



ÆGIS e-journal

Addressing threats that affect your bottom line

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The LUBRINCO Group

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This month's features:

- **Special Announcement**
- 1. **Due Diligence — Property ownership by the non-rich in developing countries**
- 2. **OPSEC, Economic Espionage, and Competitive Intelligence — Connecting the dots**
- 3. **Executive Protection — The protective specialist as personal trainer**
- 4. **Technical Issues — Gun locks and “smart” guns**
- 5. **Real Stories from the Field — When the cure turns out to be worse than the disease**
- 6. **Book and Product Reviews: *The Quiet Threat*
*NEC 515 Quad-Band GSM Handset***
- 7. **Free-Subscription/Unsubscription/Copyright Information**

The LUBRINCO Group has been quoted in the July 2003 issue of *Chief Executive Magazine*
<http://www.chiefexecutive.net/depts/management/190.htm>

L. Burke Files will be speaking at
OffshoreAlert's 2nd Due Diligence & Asset Recovery Symposium
3-4 November 2003, The Biltmore Hotel, Coral Gables, Florida
<http://www.offshorebusiness.com/03intro.htm>

1. Due Diligence — Property ownership by the non-rich in developing countries

The West has a highly developed sense of commerce and property.

The British *Companies Act of 1862* was the harbinger of things to come. Mutual Companies, where seven or more persons assembled, could draft articles of formation and include the use of the word “Limited” to warn others that the liability of the company was limited to the value of the *company*, not the worth or assets of its owners.

During this era, property ownership in England was undergoing tremendous transformation. This allowed (in small increments at first) individuals to have recognizable and enforceable titles to their land. This in turn meant organized methods to deal with using land as collateral, thus unlocking the capital contained in these property rights. Over a period of time, the process of formalizing corporations, and applying for permits, became a centralized “not so difficult” process, often involving merely filing an application.

In the United States, miners and farmers settling the lands west of the Mississippi river landed in areas that had not been surveyed, let alone zoned, mapped, and parceled-out as they would be in the future. To cope with the realities of frontier life they developed land associations. Property associations were formed, complete with rules and regulations for settling disputes. These associations held regular meetings at familiar bends in a river, or gathered at recognizable landmarks where claims would be staked and recognized, disputes aired and settled, and enforcement meted out, usually by running the varmint off, or by more, um, permanent means.

The government was not prepared to deal with these “squatters” until it realized most of the constituents who voted for them were squatters. At that point the “social contracts” were slowly codified into formal property law, and the recording and perfecting of deeds was accomplished. Once this was done, it became easy for the former squatters to buy and sell land, and unlock the capital innate in a properly regulated and documented environment.

Not so for the non-rich (the rich always have access to the legal system) in some developing nations. For example, according to the Peruvian economist Hernando de Soto, in the Philippines it takes 13 to 25 years and 168 different steps in order to have a house registered. In Egypt it takes 77 steps involving 31 offices to obtain a license for building, and the ownership of 92% of all property occupied by the non-rich in Cairo is not formally recognized by the government, though that drops to 83% in the rural areas. In Haiti, it takes 112 days of 111 tedious visits to officials to implement a deed of sale.

This does *not* mean that the ownership of the land in these areas is unclear. DeSoto describes taking a walk one night in the rice fields of Indonesia. As he walked the fields, the owners' dogs would bark at him. DeSoto noticed that, as he went from one portion of a field to another, one dog would stop barking and another would start. Even the dogs knew the boundaries of their master's plot of land!

Thus, instead of the illegal versus legal status available to the rich and to corporations, what you have for the non-rich in these areas is "extra legal," because there is no other realistic option. The significance of this lies in the fact that the non-rich cannot use the land they occupy as capital, because it is outside the legal system.

Thus, in our experience, the exercise of due diligence in many developing nations may uncover a great deal of property and claims (even those of the rich, and of corporations) that cannot be documented in a central registry. In these environments, even more than in the West (where, we race to point out, it is still necessary to get out and kick the tires), we go and meet with the locals, and see what form of social contract may – or may not – exist with the land and the businesses in the area.

Without this kind of local investigation by someone familiar with both Western business practices and local custom, no report has validity in these areas and circumstances.

