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SUPREME COURT
STATE OF WASHINGTON
Apr 19, 2012, 4:24 pm
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No. 86835-2

SUPREME COURT OF THE
STATE OF WASHINGTON

GAVIN J. CREGAN, a married man,
Plaintiff/Respondent,

vs.

FOURTH MEMORIAL CHURCH, a non-profit Washington
corporation, d/b/a Riverview Bible Camp,

Defendant/Appellant.

APPELLANT'S RESPONSE TO WASHINGTON STATE
ASSOCIATION FOR JUSTICE FOUNDATION
AMICUS CURIAE BRIEF

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ORIGINAL

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I. INTRODUCTION

Appellant Fourth Memorial Church, dba Riverview Bible Camp (“Riverview”) hereby responds to the amicus brief filed by the Washington State Association for Justice Foundation (“WSAJ”). Washington’s Recreational Use Act of RCW 4.24.210 affords protection to landowners who open their land for outdoor recreational use to members of the public free of charge. WSAJ argues in its amicus brief that Mr. Cregan and Beats & Rhythms were not capable of using Riverview Bible Camp as “members of the public”. WSAJ wants this Court to ignore the legislative history, and to ignore Washington precedent, and instead look to other jurisdictions for guidance.

This Court does not need to resort to looking to other jurisdictions to address the issue of what constitutes “members of the public.” In the cases of McKinnon v. Washington Federal Savings and Loan Association, 68 Wn. 2d 644, 650, 414 P.2d 773, 777 (1966), and Fosbre v. State of Washington, 70 Wn. 2d 578, 582, 424 P.2d 901, 903 (1967), the Supreme Court squarely addressed what constitutes “members of the public” when determining whether a person is a “public invitee.” The Supreme Court concluded that limited groups (such as a Girl Scout group) who are allowed to use a facility for non business purposes, were considered members of the public, and considered a “public invitee.”

It was in the aftermath of Fosbre and McKinnon, and the development of a common classification of “public invitee”, that the Legislature responded by enacting the Recreation Use Act, which limited landowners’ liability similar to the standard of care owed to a licensee. When the Court considers the context in which the Recreational Use Act was adopted, it makes abundant sense to apply the same definition of “members of the public” for determining a “public invitee”, to what are considered “members of the public” for purposes of the Recreational Use Act.

II. ARGUMENT

A. The Recreational Use Act was Enacted in Response to the Public Invitee Common Law Standard adopted by the Washington Supreme Court.

The Supreme Court in the case of Van Dinter v. City of Kennewick, 121 Wn.2d 38, 41-42, 846 P.2d 522 (1993), provides a good historical analysis as to how this state developed the common law classification of a “public invitee”, and the subsequent enactment of the Recreational Use Act in response to that classification. Under the common law, the landowners’ duty of care to persons entering upon their land is governed by whether the person is a trespasser, a licensee, or an invitee. Van Dinter, 121 Wn.2d at 41-42. Landowners generally owe trespassers and licensees the duty to refrain from willfully or wantonly

injuring them. For invitees, however, landowners have the affirmative duty to use ordinary care to keep the premises in a reasonably safe condition. Van Dinter, 121 Wn.2d at 41-42.

The classification for invitees was traditionally limited to only those persons who came upon the property for business purposes, and was of potential economic benefit to the landowner. In response to the results that this narrow classification could cause, many jurisdictions, including Washington, adopted a definition of a “public invitee” in the case of McKinnon v. Washington Federal Savings and Loan Association, 68 Wn.2d 644, 650, 414 P.2d 773, 777 (1966). Van Dinter, 121 Wn.2d at 42.

Under this broader definition, a public invitee was considered any person who entered upon the land after having been led by the landowner to believe “that the premises were intended to be used by visitors, as members of the public, for the purpose which the entrant was pursuing, and that reasonable care was taken to make the place safe for those who enter for that purpose.” Van Dinter, 121 Wn.2d at 42 (quoting McKinnon 68 Wn.2d at 649). This redefinition expanded the category of invitees to now include “public invitees”, and thereby increased the potential liability of landowners. Van Dinter, 121 Wn.2d at 42,

Legislatures in many states responded to this expansion of liability by enacting recreational use laws that were intended to inspire landowners

to make their lands available to the public by reducing their potential liability. Van Dinter, 121 Wn.2d at 42 (citing Barrett, Good Sports and Bad Lands: The Application of Washington's Recreational Use Statute Limiting Landowner Liability, 53 Wash.L.Rev. 1, 2 (1977)). Washington adopted the Recreation Use Act, RCW 4.24.210, in 1967 in order “to encourage owners or others in lawful possession and control of land and water areas or channels to make them available to the public for recreational purposes by limiting their liability toward persons entering thereon”. RCW 4.24.200.

