CURIE

# "Should've, could've, would've"

**by Jennifer Yip Choy*

## What's inside



****Jennifer Yip Choy, Director, Risk Management, Safety and Security, University of Calgary.***
***Reprinted with permission from University Manager Spring 2003, published by Canadian Association of University Business Officers (CAUBO)***

Two backcountry skiing tragedies in the last week of January/first week of February 2003; 14 lives lost. In the aftermath of such tragic events, we seek to make sense, to explain, to examine, to blame, to exonerate. Life is fraught with risks. So what do we do as Risk Mangers to ensure that we minimize the impact on all concerned?

I recall several heated discussions last year between those who wished an event to proceed and those who thought caution under the circumstances should prevail. Those who thought the trip should be cancelled believed that those who wanted the trip to proceed were not objective, as they stood to lose a substantial amount of money and would assume the responsibility of dealing with disappointed students. Those who wanted the trip to proceed railed against the cautious, believing that they made too much of the situation, questioning their 'expertise' in the area and their authority to exercise the right to speak out against the planned excursion. In the end, the students went on their trip and returned home safely, proving the 'naysayers' wrong.

However, these most recent events, that took the lives of 14 people, highlight what can happen when things go very wrong. After the fact, we ask questions. Should the Federal Government do something about advising on and controlling backcountry excursions? Should the tour company have taken people on the ski trip? Should the school have cancelled the trip? Should schools not allow excursions such as these? Why did the teachers allow the trip to proceed when the conditions were uncertain?

In the most recent incident involving seven young students, speculation abounds. Did the teachers know that conditions were not optimum for a safe trip? If the risk was 'considerable' or 'moderate', why take the risk? Parents may claim that they were unaware of the risks. As we look for reasons to make sense of the tragedy, we need to be mindful of what we should do to ensure that well-informed decisions are being made by the right people. In the long run, there is now way to predict the future. All we can do is make the best decision we can with the information we have.

When three people drowned during a school outing to California a few years ago, the school board cancelled all school outings. The liability was seen to be too great and, although the circumstances of the event could not have been foreseen, no one wants to be blamed or second-guessed.

How then is it possible for institutions to assume certain risks comfortably? It is our duty to be thorough in our information gathering. It is our duty to ensure that all involved understand the dangers and the risks. It is prudent to ensure that the decision to proceed with the event can be influenced by those who do not have a vested interest in the activity. As Risk Managers, it is our duty to exercise 'due diligence', to warn, and to ensure that those involved know the risks, understand the risks, and , more importantly, accept the

risks. We must be prepared to withstand criticism for being overly cautious, for being too concerned about liability, and for whatever else we will be accused of if we speck against an outing or event.

Although universities may not want to overuse 'Waivers' and 'Informed Consent' forms, it is important that we do not shy away from them since they are but one measure to convey to the participants that an undertaking may be quite risky. In the end, it may be the one thing we can hang on to in order to demonstrate that due consideration was given to all eventualities.

Regardless of how well planned an event may be, regardless of waivers and informed consents, regardless of the most perfect of conditions, bad things do happen. Risk management is about knowing and highlighting the risks, weighing them, and then allowing the decision makers to make well-informed decisions.

Life is full of "could've, should've, would've".■

# Some Library Fire Statistics

The following are a few statistics that were taken from the January/February 2003, NFPA Fire Journal.

"The United States currently averages 198 library fires, with an average property loss of $4.9 Million."

"NFPA's 1990 study of the causes of fires indicates that 39% of library fires were arson fires, 19% were electrical fires, heating equipment 5%, torches or open flames 5%, and 7% were started by other equipment."

"The impact of such fires can include the destruction of the institution, extended periods during which the institution is closed to the public, a major loss of capital, and the loss of the collection for exhibits and research. In addition, there is the loss of the burned objects, fire and smoke damage to the building, and a decline in confidence in the institution and it's management, leading to decline in donations. The institution may become notorious among the public, it's insurance rates may rise, and loans from other institutions may dry up."

