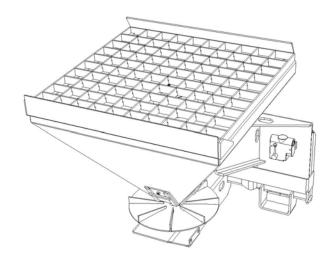


## **OPERATOR'S MANUAL**

**Sand Spreader** 

Model SS10
Serial Number 13216
Manual# 96375 MAR 2021 ENGLISH



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SAUK CENTRE, MN

PRINTED IN USA

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#### Introduction

#### **Using This Manual**

The term loader is used in this manual to refer to a skid steer loader.

Your loader operator's manual contains instructions to safely operate the loader. Anyone who operates a loader with this attachment installed must first read, understand and follow the instructions in the loader operator's manual.

This manual contains instructions to safely operate and service the attachment. Anyone who operates or services the attachment must first read, understand and follow the instructions in this manual.

Additional operating or servicing information for the attachment may be provided online, in video, or in other publications. This additional information does not replace, and is not a substitute for reading and following, the instructions in this manual.

The safety alert symbol is shown in WARNING statements to alert users to hazards which could cause death or injury. Carefully read and follow the messages.

IMPORTANT notices alert users to instructions which, if not followed, could result in damage. Carefully read and follow the messages.

There may be times when the attachment and loader shown in this manual may not be your exact model. The model shown will be close enough to your attachment or loader to accurately convey the information.

The most current information available is included in this manual. The publisher may revise this manual at any time and is not required to notify users of revisions.

#### **Replacement Manuals**

Be sure to include this operator's manual if you sell or transfer ownership of the attachment.

Contact Messer Repair and Fabricating, LLC for a printed manual, or find a downloadable manual on our website.

#### **Using This Attachment**

The attachment is designed to spread materials placed in the hopper.

The attachment is designed for installation on a full-size loader, connected to the loader's front auxiliary hydraulic couplers. The loader must have a minimum hydraulic system flow capacity of 10 GPM at 2,000 psi

#### Introduction

and must not exceed a flow capacity of 20 GPM or 3,000 psi.

The manufacturer reserves the right to make improvements, and to discontinue or change specifications, models or design without notice and without incurring obligation.

#### **Loader Compatibility**

Confirm your loader's Rated Operating Capacity in the loader operator's manual. Do not install the attachment on the loader if it will exceed the Rated Operating Capacity during operation because this may cause difficulty in controlling the loader or may cause loader damage.

#### **Product Misuse**

Product misuse can cause accidents, injury and death.

The manufacturer of the attachment is not responsible for any harm or injury resulting from product misuse.

Product misuse includes operating or servicing the attachment without following the instructions in this manual, using the attachment in any way for which it was not designed, and modifying the attachment.

#### Modifications

Do not modify the attachment in any way.

#### **Manufacturer Contact**

Call Messer Repair and Fabricating, LLC at (833) 352-3477, or see us at www.messerrepair.com.

#### **Product Identification**

#### **Identification Numbers**

Record your product information to provide when you contact the dealer or manufacturer.

Sand Spreader Model SS10 Serial Number 13216-

#### **Serial Number Location**



Purchase Date	
Dealer	
Dealer Phone	
Model	
Serial #	

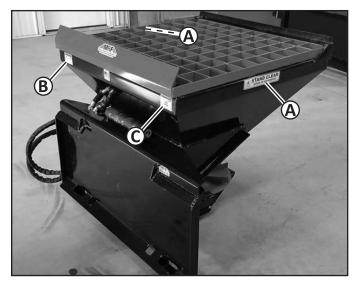
## **Specifications**

## **Specifications**

Model	SS10
Width x Height	114 x 99 cm (45 x 39 in.)
Depth	114 cm (39 in.)
Cubic Feet	10
Spread in Feet	5 to 35
Weight	268 kg (590 lbs.)