The Legislature sought to achieve this recreational goal by eliminating landowner liability except in three situations: (1) when the entrant is charged a “fee of any kind”, (2) when the entrant is injured by an intentional act, or (3) when the entrant sustains injuries “by reason of a known dangerous artificial latent condition for which warning signs have not been conspicuously posted.” RCW 4.24.210.^{FN1}

Van Dinter, 121 Wn.2d at 42-43.

B. The Supreme Court Has Previously Addressed What Constitutes a “Member of the Public” for Purposes of a Public Invitee.

In the McKinnon v. Washington Federal Savings and Loan Association case, the plaintiff, Muriel McKinnon, sustained personal injuries as a result of falling on Washington Federal Savings and Loan Association’s property. Ms. McKinnon was an adult leader of a Girl

Scout group, and was on the property that date to attend a Girl Scout meeting that was scheduled in the building. The Washington Federal Savings and Loan Association allowed local clubs and organized groups to use a room in its building for free to conduct their meetings. The advertisement for the use of the building provided that arrangements for the use of the building was to be done in advance by contacting the staff of the Washington Federal Savings and Loan Association. One of the associations that made use of that facility was Ms. McKinnon's Girl Scout Group 1147. It was the practice of the Girl Scout group to enter the meeting room through the back door of the building using a key that was obtained by one of the adult Girl Scout leaders from an employee of Washington Federal Savings and Loan Association. McKinnon 68 Wn.2d at 645-46.

The trial court dismissed McKinnon's lawsuit based upon the conclusion that she was a licensee, and that the defendant Association owed only the duty of not willfully or wantonly injuring her. The trial court concluded that there was no breach of that duty.

Prior to the McKinnon case, the Washington Supreme Court had followed the so-called "economic benefit" test in determining whether an entrant to one's land is an invitee. The rationale for the test was that the owner or occupier of the land was under no duty to make the premises safe

for visitors unless there was an expectation of deriving some measure of economic benefit from their presence. McKinnon, 68 Wn.2d at 648-49. The Court moved away from the economic benefit test and followed the recently adopted Restatement of Torts standard which defined an invitee as follows:

- (1) An invitee is either a **public invitee** or a business visitor.
- (2) A **public invitee** is a **person** who is invited to enter or remain on land as a **member of the public** for a purpose for which the land is held open to the public.
- (3) A business visitor is a person who is invited to enter or remain on land for a purpose directly or indirectly connected with business dealings with the possessor of the land.

McKinnon, 68 Wn.2d at 650 (quoting Restatement (Second), Torts § 332 (1965))(emphasis added).

Upon adopting the public invitee standard, the Court held that: “The undisputed facts indicate that **a segment of the public was invited by defendant association to use its building for group meetings.”** McKinnon, 68 Wn.2d at 651(emphasis added). Notably, there was no requirement that the building be open to the entire general public at all times in order to be considered a “member of the public” to which the public invitee standard applied. A Girl Scout group is a segment of the public that was allowed to use the premises for their meeting.

The McKinnon holding was subsequently followed in the case of Fosbre v. State of Washington, 70 Wn. 2d 578, 582, 424 P.2d 901, 903 (1967), which again dealt with the issue of what constitutes a “member of the public” for purposes of a public invitee. That lawsuit was based upon the alleged negligence of the State of Washington for not maintaining a log boom in such a fashion as to prohibit boats from entering a swimming and wading area. The swimming and wading area is on property known as Camp Murray, that is owned by the state of Washington. The plaintiff was injured at the camp which was exclusively used by the Washington Army National Guard, of which the plaintiff’s father was a member at the time. The middle Sunday of the annual two-week field training encampment of the National Guard was known as “Family Sunday” or “Visitor Sunday,” which was a time when the families and friends of the guardsmen were welcomed to the camp. The beach area was patrolled by civilian employees of the state of Washington and the area was restricted by signs and cyclone fences to the use of the National Guard personnel, their families and guests. The plaintiff was injured when a boat that was in the swimming area lost control and struck her. Fosbre, 70 Wn. 2d at 580-81.

