
Tobin Successfully Defends Alleged Claim for Contractual Indemnity

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Jay P. Tobin successfully defended a subcontractor in an alleged claim for contractual indemnity in a construction case pending as an adversary proceeding in federal bankruptcy court. Jay's client was sued by a general contractor making a contractual indemnity claim based on an indemnity clause in the subcontract. Jay obtained summary judgment on that claim, arguing that the indemnity provision violated N.C. Gen. Stat. 22B-1 and could not be enforced. Then bankruptcy judge applied NC law in reaching her decision.

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