2. OPSEC, Economic Espionage, and Competitive Intelligence — Connecting the dots

We recently attended a dinner party where people were discussing intelligence failures. While there was some discussion of business intelligence, much of it, of course, revolved around government failures to "connect the dots." Since the issues of intelligence gathering and analysis are largely the same independent of the venue, it seemed to us that this would be an appropriate time to discuss the issue of connecting the dots.

On the surface, connecting the dots seems straightforward, as anyone with a young child knows. You look at a series of events, recognize their relationship, and see where they are going. As an example, look at the following four dots, each dot representing a piece of information coming into your CI team from different sources, and decide what pattern is being formed.

A B

. .
. .

C D

For most of us, we obviously recognize that a rectangle can be formed.

OK, now that we are skilled analysts, let's try it without the letters identifying the sources from which the raw data comes.

. .
. .

Again, for most of us, we see that we can form a rectangle.

Now let's look at the way it would actually be seen as part of a stream of raw data, and decide what is being formed.

Data from source A:

.....

Data from source B:

.....

Data from source C:

.....

Data from source D:

.....

OK, now let's look at the aggregate data, without identification of source.

.....
.....
.....
.....

If you *were* able to pick out our rectangle here, we are sorry you are not working for us, or, less selfishly, that you are not working either as an analyst for the government or on the *Psychic Friends Network*!

If you were *not* able to pick out the rectangle, then shame on you, and expect to have the press – and people at dinner parties – raking you over the coals for your ineptness.

3. Executive Protection — The protective specialist as personal trainer

Protective specialists perform a number of services. In the high-risk areas in which **LUBRINCO** does much of its work, the most critical of these is making sure those under our care are not kidnapped or killed. However, and particularly in unknown-risk areas, most of the visible effort goes to increasing the convenience and efficiency of those under our care, and the major day-to-day worries involve automobile accidents, avoiding embarrassment and inconvenience, and health issues.

This last is very important. Often the people we deal with are busy, under stress, older, not in the best shape, and may suffer from a variety of ailments. This prompts us to take a number of precautions, from knowing that we have enough of the appropriate medications, to assuring the availability of appropriate medical facilities, to assuring that enough of the protective staff has a blood type appropriate to assure a clean blood supply if needed.

An additional area of health service can be to act as personal trainer. If the person we are protecting is willing – some are and some aren't – and their physician has no problem with the idea, we can schedule exercise time and help them, painlessly either to stay in shape or to get in shape.

The good news is that relatively little time and equipment is necessary to deal with both aerobic exercise and strength training.

Aerobic Exercise

For aerobic exercise one can either walk or use the treadmills that have become so ubiquitous throughout the hotels of the world. The secret here is to use a heart monitor so you are working for a known level of training. Even the simplest heart monitor from Polar (<http://www.polar.fi/polar/channels/eng/segments/Fitness.html>) is fine.

To determine the appropriate level of training you calculate the maximum heart rate, which we calculate as 210 minus half the subject's age, and then subtract ten percent of their bodyweight (in pounds) from that. Thus if the

subject were sixty years old and weighed 190 pounds the maximum heart rate would be 210-30, which is 180. Subtracting 19 (ten percent of 190) from that gives us a maximum heart rate of 161.

With this figure in hand we can calculate the heart rate range for aerobic exercise, which is 70 to 80% of the maximum heart rate. In the case of our putative subject this would be a range of 113 to 129. We would round this off to a range of 115 to 130, since many monitors set in increments of 5.

Since we are trying to keep our subjects alive, not train them for the Olympics, anywhere between twenty minutes and half an hour of aerobic exercise will be fine. In fact, five minutes warm-up to hit the 115 mark is fine, followed by twenty minutes in the aerobic 115 to 130 range, followed by five minutes of cool down would be more than adequate.

Hydration

It is important to remember that most people under-hydrate while exercising, so make sure they can constantly sip water. In the best of all possible worlds they will drink 8 ounces for every 15 minutes of exercise. Water can be drunk from a bottle, a glass, or a *CamelBack* hydration system – essentially a small backpack full of water, (<http://www.camelbak.com/rec/recreation.cfm>) for maximum convenience. While some initially feel silly wearing them, we use them whenever we do any serious exercise, whether it be walking, running, Nordic Track, cycling, or almost anything else.

