Student sues Cal Poly for horse riding accident

University is named in $20 million lawsuit; accounts of incident differ

By Andrea Svoboda
MUSTANG DAILY STAFF WRITER

Cal Poly is facing civil action after three professors failed to render assistance when a student fell from a horse and was thrown into a 60-foot coma, according to a $20 million lawsuit filed two weeks ago.

Animal science senior Siobhan McDowell claims she was required to train a dangerous horse, and ride the animal at dusk with poor visibility.

According to the suit, the instructors failed to render medical aid to the unconscious McDowell and left the scene before medical personnel arrived.

After the fall, McDowell was comatose for 10 days after being checked into Sierra Vista Hospital as "Jane Doe."

According to the suit filed by Sacramento, Calif., attorney Matthew Evans, claims that two to three weeks prior to the incident she was backed off a horse and sent to the hospital.

When she tried to tell her teachers about her fears of riding and training the horse, they ignored her concerns and forced her to ride the allegedly unsafe horse.

Cal Poly Director of Communications and Public Affairs Danelle L. Slack said that no person from Cal Poly can comment on the case until the school has received it.

"(Cal Poly) hasn't been served with the lawsuit yet," Slack said Tuesday. "According to the Cal Poly course catalog, the class—advanced equine modification—isn't riding young horses.

Before they get on the horses, Cal Poly required that the students sign releases stating the potential risks associated with horses. In bold type at the top of the document, the release states that serious injury may result from the activity and the instructor does not guarantee students' safety.

McDowell signed the forms, but in the lawsuit she claims that the training level of the horses did not comply with the Riding Instruction Agreement.

Although he could not comment on the case, animal science head Andy Thalin said anyone dealing with livestock assumes a certain amount of risk.

"As long as people, in general, are riding, there is going to be the occasional accident," Thalin said. "The horse is an unpredictable animal."
Animal science junior Michael Kovach was a student in McDowell's equine behavior modification class and was there the day of the accident, but recalls the class procedures leading up to and including Nov. 30 differently than McDowell.

Kovach said the instructors did assign the horses, but it was done through students' request. In fact, in the beginning of the quarter, McDowell was assigned to a roan-colored horse, which was her horse of choice, Kovach said, but McDowell did not feel comfortable with this horse and traded horses with another student. The mustang she received in the trade was the horse she was riding the day of the accident.

Kovach said that this incident wasn't McDowell's first fall. If someone had problems in class and felt uncomfortable riding, they could easily stop coming, he added.

The accident occurred when the class went on a group trail ride on campus grounds.

"It was a Friday afternoon, we were talking and having a good time on the last day of school," Kovach said. "We were up by the sheep pasture when (her horse) spooked."

Since the riders were enjoying the ride, no one saw what spooked her horse, Kovach said. After the horse became frightened, it took off and ran toward a wire fence. The fence was made of six wire strands and temporary....
Bush administration maps strategy for researching global warming

WASHINGTON — Bush administration officials mapped out a strategy Tuesday for researching climate change and its causes over the next five years — studies that critics say are just a means to delay the toughest policy decisions on global warming until after President Bush leaves office.

The administration strategy calls for more accurate projections of the potential economic impacts of climate policy changes and gives the White House more control over the research efforts of more than a dozen federal agencies.

John H. Marburger III, the president's science and technology adviser, said at the start of a three-day meeting of climate change experts that the White House hopes to reframe the 13-year-old research program on providing data that can be used to shape a "clearly articulated policy ... that doesn't put the economy at risk."

For many climate experts, the administration's latest strategy raises questions that most scientists considered already fairly settled. It also ignores the Environmental Protection Agency's published findings in 2000 from a decades-long federal assessment of potential impacts of climate change around the United States.

Bills introduced to revamp state's public education system

SACRAMENTO — California's planned restructuring of its public school system started Tuesday, as lawmakers introduced the first two of nine bills that will constitute a proposed master plan for the nation's largest public education system.

