

# THE Enterprise

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### THIS WEEK

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## Editor: Calif. firms are low-hanging fruit for state of Utah

**By Brice Wallace**  
*The Enterprise*

Several California-based companies have placed or expanded operations in Utah in recent years and Utah can continue to snatch away operations in the future, according to Kurt Badenhausen, senior editor at *Forbes*.

Speaking at the annual Salt Lake Housing Forecast Breakfast, sponsored by the Salt Lake Board of Realtors, Badenhausen said eBay, Adobe and Oracle expansions into Utah are the result of California-based companies "looking for somewhere to go."

"Let's face it, California right now is a train wreck, all the way around," he said. "Taxes, regula-

tory, budget deficits — you name the problem, Cal has it. Except for the weather; it is beautiful, but it that doesn't pay the bills. California is really prime pickins for economic development."

California is home to 71 companies that have \$4 billion in annual sales, while Utah has two: Huntsman and Sinclair Oil. But California's woes contrast starkly with Utah, which Badenhausen described as "a model of fiscal and economic success."

"If I'm a company or homeowner, where am I going to be more comfortable for the next 10 years? In state like California, that is chasing away companies with its tax policies and high costs

see CALIFORNIA page 2

## U of U Health Care buys 9.1 acres in Murray for new facility



University of Utah Health care already operates a 200,000 square foot facility in South Jordan. It opened about a year ago.

**By Barbara Rattle**  
*The Enterprise*

University of Utah Health Care has purchased 9.1 acres near the Fashion Place Mall in Murray where it plans to build a 60,000 square foot ambulatory service center consisting primarily of the specialties of dermatology and ophthalmology. Longer-term plans call for the entire site to be devoted to a medical campus use.

Architect on the project,

located at approximately 200 East and 6100 South, is FFKR. Selection of a contractor is under way. The project will include separated outpatient clinical space for dermatology and ophthalmology, exam rooms, minor procedure rooms, pharmacy, clinical studies, and various administrative functions. The goal is to break ground on the building in fall of this year, with completion early in

see MEDICAL page 2

## Salt Lake group buys 801-acre Utah Industrial Depot in Tooele



An aerial view of Utah Industrial Depot. Ninigret is also developing 184 acres in Syracuse.

The Ninigret Group LC, Salt Lake City, has acquired the Utah Industrial Depot in Tooele and has renamed the property Ninigret Utah. In addition, the company is moving forward with development of 184 acres in Syracuse that it acquired last fall.

Ninigret Depot consists of developed, partially developed and undeveloped industrial land and buildings that include approximately 44 separate buildings containing approximately 2.23

million square feet of industrial/warehouse space, a rail service business that provides rail services and access to tenants at Ninigret Depot and an approximate 288,000 square feet of separate storage unit space.

The Syracuse acreage, dubbed Ninigret Park North, consists of potential mixed use land.

Both Ninigret Depot and Ninigret Park North offer Ninigret a great opportunity to increase

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## 85,500 square foot storage facility to be built in Midvale

**By Barbara Rattle**  
*The Enterprise*

Draper-based general contractor Sunstone Corp. plans to break ground this spring for Stone Box Storage, an 85,500 square foot self-storage facility at 6832 S. State St., Midvale.

Company president Stephen Brendle said the project's rentable area will measure 78,925 square feet and that 49 percent of the 560-unit project will be climate-controlled. The single-story project is expected to take about five months to build.

"We'll have 17 [unit] variations to choose from and will cater to the local residential population as well as the business

community," he said. "For business, we're going to have some document/data storage areas specific to their needs. It's lacking out there. We're going to have about a 3,200 square foot office there dedicated to the storage facility that will include a conference room for businesses who want to meet clients there."