Strength Training

In addition to aerobic exercise, strength training is important. Keep in mind that older people do not fall more than young people: They merely don't have the strength to support themselves when they fall and grab onto something. For most people this is totally unnecessary and avoidable!

We recommend two sets of exercises. The first for abdominal strength, the second for everything else. How long should this take? Probably fifteen minutes a day, with equipment you can toss in your suitcase.

For those who have no training plan at hand we recommend you go to the *Health for Life* website (<http://www.healthforlife.com/>) and look at two books: *Legendary Abs* (<https://secure.amazon-networks.com/secure-health-for-life/html/abcondit.html>), and *The Weightless Workout* (<https://secure.amazon-networks.com/secure-health-for-life/html/wtless.html>).

What equipment will you need? Well the basics for the stomach exercises are a floor, or for the more advanced exercises a chinning bar (<http://shop.everlastboxing.com/everlast-chinning-sit-up-bar.html>) and a set of arm supports (<https://secure.amazon-networks.com/secure-health-for-life/html/hardwre.html>), but if you are starting with someone who is out of shape that won't be an issue for a while.

For the strength training you will need pushup handles so that wrists are not injured (<http://shop.everlastboxing.com/everlast-deluxe-pushup-bars.html>), and resistance cables, which we get from the *LifeLine Gym* people (<http://www.lifeline-usa.com/products.cfm?categoryid=2>) the cables come in a variety of resistances, and you may want to start with the least demanding and work up over time. Eventually you will need a chinning bar, some chairs, and a pole, but at the beginning you will not.

Stretching

Finally, it is important to add stretching to a workout, to allow the retention or recovery of flexibility. If you don't have a stretching routine at hand, you may wish to look at *Synerstretch* (<https://secure.amazon-networks.com/secure-health-for-life/html/stretch.html>)

If you can, by your presence, urging, and support, help those you protect to achieve better health you will have done them a great service, and at little cost of time and money. And if you, the reader, are the person we are protecting, let us help you stay alive *and* healthy.

4. Technical Issues — Gun locks and “smart” guns

According to the Centers for Disease Control, roughly 13,000 American children die each year. Of these, 110 die from gun accidents. This is not good – the death of any child is a tragedy – and a lot of effort has been put into reducing this figure from 110 to something less.

Two approaches that have made it into law have been the mandating of gun locks and, when they are eventually available, smart guns. Because of the potential impact of these laws on you, the reader, they need to be discussed. This article is aimed at those who employ protective specialists. We are not discussing here the benefits or dangers of guns, nor of issues involving the general gun-owning public nor of that portion of the general gun-owning public that has children in the house, nor of the value or lack thereof of the Second Amendment to the U.S. Constitution. We are solely discussing the issue of gun locks and smart guns as they relate to protective service agents.

Gun Locks

In general, it is quite likely that if your protectors need a gun, they need it NOW! Does a gun lock really cause a problem here? Well, let's look at how they work. If it is a trigger lock, you take a key, put it in the lock, turn the key, and the lock comes off. We have seen other locks that mount on the wall and allow you to use either a combination or keyed padlock to safely attach the loaded gun to the wall. Others are lock boxes that can be opened using a key, or a dialed combination, or a set of buttons that can be pushed in some order.

This doesn't sound as if it would be a problem: You put in the key and take out the gun.

But think back to some time when you came home, desperately needing to pee. Remember how difficult it was to get the key in the lock, with the difficulty of using the key being directly related to how desperate you were to get to the bathroom? Now if your fine motor skills diminish this much under the stress of needing to use the bathroom, imagine that it is three in the morning and your protective agent has been awakened from a sound sleep to the possibility of an attack being launched against you and your family.

How well are they likely to do at trying to turn three little dials, possibly in the dark? Or trying to find a key, then finding the locked gun, then trying to insert the key – possibly in the dark – into the lock?

Smart Guns

Smart guns are guns that recognize whether or not the person holding the gun is its owner. If it is not the owner – for example if it is your twelve-year-old – then the gun won't fire, which is, in terms of keeping twelve-year-olds from discharging this particular gun, in theory good.

With smart guns there are two classes of problems that must be faced.

