



NEWSLETTER

PROBUS CLUB VANCOUVER

#252-2025 West 42nd Avenue, Vancouver B.C. V6M 2B5 (604) 261-6818

Clubs for retired and semi-retired professional and business persons, former executives and others

NEXT MEETING: Tuesday January 16, 2001

TIME: 9:30AM

*****Note change in Venue*****

LOCATION: Point Grey Golf Club

SPEAKER: David Mitchell, Vice President,
External Relations, S.F.U.

TOPIC: T.B.A.

Minutes from December 19, 2000

Attendance 115 including one guest

President **John Hopkins** opened the meeting at 10:00 A.M. He gave the sad news of the death of Ken Pedlow and offered condolences to his wife and family.

The response level to the questionnaire was excellent. He thanked the members for their many useful suggestions. **Irv Thomas** and **Peter McCabe** have volunteered to assist VP **Norm Weitzel** in developing guidelines for a History Committee for the Club. **Brice Macdougall** announced that our first speaker - David Mitchell will speak to us again in January. **Brice** left us with a feeling of anticipation when he announced that he will not tell us until January why he has a special reason for choosing this speaker. **Tom McCusker** asked everyone planning to attend the President's Luncheon at our next meeting on January 16, to be sure to notify him. The Valentine's Luncheon, Wednesday February 14, at the Capilano Golf Club will cost \$70.00 per couple. **Dick Matthews** reported that the membership is 240 - similar to last year, after taking in all those on the wait list. We have room for ten more members.

Richard Landahl introduced guest speaker, **Gregory K. Steele**, a former secretary of the Vancouver Rotary Club whose extensive CV is in the November **NEWSLETTER**. He is a member of the Canadian delegation to the proposed Hague Convention on the Recognition and Enforcement of

Judgments in Civil and Commercial Matters. He is a lawyer in general practice and his role in the Canadian delegation is to provide the perspective of a practicing lawyer.

At present, with international litigation there are prohibitive problems dealing with conflicting rules, jurisdictions, procedures, and applicable laws. Every practicing lawyer in British Columbia has clients involved in international situations. He gave the example of a civil matter in Hawaii twenty years ago against a British Columbia citizen with no assets in Hawaii. The advice was to ignore the suit, lose the judgment by default and nothing would happen because the Hawaiian court judgment was not enforceable in BC. A similar situation occurred between provinces in Canada until the Morguard decision ten years ago which determined that interprovincial judgments were enforceable. This has opened a door that may allow enforcement of successful foreign judgments in the future in Canada. While it is true that recovering the proceeds of a domestic judgment in a foreign country is impossible in many cases, in many it is not. It depends on the country where enforcement is sought. The proposed convention will enlarge the number of countries where Canadian judgments will be granted recognition. With respect to proceedings brought against a person in a foreign jurisdiction, the message is that whereas before one could often safely ignore them, now you do so at your peril. The problem is whether or not a foreign judgment will be recognized is uncertain.

The first session of the Hague was held in 1893. The purpose of this organization was to establish a forum for the development of multilateral treaties. Most of the member states are European and North American but Mexico, Japan, Korea and others are included. The litigation rules in various countries are often in conflict or not meldable such as civil Vs common law practices, American punitive damages, consumer matters and Internet rules to give a few examples.

President:
John Hopkins
985-8422

Past President:
Roy E. Williams
926-4727

Vice-president:
Norm Weitzel
925-3574

Secretary:
Don Farquhar
948-9908

Treasurer:
Bill Wallace
947-0340

**Speakers
Committee:**
Brice Macdougall
684-1757

**Membership
Committee:**
Dick Matthews
922-0358

**Visits and
Entertainment:**
Tom McCusker
261-4763

House Committee:
Doug Lambert
266-2422

**Greeters
Committee:**
Leo Sauve
925-2702

Rotary Liaison:
John Hoyle
926-2667

Canada has been a member since 1968. Plenary sessions called "Diplomatic Conferences", at which member nations sign treaties and at which non-government members may observe the proceedings are held every four years. Between Diplomatic Conferences there are "Special Commissions" at which the groundwork for the treaties is established. Between Diplomatic Conferences the Secretariat in the Hague maintains contacts, monitors existing treaties, and monitors UN committees. Plenary sessions are held every four years. There are many Hague Conventions covering a wealth of legal matters such as taking evidence abroad, contracts, torts, maintenance obligations, protection of children, inter-country adoption and others. The proposed Convention on jurisdiction would bring uniformity to international litigation rules governing the basis on which countries party to it would recognize each others legal judgments.

Canada plays an important role in the international scene. The chair of the Special Commission is a Canadian. Canada has hosted several meetings and is a member of the drafting committee. Canada is seen as a country whose views are respected and as someone who can bring things together. The fact that we have a bijural system with Quebec's civil code and the ROC's Common Law successfully working in one country is an inspiration to countries with differing legal systems to come together.

