



# NEWS FROM THE FIRM

February 2011

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Chris Griswold, P.C.  
A Business Transactions  
and Estate Planning Firm

## Memberships

- OK, TX & American Bar Associations  
Licensed in all OK & TX State Courts
- International Council of Shopping Centers
- Commercial Real Estate Council of Oklahoma City
- Oklahoma Renewable Energy Council
- CCIM Chapter of Oklahoma

## Links & Resources

Commercial Real Estate Council of OKC  
www.crecokc.com  
International Council of Shopping Centers  
www.icsc.org  
Oklahoma Renewable Energy Council  
www.ocgi.okstate.edu.orec

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## Message from Chris...

Icy, snowy, slippery sidewalks (say it 3 times fast). Yes, as you'll recall, this topic is actually one I covered last February (the irony of it all), but still very relevant due to the recent blizzard-like conditions... Due to another large round of inquiries I've received from concerned hotel, restaurant, office and retail owners and tenants, as well as the several requests I've received from our local insurance underwriting community that I write on the topic, I wanted to once again write a short piece in the hopes it saves some of you needless worry and money. So, once more, I'll answer the two most commonly asked questions from the groups mentioned above.

## Questions About Slippery Slopes

**Question #1:** *"If I put out snow melt on my sidewalks, does it somehow serve as an admission of guilt if someone should subsequently slip and fall on the premises?"*

**Answer:** **No.** The very act of putting out snow melt, etc... in an effort to prevent people from slipping, falling and hurting themselves cannot later be used against you. In other words, you can't use someone's efforts to avert an accident against them later on if and when the accident occurs. If you could, it would be tantamount to saying "...I'm suing you for trying to help me." Now, there are other relevant factors including, but not limited to, whether or not another person slipped and fell in the same area just before the plaintiff slipped and fell, whether you put out enough – and many others. However, the fact that you put out snow melt, in and of itself, is not an admission of guilt; nor can it later be used against you in showing negligence. Accordingly, don't be afraid to put out snow melt when the weather gets bad. **However, and most importantly,** when you put it out, put out enough to **really do the job** (including getting out your shovel if need be so the area(s) in question are clean, clear and safe).

**Question #2:** *"When should I put out snow melt?"*

**Answer:** **It depends.** Actually, the legally correct answer to this question is "when it's reasonable to do so." Say what?! I know..., it's legalese and not really clear. However, you can pretty much nail it down if you ask yourself the following question: **"Given the current weather conditions; if my mother came to see me at work today, should I put out snow melt?"** If the answer is yes, put it out. Otherwise, don't sweat it.

## What My Clients Are Saying...

"Chris Griswold has always been proactive and professional. He takes the time to work with us and tailors his approach to our situational needs. My favorite thing about Chris is that he will let me know if there is an easier, less-expensive approach. We look forward to working with him well into the future."

*Carl S. Milam / President / Western Concepts Restaurant Group / Oklahoma City, Oklahoma*

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