### **Safety Decals**

### **Decal Locations**



Location	Description	Part Number
A	Stand Clear Decal	96028
В	Warning Decal	96117
С	Warning Decal	96255

#### **STAND CLEAR DECAL 96028**



STAND CLEAR WHILE IN OPERATION

#### **Safety Decals**

#### **WARNING DECAL 96117**



# HIGH PRESSURE FLUID HAZARD To prevent serious injury or death:

- Relieve pressure on system before repairing, adjusting or disconnecting.
- Wear proper hand and eye protection when searching for leaks. Use wood or cardboard instead of hands.
- Keep all components in good repair.

#### **WARNING DECAL 96255**



#### **DO NOT EXCEED 15 GPM**

- May result in severe injury or property damage.
- Will void Factory Warranty.

### **Wear Protective Equipment**

- Wear gloves to protect hands from burns if hydraulic couplers become hot during operation.
- Never wear sandals or other light footwear when operating or servicing the attachment. Wear protective footwear when handling blades or heavy parts.
- Do not wear loose fitting clothing which may become entangled when operating or servicing the attachment.

#### **Parking Safely**

- 1. Follow the instructions in the loader operator's manual to park the loader safely.
- 2. Fully lower the attachment to level ground.
- 3. Stop the loader engine and remove the key from the switch.
- 4. Do not leave the loader operator seat until the engine and all other moving loader and attachment parts have stopped.
- 5. Follow the instructions in the loader operator's manual to exit the loader safely. Use the attachment step area if one is provided.

#### **Operating Attachments Safely**

- Do not allow anyone to operate the attachment unless they have first read and understood the loader and the attachment operator's manuals.
- Do not allow anyone to operate the attachment unless they have first read and understood the safety and warning decals on the loader and on the attachment.
- The attachment owner is responsible for training others to safely operate the attachment, and is responsible for any injuries or harm which occurs while the attachment is being operated.
- If an area to step on the attachment has been provided, be sure to use it when entering and exiting the loader.
- Before operating, replace any worn or damaged safety decals.
- Before operating, thoroughly inspect the attachment to be sure all hardware (bolts, nuts, etc.) is installed and tightened.
- Before operating, thoroughly inspect the attachment to be sure it is

in working order. If the attachment is damaged or otherwise not in working order, do not operate until it has been repaired by a qualified technician.

- Before raising or lowering the attachment be sure the area is clear of bystanders.
- Do not operate the loader or the attachment if you are under the influence of alcohol, drugs, or medications which may cause drowsiness.
- Do not allow children to operate the loader or the attachment.
- Do not allow anyone who has not been trained to operate the loader or the attachment.
- Never allow riders on the attachment.
- Keep hands, feet or other objects away from underneath the attachment while operating.
- Fully lower the attachment to level ground when you are done operating.
- Never leave the attachment unattended while in a raised position.
- When transporting the attachment installed on the loader, travel at a slower speed to maintain control.

#### **Using the Sand Spreader Safely**

- Never allow bystanders or animals to stand nearby when operating the attachment.
- Follow all manufacturer's instructions, including wearing protective clothing, when loading materials into the hopper.

### **Servicing Safely**

- Disconnect the attachment hydraulic hoses from the loader before servicing. Do not service the attachment when the hydraulic hoses are installed on the loader.
- Remove the attachment from the loader before servicing when instructed to do so in this manual.
- Do not allow anyone to service the attachment unless they have first read and understood the loader and the attachment operator's or

service manuals.

- Do not allow anyone to service the attachment unless they have first read and understood the safety and warning decals on the loader and on the attachment.
- The attachment owner is responsible for training others to safely service the attachment, and is responsible for any injuries or harm which occurs while the attachment is being serviced.
- Before inspecting or servicing the attachment, follow the Parking Safely instructions in this manual and disconnect the attachment hydraulic hoses from the loader.
- Always securely block the attachment to prevent accidental release of the lifting mechanism when inspecting or servicing the attachment.

#### **Hydraulic Fluid Safety**

- Read and understand the hydraulic safety information in the loader operator's manual before operating or servicing the attachment.
- Use cardboard or a board when you check for a leak.
- Fluid in hydraulic hoses is under extreme pressure. If fluid is injected into your skin seek medical treatment immediately.
- Do not handle any hydraulic components until pressure has been relieved from the system.
- Disconnect the attachment hydraulic hoses from the loader before inspection or service.
- Inspect attachment hydraulic hoses and hose shields for damage or wear before attaching to the loader.