"In Canada, with a population ten times smaller, fire statistics usually correlate very well simply be dividing the total number of fires by ten."

"The hour between 4:00 p.m. and 5:00 p.m. has the highest percentage of when library fires occur. This may be due to the time when arsonists are most likely to start fires before they head home after classes have finished."

"What can you do to minimize the damage from library fires? Install fire sprinklers! Fears of water damage from leaking sprinklers are unfounded. Sprinklers are the most effective way to control and/or extinguish fires in a library."■

***These statistics were taken from the January/February 2003 NFPA Fire Journal. Reprinted with permission.***

# Errant Golf Balls and the Law of Negligence

The following recent decision of the B.C. Courts has nothing to do with insurance law but may be of mild interest to homeowner insurers and of much greater interest to the numerous golfing fanatics throughout the insurance industry.

Liang v. Allen was a claim for damages arising from the plaintiff being injured by a golf ball struck by the defendant. B.C. residents (not us, of course) might gloat to their eastern friends that the date of the incident was only two days after Christmas, 2001. The defendant, an 18 handicap, was playing the third hole of Victoria Golf Course. The plaintiff was on a public sidewalk beside the golf course setting up photography equipment.

The defendant has hit a poor drive. It dribbled 55 yards into the rough on the left. The third hole was 400 yards long, so he still had a long way to go. His weapon of choice was a 3-wood. But instead of driving the ball to glory down the middle of the fairway, he delivered an ugly hook to the left and into the hapless Ms. Liang, who later sued.

The Court defined the applicable legal test as whether the defendant "took reasonable care to avoid the act of hooking the ball: and whether he "acted as a reasonable and prudent person would act" in that regard.

The defendant had played the course often. He knew a public sidewalk was nearby, although the plaintiff was not actually visible at the time. Accordingly, the Court concluded it was reasonably foreseeable that a hooked shot could possibly injure somebody on the sidewalk.

But the Court also ruled that the defendant had exercised reasonable care and there was therefore no actionable negligence. Rather, the situation was simply an accident for which the defendant had no legal liability.

One wonders whether the presiding Judge was a golfer. Certainly, the Reasons for Judgement seemed sympathetic to the golfing fraternity. The Court observed (accurately, in our view):
"While the shot was hooked, it was nevertheless the type of shot that could happen to any golfer, however experienced";
"No golfer wishes to hook a ball";
"The defendant took reasonable care to strike his ball correctly but, as so often happens in golf, the shot did not go in precisely the desired and intended direction."

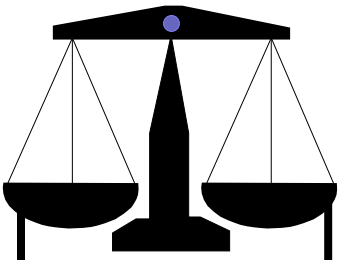
The Court did review earlier decisions, some of which had imposed liability on golfers for striking other people. It held these cases were distinguishable due to the visible proximity of the injured plaintiffs. In this case, the Court was not prepared to hold the golfer liable simply because the ball went astray and hit an invisible victim.

The plaintiff in this case didn't sue the golf course. She probably should have. Given the proximity of the road, the frequency with which balls doubtless traveled out of bounds, and the availability of netting or other mechanisms to help avert these types of incidents, there is a strong argument that golf course would have been liable in nuisance or in negligence.■

***Reprinted with permission from Clark, Wilson's Insurable Interst E-Mail Bulletin April 17, 2003. This article was written by Nigel Kent insurance lawyer at Clark, Wilson in Vancouver.***
***Anyone interested in reading the Reasons for Judgment in this case can access them at:***
***http://www.provincialcourt.bc.ca/judgements/pc/2003/00/p03%5F0095.htm***

# Class Actions Coming Soon To A University Near You

*By Elizabeth Stewart & Gina Papageorgiou



Every time we turn around these days, we hear about "class actions".

About the big settlement that just netted a lawyer millions of dollars.