In addition, "there are a lot of apartments in that area, and I think the trend in housing has been smaller, more affordable homes. But people still want their toys and their seasonal stuff stored nearby. Storage has become more like a Starbucks; you want it close to where you live, where you

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## NINIGRET

from page 1

its asset base in areas where we see great growth potential," said Ninigret chairman, Randolph G. Abood. "The diminution of available commercial, industrial and residential properties in the greater Salt Lake area, especially in the burgeoning rail served businesses, is becoming more and more self-evident, and integral to these two acquisitions, we look to find and own properties that are in the path of growth and progress."

Located in the northeast corner of Syracuse City proper, Ninigret Park North borders Clearfield City's Freeport Center

Industrial Park to the east and will share a border with the expansion of State Highway 193, which will be the only east-west highway connecting to the proposed West Davis corridor, Highway 89 and Interstate 15. United States Cold Storage recently purchased 35 acres from Ninigret and is in the process of building a 140,000 square foot, state-of-the-art refrigerated distribution and storage facility, with expansion ability to over 400,000 square feet.

Peter Corroon, former mayor of Salt Lake County, has joined the Ninigret team to assist in the management of Ninigret Depot and Ninigret Park North.

NAI Commercial of Utah represented Ninigret in the acqui-

sition of Ninigret Depot, led primarily by Zach Anderson and Bryce Blanchard. Tom Freeman of Commerce Real Estate Solutions represented Ninigret in the acquisition of Ninigret Park North. NAI will perform much of the financial accounting work for Ninigret at Ninigret Depot, Rob Hyde and Eric Robinson of Kirton McConkie represented Ninigret in both the Ninigret Depot and the Ninigret Park North transactions. Henry Schwendiman of Bonneville Mortgage assisted Ninigret in various financing aspects of the transactions.

The Ninigret Group is a multi-faceted real estate company with properties in Utah, Florida, Connecticut and Rhode Island.

## MEDICAL

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2015. FFKR has also been asked to look at programming suggestions for future buildings on the site that could support other clinical services from the university.

"This site is important to University of Utah Health Care because it represents our focused strategy of growing our clinical enterprise to meet the needs of our community," said Christopher Nelson, assistant vice president for public affairs at University of Utah Health Care.

## STORAGE

from page 1

can drive up to it. Our location is absolutely phenomenal. Most storage facilities draw from a population in a one to five mile

The U already operates an approximately 200,000 square foot health care facility in South Jordan and plans are in the works for another in Davis County.

Peter Hanlon and Alison Beddard of Commerce Real Estate Solutions brokered the deal. They were chosen by the University of Utah to find a mid-valley location to meet the vision of a more patient-centric delivery of health care services. "After an extensive search that spanned several months and included the investigation of 64 potential sites, we found the perfect property that was centrally located and large

radius, and many are in industrial or outlying areas. Most of our business will come from a one mile radius."

The gated facility will have a resident manager a "very high security," Brendle said. Prices will

enough for the University of Utah to bring their new strategy to life," Hanlon said.

This real estate transaction represents a trend that many health care companies are moving toward because of the efficiency it provides. Hanlon said that with ongoing health care reform, ambulatory care located in residential settings, with ease of access, is becoming more popular with health care providers because it offers visibility and enables providers to broaden their focus beyond conventional delivery models.

be competitive. For instance, a 5 x 10-foot unit will rent for \$59 per month.

Brendle said he is exploring the possibility of using solar and geothermal technologies to help cool and heat the development.

## CALIFORNIA

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and where residents are going to be stuck with a bill for a government that runs huge deficits every year? Or in Utah, with a pro-business regulatory climate that is attracting jobs and a government that spends responsibly and keeps tax rates stable? I'll take Utah every time," Badenhause said to a round of applause.

Even outside California, Utah remains a lure for companies looking to expand or relocate. Helping its case are low labor costs, energy availability and low costs, the low corporate tax rate, low union membership and its right-to-work laws. All those are major factors that executives weigh when making decisions about their companies, he said.

"You should feel very comfortable in Utah because really so many of these factors hit home to Utah's strengths," Badenhause said.