### **Safety Decals**

Safety decals may be installed on the attachment to warn users of safety hazards:

- DANGER decals provide warnings about hazardous situations which will result in death or serious injury if not avoided.
- WARNING decals provide warnings about hazardous situations which could result in death or seriousinjury if not avoided.
- CAUTION decals provide warnings about hazardous situations which could result in injury if not avoided.

Read and understand all safety decals before operating or servicing the attachment.

See the Safety Decal Location illustration in this manual to confirm where decals are installed on the attachment.

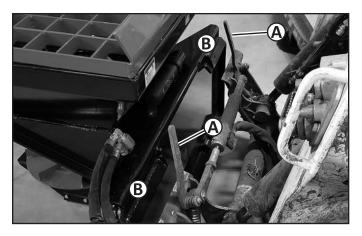
Safety decals which are missing, worn or faded must be replaced. Replacement safety decal part numbers are included in this manual. Contact the attachment manufacturer for replacement decals.

#### **Preparing For Installation**

- 1. Check the loader or tractor and attachment hydraulic couplers to be sure the surfaces are clean before connecting.
- 2. Inspect the couplers for damage or wear and replace if needed for proper connection.

#### **Installing the Attachment**

- 1. Follow the instructions in the loader operator's manual to install the attachment and exit the operator station safely.
- 2. Fully lower the loader lift arms.



3. Move the loader attaching plate levers (A) to the unlocked (up) position either manually or by using the loader controls.



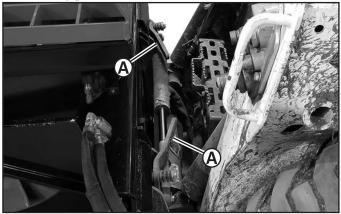
## **IMPORTANT**

**AVOID DAMAGE!** 

Attaching plate levers may be damaged if they strike the attachment. Be sure the attaching plate levers do not hit the attachment during installation.

- 4. Tilt the loader attaching plate forward, and drive the loader forward until the top edge of the loader attaching plate is under the top flange (B) of the attachment mounting frame.
- 5. Raise the loader lift arms slightly until the attaching plate is fully seated under the top flange.

6. Tilt the attaching plate backward to raise the front of the attachment.



- 7. Move the loader attaching plate levers (A) to the locked (fully down) position either manually or by using the loader controls.
- 8. Park the loader. (See Parking Safely in this manual.)



## **IMPORTANT**

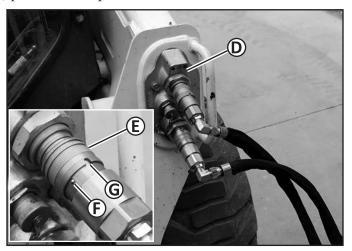
**AVOID DAMAGE!** 

The attachment may come off the loader if it is not secured to the attaching plate. The attaching plate pins or wedges must be extended into the attachment with the levers fully down.



Picture Note: Wedge on left side shown. Check the wedges or pins on both sides of the attachment.

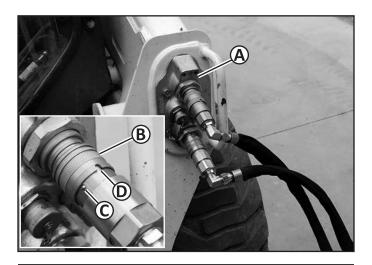
9. Check to be sure the loader attaching plate pins or wedges (C) extended into the holes in the bottom of the attachment mounting frame. If not, move the loader attaching plate levers to the unlocked (up) position and repeat installation.



- 10. Connect the attachment hydraulic hoses to the loader's front auxiliary couplers (D).
  - a. Install the male couplers into the female couplers and pull or push the sleeves (E) to be sure they are locked into place.
  - b. Rotate the coupler sleeves as shown so the ball (F) is outside the groove (G) to prevent the coupler disconnecting (Some sleeves may not have this locking mechanism).

