

# MARKS & WEINBERG, P.C.

## MacGlashing v. Dunlop Equipment Co., Inc.

89 F.3d 932 (1st Cir. 1996)

After an employee of the lessee recovered from lessor for injuries he sustained when a leased platform collapsed, lessor sought indemnification from employer/lessee based on the terms of the lease. The court held that the indemnification provision of the lease agreement was enforceable despite the employer/lessee's claim that lessor had materially breached the implied warranties of merchantability and fitness for a particular purpose contained in the lease agreement.

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