Malfunctions

The first is the possibility that at some point the gun won't function, for any of a number of reasons. When your protector pulls the trigger, do you want the gun to go "BANG," or do you want the gun to say "Please replace the battery?" If the protective agent is your driver, and is wearing driving gloves, do you want the gun to go "BANG" or do you want it to say, "You appear to be wearing gloves. Please remove them so I can identify you as an authorized user?"

Use by others

The other problem faced with smart guns is that sometimes you *want* the gun to be usable by others. As an example, suppose you have a team of two agents, and one is shot, hurt in a car crash, or otherwise out of service. The second agent runs out of ammunition and grabs his partner's gun. When he tries to shoot your attacker he is told by the gun, "I'm sorry, you are not an authorized user."

Or, think back to the case that occurred some years ago when a twelve-year-old child was awakened by the screams of his father, who was being murdered. The child sneaked into his father's bedroom, got his father's gun, and shot the attacker, thus saving his father's life, and, probably, his own. Now imagine that your family is under attack and that your protective agent has been killed, but that your twelve year old is able to grab the fallen agent's gun. Or that *you* can grab the fallen agent's gun. Do you want the gun to go bang or to prevent you unauthorized users from firing a shot?

Do these kinds of things happen often? Obviously not. Will they happen from time to time? They obviously might. Could it happen to you? Well that's why people play the lottery, independent of the odds.

The bottom line here is that the function of a gun is to go bang when the trigger is pulled. Smart guns create a class of deliberately-defective devices. In recognition of this, police are ALWAYS exempt by law from the requirement to use them: They are simply too dangerous, and the likelihood of something bad happening to an officer is too high.

We suggest that they are equally dangerous to your protectors, and, by extension, dangerous to you, your family, and your staff. You should therefore use your power to ensure that your protective staff, like the police, are exempt from the requirement to use smart guns.

5. Real Stories from the Field — When the cure turns out to be worse than the disease

Junk e-mail is a serious problem with which everyone is grappling. As an example, Greta, the cat of the sibling of one of our editors, sent someone a cyber thank you card. Based on that single e-card, Greta is now getting several pieces of junk e-mail a day, with the amount slowly increasing. We ourselves are doing even worse than Greta, with the ratio of junk e-mail to good e-mail varying between three to one on good days and six to one on bad days.

We deal with it primarily through use of MailWasher (<http://www.firetrust.com/products/mailwasherpro/>) (please see the May 2003 issue of the *ÆGIS* e-journal), which allows us to delete unwanted e-mail on the server. Unfortunately, not willing to leave well enough alone, we recently activated our ISP's anti-junkmail feature, which captures junk e-mail in a special greymail folder. It saves this greymail for thirty days, and then deletes it, day by day.

This seemed like a swell idea until we got a call from Mayer Nudell of Specialized Consulting Services (<http://www.speconsult.com/>), publisher of the highly-regarded *Traveler's World Threat Map* and *Travel Advisories Subscription Service* (please see the March 2003 issue of the *ÆGIS* e-journal) saying that travel advisories were being returned because of a full mailbox. This made no sense, because we read our e-mail with some regularity, and we knew there wasn't any e-mail sitting on the server.

Then we started getting phone calls from friends and business associates saying the same thing, which told us we had a real problem!

After some fruitless investigation it occurred to us to check the greymail. We had nearly a thousand messages stored, and it appeared that this greymail, of which we were not actually aware, counted against the total e-mail limit, thus accounting for the full-mailbox bounces. We emptied the greymail folder and turned off the junk e-mail filter. Now we have more junk e-mail to filter manually using MailWasher, but at least we are getting the e-mail that we actually want.

6. Book and Product Reviews

The Quiet Threat

Ronald L. Mendell

Charles C Thomas Publisher ISBN: 0-398-07389-9 208 pages \$49.95

<http://www.ccthomas.com/> 1-800-258-8980

The protection of information is one of the three areas in which **The LUBRINCO Group** specializes, and the one that most confuses potential clients who should be interested in our services. While losses from economic espionage and competitive intelligence are a serious problem, and one that by some estimates costs American companies about three hundred billion dollars a year, companies often don't believe it can happen to them. This is particularly true if they are in some benign field far from the world of defense contracts, don't understand the issues involved, don't think about protecting information outside of their direct control, and, most of all,

consider security a necessary cost to be minimized. For these companies, the first sign of being the victim of economic espionage is when some competitor offers their product before they do, or underbids them on a job.