#### Removing the Attachment

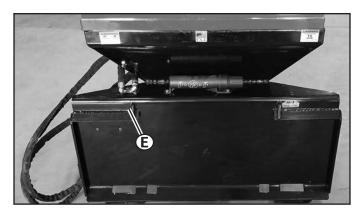
- 1. Follow the instructions in the loader operator's manual to remove the attachment and exit the operator station safely.
- 2. Fully lower the loader lift arms and the attachment to level ground.
- 3. Follow instructions in the loader operator's manual to relieve hydraulic pressure in the front auxiliary hydraulic coupler lines.
- 4. Stop the loader engine.





Hydraulic couplers may become hot during operation. Avoid burns by wearing gloves when disconnecting hydraulic couplers.

- 5. Disconnect the attachment hydraulic hoses from the loader's front auxiliary couplers (A).
  - a. Rotate the coupler sleeves (B) so the ball (C) is aligned with the groove (D) to allow the coupler to disconnect (Some sleeves may not have this locking mechanism).
  - b. Grasp and push or pull the sleeves to disconnect the couplers.

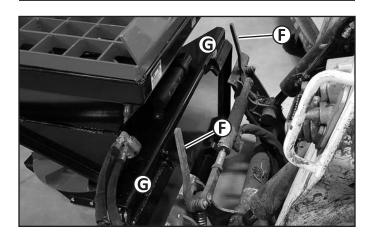


6. Install protective caps on the couplers if they are provided, and insert couplers in the hole (E) in the top of the frame.

## **IMPORTANT**

**AVOID DAMAGE!** 

Loader attaching plate levers which are operated manually may have spring tensioning. Firmly grasp the levers and move the levers slowly.



- 7. Move the loader attaching plate levers (F) to the unlocked (up) position as shown either manually or by using the loader controls.
- 8. Tilt the loader attaching plate forward slightly and drive the loader backward until the top edge of the attaching plate clears the top flange (G) of the attachment mounting frame.

#### **Pre-Operation Inspection**

Before starting operation, inspect the area you will be operating in and inspect the attachment.

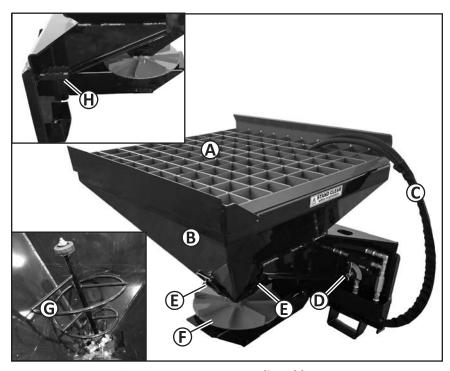
#### **Inspect the Work Area**

1. Confirm the area is clear of bystanders including animals. Establish a safety zone by keeping bystanders and animals beyond a 100 foot radius around the attachment when operating.

#### **Inspect the Attachment**

1. Inspect the attachment to be sure it is in working order. If the attachment is damaged or not in working order, do not operate until it has been repaired by a qualified technician.

#### **Description**



A - Hopper Grate

**E - Adjustable Doors** 

B - Hopper

F - Spreader Plate

**C** - Hydraulic Hoses

**G** - Rotating Agitator

D - Flow Control Valve

H - Step

#### **Theory of Operation**

The Sand Spreader hydraulic hoses are connected to the loader front auxiliary hydraulic couplers. Hydraulic fluid flows through the hoses and through the flow control valve to the motor which drives the spreader plate to throw material outward. Material flows out of the hopper through adjustable doors on the bottom. The distance material is thrown and the spread area or arc is adjustable.

#### Operation

- 1. Follow the instructions in the Installing and Removing section to install the attachment.
- 2. Park the loader. (See Parking Safely in this manual.)
- 3. Perform the pre-operation inspection.