About the heartless corporation that had to pay billions of dollars for "ripping off" its customers.

As soon as there is any scandal in the marketplace (like Bre-Ex, Nortel or Enron), a class action will surely follow.

Class actions in Canada are in their relative infancy. Nevertheless, there has been enough activity in recent years to have generated a substantial and growing body of jurisprudence, culminating in a flurry of recent decisions from the Supreme Court of Canada.

**Purpose of Class Action Legislation**

According to the Supreme Court of Canada[1] the stated purposes of class proceedings are: behavior modification, i.e. to punish blameworthy conduct; judicial economy, whereby one trial can avoid the cost of many individual trials; and access to justice i.e. making it affordable to pursue claims that may not be worth pursuing on their own.

A single individual can initiate a class action claiming that he or she is bringing it in a representative capacity on behalf of hundreds or thousands of other individuals, without having to contact, obtain the consent of, or even know the identity of those other people. For instance, if you used Tide detergent, or drank soda pop or juice between July 1, 1991 and June 27, 1995 in Ontario or British Columbia, you and other consumers already have been awarded over $1,000,000 because of a settlement in a class action involving allegations of price fixing. Don't expect a cheque in the mail, though! Settlement funds will be paid only to certain consumer groups and charities because it is considered too difficult to quantify each consumer's claim[2]

**Certification of a Class Action**

Merely calling a case a "class action" does not necessarily make it one. After a proposed class action is commenced, the person who initiated it (the proposed "representative plaintiff") must go to court and obtain an Order from a judge "certifying" the lawsuit as a class action. In a sense, the judge who hears this certification motion is the gate-keeper who decides which class actions can proceed, and which ones cannot. Generally, the judge must consider five criteria:

1. Does the proposed class action contain a valid legal claim, assuming all facts are true?

**A single individual can initiate a class action claiming that he or she is bringing it in a representative capacity on behalf of hundreds or thousands of other individuals, without having to contact, obtain the consent of, or even know the identity of those other people.**

*Elizabeth Stewart and Gina Papageorgiou are lawyers with McCarthy Tetrault in Toronto*

2. Are there at least two persons in the proposed class?

3. Do the claims of the class members raise common issues?

4. Is a class action the preferable procedure for the resolution of the common issues?

5. Will the representative plaintiff fairly and adequately represent the interests of the class, does he or she have a plan for advancing the proceeding, and is he or she free of any conflict of interest with other members of the class?

A detailed discussion of the application of the above criteria has already been the subject of several texts and many articles and is beyond the scope of this article. In very general terms, the judge must determine whether it makes practical and legal sense to allow the claim in question to proceed as a class action, as opposed to requiring each person to start a separate action.

As a result, defendants in class actions almost always vigorously fight the certification motion, arguing that the claims of the class members are not sufficiently common and that the class proceeding is not the preferable procedure through which the claims should be decided.

**Class Actions and Educational Institutions**

Universities have always had to contend with troublesome lawsuits, but the possibility of facing a class action raises the stakes dramatically. A relatively small action for under $1000 can be transformed into a $10 million claim if thousands of students or employees band together. Because of the potential for contingency fees and fee multipliers, which are common in class actions, lawyers are often prepared to fund such proceedings themselves. This increases the willingness and economic ability of plaintiffs to initiate such lawsuits. The possible downside if a class action is successful is so daunting that the majority of defendants settle, rather than risk astronomical verdicts. Plaintiffs and their counsel know this. A quick settlement, without ever having to prove the case, is frequently the goal of a class action.

**Although class actions are a new phenomenon on the Canadian legal scene, there have been enough such actions attempted against educational institutions as to justify some comment.**

Although class actions are a new phenomenon on the Canadian legal scene, there have been enough such actions attempted against educational institutions as to justify some comment. The types of class actions commenced against educational institutions in Canada (thus far) generally fall into three categories:

1. Claims by students for breach of contract or misrepresentation in respect of the quality of an educational institution's programs and facilities or the marketability of graduates;
2. Claims of sexual or other abuse; and
3. Faculty claims regarding compensation or pension issues.