The defendant argued that the plaintiff was a social guest, a licensee, and the duty owed by the defendant was not to injure such

licensee wantonly or willfully. Fosbre, 70 Wn. 2d at 582. The Court disagreed and following the holding of McKinnon, *supra*, concluded that the plaintiff was a public invitee.

In the instant case a segment of the public, namely, the National Guardsmen, their families and their friends, over a period of years had been invited to enter Camp Murray for the purposes of picnicking, swimming and wading and other such recreational activities at the beach area. We see no difference between the National Guardsmen and their families and friends and the groups invited to use the premises in McKinnon, *supra*.

Fosbre, 70 Wn.2d at 582-583.

These are the cases in Washington that have squarely addressed the meaning of what constitutes “members of the public.”¹

C. The Recreational Use Act is Adopted in Response to the New Public Invitee Standard.

With the backdrop of the cases adopting the public invitee category, the Legislator used the same “members of the public” language

¹ Mr. Cregan argues in its Response Brief to WSAJ’s Amicus Brief that the closest case in Washington to deal with the issue is the case of Home v. North Kitsap School District, 92 Wn. App 709, 715, 965 P.2d 1112, 1116 (1998). The Home case dealt with the issue of the classification of a school athletic field when it is used for school events. When it is being used for school sponsored events, such as a football game, the court followed the rationale of the Idaho Supreme Court in a similar type of case that concluded that a school district owed a duty to protect the students and participants in the school event. The court did not have to decide the issue of what constitutes “members of the public,” in the statute because the court simply relied upon the deposition testimony of the school administrator who testified that the field is not open to the public when it is being used for a scheduled sport, such as a junior high football game. 92 Wn. App. at 717. There was simply no analysis as to what constitutes members of the public, and thus the case is of no assistance.

in the Recreational Use Act statute.

Except as otherwise provided in subsection (3) or (4) of this section, **any public or private landowners** or others in lawful possession and control of any lands whether designated resource, rural, or urban, or water areas or channels and lands adjacent to such areas or channels, **who allow members of the public to use them for the purposes of outdoor recreation**, which term includes, but is not limited to, the cutting, gathering, . . . , without charging a fee of any kind therefor, **shall not be liable for unintentional injuries to such users**.

RCW 4.24.210(1) (emphasis added). The purpose of the statute is set forth in RCW 4.24.200, which provides:

The purpose of RCW 4.24.200 and 4.24.210 is to encourage owners or others in lawful possession and control of land and water areas or channels to make them available to the public for recreational purposes by limiting their liability **toward persons** entering thereon and **toward persons** who may be injured or otherwise damaged by the acts or omissions of persons entering thereon.

(Emphasis added). It is logical to conclude that the Legislature intended to use the phrase “members of the public” in the statute to address the scope of “members of the public” that the Court used when adopting the “public invitee” standard.

Commentators have recognized that the Recreational Use Act was enacted to prohibit that application of the “public invitee” standard to recreational entrants.

In common with versions of recreational use legislation in other states,² **the Washington act plainly prohibits application of the public invitee standard to recreational entrants.** Indeed, some observers have concluded—without discernible authority—that it was the Washington court’s decision to embrace this standard in *McKinnon v. Washington Federal Savings and Loan Association*, that provided the major impetus for the statute’s enactment.

Barrett, 53 Wash. L. Rev. at 9-10 (citing Land Occupier Liability in Washington, 43 Wash. L. Rev. 867, 875 n. 59 (1968); Bilbao v. Pacific Power & Light Co., 257 Or. 360, 363, 479 P.2d 226, 227 (Or. 1971)). (emphasis added).

The Recreational Use Act requires property owners to maintain the similar standard of care towards persons entering upon the property as would be required to a licensee. The statute includes the exception for injuries arising from intentional acts. RCW 4.24.210(1). It also has an exception “for injuries sustained to users by reason of a known dangerous artificial latent condition for which warning signs have not been conspicuously posted.” RCW 4.24.210(4). Legal commentators have recognized that the language in the statute closely parallels the Court’s adoption of the standard of care for a licensee in the case of Miniken v. Carr, 71 Wn. 2d 325, 428 P.2d 716 (1967). Barrett, 53 Wash. L. Rev. at

² Barrett, 53 Wash. L. Rev. at 9 n. 59 citing Rock v. Concrete Materials, Inc., 46 App. Div. 2d 300, 302, 362 N.Y.S.2d 258 (1974)(purpose of New York statute is to prevent liberal extension of liability for injuries to sportsmen).

