

GAY LYNN HARRIS, JR.

v.

HEMPHILL CONSTRUCTION COMPANY, INC.

DATE OF JUDGMENT:

08/04/2023

TRIAL JUDGE:

HON. ADRIENNE ANNETT HOOPER-
WOOTEN

TRIAL COURT ATTORNEYS:

WILLIAM GARRIGUES SHIELDS
LAURA DEVAUGHN GOODSON
H. WESLEY WILLIAMS III
MATT EVANS HENRY
LEE DAVIS THAMES JR.

#2. I+ S\$&-\$%9\$. 2020 H1..(, 61, ,,\$;\$.\$)2 (+</.\$5 6 '())\$ 6*.8(+= *+ - '\$ &.*\$0-
/+5\$.-18\$+ 92 H\$%&'()) 1+5 ICE. H1..(, ,*/='- 6*.8\$.,> 0*%&\$+,1-(+ 9\$+\$7(-, 7.*%
H\$%&'()). T' \$ %1--\$. 61, '\$1.5 921+ A5%(+(-.1-(\$J/5=\$3AJ4. T' \$ AJ5\$0(5\$5-'1-H1..(,
61, +*- \$+(-)\$5 -* . \$0\$(\$ 6*.8\$.,> 0*%&\$+,1-(+ 9\$+\$7(-, 7.*% H\$%&'()) 9\$01/,\$ H1..(,
'15 ;*)/+-1.()2 *&-\$5 */- *7 ICE>, 6*.8\$.,>0*%&\$+,

1- - '\$. \$? / \$, - * 7 - '\$ C(-2 H\$%&'()) \$+-\$.\$5 (+-* 1 , /90*+- .10- 6(-' ICE -* &\$.7*.% B61-\$.
19.1, (; \$9)1, -(+=D-* . \$%* ; \$ - '\$ 0*1-(+= *+ - '\$ BM\$%9.1+\$ T.1(+ " 61))E.FD T' \$, /90*+- .10-
.\$? / (. \$5 ICE -* *9-1(+ 6* .8\$. , > 0*%&\$+, 1-(*+ (+, / .1+0\$ 7* . (-, \$%&)*2\$\$, . I- . \$? / (. \$5 1), *
- ' 1- 1 0\$. -(7(01-\$ *7 (+, / .1+0\$ 9\$ &* ; (5\$5 B\$; (5\$+0(+= - ' 1- (+, / .1+0\$ 1, . \$? / (. \$5 92 - '(,
S /90*+- .10- ' 1, 9\$\$+ *9-1(+ \$5 1+5 (, (+ 7/)) 7*.0\$ 1+5 \$77\$0-.D T' \$ 0\$. -(7(01-\$ &* ; (5\$5
, ' *6\$5 - ' 1- ICE ' 15 *9-1(+ \$5 6* .8\$. , > 0*%&\$+, 1-(*+ (+, / .1+0\$ 1+5 (- +*-\$5 - ' 1- - '\$ &*)(02
5(5 +* - 0*+1(+ \$:0) / , (*+ , 7* . 1+2 &* & . (\$-* . , &1.-+\$. , \$: \$0 / - ; \$ *77(0\$. , * . %\$%9\$. , . I-

....

A)-'*/=' EICEF 01..(\$5 6*.8\$.,> 0*%&\$+,1-(*+ (+,/.1+0\$ 0*;\$.1=\$ 7*. (-, \$%&)*2\$\$, 1-- '\$ -(%\$ *7 EH1..(>,F 6*.8-.\$)1-\$5 (+</ .2 EH1..(,F '(%,)\$7 61, \$:0)/5\$5 7.*% 0*;\$.1=\$ /+5\$. - '\$ &*) (02 &/ ., /1+- -* '(, 1))* 619)\$ \$)0-(*+ -* 5* ,* ... /+5\$. T\$:1, (+,/.1+0\$./)\$, 1+5 .\$/=)1-(*+,. M(,,(,(&&())16 (, 0)\$1. ... -' 1-- '\$ \$%&)*2\$\$ *7 1+ /+(+, /.\$5 ,/90*+- .10-* . 9\$0*%\$, 1+ \$%&)*2\$\$ *7 - '\$ =\$+\$.1) 0*+- .10-* . 7* . &/ .&*,\$, *7 6*.8\$., 0*%&\$+,1-(*+ 0*;\$.1=\$.