The Quiet Threat gives a good overview of the whole area of information protection, showing how everybody has to be involved in the protection of their own livelihoods. This includes security guards, managers, executives, and regular employees. If everyone is not conscious of the risks, and does not play some small part in the protection of information, it is fairly sure that a company faces a very good chance of being a victim.

There are a lot of reasons for this, and this book covers them well, including the fact that an economic spy is willing to spend a great deal of effort and cunning to get information, and unless companies are willing to put cunning to use on their own behalf, they are unlikely to be able to protect themselves.

We were sorry there was nothing dealing with the OPSEC process, but at this point in time LUBRINCO is one of the few non-government organizations working with OPSEC. That aside, this book is, on the whole, an excellent introduction to dealing in a practical manner with this fascinating area of corporate risk.

If the thought of giving away the store disturbs you, this will be an excellent book for you to read before calling us in.

The NEC 515 quad-band GSM terminal

<http://www.nechdm.com/>

<http://www.attws.com/>

For those who travel, the world of mobile phones is primarily GSM outside of the U.S., and increasingly GSM within the U.S. Back in the good old days we needed one GSM handset: 900 MHz for Europe and a few other places. Then, when Sprint launched GSM in the U.S., we needed two handsets: 900 MHz for travel and 1900 MHz for the U.S. Eventually those of us who travel got the Bosch WorldPhone, which was a 900/1900 dual-band handset.

This was good for a while, but eventually they started running out of 900 MHz spectrum, and launched 1800 MHz. Since there were no tri-band handsets, many of us used a 1900 MHz handset here in the U.S., and dual-band 900/1800 MHz handsets in Europe.

Eventually, tri-band handsets started to be introduced. However, not too long thereafter, 850 MHz GSM was implemented, with GSM 850 now being used in Antigua & Barbuda, Argentina, Cayman Islands, Colombia, Dominica,

Ecuador, Grenada, Montserrat, Panama, Paraguay, St Kitts & Nevis, St Lucia St Vincent & The Grenadines, and the United States. This essentially outdated all new tri-band handsets before they came out. Unfortunately, there were no quad-band handsets. This is changing, apparently because the manufacturers have little economic choice in the matter.

In the past handsets were expensive, often costing up to \$500, and aimed largely at business users. They are now commodity items, generally costing \$200 or less, and are aimed largely at a younger mass market. One of the outcomes of this is that where a manufacturer formerly had two handsets in a market, they may now have twenty. In practical terms this means that it is much more economical to make one radio that works on all bands, and can be used in a wide variety of terminals. Thus, we believe we will be seeing more and more quad-band handsets being made, and that they may eventually become the rule, rather than the exception.

Lest there be any misunderstanding of what follows, we believe that our readers are primarily interested in making phone calls, and secondarily in sending text messages. This means an appropriate radio, appropriate frequencies, and appropriate battery life are the primary things they look for in a handset. There appears to be little or no primary interest by our readers in games, FM radios, speakerphones, MP3 players, cameras, video recorders, Internet access, or fancy co-ordination of the phone with complex office schedules. In addition, we believe that as camera phones become more popular, there will be an increase in the number of business that prohibit camera phones on their premises.

It is within this context that we need to look at the NEC 515, the first of the quad-band handsets. The NEC 515, which will be carried in the U.S. by AT&T Wireless, is a small flip-phone, and seems to be following in the steps of successful Japanese handsets. The handset has a very readable high-definition color display, GPRS for Internet access, and polyphonic ring tones, which are much louder than monophonic ring tones.

As is the current trend in handsets, the NEC 515 has a relatively small capacity battery – about 4.5 hours talk time and 205 hours of standby, according to the literature, and less than that in real life. The phone is designed, however, so that the battery is a separate attachable unit, and there is no reason why a battery with much greater capacity couldn't be added. In addition, we sadly note that there is no longer any handset being made that does not require you to carry an extra battery or two. There is no car kit

available, but a vehicle power adapter and hands-free headset are available at <http://www.nechdm.com/>. It has a SAR of 1.2 (we like it to be 0.5 or less).

Is this handset for you? If you bounce around the world a whole lot and believe a quad-band handset to be a more convenient choice than carrying both a 900/1800 handset and an 850/1900 handset, this is the only game in town at the moment, and well worth trying.

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