

(3) that the complainant was proximately damaged by the breach. Here, the evidence establishes the existence of a supervisory relationship (without any showing of particular duties), but only the mere possibility of a breach or of proximate cause. That is a far cry from being enough to establish liability on Dingle's part.

Accordingly, the complaint against respondent Dingle is hereby DISMISSED.

Dated: April 16, 1997


JOEL R. MAILLIE
Judgment Officer