I+ .\$, &*+, \$ H\$%&'()) 5\$+(\$5 9\$(+= H1..(>, -1-/-* .2 \$%&)*2\$. B9\$01/, \$ ICE '15 , \$0/.\$5

6*.8\$.,> 0*%&\$+,1-(*+ 0*;\$.1=\$ 7*. '(, \$%&)*2\$\$, .D H\$%&'()) 7()\$5 1 %*-(*+ -* 5(, % (,,

H1..(>, 6*.8\$.,> 0*%&\$+,1-(*+ 0)1(% . O+ S\$&-\$%9\$. " 202" 1 '\$1.(+= 61, '\$)5 9\$7*.\$ 1+

AJ. O+ S\$&-\$%9\$. 8 202" - '\$ AJ =.1+- \$5 - '\$ %*-(*+ -* 5(, % (,, T '\$ AJ 5\$-\$% (+\$5 - '1-

"4 (- 61, /+5(&/-\$5 - '1- H1..(, 61, 1+ *77(0\$. *7 ICEJ

24 ICE '15 1=.\$55 -* &.*;(5\$ 1+5 %1(+1(+ 6*.8\$.,> 0*%&\$+,1-(*+ (+,/.1+0\$ 1, . \$?/(\$5 92 - '\$ 0*+- .10-J

T '\$ AJ 0*+0)/5\$5 -'1- 91,\$5 *+ M(,,(,(&&(01,\$)16 H1..(, 61, B&.*'(9(-\$5 7.*%
1--\$%&-(+ = -* 9\$ 0*;\$.\$5 1, 1+ \$%&)*2\$\$ 7.*% 1 , -1/-* .2 \$%&)*2\$. i.e. H\$%&'()) 1+5 ..
. EH1..(, 61,F +* - \$+(-)\$5 -* 6*.8\$.,> 0*%&\$+,1-(*+ 9\$+\$7(-, /+5\$. - '\$ W*.8\$.,>
C*%&\$+,1-(*+ A0-D H1..(, 5(5 +* - 1&&\$1) - '\$ AJ>, 5\$0(,*+.

#8. O+ M1.0' " 2022 H1..(, 7(0)\$5 1 0*%&)1(+ - 1=1(+, - H\$%&'()) (+ - '\$ C(.0/(- C* /.- *7
- '\$ F(., - J/5(0(1) D(.,-(0- *7 H(+5, C* /+ -2 1))\$=(+ = +\$)=(=\$+0\$ 1+5 =.* , , +\$)=(=\$+0\$. O+
A&.) "3 2022 H\$%&'()) 7(0)\$5 1 %*-(*+ -* 5(,%(, , 1+5 7*. </5=%\$+- *+ - '\$ &)\$15(+ =, .
H\$%&'()) 1, , \$.-\$5 -'1- (- 61, \$+(-)\$5 -* -*. - (%% /+(-2 \$;\$+ - '* /=' H1..(, '15 \$)0-\$5
;*) /+ -1.(02-* \$:0)/5\$ '(%, \$)77.*% ICE>, (+, / .1+0\$ &*)(02 9\$01/,\$ ICE 61, .? / (. \$5 -* 1+5
'15 *9-1(+ \$5 6*.8\$.,> 0*%&\$+,1-(*+ (+, / .1+0\$ 7*. (-, \$%&)*2\$\$, . l- 1, , \$.-\$5 1), * -'1-
H1..(>, -*. - 0)1(% 61, (%&.*&\$. 1, '\$ '15 71(0)\$5 -* \$: '1/ , - '(, 15%(+(-.1-(\$. \$%\$5(\$, . l+
.\$, &*+, \$ H1..(, 1.= / \$5 -'1- - '\$ %*-(*+ -* 5(,%(, , , '* /)5 9\$ 5\$+(\$5 *+ - '\$ 91(, *7 </5(0(1)
\$, -*&&\$) -'1- -*. - (%% /+(-2 61, (+1&&)(019)\$ 1+5 -'1- - '\$ 0)1(% 61, &.*&\$.)2 9\$7*.\$ - '\$
0(.0/(- 0* /.-. O+ O0-*9\$. 2A 2022 - '\$ 0* /.- '\$)5 1 '\$1.(+ = . \$=1.5(+ = H\$%&'())>, %*-(*+.
T '\$ 0(.0/(- 0* /.- =.1+-\$5 - '\$ %*-(*+ -* 5(,%(, , . O+ N* ; %9\$. K 2022 H1..(, 7(0)\$5 1 %*-(*+
-* . \$0*+, (5\$. 1)-\$. *. 1%\$+5 - '\$ </5=%\$+- . A7-\$. 1 '\$1.(+ = *+ H1..(>, %*-(*+ - '\$ 0* /.-

EH1..(,F 0 '*,\$ +*- -* \$:-\$+5 0*;\$.1=\$ -* '(%,)\$7 1+5 - '\$ EOF*/.- 71()\$5 -* 7(+5
1+2 , -1/- -*.2 1/- '* .(-2 * . 01,\$)16 - '1- 6() 1))*6 7*. 9\$+\$7(-, -* 9\$ \$:-\$+5\$5
-* E'(%F /+5\$. - '\$,\$ 0(.0/%,-1+0\$,. A, ,/0' - '(, EOF*/.- 7(+5, - '1- 6*.8\$. ,>
0*%&\$+,1-(*+ 9\$+\$7(-, 6\$. \$ 1;1()19)\$ -* - '\$ &1(+-(77 - '.*/=' '(, \$%&)*2\$.
ICE 9/-EH1..(,F 1+5/* . ICE 5\$0)(+\$5 -* \$:-\$+5 0*;