Stability is a key in making expansion and relocation choices, he added. For example, Utah's 5 percent corporate tax rate is not only low but has been stable. "This is such a critical issue for businesses, who want to know what they can expect in terms of their costs," he said. "It sends a message to businesses, in and out of Utah, that the state is business-friendly."

Utah recently topped *Forbes'* ranking of "Best States for Business" for the third consecutive year because of factors that include business costs, labor supply, regulatory climate, economic climate, growth prospects and quality of life. "Utah is strong across the board," Badenhause said, noting that Utah was the only state ranked in the top 15 in each of those categories. Utah also had three cities in *Forbes'*

rankings of "Best Metro Areas for Business," with Provo holding the top spot, Ogden sixth and Salt Lake City 26th.

Utah's economy grew 2.3 percent annually during the past five years, the fifth-fastest rate in the country and well above the nation rate of 0.5 percent. It's expected to grow 3.3 percent annually over the next five years. Utah's job growth is projected to be 2.2 percent over next five years, eighth best among states. Utah's energy costs are 29 percent below the national average, and Gov. Gary Herbert's plan to develop the state's vast resources and develop alternative energy resources should bolster the state's energy advantages, he said. Unemployment currently is at 5.2 percent, eighth-best among states. It should be below 5 percent in 2015.

"Utah was incredibly resilient during the recession and emerged from it about as fast and in better shape than any other state. ... As for the future, Utah is definitely primed for success as we continue to emerge from the economic downturn," he said.

Badenhause, who has covered many sports-related stories for *Forbes*, said he was excited to learn that Utah is exploring another Olympics bid. "The 2002 Olympics introduced Utah to the world, and now Utah continues to become an increasingly important component of the global economy," he said. "Another Games would be a crowning achievement for Utah and a celebration of the success the state has enjoyed."

## Mountain States Fence celebrating 50th anniversary

Mountain States Fence Co., South Salt Lake, is celebrating its 50th anniversary.

Specializing in commercial and industrial fencing, the company in recent years has completed several high-profile projects throughout the Intermountain West, including the Salt Lake Olympic Stadium, the I-15 reconstruction project, the Pioneer Crossing and the Winco Foods distribution center in Boise.

Mountain States Fence is a member of the Associated General Contractors. It is also actively involved in other organizations, such as the Associated Builders and Contractors, the American Fence Association, the Salt Lake Chamber of Commerce and the South Salt Lake Chamber of Commerce.

With 40 employees, the company completed 2012 without an accident and has won many state and national awards for its safe work practices. Last year, the firm completed more than 600 jobs.

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## Bill would require pollsters to disclose who is paying for the info

By Brice Wallace

The Enterprise

Individuals or organizations conducting polling of political candidates or ballot propositions would be required to disclose who is paying for the poll under a bill endorsed by a House committee.

HB44, passed out unanimously last week by the House Government Operations Committee, would require the poll-taker to disclose to survey respondents who paid for the poll before or after the polling is done. It would apply whether the survey is conducted in person or by phone, fax, Internet, mail or email.

The bill's sponsor, House Majority Whip Greg Hughes, R-Draper, and former Rep. Brad Daw, said the measure would not harm legitimate polling companies but could make it more difficult for push-polling to occur. Daw said push polls lead people to a certain type of thinking "under the guise of conducting a poll," often by people "hiding very carefully who they are and what they're all about."

"In any race that is going on, sometimes polls are done for scientific purposes to kind of get a pulse on what people think," Hughes told the committee. "Usually that's a number of a few hundred within, say, a congressional district. And there's a lot of science and a lot of methodology that goes into a poll like that. Then other times, you'll find a poll of robo-dial to 15,000 households saying, 'If you knew the guy was a scoundrel, would you be more likely or less likely to vote for him?' We call those push polls, and oftentimes it's hard to discern the difference between a push poll

and truly a scientific poll looking to gauge the sentiment of the electorate. ... The best way to at least understand the motivation or the purpose behind these kinds of polls is to have transparency in this process..."