#### **Loading the Hopper**

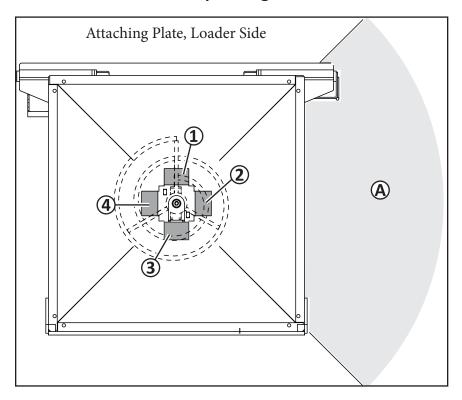
1. Close the adjustable doors at the bottom of the hopper before pouring material through the hopper grate.



- 2. Raise and tilt the attachment to scoop piled material into the hopper.
- Drive the loader to the work area.

#### **Adjusting the Hopper Doors**

The attachment ships from the factory so the spreader plate rotates in a clockwise direction. You can reverse direction (See Reversing Spreader Plate Rotation).



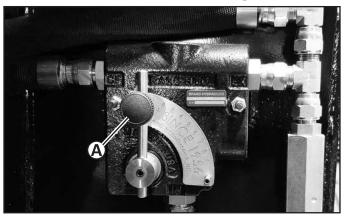
Picture Note: Top view of Sand Spreader. Adjustable doors with #1 starting from back of attachment, spreader plate rotating in clockwise direction.

Note: Door #4 must remain closed when the spreader plate is rotating in the factory set clockwise direction to prevent discharging material onto the attaching plate and flow control valve. Door #2 must remain closed when the spreader plate is rotating in the counterclockwise direction.

- 1. Open the hopper doors as needed for your spread area.
  - Open door #1 to spread material on one side (A) only as shown.
  - Open door #2 to spread material directly in front of the attachment in a roughly 90-degree arc.
  - Open door #3 to spread material on the other side (opposite side A).
  - Open doors 1-3 to spread material in a roughly 270-degree arc.

#### **Adjusting Speed With The Flow Control Valve**

1. Adjust the flow control valve to the desired speed.

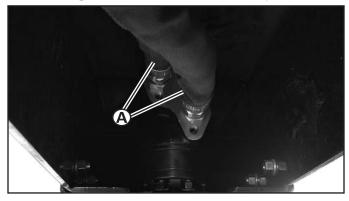


- 2. Adjust the dial (A) downward to increase spreader plate rotation.
- 3. Travel forward in the operating area, adjusting hopper doors and flow control valve speed as needed.

### **Reversing Spreader Plate Rotation**

You can switch the hoses in the hydraulic motor ports so the spreader plate will rotate in a counterclockwise direction. If you do so, door #2 must remain closed when operating (See Adjusting the Hopper Doors).

- 1. Remove the attachment from the loader.
- 2. Use a safe lifting device to raise the attachment high enough to access the hydraulic motor area. Block the raised attachment.
- 3. Position a drain pan under the motor to catch any fluid.



4. Disconnect the hoses (A) and install each one in the other port.

#### **Transporting the Attachment**

#### On the Loader

Check to be sure the attachment is correctly installed on the loader before hauling the loader on a trailor or truck. Follow all loader, truck or trailer operator's manual instructions to safely haul the loader.

#### **Hauling the Attachment**

Follow all truck or trailer operator's manual instructions to securely fasten the attachment to the truck or trailer with straps or chains.

#### **Service Intervals**

#### Every 8 hours or daily:

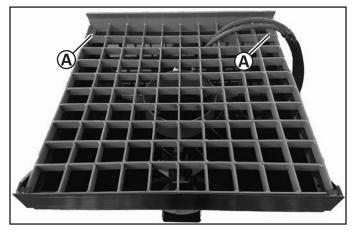
Check and tighten all hardware.

### **Removing Material From Jammed Hopper**

1. Park the loader. (See Parking Safely in this manual.)



2. Disconnect the attachment hydraulic hoses from the loader.



- 3. Remove the bolts (A), washers and nuts from the hopper grate.
- 4. Using a safe lifting device, remove the hopper grate.
- 5. Clean out material preventing the agitator from rotating or blocking flow from the adjustable doors.
- 6. Install the hopper grate with bolts, washers and nuts.