I-1.=/\$, -'1-(-(\$+(-)\$5-* -*.-(%%/+(-2&/./1+-* **Doubleday v. Boyd Co !'#\$'%** Co.
4"8 S*. 25 823 3M(,., "K824 9\$01/,\$ ICE '15 B,\$0/.\$5 ,/0' &12%\$+-D (\$. -'\$
,/90*+-10-*. '15 1+ (+,/1+0\$ &*)(02 -'1- 0*;\$.\$5 (-, \$%&)*2\$\$,. I-1.=/\$, 1),* -'1- H1..(
71)\$5-*\$: '1/,- '(, 15%(+,-.1-(\$.\$%\$5(\$, 9\$7*.\$,\$\$8(+=\$.)(\$7(+-\$0(.0/(-0*/.-1+5-'1-
</5(0(1) \$,-*&&\$) , '*/)5 9\$ 1&&)(5 -* H1..(, +*- H\$%&'()).

#"2. BT' (, C*/.-1&&)(\$, 1 5\$+*; * , -1+51.5 *7 .;\$(\$6 -* -'\$ -(1) 0*/.->, 5\$0(,*+ -* =.1+-
. 5\$+2 1 %-(+ -* 5(,%(, ,D

15%(+(-.1-(\$.%\$5(\$, 0*+0\$.+, - '\$ -(1) 0*/.->, </.(,5(0-(+ *7 - '\$,/9<\$0- %1--\$. 1+5 6\$
'1;\$ '\$)5 -'1- BE-F' \$?/\$,-(*+ *7 ,/9<\$0--%1--\$. </.(,5(0-(+ %12 9\$.1(\$5 1- 1+2 -(%\$.D Bell
v.) % e*a # #e Gua#d% !, % o&B.A.D.. 82 S*. 35 G08 G"4 3M(,., 20"24 30(-(+=
Bu# e''e v. Ha#&#d U de# #%# I !. Co. HH0 S*. 25 K48 KA" 3M(,., 200044J

(+\$.\$.,-. T* - '\$ 0*+-1.2 M(,,(,&&(C*5\$ S\$0-(+ H"-3-4H &.*;(5\$, - '1- 1 5\$0,(+* 7.*%
1+ A J B, '1)) 9\$ 7(+1) /+)\$,, 6(-'+ -6\$+-2 3204 512, 1 .?/\$, - *. &\$-(*+ 7* .\$.;(\$ 6 92 - '\$
7/)) 0*%%(,,(*+ (, 7)\$5.D M(,,. C*5\$ A++. I H"-3-4H 3R\$;. 202"4J see also) el'e# v.
) loo#!e#v,l \$. "40 S*. 35 42G 428 3M(,,. 20"34 3BI7 - '\$ +*-(0\$ *7 1&&\$1)(, +* -7)\$5 6(-'+
-6\$+-2 512, - '\$ C*%%(,,(*+ 5*\$, +* - '1;\$ </.(,5(0-(+* - * '\$1. - '\$ %1--\$.D4. A55(-(*+1))2
M(,,(,&&(C*5\$ S\$0-(+ H"-3-K3 &.*;(5\$, - '1- BE7F*. - '\$ &/.&*, \$ *7 0*+5/0-(+ = '\$1.(+ =,
1+5 %18(+ = 5\$0,(+*, /&*+ 0)1(% , - '\$ EAJF . . . 1&&* (+\$5 92 - '\$ 0*%%(,,(*+ , '1)) '1;\$ - '\$
1/- '* .(-2 *7 1 0*%%(,,(*+\$.D M(,,. C*5\$ A++. I H"-3-K3 3R\$;. 202"4. H1..(, 100&&-\$5 - '\$
AJ>, 5\$0,(+* 1+5 5(5 +* - 1&&\$1) * . 0'1))\$ += \$ - '\$./)(+ = 9\$7* . \$ - '\$ 7/)) 0*%%(,,(*+ - '\$ -(1)
0*/.- * . -(, C*/.-. T '\$ AJ>, ./)(+ = 1+5 * .5\$. 9\$01%\$ 7(+1) 17-\$. -6\$+-2 512,,
#"H. S\$0*+5 \$;\$+ (7 H1..(, '15 1&&\$1)\$5 - * - '\$ 7/)) 0*%%(,,(*+ - '\$ (, /\$ 6*/)5 '1;\$
0*+0\$.+\$5 '(, \$+(-)\$%\$+- * 0*%&\$+,1-(+*.4 P / ., /1+- * M(,,(,&&(C*5\$ S\$0-(+ H"-3-"334
- '\$ M(,,(,&&(W*.8\$.> C*%&\$+,1-(+ C*%%(,,(*+> ,

