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Getting sued is an experience most people would rather avoid. Yet, every day business owners, managers, and employees make decisions which invite lawsuits. Although, at the time they are made, these decisions and actions may seem reasonable, they later appear foolish and often prove costly.

Companies would have a difficult time functioning profitably if every business decision had to be scrutinized for its litigation potential. Nevertheless, good business practices must consider the potential for conflict. The cost of a lawsuit involving an issue for which there may be no insurance coverage—such as a breach of contract dispute—can financially devastate a small business, even if the suit is successfully defended.

Employing the techniques below will give you and your business a very high probability of becoming a defendant in a lawsuit.

IGNORE CUSTOMER COMPLAINTS

Customer complaints can grow into customer lawsuits. Why bother with those pesky customers whose business provides you with the income to feed yourself and your family? Why waste the few minutes it may take to handle customer complaints when you can have the luxury of spending one or two years negotiating with them during the course of the lawsuit? The time you save ignoring their complaints and frustrations can be used preparing to defend against their lawsuits!

MAKE PROMISES YOU CAN'T KEEP

What counts is closing the deal, not how you close it. So what if you stretch the truth a little about the quality of your products and services? Surely your suppliers, customers, and business associates know the difference between puffing, other sales tactics and real promises. But if they don't, don't worry—the money you made from those few extra sales can help pay a portion of your legal fees, and you might win the case.

DON'T WORRY ABOUT POTENTIAL SAFETY PROBLEMS

Fixing potential safety problems such as rotten steps, wet floors and broken equipment takes too much time and effort. Your employees and customers will probably notice the problems and protect themselves. So why waste time worrying about such trivial matters when you can spend time concentrating on larger issues—such as the lawsuits which will result when accidents and injuries take place!

DON'T READ CONTRACTS

The terms and conditions of contracts can be confusing. Even though you will be bound by the terms of the contract whether or not you have read it, why bother when most of the language is “boilerplate”. Although breaching the terms of a contract could lead to a substantial liability for the company and substantial attorney's fees in defending a lawsuit, having an attorney review a

contract before signing it would just be a waste of money. After all, you might get lucky and not get sued. By the same token, having a “handshake” deal without a written contract means you will not have to worry about your obligations under the contract because a jury will figure it out for you after a few years of litigation!

DON'T TAKE NOTES OR WRITE CONFIRMING LETTERS

Taking notes of important points raised in telephone conversations and meetings is a burden and time-consuming. Why write a follow-up letter to a conversation or agreement that everyone clearly understands? Since you have a perfect memory and will be believed by a jury, why waste the paper?

Hopefully, you and your business will consider these five ways to get sued, and do the opposite. Business planning should incorporate practices and procedures which help avoid lawsuits. The more successful your business, the more likely it will be the target for a lawsuit. Considering the cost of litigation, including the time it could take you and your employees away from the business, taking reasonable steps to avoid lawsuits will be a worthwhile investment in the success of your business.