CASE LAW REFERENCES : WAIVER OF SUBROGATION

ENFORCEABILITY

DEDUCTIBLE – MAY NOT BE RECOVERED

DEDUCTIBLE – RECOVERED

PARTIES COVERED BY PROVISION
- Indiana Erectors Inc v Trustees of Indiana University, 686 N.E.2d 878 (Ind. Ct. App. 1997)

WORK – MINORITY APPROACH

WORK – MAJORITY APPROACH

POST-CONSTRUCTION LOSS – NOT APPLICABLE

GROSS NEGLIGENCE – WAIVER ENFORCED

GROSS NEGLIGENCE – WAIVER NOT ENFORCED

OTHER FORMS OF CONSTRUCTION CONTRACTS FOR WAIVER OF SUBROGATION
- EJCDC E-500 2014, Standard Form Agreement Between Owner and Engineer for Professional Services, § 6.11(E)
INSURANCE OBLIGATIONS IN OTHER CONTRACTS

- AGC Doc. No. 200, Standard Agreement and General Conditions Between Owner and Contractor, § 10.4.3
- DBIA Doc. No. 535, Standard Form of General Conditions of Contract Agreement Between Owner and Design-Builder, § 5.3.5

- ConsensusDOCS 240
- DBIA Doc. No. 535
- EJCDC E-500