&.(%1.2 &/.&*,\$, . . . 1.\$ - * &12 -(%)2 - %&* .1.2 1+5 &\$.%1+\$+- 5(,19)(-2
9\$+\$7(-, - * \$;\$2 6*.8\$. 6 '*)\$=(-(%1-\$)2 ,/77\$. , 1 6*.8-.\$)1-\$5 (+</ .2 * .
*00/&1-(+1) 5(\$1,\$1.(, + = * / - *7 1+5 (+ - '\$ 0* / ., \$ *7 '(, \$%&)*2%\$+- * &12
.\$1, *+19)\$ 1+5 +\$0\$, 1.2 %\$5(01) \$:&\$+, \$, .\$, /)-(+ = 7.*% - '\$ 6*.8-.\$)1-\$5
(+</ .2 * . *00/&1-(+1) 5(\$1,\$ 1+5 - * \$+0* / .1=\$ - '\$.\$/ .+ - * 6*.8 *7 - '\$
6*.8\$..

M(,,. C*5\$ A++. I H"-3-"334 3R\$;. 202"4. W'())\$ H1..(>, +\$)=(=\$+0\$ 0)1(% , 1=1(+,-
H\$%&'()) B1.\$ 01/ ,1))2 .)\$1-\$5 - * 10-(-(\$, - '1- 1.\$.\$/=)1-\$5 92 - '\$ EMWCCF - '1- 5*\$, +* -
=(; \$ - '\$ EMWCCF /+)(%(-\$5 </.(,5(0-(+* *;\$. - '\$ 0)1(% ,.D Page 3A3 S*. 35 1- 434.

T'\$. \$7*.\$ - '\$\$: '1/,-(*+5*0-.(+\$5*\$, +*- 1&&)2 1+5 H1..(, 61, +*- . \$?/(\$5 -* \$: '1/,- '(, 15%(+(-.1-(;\$. \$%\$5(\$, &.(* . - * 7)(+= '(, +\$=)(=\$+0\$,/(-.

#"8. M(,,(,(&&(C*5\$ S\$0-(*+ H"-3-K3"4 , -1-\$, (+ . \$)\$; 1+- &1.-

- '\$)(19)(-2 *7 1+ \$%&)*2\$. - * &12 0*%&\$+,1-(*+ , '1)) 9\$ \$:0)/,(;\$ 1+5 (+ &)10\$ *7 1)) *-'\$.)(19)(-2 *7 ,/0' \$%&)*2\$. - * - '\$ \$%&)*2\$\$. . . * . 1+2*+\$ *-'\$. 6(, \$ \$+(-)\$5 - * . \$0*;\$. 51%1=\$, 1- 0*%*+)16 . . . \$:0\$&- - '1- (7 1+ \$%&)*2\$. 71), - * , \$0/ . \$ &12%\$+- *7 0*%&\$+,1-(*+ 1, . \$?/(\$5 92 - '(, 0'1&-\$. 1+ (+</ . \$5 \$%&)*2\$\$. . . %12 \$)\$0- - * . . . %1(+1(+ 1+ 10-(*+ 1-)16 7* . 51%1=\$, *+ 100*/+- *7 ,/0' (+</ . 2 * . 5\$1- ' .

M(,, C*5\$ A++ . I H"-3-K3"4 3R\$; . 202"4. A55(-(*+1))2 M(,,(,(&&(C*5\$ S\$0-(*+ H"-3-H3G4

6 '(0' 0*+0\$.+,)(19)(-2 9\$-6\$\$+ 0*+- .10-* ., 1+5 ,/90*+- .10-* ., , -1-\$, - '1- BE(F+ - '\$ 01,\$ *7 1+ \$%&)*2\$. 6 '* (, 1 ,/90*+- .10-* . - '\$ 0*+- .10-* ., '1)) 9\$)(19)\$ 7* . 1+5 , '1)) , \$0/ . \$ - '\$ &12%\$+- *7 ,/0' 0*%&\$+,1-(*+ - * \$%&)*2\$\$, *7 - '\$,/90*+- .10-* . /+)\$, , - '\$,/90*+- .10-* .

