

TRICORD

TRADE SHOW SERVICES

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Limits of Liability and Responsibility and Authorization to Provide Material Handling Services

SHOW NAME: Usenix Conference

COMPANY NAME: _____

Limits of Liability and Responsibility

1. Tricord, and its subcontractors, shall not be responsible for damage to uncrated materials, materials improperly packed, glass breakage or concealed damage.
2. Tricord, and its subcontractors are not, and cannot be, responsible for loss or disappearance of the Exhibitors materials after same have been delivered to the Exhibitor's booth.
3. Similarly, Tricord and its subcontractors, cannot be responsible for disappearance of the Exhibitor's materials before the materials are picked up from the Exhibitor's booth for loading out after the show. All bills of lading covering outgoing shipments, which are given to Tricord by the Exhibitor's, will be checked at the time of pickup from the booth and corrections made where discrepancies exist.
4. Tricord, and its subcontractors, shall not be responsible for loss, delay or damage due to strikes, lockouts or work stoppages of any kind.
5. Tricord and its subcontractors, shall not be responsible for ordinary wear and tear in handling of equipment, nor for loss or damage due to fire, theft, windstorm, water, vandalism, acts of God, mysterious disappearance or other causes beyond its control.
6. Tricord and its subcontractors, shall not be held liable for any damage incurred during the handling of equipment requiring special devices to properly load, place or reload unless advance notice has been given to Tricord in time to obtain the proper equipment.
7. It is understood the Tricord, and its subcontractors, are not insurers, that insurance, if any, shall be obtained by the Exhibitor and that the amounts payable to Tricord hereunder are based on the value of the material handling services and the scope of the liability as herin set forth and are unrelated to the value of the Exhibitor's property being handled. Since it's impractical and extremely difficult to fix the value of each shipment handled by Tricord, or as subonctractors, it is understood that Tricord, and its subcontractors, do not provide for full liability should loss or

damage occur. It is agreed that if Tricord, or its subcontractors, should be found liable for loss or damage due to a failure to properly handle the Exhibitor's equipment, the liability shall be limited to the specific article which was physically lost or damaged and such liability shall be limited to a sum equal to \$.25 per pound per article with a maximum liability of \$50.00 per item, or \$1,000.00 per shipment whichever is less, as agreed upon damages and not as a penalty, as the exclusive remedy; and that provisions of this paragraph shall apply if loss or damage irrespective of cause or origin, results directly or indirectly to property from performance or nonperformance of obligations imposed by the offering of material handling services to exhibitors or from negligence, active or otherwise, of Tricord, its subcontractors or employees.

8. Tricord, and its subcontractors, shall not be liable to any extent whatsoever for any actual, potential or assumed loss of profits or revenues or for any collateral costs, which may result from any loss or damage to an Exhibitor's materials which may make it impossible or impractical to exhibit same.
9. Claims for loss or damage which are not submitted to Tricord within thirty (30) days of the close of the show on which the loss or damage occurred shall be considered waived. No suit or action shall be brought against Tricord, or its subcontractors, more than one (1) year after the action of the cause of action therefore.
10. The consignment or delivery of a shipment to Tricord, or its subcontractors, by an Exhibitor, or by any shipper on behalf of the Exhibitor shall be construed as an acceptance by such Exhibitor (and/or other shipper) of the terms and conditions set forth in Sections 1 thru 9.

BE SURE YOUR MATERIALS ARE INSURED from the time they leave your firm until they are returned after the show. It is suggested that Exhibitors arrange all risk coverage. This can usually be done by "riders" to existing policies. Contact your insurance representative.

BE SURE YOUR LIABILITY INSURANCE is in effect at the show site. Contact your insurance representative.