16. In that case, a visitor to an attorney's office was injured on her way to a restroom when she opened an unmarked door and fell down a stairway. The Washington Supreme Court held that she could recover even if she was only a licensee. Liability was based on the land occupier's duty to warn the plaintiff about "concealed, dangerous conditions of which the occupier has knowledge, and of which the licensee does not know." Miniken v. Carr, 71 Wn. 2d at 328. This is consistent with the Restatement (Second) of Torts § 342 standard that has been adopted in Washington. Anderson v. Weslo, Inc., 79 Wn. App. 829, 834, 906 P.2d 336, 339 (Div. 2, 1995) (citing Restatement (Second) of Torts § 342 (1965)).

It is logical for the Court to apply the same standard for what constitutes "members of the public" in the context of a public invitee, to what constitutes "members of the public" when determining the scope of what was intended for purposes of the Recreational Use Act. The Legislature clearly intended to put the standard of liability on landowners back to that of a licensee when persons were engaging in recreational activity. If not, landowners would by default be held to the higher standard of a public invitee if they allowed members of the public to come on to their land for recreational purposes.

D. The Legislative History Does Not Support an Argument that the Property Must be Kept Open to the General Public at all Times.

The Senators discussing the proposed statute clearly intended that it would be a situation where limited members of the public asked permission to use the property for recreational purposes for limited time periods. The example given by Senator Woodall is someone asking to come upon a landowner's property to hunt. H.R. 258, Wash.S.Jour. 42nd Legis. 875 (1967) (CP 93-94); see also Morgan v. United States, 709 F.2d 580, 584 (9th Cir. 1983) (citing the same legislative history).

There was never any discussion or intention by the Legislators to require the landowners to keep their property open for all members of the general public, at all times. In fact, if an individual came on to the property without asking for permission, the person would be considered a trespasser. Senator Woodall explained this limitation when responding to Senator Canfield's example of finding a person drowned in his vehicle in the river. "No, under that condition you are not [liable] because you did not give him permission. He did not request permission. He entered solely at his own risk." H.R. 258, Wash.S.Jour. 42nd Legis. 876-77 (CP 94). Thus, Washington's Legislative history clearly refutes Respondent's and WSAJ's argument that property must be open to the general public at all times to be afforded protection under the Recreational Use Act.

E. **Mr. Cregan Ultimately Must Argue that He is “Member of the Public” in Order to Obtain the Public Invitee Status He has Pled in His Complaint.**

In Mr. Cregan’s complaint, he alleges that he is an invitee, and thus owed the higher duty of care by Riverview. (CP 12-13). In order to obtain invitee status, Mr. Cregan must show that he is a “member of the public” for purposes of being a “public invitee”. It would be illogical for Mr. Cregan to simultaneously argue before this Court that he is not a “member of the public” for purposes of the Recreational Use Act.

It is undisputed that neither Mr. Cregan, nor Beats & Rhythms ever paid any money to use the Riverview Bible Camp facility. They were attending the facility as guests of the Riverview. Setting aside the Recreational Use Act for a moment, the default common law classification would be that Mr. Cregan is a licensee. Mr. Cregan apparently recognizes that he cannot maintain a lawsuit against Riverview under that burden of proof standard of a licensee, and thus he has pled in his Complaint that he was an invitee. (CP 12-13). As outlined above, the exception to immunity under the Recreational Use Act parallels very closely to the standard of proof under the common law for a licensee. RCW 4.24.210(4). Mr. Cregan’s counsel obviously recognized that there was no way to meet the elements of the exception in the statute, and thus never attempted to do so before the trial court in its response to Riverview Bible Camp’s Motion for

Summary Judgment.

The only way Mr. Cregan can establish he is an invitee is to argue that he fits within the definition of a “public invitee.” He would not be considered a business invitee as he was not invited to enter on land for a purpose connected with business dealings. Rather, he would need to prove that he was part of a segment of the public (part of the Beats & Rhythms group) that was invited by Riverview Bible Camp to use the camp including the use of the slide. McKinnon, 68 Wn.2d at 651.

If Mr. Cregan is advocating to be a “member of the public” for purposes of establishing that he is a “public invitee”, there is no reason why the Court would not similarly find that he is a “member of the public” that would fall within the coverage of the Recreational Use Act. It would clearly be disingenuous of Mr. Cregan to argue that he is a “member of the public” for purposes of obtaining the higher “public invitee” status, and then turn around and argue that he is not a “member of the public” for purposes of the Recreational Use Act.