'1, , \$0/ . \$5 ,/0' &12%\$+- . D M(,, C*5\$ A++ . I H"-3-H3G4 3R\$; . 202"4. BA M0' (\$7 * . &.(%\$

0*+- .10-* .>(, 5\$7(+ \$5 1, *+ \$ Mwho has a contract with the owner of a project or job, and has

full responsibility for its completion.>D T, o0 a! v. C, ev#0 U.S.A., I \$. 2"2 S*. 35 A8 G4

3M(,, 20"H4 3\$%&'1,(, 155\$54 3?/*-(+= Chief or Prime Contractor @/,(+\$, , D(0-(*+ 1.2

'--&://6 6 6.9/,(+\$, ,5(0-(*+ 1.2.0*%/5\$7(+(-(*+&.(%\$-0*+- .10-* . ' -%) 3)1,- ;(-\$5 J1+. 24

20"H44. T'(, C*/.- '1, . \$0*+= (L\$5 - '1- BE1F 0*+0(, \$ 5\$7(+(-(*+ *7 1 ,/90*+- .10-* .: BE1F

,/90*+- .10-* . (, *+ \$ 6 '* \$+-\$. , (+ * 10*+- .10- \$:&\$. , , * . (%&)(\$5 7* . &\$. 7* . %1+0\$ *7 1+ 10-

6(-' 1 &\$. , *+ 6 '* '1, 1). \$152 0*+- .10- \$5 7* . (-, &\$. 7* . %1+0\$ * . 6 '* -18\$, 1 &* . -(*+ *7 1

0*+- .10- 7. *% - '\$ &.(+0(&1) * . &.(%\$ 0*+- .10-* . D Rod*##! v. P, %#! Lu0 be#Co. 24" M(,,

AK0 "30 S*. 25 8AG 8AH 3"KG"4 3(+-\$+.1) ?/*-1-(*+ %1.8, *%(-\$54 3?/*-(+= D/++

+*- -* 9\$ '(, ,-1-/-*2 \$%&)*2\$. (, %(&)10\$5.^G T'\$ AJ>, ./)(+= '1, +* 9\$1.(+= *+ 6 '\$- '\$.
H1..(, 1, 1+ \$:\$0/-(\$ *77(0\$. *7 ICE 1),* (, 1+ \$%&)*2\$\$ *7 ICE. T'\$ MWCA 5\$7(+\$,
employee 1, B1+2 &\$.,*+ . . . (+ - '\$,\$.;(0\$ *7 1+ \$%&)*2\$. /+5\$. 1+2 0*+- .10- *7 '(\$ *.
1&&.\$+-(0\$, '(& 6.(-\$+ * . *.1) \$:&.\$, , *. (%&)(5E.FD M(, , C*5\$ A++ . I H"-3-3354 3R\$;. .
202"4. A55(-(*+1)2 - '\$ M(, , , (&& @ / , (+\$, , C*.*.1-(*+ A0- , -1-\$, - '1- - '\$ -\$.% employee
B(+0)/5\$, 1+ *77(0\$. 9/- +*- 1 5(\$0-*..D M(, , C*5\$ A++ . I HK-4-" .403"A4 3R\$;. . 20244.

#2A. T'(, C*/.- '1, . \$0*=(L\$5 -'1-:

BC*.*.1-\$ *77(0\$. , 6 '* &\$7*.% *+)2 \$:\$0/-(\$ 7/+0-(*+ , 1.\$ 5\$\$%\$5
\$:0)/5\$5 7.*% 1)%* , - 1) 10- . @ / - 1 &\$. , *+ 6 '* 01+ \$, -19)(, ' (+5&&\$+5\$+-)2
*+ - '\$ 91,(*7 +1- / . \$ *7 - '\$ 6*.8 5*+ \$ %\$- '*5 *7 &12%\$+- 1+5 , /9, \$. ; (\$+0\$
-* - '\$ 0*+- .*) *7 1+ \$%&)*2\$. - '1- '\$ %\$\$- , - '\$ - \$, - , *7 \$%&)*2%\$+- 5*\$, +*-

7/+0-(*, e.g. &12.*) *. 0*+-.10- +\$=*-(1-(*, '\$ &.*919)2 6*/)5 +*- '1;\$ 9\$\$+ 61)8(+=
10.*,, -'\$ 5\$08 1- -'\$ 61-\$. 710)(-2 -* 9\$=(+ -'\$ 61-\$. 9)1,-(+= -.\$1-%\$+- . A, 1+ \$:\$0/-(\$
*77(0\$. *7 ICE '\$ '15 \$(-'\$. 1+ \$:&.\$,, *. (%&)(5 0*+-.10- 6(-' ICE -* 01..2 */- -'\$
0*.&*.1-(*+>, ,\$.;(0\$, . A, 1 .\$. /)- '\$ 6 */)5 9\$0)1,,(7(\$5 1, 1+ \$%&)*2\$\$ &/ ., /1+- -* S\$0-(+
H"-3-3354. R\$<\$0-(+= 6*.8\$.> 0*%&\$+,1-(+ 0*;\$.1=\$ 5*\$, +*- 1)-\$. H1..(>, , -1-/ , 6(-'(+
ICE. H1..(, 61, 1+ \$:\$0/-(\$ *77(0\$. *7 ICE 9\$7*.\$ 1+5 17-\$. '\$.<\$0-\$5 -'\$ (+, /.1+0\$
0*;\$.1=\$. A 0*.&*.1-\$ *77(0\$. (, 1+ \$%&)*2\$\$ (+ -'\$ 0*+-\$:- *7 M(,,(,&&(W*.8\$.>
C*%&\$+,1-(+ L11.29779(.)-204-0.973908(8)710835(<)-0.797246(\$)-0.5.59676(0.5.59676(0..960223())10079