**Claims for Misrepresentation or Breach of Contract**

When hearing claims involving student complaints about educational programs, courts generally have not accepted that students have sufficiently common issues to join together in a class action. For example, in one of the first such cases which was brought against the DeVry Institute of Canada ("DeVry"), a student alleged that DeVry had misrepresented the quality of its programs and facilities and the marketability of its degree. Off-campus field representatives and on-campus

admission representatives had made presentations at high schools and had followed up with students in their homes. These field representatives purportedly followed manuals produced by DeVry which contained scripts for them to follow. DeVry admitted that, as part of its marketing process, it told students that a high percentage of graduates who actively pursued employment would be placed in well-paid jobs in their field within 120 days of graduation. The judge hearing the case refused to grant certification of the proceeding as a class action, stating that there were too many individual issues to determine – such as the experience of each student, how the student heard about DeVry, whether the student saw any of the ads, which ones, what written or oral representations were made to the student, and so on. The judge stated: "what common issues there may be are completely subsumed by the plethora of individual issues, which would necessitate individual trials for virtually each class member. Each student's experience is idiosyncratic, and liability would be subject to numerous variables for each class member. Such a class action would be completely unmanageable."[3]

One of the ways that defence counsel have tried to short-circuit attempted student class actions before certification is through a procedural mechanism called a motion for summary judgment. In general terms, a summary judgment motion is a request to a judge to take a "good hard look" at some essential aspects of the case to determine whether the plaintiff has any real chance of success. York University made this very argument when students commenced a class action for damages allegedly arising out of the faculty strike at York which occurred between March 19, 1997 and May 14, 1997, and interrupted 12 days of classes. The plaintiff claimed that he and other students were entitled to return of a pro-rated portion of tuition fees paid as a result of the missed classes. York was successful in persuading the motions judge to dismiss the case summarily. The judge agreed that minor loss of instructional time, in and of itself, did not constitute evidence of any damage. Moreover, the proposed representative plaintiff had suffered no ostensible damage whatsoever, having fully completed his course of study and having received a York degree by the time argument in court took place. [4]

**In general terms, a summary judgment motion is a request to a judge to take a "good hard look" at some essential aspects of the case to determine whether the plaintiff has any real chance of success.**

In a recent case involving Laurentian University, an engineering student alleged that he had been misled by the Laurentian calendar and other sources into believing that, after two years at Laurentian, he could obtain a degree after transferring to another university for two more years of study. The student, having attended Laurentian for two years, was told that he needed to attend for three more years at the University of Windsor upon transfer. The student claimed damages for tuition and living expenses for the additional year, together with income allegedly lost by not being in the workforce during that additional year. Laurentian brought a motion for summary judgment dismissing the claim which was argued at the same time as the certification motion. Laurentian argued that its calendar made it clear that the plaintiff was required to complete 12 courses but he had completed only 11 courses. Thus, he could not claim to have relied upon any representations made by Laurentian since he had not successfully completed the first two years at Laurentian. The Ontario Superior Court agreed with this position and dismissed the claim, but then proceeded to consider whether the case should be certified as a class action if the judge was wrong in dismissing the claim. With respect to the defence argument that the issues raised were not sufficiently common to allow certification, the Court stated that, although there would be differences among students, the legislation did not require identical issues of fact but only common issues. The Court emphasized that the student was relying primarily on statements made generally by Laurentian to prospective students rather than on what may have happened in discussions between individual students and university representatives. Further, the Court felt that the common issues involving the state of knowledge of university personnel and whether or not various university statements were misrepresentations would outweigh the individual issues involving each student's understanding, his/her consequent problems in his/her career and any damage claims. Nevertheless, the application for certification was denied because the proposed representative plaintiff was unsuitable due to his academic shortfall as described above.