One bill calls for mandatory, full-time kindergartens and would lay the groundwork for universal access to preschool, a program that is expected to take two decades to implement fully.

The other bill would alter oversight of the public education system, giving responsibility for policy decisions to the governor's office and away from the elected superintendent of public instruction.

If the bills pass, they would be the first comprehensive overhaul of the immense system. The last state master plan was done in the 1960s and covered colleges and universities.

Pop star Michael Jackson's courtroom encore in civil suit

SANTA MARIA, Calif. — Entertainer Michael Jackson, hobbling into court without a shoe because a spider bite caused his foot to swell, testified Tuesday in a $21 million breach-of-contract suit that he didn't recall details about his scrubbed gig and sparked worldwide outrage by dangling his infant son Prince Michael II from a fourth-floor hotel balcony.

Jackson's return to the witness stand followed a two-week absence from the trial during which he visited Germany and sparked worldwide outrage by dangling his infant son Prince Michael II from a fourth-floor hotel balcony.

Inspectors search palace; Iraq declares 'no weapons of mass destruction''

BAGHDAD, Iraq — International weapons hunters were sent straight to the heart of Saddam Hussein's regime on Tuesday, searching the rooms of an opulent presidential palace in a show of U.N. power, just as Washington was openly questioning their ability to do the job.

A senior Iraqi official, meanwhile, said Baghdad will reaffirm in a crucial upcoming U.N. declaration that it has no weapons of mass destruction despite U.S. and British claims to the contrary.

Melissa Fleming of the U.N. nuclear control agency in Vienna, Austria, said the Iraqis were expected to submit their report to the U.N. office in Baghdad on Saturday — one day before the deadline mandated by the Security Council.

The unannounced visit to the Al-Sajjad palace was the biggest test yet of the independence and mandate of inspectors, who are expected to make their report known at the Security Council meeting.

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The palace is strictly off-limits to the press. Before the inspectors' arrival, a palace guard said they would not be permitted to enter.

At the start of the search, Hough of Austin, Texas, is the first foreign businessman to accept the state's offer of its inmates' services. Del Rio said Hough has been having furniture made by prisoners for more than a year.

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You were having a weak moment. You weren't thinking clearly. You didn't want to scare your unwanted suitor away, but also have a little fun by watching him or her suffer.

Before we get started, it is important to remember to only use the guidance of this book in extreme cases. Although this guide was written to inspire successful dates, I found it to be quite the contrary. The dating book suggests bringing binoculars and a field guide. Why not take it one step further by putting some weird fetish or unholy obsession? The "Guide to Great Dates" gives a mini-tutorial on how to find a cemetery, clean a gravestone, make a rubbing with charcoal and paper and how much it will cost. This knowledge will make your act more convincing. To ensure that you have completely traumatized your date, I highly suggest dropping lines such as "I can't believe that this is the sixth time I have been here this week," or quietly whispering "I see dead people."

Maybe graveyard might be a little too taboo for your taste. Another suggestion from "Guide to Great Dating" is bird watching, which I see as a perfect excuse to go tromping around the forest dressed in camo. Taking on the adventurous persona of Steve Irwin the Crocodile Hunter will only add to your fun. Find any reason you can to get overly excited or load about self-named birds. The dating book suggests bringing binoculars and a field guide. Why not take it one step further by putting some weird fetish or unholy obsession?

Another interesting suggestion is molding your date. To do this, you need to make an impression of your date's head, face, foot or any other body part and then fill it with plaster, chocolate or Jell-O. Just imagine your date's Jell-O mold face on a platter; it will scare away even the most persistent suitor.

Maybe you don't want to scare your date or bore him or her to death? Why not jigsaw puzzles? To ensure your own enjoyment, I suggest making a game of the event. Try tempting your date with dinner if you two finish the puzzle before a set time. Then, when your date visits the bathroom and gets a drink of water, secretly disassemble the pieces.

