: Tuesday, April 20**

- 11:00 A.M. - Check-in & lunch
- 11:30 A.M. - Program begins
- 1:30 P.M. - Conclusion

**WHERE: David Evans and Associates, Inc.**  
2100 SW River Parkway, Portland

**PARKING:** Directions along with parking code will be e-mailed to registrants a few days prior to the program.

**Special thanks to DAVID EVANS AND ASSOCIATES for providing meeting space!**

**ACEC Oregon**

Registration Form: **Tuesday, April 20**

**“Indemnification Clauses in Contracts”**

Tuesday, April 20 • David Evans and Associates, Inc. • 2100 SW River Parkway, Portland • phone (503) 223-6663  
• 11:00 A.M. Check-in & lunch buffet • 11:30 A.M. Programs begins • 1:30 P.M. Conclusion

Program is good for two (2) continuing professional development (CPD) credits.

**Cost:** \$70 per person for members (*If your firm is a member, then you are a member.*)  
\$95 per person for non-members

**Good for 2  
CPD credits!**

Firm Name & Phone: \_\_\_\_\_

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Name & E-mail: \_\_\_\_\_

Name & E-mail: \_\_\_\_\_

No. of \_\_\_\_\_ member(s) @ \$70/each = \$ \_\_\_\_\_

No. of \_\_\_\_\_ non-mbr(s) @ \$95/each = \$ \_\_\_\_\_

**Total Amount Enclosed:** \$ \_\_\_\_\_

Make checks payable to ACEC Oregon (American Council of Engineering Companies of Oregon).

Or, pay by credit card:  VISA  MC  Amex  Discover Amount to charge: \$ \_\_\_\_\_

Card #: \_\_\_\_\_ Exp. date: \_\_\_\_\_ Security code on back: \_\_\_\_\_

Cardholder name: \_\_\_\_\_ Signature: \_\_\_\_\_

Zip code at billing address: \_\_\_\_\_  Check here for receipt to be e-mailed to: \_\_\_\_\_

Mail (or fax or e-mail) check or credit card info & registration form for receipt by Friday, April 16 to: ACEC Oregon, 5319 SW Westgate Drive, Suite 224, Portland, OR 97221. QUESTIONS? Phone (503) 292-2348 • Fax (503) 292-2410 • e-mail: [echurchill2@acecOregon.org](mailto:echurchill2@acecOregon.org)

~ **Cancellations must be received on or before the registration deadline.** Non-members must pay in advance. Thank you. ~

Registration  
deadline is Friday,  
April 16.