B&.(%\$0*+-.10-* .D* .=\$+\$.1)0*+-.10-* .>D 1+5 61, ,/9<\$0- -* M129\$.2>, ,/(-.ld.1- "0"0-"" .
C*- -*+&* .- 61, - '\$ *6+\$. +*- 1 &.(%\$ * .=\$+\$.1) 0*+-.10-* . %\$1+(+= '\$ 61, /+5\$. +*
9)(=1-(+ - * 0*%&)\$-\$ - '\$ &.*<\$0-. ld.J see also T, o0 a! 2"2 S*. 35 1- G4 3Bl+ ,/% - '(,
C* /.- '1, +\$;\$. -.\$1-\$5 - '\$ *6+\$. *7)1+5 1, 1 &.(%\$ * .=\$+\$.1) 0*+-.10-* .7* .&/ .&* , \$, *7 - '\$
W* .8\$. ,>C*%&\$+,1-(+ A0-.D4. l+ . \$10' (+=- '(, 0*+0)/, (*+ - '\$ C* /.- *7 A&&\$1), .)(\$5 /&*+
- '(, C* /.->, ./)(+= (+ T, o0 a! . l+ - '1- 01, \$ - '(, C* /.- '\$)5 - '1- C' \$; . *+ 61, +* - \$+(-)\$5 -*
(%% /+(-2 , (+0\$ (- 61, - '\$ *6+\$. 1+5 '15 +* 5/-2 B-* , \$0/.\$ 6* .8\$. ,> 0*%&\$+,1-(+
(+, / .1+0\$ 1+5 (-, 10- *7 ; *) /+ - 1.)2 &/ .0' 1, (+ = 0* ; \$.1 = \$ 5* \$, +* - 0' 1 += \$ (-, , - 1- / , .D T, o0 a!
2"2 S*. 35 1- G4-GAJ see also Ma*eev. T#a ! \$o . Ga! P%e L%e Co# . AA" S*. 25 "82 "84
3M(, .. "K8K4 3B@\$01/ , \$ T.1+, 0* 61, +* - 1 M0*+-.10-* . > 1+5 9\$01/ , \$ S(+=\$)2 '15 , \$0/.\$5
0*%&\$+,1-(+ *7* . M1=\$\$>, 9\$+\$7(- - '\$ A0- (%&* , \$5 +* 5/-(\$, *+ T.1+, 0* . A00* .5(+)=2
T.1+, 0* \$+<*2, +* 9\$+\$7(-, /+5\$. - '\$ A0-.D4. l- . \$1, *+\$5 - '1- 1 0*%&1+2 * . &\$. , *+ B%12 +* -
=1(+ - * . - (%% /+(-2 92 1, , /% (+ = 0*%&\$+,1-(+ *9)(=1-(+ , 6 '(0' (+ 710- 1+5 (+)16 (- 5(5 +* -
'1 ; .D T, o0 a! 2"2 S*. 35 1- G4 3(+-\$. +1) ? / * - 1-(+ %1.8 *%(-\$54 3? / * - (+ = Ma*ee AA" S* .
25 1- "844.

#30. W\$ 7(+5 - '1- - '\$ C* /.->, .1-(+*1)\$ (+ Doubleday 0*+-.*), (+ - '(, 01, \$. T' \$ (+</.\$5
\$%&)*2\$\$ D*/9)\$512 6 '* 61, \$%&)*2\$5 92 W.T. R1-)(77 C* . l+0. 3R1-)(774 - '\$
, /90*+-.10-* . 7)\$5 1 0*%&)1(+ - 1=1(+, - @*25 C*+, - . /0-(+* C*%&1+2 3@*254 - '\$
&.(%\$ /=\$+\$.1) 0*+-.10-* .. Doubleday 4"8 S*. 25 1- 824. T' \$, /90*+-.10- 9\$-6\$\$+ @*25 1+5
R1-)(77 . \$? / (. \$5 R1-)(77 - * *9-1(+ 6* .8\$. ,> 0*%&\$+,1-(+ (+, / .1+0\$ 7* . (-, \$%&)*2\$\$, ."0 Id.