The plaintiff appealed this decision. The Ontario Court of Appeal decided that the student's failure to successfully complete his first two years at Laurentian did not preclude him from initiating this claim for misrepresentation or prevent him from being a representative plaintiff in a class action. The Court based its decision upon legal arguments about the facts required to establish a case of misrepresentation, and was of the view that it would not have made any difference to this particular student's outcome to have successfully completed his first two years at Laurentian. The Court then remitted the question of certification to the Superior Court for reconsideration.[5] This issue has not yet been determined, and will be argued before the court on May 14 and 15, 2003.

**In cases involving allegations of sexual abuse within educational institutions, arguments made by the defence about the proposed class lacking sufficient commonality**

A factually similar case involving the Loyalist College of Applied Arts & Technology was decided in February 2003. Nursing students who commenced study at Loyalist in 1997 claimed that they had been told verbally and through written communications that they could obtain a nursing degree by attending Loyalist's nursing program for two years, and then taking two further years of courses from Queen's University, offered on site at Loyalist. The nursing students claimed that they were then informed in 1999 that this was not possible. They commenced a class action for breach of contract and negligent misrepresentation. The court refused to certify the action as a class action for two reasons:

1. The members of the class could not be determined at the outset since not all students who commenced the nursing program in 1997 necessarily would have wished to pursue the option of obtaining the degree. It was acknowledged that some of those students only intended to obtain a three year diploma; and

2. The individual issues, including what each student was told and whether they relied on such, would overwhelm the common issues and render the class action unmanageable.[6]

**Claims of Sexual Abuse**

In cases involving allegations of sexual abuse within educational institutions, arguments made by the defence about the proposed class lacking sufficient commonality have found less favour. A pending British Columbia case involves undisputed sexual, physical and emotional abuse by staff and peers at a school for deaf and blind children from the early 1950s until 1992. Notwithstanding the numerous individual issues involving the nature of abuse suffered by each student and the impact on each, the Supreme Court of Canada decided that the issues are sufficiently common and that a class proceeding is the preferable procedure by which to try the case. The Court considered that the central issues in the case will be the nature of the duty owed by the school to the student, whether that duty was breached and whether the school should have prevented the abuse.[7]

**Faculty Actions Regarding Compensation Issues**

In 1999 the Ontario Business College (1977) terminated a number of employees as a result of a restructuring of its business operations. The Ontario Business College admitted that the proposed class members were dismissed without just cause. The former Dean initiated an action for wrongful dismissal. The main issues in that case were whether employment agreements signed by the employees were enforceable and, if not, the damages to which class members were entitled. The Court certified the class action, holding that the issue of the entitlement to damages for wrongful dismissal and punitive damages were common issues.[8]

In a case involving McMaster University, issues related to the distribution of a pension surplus in excess of $300 million proceeded by way of class action and were settled shortly after certification. In the settlement, which was required to receive Court approval in

accordance with class action legislation, McMaster agreed to distribute $150 million of the Plan's surplus. The settlement funds were to be divided 50/50 between McMaster and all salaried employees who had an interest in the plan between July 1, 2000 and December 31, 2000.[9]

**The Future**

The types of class actions which may be initiated against universities in the future is limited only by the ingenuity of students, staff, professors and their lawyers. It may be useful to consider the experience in the United States, where class actions have been available for much longer than they have been in Canada.

Class actions commenced in the United States against universities generally have involved similar kinds of claims as those in Canada, with one notable addition—numerous cases alleging discrimination on grounds prohibited by U.S. human rights or other legislation. The Berkeley and Davis campuses of the University of California recently settled a class action brought by deaf and hard-of-hearing students who alleged that those campuses failed to provide accurate, effective and prompt accommodation for their disabilities. Although deaf and hard-of-hearing students were provided with note-takers during class, note-takers were permitted to leave if the students were 10 minutes late. Also, note-takers did not have to attend at all after the student was 10 minutes late on three occasions. The students were further dissatisfied with the quality of services available to deaf and hard-of-hearing students who wished to participate in extra-curricular activities. In the settlement, the University did not admit any wrong-doing, but nevertheless agreed to pay each student $10,000 in damages, to abolish the impugned policies regarding note-takers and to provide "auxiliary aids and services" to those students who wished to participate in extra-curricular activities.[10]