F. **Finding that Mr. Cregan is a Member of the Public under the Recreational Use Act Will Not Erode Washington’s Common Law Premise Liability Protections.**

The WSAJ attempts present a “straw man” argument that by finding that the Recreational Use Act applies to this situation will somehow send the common law principals of premises liability into

disarray. It cites to the example of inviting neighbors over for a backyard barbecue. The hypothetical is inapposite to this case. Further, the end result would likely not be any different.

Social guests invited to an individual's home are considered licensees. As outlined above, the standard of care for a licensee is very similar to that of standard of care provided under the Recreational Use Act. If a guest trips on the lawn and injures himself, it is unlikely that there would be any liability of the homeowner under the licensee standard.

The situation that the Legislature attempted to address with Recreational Use Act was where property is made available for use to persons, and those persons argue that they are considered a "public invitee" and owed a higher standard of care. Given the broad definition of what is considered a public invitee in the Restatement, and as interpreted by the Court in McKinnon, 68 Wn.2d at 650, the Legislature recognized that it would not be difficult for property owners to find themselves held to that higher standard of care by allowing persons on their property for recreational purposes. The Legislature simply attempted to put some reasonable limitations on the public invitee standard of care, and get the standard of care for outdoor recreational use back closer to the traditional licensee standard of care.

G. Courts in other Jurisdictions Have Similarly Concluded that

**Property Need Not Be Made Available to the “General Public”
at all times in order to fall within Recreational Immunity Acts.**

Riverview Bible Camp has previously cited to a number of jurisdictions that have rejected the same type of argument advanced by WSAJ and Mr. Cregan, that the property must be kept open to the entire “general public” in order to be afforded any protection for the recreational use statute. Mr. Cregan attempts to distinguish the holdings of those courts by arguing that they either lack a comparable purpose provision in the statute (comparable to RCW 4.24.200), or the language of the statute focuses on limitation of liability to individuals. Both arguments fail to provide any meaningful analysis as to why this Court should not follow their rationale and holding.

As outlined and quoted extensively in Riverview’s Reply Brief, Nebraska and Hawaii both have similar purpose statutes with comparable language to RCW 4.24.200. Neb.Rev.St. § 37-730, HRS § 520-1. The Nebraska Supreme Court wisely recognized that to require a landowner to have to give *carte blanche* access to the entire general public would be contrary to the legislative intent.

It would not encourage landowners to allow others to use their property if, to come under the protection of the act, they had to allow any person, at any time, under any circumstances, to come onto their property and use it in any manner that person saw fit.

Holden ex rel. Holden v. Schwer, 242 Neb. at 394-95, 495 N.W.2d at 273 (emphasis added)). This rationale is shared in the cases of State ex. rel. Young v. Wood, 254 S.W.3d 871, 873 (Mo. 2008) (owner allowing specific hunters to come on to the property); and Wilson v. United States, 989 F.2d 953, 957 (8th Cir. 1993) (affording protection when allowing a Boy Scout troop access to military base); Howard v. U.S., 181 F.3d 1064, 1071 (9th Cir. 1999)(interpreting Hawaii’s recreational immunity act); see also Sallee v. Stewart, 2012 WL 652039 , *6 (Iowa App. Feb. 29, 2012).

This Court should follow the rationale from the above courts that landowners should not be required to allow any person, at any time, under any circumstances, to come onto their property and use it in any manner that person saw fit, in order for a property owner to come under the protection of the Recreational Use Act. This is entirely consistent with the Washington Supreme Court’s previous analysis of what constitutes a “member of the public”, which has been determined to be limited groups of persons granted access to the property.

H. The Cases Relied Upon By Mr. Cregan and Referenced by WSAJ Are Inapposite to Washington.

Mr. Cregan primarily cites to the Oregon case of Conant v. Stroup, 183 Or.App. 270, 275, 51 P.3d 1263, 1265 (Or.App.,2002) to support his argument that property must be open to the general public in

order for the Recreational Use Act to apply. WSAJ has also cited to this case, and followed a number arguments raised in that opinion. The Oregon statute at issue in that case, ORS 105.682, is significantly different in the way it is worded and structured from Washington's. The most significant difference is that the statute provides immunity to landowners for recreational use, and it does not have a corresponding exception to immunity for known dangerous artificial latent conditions as there is in RCW 4.24.210(4). Thus, the standard of care under Oregon's statute is not comparable to the standard of care of a licensee, such as it is Washington. The Oregon court referenced the argument advanced by WSAJ in this case that the Recreational Use Act would conflict with the traditional licensee standard for social guests. Under Oregon's statute that may be an issue since there is simply immunity without a corresponding exception. That is not the case in Washington. The Recreational Use Act simply gets the standard back closer to the standard of a licensee. There is no need to engage in the creative interpretation of a statute to add wording to the statute Oregon court of appeals did, as is advocated by WSAJ and Mr. Cregan.