For added frustration, why not mix selecting pieces from three similarly colored puzzles? By the end of the night, your date will feel like a failure and beg to go home. While the "Guide to Great Dates" did not provide suggestions for great dates, it is not a complete waste of paper. With a little bit of creativity, this guide can find a secure place in anyone's home library. Remember: The recommendations from "Great Dates" are for worst-case situations only. Overuse of these ideas might get you the reputation of being a sociopath. With that reputation, you never know whom you might attract.
Some protesters do more harm than good

Americans’ use of protest is one of the means by which important social changes have been made. But lately, people have begun to take it too far,
said the therapist has left officials distressed.

"We are concerned for (the stolen ducks's) safety and the safety of all the other ducks on the premises that may have been inadvertently exposed to infectious agents by the intruders," Roger Segelken said.

While I appreciate the man’s festivities, I think he is shooting himself in the foot with his demonstration. Regardless of his actions it will do is piss off the handler.

A word of advice, Murray – never bite the hand that feeds you (or pays you).

This is not to bash some protesters, however. Many protests are constructive. Take, for example, a recent protest at University of California, Berkeley. On Oct. 24, 150 students gathered in a "pro-americana" rally, waving flags to show their support for the United States to convey the message that students support the country.

This is a good example of a tasteful display full of impact. Now, if only other activists would follow their lead.

Heather Zwaduk is a journalism senior and Mustang Daily staff writer.

Letters to the editor

Don't feel sorry for Greek community

Editor,
The Greeks deserved it.

Justin Fraga is an electrical engineering senior.

Advantageous shouldn't be so quick to judge

Editor,

I want to thank Lauren Chase for her article about third-strike crime violations "All crimes not created equal." Dec. 21 I think that many of us do not appreciate all the advantages that we have had in our own lives. I do not think that we understand why a person, knowing that they had committed two previous violations, would even consider stealing "Snow White" from K-Mart. I cannot understand what he was thinking, or why he was not thinking.

The irrational act is astonishing in my mind. But I do not understand because I have never been in that situation, barely. I do not think that any of us have any idea what life is like. I never plan on ever committing my first strike. However, I recognize that I am not in a favorable life of which I have been blessed. I am thankful that I have never had to face the hardships that push individuals into those lifestyles. I agree with Chase that with some crimes the offender should be taken off the street. However, I also agree that our efforts would be better channeled into things like education and crime prevention.

Before you jump to condemn the incurable criminal that just committed his third strike, I suggest you think about how lucky you are, and ways that you can help those less fortunate than yourself. We should all work to provide opportunity for success for as many individuals as possible.

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Phemones can help female households

Wednesday, December 4, 2002
Mustang Daily

Opinion

May be women today don't have red tents to gather in, but just give our phemones enough time and we'll understand each other. Even when everyone else thinks we've gone totally insane.

Letters to the editor

If you do fall into it, maybe you need to reevaluate yourself and ask yourself why these stereotypes exist. There are reasons for stereotypes, not good reasons, but there are reasons nonetheless.

Rachel Brinkhoffer is a landscape architecture senior.

Offended Greeks should lighten up, recognize jokes

Editor,

In response to the sheep display and for the angry respondents, I am writing to reiterate that the sheep are a symbol of the Greek system.

Stereotypes are a part of our society; everyone has them. I'm sure most of those involved with the sheep are not aware of what they represent.

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Dina Valdivinos is a theatre arts senior.

Democrats don't stand a chance

Editor,

Considering I disagree with John Holbus' political views in general, I am surprised that I agree with his column ("Why the Democrats will fail in 2004," Dec. 3). The 2004 presidential campaign will be filled with Democratic candidates that I have heard of only recently (John Kerry) or do not want to see again running again (Al Gore). The likes of Gray Davis have tarnished the image of the Democratic party, and Tom Daschle and other Democratic leaders have been too soft on issues central to the Democratic platform.