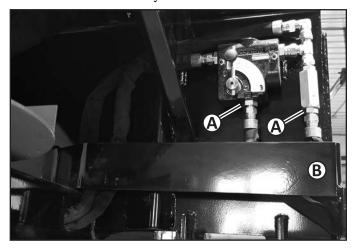
#### **Replacing the Hydraulic Hoses**

#### **Hoses to Loader**

1. Park the loader. (See Parking Safely in this manual.)



2. Disconnect the attachment hydraulic hoses from the loader.

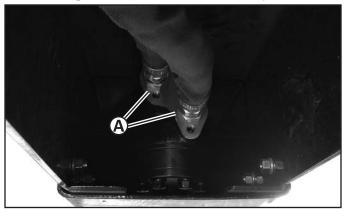


- 3. Disconnect the hose from the fitting (A) and remove the hose.
- 4. Route the new hose through the guide area (B) and install on the fitting.

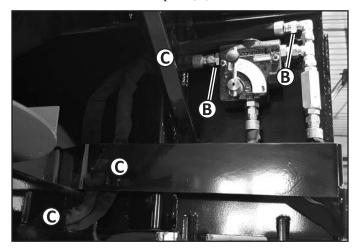
### **Hoses to Hydraulic Motor**

- 1. Remove the attachment from the loader.
- 2. Use a safe lifting device to raise the attachment high enough to access the hydraulic motor area. Block the raised attachment.

3. Position a drain pan under the motor to catch any fluid.



4. Disconnect the hose from the port (A) on the motor.



- 5. Disconnect the hose from the fitting (B) and remove the hose.
- 6. Install the new hose on the fitting, and route the hose through the guide areas (C) to install on the port on the motor.

#### **Replacing the Hydraulic Motor**

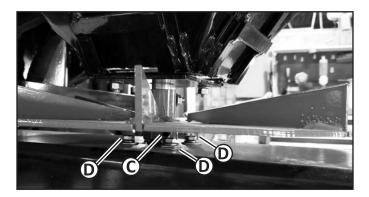
- 1. Remove the attachment from the loader.
- 2. Use a safe lifting device to raise the attachment high enough to access the hydraulic motor area. Block the raised attachment.



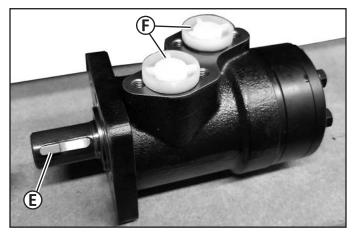
- 3. Remove the four nuts, lockwashers, washers, bolts and the motor cover (A).
- 4. Position a drain pan under the motor to catch any fluid.



5. Disconnect the hoses (B) from the motor.



- 6. Remove the two setscrews (C) from the spreader pan shaft.
- 7. Remove the four nuts, bolts (D), lockwashers, washers, and the motor.



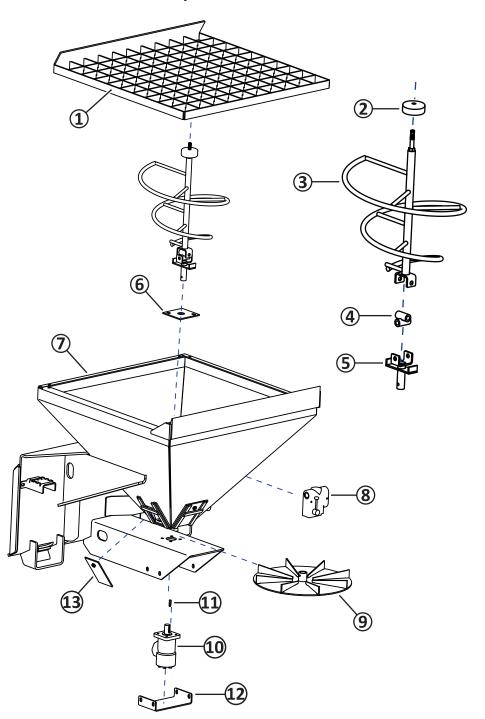
- 8. Install the key (E) on the new motor as shown.
- 9. Remove the plugs (F).
- 10. Insert the motor shaft into the spreader pan shaft with the key sliding into the notch on the pan shaft.
- 11. Install the motor with the four bolts, lockwashers, washers and nuts.
- 12. Apply loctite to both set screws and install.
- 13. Attach the hoses to the motor.
- 14. Install the motor cover with the four bolts, lockwashers, washers and nuts.