This same concern about the conflicting status of a licensee for social guests, and immunity for the recreational use act appears to be a significant reason why the courts from the jurisdictions cited by Mr.

Cregan felt the need to graft on the requirement to the statute that the property must be open to the entire general public. The statutes in those states did not have an exception for immunity that would put the standard of care for a landowner closer to that of a licensee. See Hall v. Henn, 208 Ill.2d 325, 329, 802 N.E.2d 797, 798, 280 Ill.Dec. 546, 547 (Ill.,2003); Fryberger v. Lake Cable Recreation Ass'n, Inc., 40 Ohio St.3d 349, 350, 533 N.E.2d 738, 740 (Ohio,1988); Perrine v. Kennecott Min. Corp., 911 P.2d 1290, 1293 (Utah,1996).

III. CONCLUSION

Washington's Legislature built off the foundation of the common law definition of "public invitee," employing the terminology of "members of the public". Instead of referring to authority from other jurisdictions, this Court should employ its own case law to define "members of the public" as used in Fosbre v. State of Washington, and McKinnon v. Washington Federal Savings and Loan Association. Employing that standard, Mr. Cregan clearly falls within the definition of a "member of the public" to which the Recreational Use Act applies.

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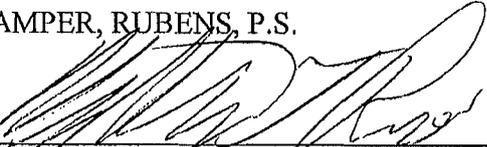
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RESPECTFULLY SUBMITTED this 19 day of April

2012

STAMPER, RUBENS, P.S.

By:



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Memorial Church, d/b/a Riverview
Bible Camp

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CERTIFICATE OF SERVICE

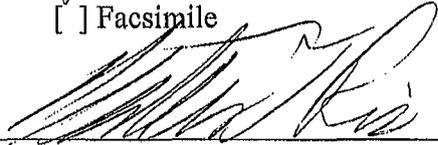
I hereby certify that I electronically filed the foregoing Appellant's Response to Washington State Association for Justice Foundation Amicus Curiae Brief with the Clerk of the Supreme Court for the State of Washington via email on April 19, 2012.

I further certify that on April 19, 2012, I caused to be delivered the foregoing Appellant's Response to Washington State Association for Justice Foundation Amicus Curiae Brief to the following counsel of record in the manner indicated:

Daniel E. Huntington	<input type="checkbox"/> U.S. Mail
Richter-Wimberley, P.S.	<input checked="" type="checkbox"/> Email
422 W. Riverside Ave., Ste. 1300	<input checked="" type="checkbox"/> Hand Delivered
Spokane, WA 99201	<input type="checkbox"/> Facsimile

John P. Bowman	<input type="checkbox"/> U.S. Mail
Keefe, Bowman & Bruya, P.S.	<input checked="" type="checkbox"/> Email
601 W. Main, Ste. 1102	<input checked="" type="checkbox"/> Hand Delivered
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Bryan P. Harnetiaux	<input type="checkbox"/> U.S. Mail
Amicus Coordinator	<input checked="" type="checkbox"/> Email
517 E. 17 th Ave.	<input checked="" type="checkbox"/> Hand Delivered
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By: 
MATTHEW T. RIES, WSBA # 29407
Attorney for Appellant

OFFICE RECEPTIONIST, CLERK

To: Laurel Vitale
Subject: RE: Cregan v. Fourth Memorial Church - Supreme Court No. 86835-2

All received.

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From: Laurel Vitale [<mailto:LVitale@stamperlaw.com>]
Sent: Thursday, April 19, 2012 3:36 PM
To: OFFICE RECEPTIONIST, CLERK
Cc: Matthew Ries; amicuswsajf@wsajf.org; r-wlaw@richter-wimberley.com; sestes@kbmlawyers.com; gahrend@ahrendlaw.com
Subject: Cregan v. Fourth Memorial Church - Supreme Court No. 86835-2

Mr. Carpenter,

Please find attached to this email is Appellant's Response to Washington State Association for Justice Foundation Amicus Curiae Brief in the above-referenced matter for filing with the Court.

Laurel



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