Editor,

If you do fall into it, maybe you need to reevaluate yourself and ask yourself why these stereotypes exist. There are reasons for stereotypes, not good reasons, but there are reasons nonetheless.

Sandy Munio is a journalism sophomore.

Quwik-speak raises concerns about technology


Like fast food, e-mail and highways, segment fragments and abbreviations fulfill a need. As corny and cliché as this may sound, the need for speed has become a goal that is internalized by many people. Life gets faster, particularly in America.

Attention spans seem to be shortening, and in trying to perform its duty of informing the public, the media has become more creative and concise. All of these factors have combined to bring the birth of "quwik-speak" as a form of communication.

This role of this new language phenomenon is much like the role of fast food. A No. 1 at a drive-thru (actually spelled out, a three word letters longer in the dictionary) may be a saving grace when an hour-long lunch break becomes 10 minutes after just an errand or two, or when there just is not enough time to cook.

However, most people have learned—years from reading the food pyramid on the back of cereal boxes—that a hamburger, fries and soda do not meet the daily recommended levels of nutrition. In the same way a diet of fast food lacks some essential nutrients, a language of just sentence fragments and abbreviations lacks some essential components as well.

As shown in the first paragraph, "Ronnie and Julian" does not convey the same message as quick-speak as its original form. Quwik-speak wipes away all feeling, expression and imagery, leaving an impersonal plot summary. This brings us back to the age-old discussion of whether technology is really a blessing or just a curse in disguise.

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Dyna Valdivinos is a theatre arts senior.

Stereotypes exist for a reason

Editor,

I am writing in regard to the landscape architecture installation on Dexter Lawn that involved the use of sheep to represent the Greek system. I am a landscape architecture major and have taken that class. The landscape architecture class that did the installation got an "A" point across. They are not attacking the Greek system. They simply found a graphic way to represent what the Greek system means to the non-Greek student. The topic is design theory. You are given a subject and you have to figure out a graphic way to represent it, so the landscape architecture students did it in a creative way. Many understood what the installation meant, and probably felt that it represented what the Greek system is about.

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FREI RENT SPECIAL!

CSU campuses near maximum enrollment

By Melissa Berlant

The Daily Aztec (San Diego State University)

(U-WIRE) SAN DIEGO - To
control enrollment at campuses
across the state, the California
State University system created
ceilings in 1972 to limit the number
of full-time equivalent students.
However, the ceilings are close to
overlooking.

Currently, enrollment at each
CSU campus is limited to 25,000
full-time equivalent students. FTES
on campuses relate to the number of
students whose credits make up 15
units. One student taking 15 units
is an FT&E or two students whose
combined units equal 15 is an FT&E.
The CSU Board of Trustees
discussed the possibility of lifting the
enrollment ceilings at its meeting in
mid-November so that CSU schools
can continue to grow. No decision
was reached, and the trustees will take
the issue up again in January.

Because of the current limits,
campuses with enrollments approaching the ceiling have
established programs such as
campus imposts to make admissions more
difficult.

While the total FTES enrolled at
San Diego State rests at about
27,000, some of those students are
at off-campus sites or programs.
According to Ethan Singer, asso-
ciate vice president for academic
affairs, SDSU is just below the
enrollment ceiling once the FTES
who are not on campus are subtrac-
ted. The university does not expect
to surpass the limit until 2004 or
2005.

If SDSU is not allowed to enroll
more than 25,000 FTES, and appli-
cances continue to increase, the
percentage of new applicants
would have to decrease, Singer
said. He said the enrollment ceiling
was an arbitrary number that the
board of trustees picked at the time.
The trustees are reviewing the limit
now in order to make sense to keep
the current maximum with the
enrollment pressure that the CSU
system is under.

"We think it's our responsibility
to continue to grow beyond the
25,000," Singer said. "But how we
do that, we haven't really come to
grips with."

