



CONCEALED AND OPEN CARRY EXPOSES COMMERCIAL AND RESIDENTIAL BUILDING OWNERS TO MASSIVE FINANCIAL RISK--TOP LAW FIRM

To Eliminate Risk "No Guns Allowed" Signs Should Be Posted, Reports National Gun Victims Action Council (NGVAC)

When liquid spills on a supermarket's floor, employees rush at warp speed to mop it up. And, no entity serves coffee that is too hot to drink anymore, most providing "sleeves" to keep hands from burning. Why? No specific statutory laws require businesses to do these things.

The reason is there is a common-law standard of care that requires property owners—and the entities that lease their properties—to provide a safe environment for employees, visitors and customers. Failure to satisfy the common-law standard of care has resulted in massive financial awards against property owners.

Now, a top-ranked international real estate, finance and litigation law firm has prepared a research memorandum on gun-related risk management at the request of Elliot Fineman, CEO of National Gun Victims Action Council (NGVAC). Mayer Brown LLP, named "Firm of the Year" in the Appellate Law category by [U.S. News & World Report](#) for the second consecutive year, advises that "a property owner who did not put up the [no guns allowed] signs...will face the argument that it was entirely foreseeable" that gun violence, injury or death "would occur, since he or she failed to prohibit concealed carry." Mishaps that could legally expose property owners include faulty holsters, someone bumping a carrier, a carrier bumping someone else, a carrier falling or a carrier "mistaking a situation for one in which he is legally entitled to use a gun for self-defense or to save others." (Click Link for [Illinois Property Owners Research Memorandum](#)).

While the memorandum centers on Illinois in response to the Firearm Concealed Carry Act, implemented in 2014, the principles are the same in every state including states that have passed laws immunizing property owners from gun violence injury or death on their property. Property owners who fail to put up signs banning guns may well be found guilty of not maintaining a "common-law standard of care" and face significant financial risks, says Mayer Brown LLP. Even defending such a suit would prove extremely costly.

The Illinois Firearm Concealed Carry Act offers little guidance for property owners, and many of the questions raised in this memorandum will be resolved through litigation. The statute will also likely be amended by the legislature. In the interim, the optimal way for property owners to avoid exposure *including the significant financial risk imposed by litigation* is to put up signs banning guns on their properties cautions the Mayer Brown memorandum. Property owners in

every state would be well advised to speak with their insurance and legal counsel regarding best practices going forward, says the law firm.

National Gun Victims Action Council (NGVAC) is a non-profit network of 14 million gun victims, survivors, the faith community and ordinary people leveraging their buying power to change America's gun laws. NGVAC initiated the successful action that caused Starbucks to change its gun policy. NGVAC pursues novel legal strategies to reduce gun violence and encourages corporations to be proactively involved in advocating for sane gun laws. NGVAC can be found at www.gunvictimsaction.org.

Mayer Brown LLP

Mayer Brown is one of the largest global law firms both by number of lawyers and revenue and has lawyers in key business centers across the Americas, Asia and Europe. Mayer Brown provides legal services in areas such as Supreme Court and appellate; litigation; corporate and securities; finance; real estate; tax; intellectual property; government and global trade; restructuring, bankruptcy and insolvency.

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