Hughes said he has personal experience with push polls, which he described as "kind of the uglier side of campaigns when you find yourself the subject of them."

Daw said transparency is preferred over restricting speech. "Let people say whatever they want to say; that's fine," Daw said. "But let's find out who they are and let's put the sunshine on them and let them stand up and let people look and see who they are and let that be part of their decision-making process."

The bill is supported by Utahns for Ethical Government, but Brian Chapman, owner of BCR Political in Provo, said the disclosing who paid for a poll could skew the poll's responses. Daw disagreed, especially if disclosure occurs at the end of the surveying. Chapman said legislators should find another way to stop push polling. He said push polling is "terrible" but added that "one person's push poll is another person's research."

Some committee members wondered if the disclosure can be circumvented, but Hughes said it creates a paper trail that can be checked against candidate disclosures.

"There's always ways for the water to get around and there's always ways to try and conceal. This [bill] makes it more difficult," Hughes said.

HB44 had been recommended by the Government Operations Interim Committee.



The Alta Club in Salt Lake City will soon benefit from a new off-site parking facility. Salt Lake City has approved plans by Property Reserve Inc., an arm of The Church of Jesus Christ of Latter-day Saints, to demolish the Mr. Mac building just east of the club and construct a parking facility visually screened from the street and pedestrian level with a brick veneer and metal trellis structure (artist's rendering pictured). The church will trade the new parking facility for the Alta Club's current off-site parking facility at 160 E. South Temple. FFR is architect on the project.

## Expert: most Utah economic indicators to rise 5 to 6 percent

By Brice Wallace

The Enterprise

With only a few exceptions, Utah's economic figures are on the right track, according to James Wood, director of the University of Utah's Bureau of Economic and Business Research.

Speaking at last week's annual Salt Lake Housing Forecast Breakfast, sponsored by the Salt Lake Board of Realtors, Wood said nearly all economic indicators for the state should rise 5 to 6 percent in 2013.

"The Utah economy, we've go about the best numbers we've had in over five years. ... Overall, this is the best conditions we've had in many years," he said.

One of the few figures that will stabilize is Utah's unemployment rate, which he said will be about 5.9 percent — a figure higher than the current rate — as more people enter the labor market.

"All the other indicators — whether you're looking at exports, retail sales, new home construction, your sales activity — all of those are pointed in the right direction," he said. "We have bottomed out, pretty much. The real estate sector that's lagging a little bit would be the commercial real estate sector. Vacancy rates are still quite high for some sectors, but that always does lag the residential. So I think we have a good foundation right now for a good, solid recovery in the real estate industry."

Wood noted that Salt Lake County home sales grew 9 percent in 2011 and rose 15 percent in 2012. Every city saw increases, with Salt Lake City leading the way with 500 additional sales from 2011 to 2012.

Foreclosures reached the lowest level in four years, with about 8,000 — far below the 15,000 in 2010 but still above the normal level of about 5,000. People hear about another foreclosure tsunami but it hasn't happened, he noted. "I don't think it's going to happen, but I don't want to bet money on it," he said.

Median prices last year saw a 6 percent increase, with only South Salt Lake experiencing a decrease. Cottonwood Heights saw a double-digit rise.

### Ooops ...

A story in last week's edition of *The Enterprise* about commercial real estate in Davis and Weber counties incorrectly reported that the Freeport Center industrial complex is now 100 percent leased. The complex with 100 percent occupancy is Freeport West.

Prices "finally turned" in the 2012 first quarter, he said. "We saw finally an increase and I think that's sustainable. Now, we've had a few quarters in the past where we thought we were going to get some sort of an increase but it petered out. But this time, it looks like the conditions are there that we are going to be able to sustain a pretty good price increase."