The university is aggressively try-
ing to move some enrollment into
the state-supported Summer
Session and has plans to add more
off-campus sites. Singer said.
The university also would have to
consider how much it could increase
enrollment on the main campus.

"Obtaining more funding to
allow campuses to grow is one of
the most serious challenges of the
CSU," the system's spokeswoman,
Clara Potes-Fellow said. "One of
the most important priorities for
the CSU is providing access to stu-
dents. That is a difficult challenge
to the system's time, (when) we experience
budget cuts combined with increas-
ing numbers of students who want
to obtain higher education at the
CSU."

While the state budget funded
a system-wide increase of 15,000
students this year, 18,291 new students
actually enrolled. Expanding cam-
pus size and programs also requires
more money.

"The CSU has to absorb the cost
of the education of the students not
funded," Potes-Fellow said. "That
means smaller budgets for all
departments and smaller compensa-
tion increases for faculty and staff.
Janet Tosi, an undeclared sopho-
more, said she worries that increas-
ing the amount of students enrolled
beyond the current ceiling from
the state will damage the school.

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Henke pours in 15 points in 60-49 road win

By William Reitz

A young blonde woman is wearing athletic shorts and a T-shirt running with a stick that has a small basket on the end of it. In the basket is a little yellow ball. There are other similarly clad women chasing her and stopping her ankles with their own basket-sticks. This thumping looks painful, but does not even face the woman as she runs.

There is an assortment of halfering and cheering as the woman is knocked off her feet. The ball springs free and is picked up in a stick-basket by another young woman, who then runs the opposite direction and the ankle-whacking continues.

This is how a lacrosse game may appear to somebody who has no familiarity with the sport. But knowledge of the game was not necessary to enjoy the action when many Cal Poly lacrosse alumni, new and old, came to San Luis Obispo, put on their helmets and took to the field Nov. 23 for the 2002 Alumni Games.

“For some of the players, it is their first chance at seeing an actual game,” said Jill Marshall, kinesiology senior and current lacrosse player.

These “exhibition games” launched the lacrosse teams’ seasons while doubling as fund-raisers with the past players donating money to the current players.

The alumni women played the current Cal Poly team and defending national champs for college club teams Saturday morning, followed by two men’s games Saturday afternoon.

“The guys played two games this year,” said Rob Schiern, 1998 Cal Poly graduate. “There were so many alumni men that wanted to come back and play.”

The first men’s game pitted alumni from the 1995 through 1999 teams against half of the current team.

In the second game, the older players teamed up with the most recent grad and faced the other half of this year’s roster.

There were no official scorekeepers and no one seemed to know the final scores in any of the games. And no one seemed to care. It was just a group of men and women that like to gear up, whack each other with sticks and “take each other out” as they maneuver up and down the playing field.

“We were ahead 6-5 at halftime and then we just lost,” said Heidi Salzburg, 1999 Cal Poly graduate and former lacrosse team member. “I don’t even know what the final score was.

This was one of those times that winning wasn’t everything and having fun, seeing old friends and carrying on tradition was.”

Manchester, who has been coaching lacrosse at Miramonte High School in the Bay Area for two years, said the focus for this year’s alumni team was more social than anything.

“We’ll continue playing on after school to play with community club teams, many of our alumni only play this one time each year,” Manchester said. “But that didn’t stop us from trying.”

The emphasis was on laughter, beginning Friday night at Firestone Grill. Saturday morning before the competition, many of the participants met for a bagel social. After the games, the women met at The Grad for dinner and the men had a barbecue.

Cal Poly guard Anctero Uiagalelei chipped in with nine points off the bench in the Mustangs’ 60-49 dismantling of Sacramento State.

By the numbers

Cal Poly will play men’s basketball teams that made it to the NCAA tournament. Both the women’s soccer and volleyball teams advanced to 64-team Division I playoffs.

More game that the men’s basketball team will be without forwards Shane Schilling and Diaby Kamara.