

## DEPARTMENT OF FOOD AND AGRICULTURE

1010 Hurley Way, Suite 200  
Sacramento, CA 95825



June 3, 1994

D 94-8

**TO:** All District Agricultural Associations

**SUBJECT:** INDEMNIFICATION LANGUAGE BETWEEN DAA'S AND THE UNIVERSITY OF CALIFORNIA

The Division of Fairs and Expositions, CFSA, and the University of California have agreed that the following two paragraphs should be substituted for the standard indemnification language for contracts between DAA fairs and the University of California (including 4H activities):

"State of California, Department of Food and Agriculture, Division of Fairs and Expositions shall defend; indemnify; and hold University, its officers, employees, and agents harmless from and against any and all liability, loss, expense (including reasonable attorney's fees), or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of the State of California, Department of Food and Agriculture, Division of Fairs and Expositions; its officers; employees; or agents.

University shall defend, indemnify and hold the State of California, Department of Food and Agriculture, Division of Fairs and Expositions; its officers; employees; and agents harmless from and against any and all liability, loss, expense (including reasonable attorneys' fees), or claims for injury or damages arising out of the performance of this Agreement but only in proportion to and to the extent such liability, loss, expense, attorneys' fees, or claims for injury or damages are caused by or result from the negligent or intentional acts or omissions of University, its officers, employees, or agents."

When adding this language to the contracts, delete the existing indemnification language from the contracts and have both parties initial.

If you have any questions regarding the above indemnification language, please call Gene Marquart at CFSA, (916) 921-2213.

A handwritten signature in cursive script that reads "Sue Fick".

SUE FICK  
Contract Manager  
Division of Fairs and Expositions