## **Troubleshooting**

## **Troubleshooting**

Problem	Action
Spreader plate or agitator stop rotating.	1. Check to be sure the attachment hydraulic couplers are fully connected.
	2. Check to see if material is jammed in the hopper.
	3. Check the attachment for hydraulic fluid leaks.
	4. See the loader operator manual to check loader hydraulic pressure and flow.
	5. Contact the attachment manufacturer about possible hydraulic motor replacement.
Material doesn't flow through the hopper doors.	Confirm the hopper doors are opened far enough to allow material to flow.
	2. Check to see if material is jammed in the hopper.

## **Replacement Parts**



### **Replacement Parts**

### **Replacement Parts**

Contact Messer Repair and Fabricating, LLC for replacement parts. Part numbers may change without notice.

Item	Qty.	Part Number	Part Description
1	1	05564-P	Spreader Screen Weldment
2	1	96110	3 x 1-1/4 Caster Wheel
3	1	08463-P	Top Beater Helix Weldment
4	1	06276-P	U-Joint Bushing Weldment
5	1	06308	Bottom Shaft U-Joint Weldment
6	1	07219-P	Hopper Bottom Bolt Plate
7	1	07220-P	Hopper and Frame Weldment
8	1	96265	Variable Flow Control Valve, #10 Ports
9	1	03365-Р	Spreader Pan Weldment
10	1	96266	Hydraulic Motor
11	1	10548	Machined Engine Key
12	1	09937-P	Motor Protection Plate
13	4	11657-P	Door Weldment
*	1	96068	Operator Manual Holder Small Canister 12.5 x 2.25
*	1	96164	Coupler Assembly Female, 1/2 ORB- #8, 3/4 -16 SAE
*	1	96165	Nipple Assembly Male, 1/2 ORB-#8, 3/4 - 16 SAE
*	1	96267	Check Valve, #8 ORB, Steel, 5000psi Max
*	1	96260	Hose, 1/2, 66.5 in.
*	1	96261	Hose, 1/2, 68.5 in.
*	1	96262	Hose, 1/2, 40.5 in.
*	1	96263	Hose, 1/2, 34.5 in.
*	2	6400-08-08	Straight Fitting
*	1	6602-08-08-08	Tee Fitting

## **Replacement Parts**

Item	Qty.	Part Number	Part Description
*	4	6400-08-10	Straight Fitting
*	1	6402-10-08	Straight Fitting
*	1	6500-08-08	90° Fitting
*	2	6801-08-08	90° Fitting
*	2		Flat Washer, 1/2 x 1-3/8
*	1		Top Lock Nut, 1/2 - 13
*	4		Thumb Screw, 3/8 - 16 x 1
*	7		Hex Bolt, 3/8 - 16 x 1
*	3		Hex Nut, 3/8 - 16
*	7		Split Lock Washer, 3/8
*	1		Bolt, 5/16 - 18 x 2
*	1		Top Lock Nut, 5/16 - 18
*	2		Set Screw, 3/8 - 16 x 3/8
*	2		Bolt, 1/4 - 20 x 1
*	5		Flat Washer, 1/4
*	4		Top Lock Nut, 1/4 - 20
*	2		Flat Cap Screw, 1/4 - 20 x 3-1/2
*	2		Bolt, 1/2 - 13 x 3
*	2		Nut, 1/2 - 13
*	2		Round Head Carriage Bolt, 3/8 - 16 x 1

<sup>\*</sup>Part not shown.