Following a question period the speaker was thanked by **Ted Hinkson** for his interesting and provocative presentation.

Don Farquhar, Secretary

It is with regret we announce the passing of Mr. Ken Pedlow on December 2, 2000. Our condolences to his family. A donation will be made by Probus to the Canadian Diabetes Association.

PRESIDENT'S MESSAGE



As we enter the new millennium we have much for which we should be thankful for, not the least of which is the camaraderie we share on the 3rd Tuesday of each month, along with the guest speaker, so ably arranged by Brice Macdougall.

As you know Brice will be retiring as Chairman of the Speakers Committee. His tireless efforts in finding a Speaker for each meeting are commendable, and I offer on your behalf our sincere thanks to Brice for a job well done.

For those of you looking for something special for your wives on VALENTINE'S DAY, the Visits and Entertainment Committee have solved your dilemma by arranging a luncheon at the Capilano Golf Club in West Vancouver on Wednesday, February 14, 2001 at 12:00 noon. Please complete the form enclosed with this newsletter and bring it along with your cheque to the next meeting January 16th.

If you don't attend the January 16th meeting, but wish to come to this Valentines luncheon, please phone the Probus Office at 261-6818 and mail your form and cheque to Probus Vancouver, #252-2025 West 42nd Ave., Vancouver, B.C., V6M 2B5.

The January Meeting, On January 16th at 9:30am, will be held at **THE POINT GREY GOLF CLUB, 3350 S.W. MARINE DRIVE, VANCOUVER**, followed by the President's Luncheon. The Luncheon cost for Probus Members is \$10.00 and for Guests \$30.00, payable at the door. I look forward to your participation at these events and to seeing you there.

Please note that the regular February meeting will be Tuesday, February 20th, at the Stanley Park Pavilion.

On behalf of the Executive and the Committee Chairmen, I wish to extend sincere best wishes for a New Year filled with good health and happiness.

John Hopkins
President

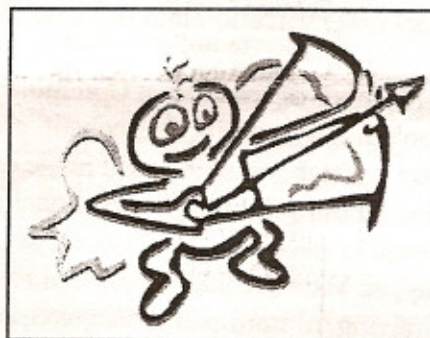
JANUARY GREETERS:



Hank Hanson and Gord Hogarth

HAPPY VALENTINE'S DAY!

Don't forget to invite your sweetheart to
the Valentine's lunch at Capilano Golf
Club, February 14, 2001!



DAVID MITCHELL
Vice President, External Relations
Simon Fraser University

An author, historian and public policy analyst, David Mitchell is a former Member of the Legislative Assembly of British Columbia

Mr. Mitchell holds a Master's degree in Canadian History from Simon Fraser University. He has served as a Legislative Intern in Victoria, attended the Banff School of Advanced Management and has taught at both SFU and UBC. He has participated in the U.S. International Visitors Program sponsored by the American State Department. As well, he has served as a Canadian representative to the prestigious European Series, sponsored by the British Council, London School of Economics and the *Financial Times*.

David Mitchell is an award-winning writer whose books are well known to British Columbians. He is the author of *W.A.C.: Bennett and the Rise of British Columbia*, recently reissued in a paperback edition. He has also written *Succession: The Political Reshaping of British Columbia* and *All aboard! the Canadian Rockies by Train*. Mr. Mitchell is also a contributor to the Pacific Province, a history of British Columbia. He is a former columnist for *The Vancouver Sun* and *Business in Vancouver*. In addition, he serves as a frequent commentator on television and radio and is a contributor to several newspapers and magazines.

David Mitchell's diverse career path has included senior positions in both the public and private sectors. He gained experience in parliamentary procedure and the legislative process while serving as Deputy Clerk of the Saskatchewan Legislature. He has also served as an Archivist and Editor at the Provincial Archives of B.C. In addition, he has held executive positions within the B.C. resource industries, including Vice President of Export Marketing and General manager of Industrial Relations. In these capacities, Mr. Mitchell addressed complex issues such as labour-management relations, native land claims, the environmental impact of industry and product diversification into offshore markets.

As a Member of the British Columbia Legislature from 1991 - 1996, David Mitchell served as an outspoken advocate for his constituents in West Vancouver-Garibaldi. As an Independent MLA he was a watchdog on a broad range of issues, including resource management, aboriginal affairs, labour relations, international trade, advanced education and parliamentary reform.

Today, as Vice President, External Relations of Simon Fraser University, he is responsible for fundraising, alumni relations, government relations as well as media and public relations. For the past several years, SFU has been ranked as one of Canada's Top comprehensive Universities.

David Mitchell is also a board member of the Vancouver Aquarium and Marine Science Centre and serves on the Economic Development Committee of the Vancouver Board of Trade.