**The door may be slowly opening to permit future class actions involving alleged discrimination, perhaps somewhat disguised as another, more traditional cause of action.**

To date, individuals in Canada have been precluded from pursuing civil lawsuits for damages for discrimination because courts have held that such grievances should be advanced only by way of complaints to the appropriate provincial or federal Human Rights Commission[11]. Nevertheless, some individuals have been able to pursue actions alleging discrimination by framing their cases in such a way as to allege something other than, or in addition to, discrimination. For example, in a case involving the University of Toronto, four former faculty members alleged that the University had been unjustly enriched because of systemic salary discrimination whereby they received less money than their male counterparts for the same or similar work. The certification motion failed because the court felt that there were too many individual issues which needed to be assessed, each of which would require an additional trial. For instance, each faculty member would be required to demonstrate that she had suffered discrimination from appointment to termination.[12]

The door may be slowly opening to permit future class actions involving alleged discrimination, perhaps somewhat disguised as another, more traditional cause of action. Educational institutions may be likely targets, not because they foster such discrimination but, ironically, because universities tend to be open, inclusive and continually striving to provide accommodation to interest groups who then "push the envelope" for more.

Whatever the future, it is important to understand that class actions are a growth industry for the Canadian legal system. It is essential that universities recognize that fact and become alert to the likely issues to arise in the class action context and to the arguments that may be raised in their defence.■

[1] *Western Canadian Shopping Centres Inc. v. Dutton* [2001] 2 S.C.R. 534 (S.C.C.)
[2] *Alfresh Beverages Ltd. v. Archer-Daniels Midland et al* [2002] O.J. No 79 (Ont.S.C.)

[3]*Moutheros v. DeVry Canada Inc. et al* (1998), 41 O.R. (3d) 63 (Ont.Ct.Gen.Div.)
[4]*Richard Ciano v. York University*[2000] O.J. No 183 (O.S.C.) affirmed [2000] O.J. No 3482 (Ont.C.A.)*Alfresh Beverages Ltd. v. Archer-Daniels Midland et al* [2002] O.J. No 79 (Ont.S.C.)
[5]*Olar v. Laurentian University* [2001] O.J. No. 5575 (Ont.S.C.) reversed on appeal at [2002] O.J. No. 3881 (Ont.C.A.)]
[6]*Hickey-Button v. Loyalist College of Applied Arts & Technology* [2003] O.J. No 811 (Ont.S.C.)
[7]*Rumley v. British Columbia* [2000] O.J. No 183 (O.S.C.)
[8]*Scott v. Ontario Business College* (1977) Ltd. [1999] O.J. No 3441 (Ont.S.C.)
[9]*McMaster University b. Robb* [2001] O.J. No 5480 (Ont.S.C.)
[10]www.deaflaw.org/uc_settles_case_on_hearing_disab.htm
[11]*Seneca College of Applied Arts and Technology v. Bhadauria* [1981] 2 S.C.R. 181
[12]*Franklin et al v. University of Toronto* (2001) 56 O.R. (ed) 698 (Ont.S.C.)

# Funny Insurance Claims

These quotes, taken from the Toronto news, are actual statements found on insurance forms and were written by drivers who were attempting to describe details of an accident in as few words as possible.

1. Coming home I drove into the wrong house and collided with a tree I don't have.
2. The other car collided with mine without giving warning of its intentions.
3. I thought my window was down but found that it was up when I put my hand through it.
4. I collided with a stationary truck coming the other way.
5. A truck backed through my windshield and into my wife's face.
6. A pedestrian hit me and went under my car.
7. The guy was all over the road. I had to swerve a number of times before I hit him.
8. I pulled away from the side of the road, glanced at my mother-in-law, and headed over the embankment.
9. In my attempt to kill a fly I drove into a telephone pole.
10. I had been driving for forty years when I fell asleep at the wheel and had an accident.
11. I was on my way to the doctor with rear end trouble when my U-joint gave way causing me to have an accident.
12. To avoid hitting the bumper of the car in front, I struck the pedestrian.

