

# AMERICAN SOCIETY OF HEATING, REFRIGERATION AND AIR CONDITIONING ENGINEERS INC.

LONDON CANADA CHAPTER #116  
LondonCanada.AshraeChapters.org

February 28/2005

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## Program

### **Legal Issues and Liability Concerns for Engineers and Related Industry Professionals**

*Christopher (Chris) M. McDonald*

Partner - Shook, Hardy & Bacon L.L.P  
Kansas City, Missouri (www.shb.com)

ASHRAE DISTINGUISHED LECTURER

Mr McDonald will talk will provide an overview of the increase in indoor air and mold concerns over the last several years and will focus on actual cases that have recently made their way through the courts, with a particular emphasis on legal disputes involving indoor mold contamination. Target defendants, legal theories, and verdicts will be discussed to give the ASHRAE member a better understanding of the potential liabilities facing those who participate in HVAC design and construction. Defence strategies will also be outlined. A discussion of practical steps engineers can take to avoid liability will conclude the talk.

## Meeting Location - Monday February 28/05

The Lamplighter Inn  
591 Wellington Rd., London

London Chapter Members = \$30.00  
Students = \$15.00  
Others = \$35.00

CASH BAR          ALL YOU CAN EAT BUFFET  
**Research Night**

5:15-Social      6:00-Dinner      7:15-Program

If you plan on attending, and are not contacted by the telephone committee, please advise:  
Joe Claessens (ph: 672-8511 joe@smylicrow.com)



### President's Message

This month's meeting will be our second Research Promotion night this year. This will mark the beginning of the "serious" part of the campaign, and many of you will be contacted in the next couple of months and asked to provide a donation. If you haven't made a donation already, please consider it. ASHRAE research provides the tools we use in our everyday working lives, and the money donated from Canada ends up back here, funding research at Canadian universities and companies. The London chapter Board of Governors have set a good example by each donating \$100 or more to ASHRAE research; now its your turn. Please support ASHRAE research!

This month's meeting features an ASHRAE Distinguished Lecturer. Mr. Christopher McDonald is a lawyer from Kansas City, and he'll be speaking on Mould Legal and Liability Issues. This is a hot topic in the industry right now, and the ASHRAE Distinguished Lecturers are always very good. We're hoping for a large turnout at the meeting. This year's ASHRAE Satellite Broadcast will also be about mould, on Wednesday April 13th at 1 pm. This year's broadcast is also being webcast. You can find more information at: <http://www.ashrae.org/moldsatellitebroadcast>.

As I've mentioned before in this spot, our focus this year is on membership renewal. Our membership has declined a bit in the past couple of years, as some people have left the chapter and not quite as many new members have joined up. We do have four or five new members so far this year, but I'm sure there are a number of others in the area who could benefit from joining ASHRAE. If you know someone like that, please help us spread the word. Anyone interested in membership can contact me at [Derek.vakaras@chorley.com](mailto:Derek.vakaras@chorley.com) and I'll be happy to assist them in getting started.

See you at the meeting.

Derek B. Vakaras, P.Eng.  
President, London Canada Chapter


### Meeting Summary - Jan 31, 2005

Mr Micheal Pelton, Enermodal Engineering, spoke on the new LEED CANADA program and the Canadian Green Building Council. Several example projects were presented with building systems that were designed to comply with the LEED points system. Additional information can be found at [www.cagbc.ca](http://www.cagbc.ca)

The January was also our second student night. The London Chapter would like to thank the following sponsors:

- CARRIER - Pete Edmiston
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**Pete Edmiston**  
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**Speaker's Bio**

**Christopher (Chris) M. McDonald**  
Partner - Shook, Hardy & Bacon L.L.P  
Kansas City, Missouri (www.shb.com)

Chris McDonald is a Partner who has concentrated his practice in the area of environmental, regulatory and toxic tort law and has experience with indoor air quality issues. He has experience in environmental and toxic tort litigation in federal and state courts and has significant experience in counselling clients on a broad range of environmental, regulatory, transactional and standard-setting issues. He has experience with a number of environmental statutes, including CERCLA, RCRA, the Clean Air Act and the Clean Water Act. He also has experience with the OSHA Act. He has participated in trials in both state and federal court and successfully argued one case before the Supreme Court of Kansas.

A significant part of Chris's practice has focussed on advising clients on regulatory and standard-setting initiatives relating to indoor air quality issues. He also focuses on advising clients relating to litigation avoidance and preparedness. Much of his work deals with complex scientific and technical issues.


Chris has spent a significant amount time working with junior lawyers as part of the Firm's Associates Committee which he currently Chairs.

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**SATELLITE BROADCAST/WEBCAST**  
**MOLD IN OUR BUILDING ENVIRONMENT**

Wednesday, April 13, 2005

1:00 p.m. – 4:00 p.m. Eastern Standard Time

Concerns about mold in the building environment are no longer limited to just humid environments or North America. Mold is now a global concern for designers, contractors, building owners/operators and building occupants. Information on how to properly control moisture and humidity conditions in order to minimize mold will be presented in this broadcast/webcast sponsored by ASHRAE's Chapter Technology Transfer Committee (CTTC).

**RESOURCE PROMOTION NIGHT**

The London Chapter has received the FULL CIRCLE AWARD as the President, Vice President, Secretary, Treasure, and Resource Promotion Chair have each contributed \$100.00 to ASHRAE Research. The money collected goes to fund research projects (including information for handbook chapters) and educational materials. It is hoped that you recognized the work that ASHRAE contributes to the hvac industry and that you also consider a contribution. Donors will be recognized in a future newsletter and at a future meeting.