

## When Lawyers Attack!

Your day could be coming...

By Gary Stanfill

**W**hen you do something stupid, don't worry – it's NOT YOUR FAULT.

Go ahead, gorge yourself to the point of morbid obesity on double cheeseburgers, super-size fries and chocolate shakes – it's NOT YOUR FAULT. No, not when there's an individual and/or company (or better yet, individuals AND companies) to blame. And most importantly, to sue.

But what if you're on the receiving end of a lawsuit? Suppose some "young adult" blows his hearing after years of sitting in the front row at rock concerts at the local arena, notwithstanding consistent playing of home and car stereos beyond the threshold of pain over this same time period?

Well, you can be certain it's NOT HIS FAULT. Nope – it's your (or your company's) fault, because you had the audacity to provide the concert rig for one of the shows, or better yet, to install the sound system at the local arena five years ago. You know, the system that's not even used for rock concerts because it won't do 120 dB in the front row?

Far fetched? Don't bet on it. Dozens of ever-more-frivolous lawsuits are filed every day.

How about when someone trips on the temporary cable cover at an event – the one that's painted neon yellow and runs behind the stage, the one your sound company never had a thing to do with...

The "unfortunate victim" gets a couple of small scratches that are promptly bandaged by the venue's



medical staff. No problem? Well, it depends upon your perspective, because this is an actual situation in "settlement discussions."

In this case, the "victim" is suing the venue, the act on stage, the lighting company, the temporary stage company, the company doing the live sound and everyone else even remotely connected to the location. The basic game plan is to sue everyone in sight and get all parties (or their insurance companies) to settle for a few thousand dollars each.

But the lawsuit also offers a grand opportunity for a fishing expedition. If anything the slightest bit questionable is uncovered, then the stakes go up. Way up.

So, as an individual or company working in the pro audio industry, what can you do to limit exposure to this type of dangerous frivolity? First, get up to speed on legal issues as they can (or could) relate to your business,

and you might consider doing so with the help of an attorney.

It might seem expensive to pay a lawyer to protect yourself from a lawyer, but this "protection money" is likely worth the expense when considering the possible alternative. (The mafia has worked a similar game to great success over the decades!)

Also, Nolo Press ([www.nolo.com](http://www.nolo.com)) offers several useful, plain-language legal books at very reasonable prices. But be warned: what you read might scare you!

Next, by all means, get liability insurance if you haven't already done so! If you already possess a liability policy, review it with a fine-toothed comb, checking the ever-popular "fine print." This might also be done with the assistance of your lawyer.

Finally, analyze all of your work processes. If asked, can you (and if applicable, your staff) clearly demonstrate that safety practices are in accordance with the highest public safety standards? If so, damage can be minimized in legal proceedings.

The bottom line: more lawyers practice in the state of California than in all of the country of Japan. There simply isn't enough legitimate legal work in the U.S. to support them all.

Unfortunately, that leaves you as a likely target for attack. ■

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