13. My car was legally parked as it backed into another vehicle.

14. An invisible car came out of nowhere, struck my car and vanished.

15. I was sure the old fellow would never make it to the other side of the road when I struck him.

16. The pedestrian had no idea which way to run, so I ran over him.

17. I saw a slow-moving, sad faced old gentleman as he bounced off the hood of my car.

18. The indirect cause of the accident was a little guy in a small car with a big mouth.

19. I was thrown from my car as it left the road. I was later found in a ditch by some stray cows.

20. The telephone pole was approaching, I was attempting to swerve out of its way, when it struck my front end.■

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# DATES TO MARK ON YOUR CALENDAR

**October 18 & 19, 2003** **CURIE University & College Risk Management Conference (AGM)**
**Grand Pacific Hotel, Victoria, BC**

**October 19 to 22, 2003** **CRIMS Conference**
**Victoria, BC**

**CURIE University & College Risk Management Conference** ***(Sat. 9-4, Sun. 9-1)***

- **CURIE Board/Staff Update Presentation** *by Ian Nason (CURIE - Chair)*
- **Hollywood Squares Insurance Style** *starring: CURIE Board*
- **Injuries Are Not Accidents** *by Dr. Robert Conn of Smartrisk*
- **Liability & Hazardous Waste** *by Grant Sharp of PreRisk Ltd. & Patrick Whitty of RPR Environmental*
- **Construction & How to Manager Your Risk** - *by Michael. Atkinson of Willis Canada, Kate O'Hare of ENCON*
- **How Do You Measure Up? -** *by Ian McGregor of McGregor & Associates*
- **Member roundtable discussion (bring your questions &/or problems to discuss with your peers)**

REGISTRATION FORMS WILL BE SENT OUT IN LATE JULY OR EARLY AUGUST TO OUR SUBSCRIBERS. IF YOU WOULD LIKE TO ATTEND BUT DO NOT RECEIVE YOUR FORM, PLEASE CALL TERRY PAGE (905-336-3366) OR E-MAIL (tpage@curie.org)

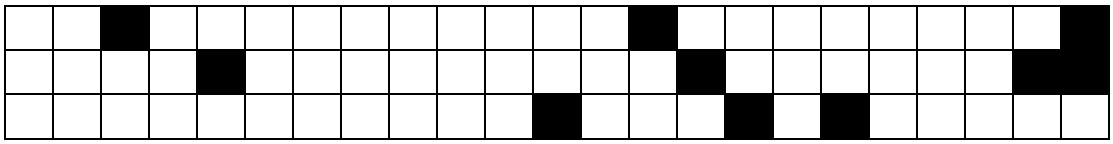
**UPCOMING REGIONAL RISK WORKSHOPS**

**Eastern Region**
November 18 & 19/03
Halifax, NS

**Western Region**
November 20 & 21/03
Saskatoon, SK

**Ontario Region**
November 26 & 27/03
Guelph, ON

# Brain Teaser



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There is a quotation that will fit the diagram. The letters in each column will go into the boxes immediately below but not necessarily in that order. A black box indicates the end of the word. What is the quote?

*You will find the answer on the back page (don't peek).*

# BULLETIN:

RIMS CANADA - Victoria 2003 Conference Committee is delighted to let you know that the Victoria Conference web site is now on-line. This year, the registration service is ready now to accept your information and it is first come/first serve, for all the sessions, seminars, gala dinner, spousal program …so don't wait until the fall…register real soon. The cost is the same low price of CA$495 for early registration. See www.rims.org/canada.

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# Brain Teaser

The answer is: **NO INDIVIDUAL RAINDROP EVER CONSIDERS ITSELF RESPONSIBLE FOR A FLOOD.**