#### Warranty

#### MESSER REPAIR & FABRICATING, LLC

### **Limited Warranty and Terms and Conditions of Sale**

The following limited warranty, and terms and conditions of sale (the "Limited Warranty") apply to all equipment, products, parts, and goods (any of the foregoing are referred to herein as "Equipment") sold by Messer Repair & Fabricating, LLC ("Messer"):

- 1. <u>Covers All Equipment</u>. Each purchase of Equipment by a purchaser is expressly made conditional on purchaser's assent to the terms and conditions in this Limited Warranty.
- 2. <u>Limited Warranty</u>. Messer warrants that for a period of 24 months from the date of purchase, the Equipment will remain free from defects in material and workmanship under normal use and proper maintenance. Messer's obligation under the warranty shall be limited to the repair or replacement (at Messer's option) of the Equipment. Notwithstanding the foregoing, if the Equipment is used for commercial purposes or is rented or leased out by the purchaser, then, the foregoing warranty shall only be for a period of 180 days and not 24 months.
- 3. No Warranty For Equipment Components From Third Parties. Notwithstanding the limited warranty terms set forth above, MESSER OFFERS NO WARRANTY WHATSOEVER WITH RESPECT TO ANY COMPONENTS OF THE EQUIPMENT MADE OR PROVIDED TO MESSER BY OTHER MANUFACTURERS, PRODUCERS, OR SELLERS (the "Purchased Components"). The sole and exclusive warranty for each the Purchased Components shall be limited to the express written warranty with respect to the Purchased Component as provided by the manufacturer, producer, or seller of such Purchased Component. Messer's responsibility and liability for the Purchased Components shall be limited to the assignment of the Purchased Components' express written warranties applicable to the Purchased Components. Purchased Components include, without limitation, the following: axles, tires and rims; trailer hitch components and jacks; hydraulic pumps, motors, cylinders and components; and bales spears, pallet tines, and bucket teeth.
- 4. No Other Warranties. THE FOREGOING REPAIR AND REPLACEMENT OBLIGATIONS IN SECTION 2 ARE IN LIEU OF ALL OTHER WARRANTIES, LIABILITIES AND OBLIGATIONS, INCLUDING ALL WARRANTIES OF MERCHANTABILITY, OF FITNESS FOR A PARTICULAR PURPOSE OR OTHERWISE, EXPRESSED OR IMPLIED IN FACT OR BY LAW, AND STATE MESSER'S ENTIRE AND EXCLUSIVE LIABILITY AND PURCHASER'S EXCLUSIVE REMEDY FOR ANY CLAIM IN CONNECTION WITH THE SALE AND PURCHASE OF EQUIPMENT (AND ALL COMPONENTS THEREOF), THEIR DESIGN, SUITABILITY FOR USE, INSTALLATION OR OPERATIONS.

#### Warranty

- 5. <u>Location of Warranty Repairs</u>. All warranty repairs pursuant to this Limited Warranty shall be made at Messer's corporate manufacturing plant, or other location as determined by Messer, at its discretion. Purchaser shall be responsible for and pay for any transportation expenses necessary for Limited Warranty repairs.
- 6. <u>Limited Warranty Voidable</u>. The limited warranty herein is void and deemed waived if the purchaser fails to give written notice to Messer of any alleged defect under the limited warranty herein within 20 days of its discovery; or (a) purchaser or parties other than Messer or its authorized representatives attempts to remedy or fix the alleged Equipment defects; or (b) purchaser has used the Equipment for purposes it was not intended to be used for; or (c) purchaser has not operated the Equipment in a manner consistent with Messer's instructions for the Equipment; or (d) the Equipment has been modified, altered, abused, or misused; or (e) the Equipment has been damaged pursuant to accident, fire, flood, or other Act of God.
- 7. No Consequential Damages. IN NO EVENT SHALL MESSER BE LIABLE FOR ANY DIRECT, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGES WHATSOEVER, AND MESSER'S LIABILITY, UNDER NO CIRCUMSTANCES, WILL EXCEED THE PRICE PAID FOR THE EQUIPMENT FOR WHICH LIABILITY IS CLAIMED.
- 8. <u>Governing Law</u>. This contract shall be governed by the laws of the State of Minnesota.
- 9. Arbitration. Any controversy or claim arising out of or relating to the limited warranty provided herein, or any alleged breach thereof, shall be settled exclusively by arbitration in accordance with the Rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator may be entered in any court having jurisdiction thereof. The arbitration shall be conducted in Minneapolis, MN, by one arbitrator selected by Messer and Purchaser, or, if they cannot agree, the President of the American Arbitration Association.

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