⁰U+)(8\$ H1..(, D*/9)\$512 5(5 +* - * &- * / - *7 0* ; \$.1 = \$. A), * D*/9)\$512 '15
.\$0\$; \$5 0*%&\$+,1-(+ 9\$+\$7(-, 7.*% - '\$, /90*+-.10-* .>, (+, / .1+0\$ 01..(.. Doubleday 4"8

T '\$ -(1) 0* /.- 5(,%, \$5 D*/9)\$512>, 0*%&)1(+ 5\$-\$.(+= - '1- B- '\$ \$:0)/, (;\$.%\$52
1;1(19)\$ -* D*/9)\$512 1=1(+, - @*25 . . . 61, 6*.8%\$+>, 0*%&\$+, 1-(*+ 9\$+\$7(-, D 9\$01/,\$
B@*25 - '\$ &.(%\$ 0*+-.10-*. 61, 1 , -1/-*.2 %\$&)*2\$. *7 - '\$ %\$&)*2\$\$, *7 R1-)(77 - '\$
, /90*+-.10-*.D Id. O+ 1&&\$1) - '\$ Doubleday C*/.- 7*/+5 - '1- - '\$ (, /\$ - '1- +\$\$5\$5 - * 9\$
5\$0(5\$5 61, B6 '\$-\$ 1 =\$+\$.1) 0*+-.10-*. %12 9\$, /\$5 1, 1 - '(.5 &1.-2 (+ 0*%*+)16
+\$)=(=\$+0\$ 921+ %\$&)*2\$\$ *71 , /90*+-.10-*. 6 '* '1, 6*.8%\$+>, 0*%&\$+, 1-(*+ (+, / .1+0\$.D
Id. I+ *.5\$. -* 5\$0(5\$ - '(, (, /\$ - '\$ C*/.- '15 -* 1+, 6\$. - '\$ 7*) * 6(+= ?/\$, -(*+:

EWf '\$-\$. - '\$)\$=(,)1-/. \$ (+-\$+5\$5 -* (%&*, \$ /&*+ 1 =\$+\$.1) 0*+-.10-*. - '\$
. \$, &*+, (9)(-2 *7, \$0/.(+= 6*.8%\$+>, 0*%&\$+, 1-(*+ 9\$+\$7(-, 7*. %\$&)*2\$\$, *7
1, /90*+-.10-*. 1+5 (7, * (+-\$+5\$5 5*\$, - '(, . \$, &*+, (9)(-2 6 '\$+7/)7())\$5 =(;\$
- '\$ =\$+\$.1) 0*+-.10-*. (%% /+(-27.*% , /(- 1, 1 - '(.5 &1.-2 -*.-7\$1, *. - '\$, 1%\$
1, (7 - '\$ (+, / .1+0\$ '15 9\$\$+ &.*; (5\$5 92 - '\$ =\$+\$.1) 0*+-.10-*.P

Id. 1-82G. D*/9)\$512 1.= /\$5 - '1- @*25 61, +* - 1 , -1/-*.2 %\$&)*2\$. 9\$01/,\$ (- 61, . \$)(\$;\$5

6 '())\$ 1--\$%&-(+ = - * 0*%&)2 6(-' - '\$, -1-/- \$ 92 0*+- .10-/1))2 , \$0/.(+ = 0*%&\$+, 1-(*+ (+, / .1+0\$.D "" T, o0 a! 2"2 S*. 35 1- G2 30(-(+ = Doubleday 4"8 S*. 25 1- 82G4. T' / , (- '\$)5 -' 1-(- 61, +*-- '\$)\$=(,)1-/. \$>, (+\$+- B-* , /9<\$0- 1=\$+\$.1) 0*+- .10-* . - * 0*% % *+)1 6)(19)(-2 (7 '\$ 0*%&)(\$5 6(-' I H"-3-H 92 . \$?/(. (+ = - '\$, /90*+- .10-* . - * ' 1; \$ 6 * .8% \$+>, 0*%&\$+, 1-(*+ (+, / .1+0\$.D Doubleday 4"8 S*. 25 1- 82G. @\$01/ , \$ - '\$ = \$+\$.1) 0*+- .10-* . i.e. @*25 ' 15 , \$0/ . \$5 0*%&\$+, 1-(*+ (+, / .1+0\$ 6(-' (+ - '\$ % \$1+(+ = 1+5 &/ .&* , \$ *7 - '\$ S\$0-(*+ H"-3-H 3G4 92 0*+- .10-/1))2 . \$?/(. (+ = - '\$, /90*+- .10-* . - * *9-1(+ , /0' (+, / .1+0\$ 7* . (-, %&)*2\$\$, - '\$ = \$+\$.1) 0*+- .10-* . 61, \$+(-)\$5 - * (%% /+(-2. "2 Id. 1- 82G-2H.

#32. @\$01/ , \$ - * .- (%% /+(-2 (, 1;1)19)\$ *+)2 - * - '\$, \$ 6 '* 0*%&)2 6(-' - '\$ MWCA 6\$ ' 1; \$. \$0*+= (L\$5 -' 1- - '\$ \$, \$+(-1) ?/ \$, -(*+ -' 1- % / , - 9\$ 1+ , 6\$. \$5 (, 6 '\$ - '\$. - '\$. \$ 61, 0*%&)(1+0\$ 6(-' S\$0-(*+ H"-3-H 3G4> , . \$?/(. \$ % \$+ - -' 1- & 12% \$+ - 9\$, \$0/ . \$5. La0 a#v. T, o0 a!) o' l# T#u\$ (%* , l \$. KAG S*. 25 8H8 882-83 3M(, . . 200H4 3BETF' \$ (, / \$ *7 6 '\$ - '\$. F* 6)\$. T. /08(+ = E - '\$, /90*+- .10-* . F (, (%% /+ \$ 7. *% , /(- - / . + , *+ , -1- / - * . 2)1 + = / 1 = \$ - ' 1-

""T' \$ 7/)) ?/ * -1-(*+ 7. *% Doubleday (, :

l- 6*/)5 9\$ & 1.15* : (01) '* 6\$; \$. (+ * / . * & (+ (*+ - * ' *)5 1, - '\$ 1&&\$))1+-

(, 6 '\$- '\$. F*6)\$. 0*%&)(5 6(-' , \$0-(*+ H"-3-H 92 M, \$0/ .E(+=F - '\$ &12%\$+- -* E(-,F \$%&)*2\$\$, . . . >D4J see also T, o0 a! 2"2 S*. 35 1- G" 3, -1-(+= -' 1- 6 '\$+ S\$0-(*+ H"-3-H3G4 B(, 1&&)(019)\$ - '\$ 0*+- .10-*. 6 '* , \$0/ .\$, - '\$ 9\$+\$7(-, 9\$0*%\$, 1 , -1-/-* .2 \$%&)*2\$. *7 - '\$,/90*+- .10-*. >, \$%&)*2\$\$, 1+5 %12 . \$0\$(\$ (%% /+(-2 7.*% -*.-)(19)(-2D4. T '(, C* /.- ' 1, (+\$.&.\$- \$5 - '\$ &' .1, \$B, \$0/ . \$5 , /0' &12%\$+-D -* %\$1+- ' 1- (7 - '\$ &.*&\$., -\$&, 6 \$.\$-18\$+ B-* &.*; (5\$ 7* . - '\$ &12%\$+- *7 6*.8\$. , > 0*%&\$+, 1-(*+ 9\$+\$7(-, - '\$+ (- (, (%% /+\$ 7.*% , /(- (+ -*.- &/ ., /1+- -* , \$0-(*+ H"-3-K.D Lao a# KAG S*. 25 1- 882-83. BA = \$+\$.1) 0*+- .10-*. %12 , \$0/ . \$ &12%\$+- *7 9\$+\$7(-, 92 &/ .0' 1, (+= 1 &*)(02 *. by contractually requiring (-, ,/90*+- .10-*. , -* , \$0/ . \$, /0' 0* ; \$.1=\$.D Id. 1- 883 +.G 3\$%&' 1, (, 155\$54.

#33. W\$ 7(+5 -' 1- H\$%&'()) - '\$ = \$+\$.1) 0*+- .10-*. , \$0/ . \$5 &12%\$+- 92 0*+- .10-/1)2 . \$? / (.(+= ICE -* *9-1(+ 6*.8\$. , > 0*%&\$+, 1-(*+ 0* ; \$.1=\$. H\$%&'()) 5(5 1)) (- 0* /)5 -* \$+, / . \$ -' 1- (- 61, '(.(+= 1 7(+1+0(1))2 . \$, &*+, (9)\$, /90*+- .10-*. 6 '* ' 15 , \$0/ . \$5 0* ; \$.1=\$ 7* . (-, \$%&)*2\$\$, . @ /- (- 61, H1.. (>, *6+ 10-(*+ i.e. 6(-' 5.16(+= 7.*% 0* ; \$.1=\$ /+5\$. - '\$ (+, / .1+0\$ &*)(02 -' 1- 5\$&. (; \$5 '(% *7 9\$+\$7(-, /+5\$. - '\$ MWCA. W'()) \$ H1.. (, 61, 6(- '(+ '(, .(= ' - -* 6(-' 5.16 7.*% ICE>, (+, / .1+0\$ &*)(02 '\$ 01++* - +* 6 , \$\$8 -* 9\$ 0*%&\$+, 1-\$ 7* . '(, 51%1=\$, 1- H\$%&'())>, 0* ,-. W\$ '*)5 -' 1- (- (, +\$0\$, , 1.2 -* \$: -\$+5 -*.- (%% /+(-2

9\$01/,\$ (- '15 , \$0/ . \$5 & 12%\$+- 6(- '(+ - '\$ %\$1+(+= 1+5 &/ .&*, \$ *7 S\$0-(*+ H"-3-H3G4. T '\$
-. (1) 0* / .->, 5\$0(, (*+ -* 1 6 1.5 H\$%&'()) (%% /+(-2 1+5 5(, %(, , (- 7. *% - '\$ +\$=)(\$+0\$ 10-(*+
(, 177(.%\$5.