Driving the price trend are "extreme" affordability, demographic growth, rising consumer confidence, higher rents, low inventories and low mortgage rates, Wood said. Rents rose 8 percent in Salt Lake County last year, making renting a three-bedroom

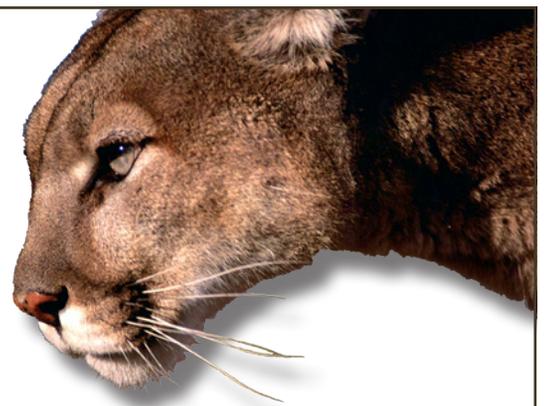
apartment about the same as a medium-priced home. "So we've hit that threshold where economically it makes sense to buy," he said.

Wood predicted that prices for single-family homes likely will see a 10 to 12 percent rise this year. In 2012, year-over-year prices were down 5 percent in the first quarter, but rose 5 percent in the second quarter, 11 percent in the third quarter and 13 percent in the fourth quarter. Pent-up demand is a factor.

"We have produced many fewer new homes than we've had

see WOOD next page

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## WOOD

from previous page

increases in households over the last several years, so we know there is a significant amount of pent-up demand, and that will contribute to increased sales activity as well as upward pressure on prices," he said.

Wood predicted it likely will take another two years to have a full recovery in prices, making it "an eight-year journey."

The number of sales could grow as much as 20 percent, or about 13,000, in 2013. "What does that feel like? It feels like 2004. It's about where you were. Not 2007, but about 2004," he said, noting that that level would leave the county about 15 percent below its peak level.

## Speaker: citizens turning around economy despite lack of gov't support

By Brice Wallace

The Enterprise

Americans are turning around the U.S. economy despite a lack of federal government support, according to Mark Dotzour, chief economist and director of research at the Real Estate Center at Texas A&M University.

Speaking at last week's 19th annual CCIM/NAIOP Utah Commercial Real Estate Symposium, Dotzour said the economy would skyrocket if only "the morons in Washington" would talk encouragingly about job growth and the importance of business.

"Congress and our president is why our job growth is not going as fast as it should be," he said. "If we ever get a situation where

the Congress and the president of the United States says anything to give business owners — men and women around this country — hope for the future, our economy will explode at a much higher growth rate. We haven't seen that happen yet, but it's possible."

President Obama, he said, "doesn't care about job growth," having focused on health care and now concentrating on immigration, global warming and gun control.

"Do you hear anybody prioritizing job growth in this country? I don't. Not out of Washington, D.C. As long as our leader of our country is not uttering words of encouragement to businessmen and women in this country, we're going to grow at a slow rate. We're

going to celebrate that we get 2 percent growth. We're going to celebrate that people are starting to build some buildings again. But we're going to mourn the fact that we could be growing at twice that rate if our Congress and president would change the environment in America so that businessmen and women would have courage and confidence in the future rather than cowering in uncertainty and delaying decisions."

Dotzour said people want to re-engage with business and want to buy things but federal leaders thwart their enthusiasm.

"These Republicans and Democrats, congressmen and senators and presidents and cabinet people, come out and say something stupid and remind all

the businesspeople in the world exactly what we live in right now, which is in my mind a total disdain for business owners in this country. ... These people aren't interested in job growth."

Coming out of the recession, Americans are confident in their future in spite of Congress and the president, and they're wanting to spend their money because Americans don't like to tolerate deferred gratification, he said. "We don't like driving old cars in this country. We don't like walking barefoot on old shag carpet," he said. "Americans are sick of delayed decisions. ... We've been postponing decisions for five years. That's a lot of pent-up demand out there."

see TURNAROUND page 6

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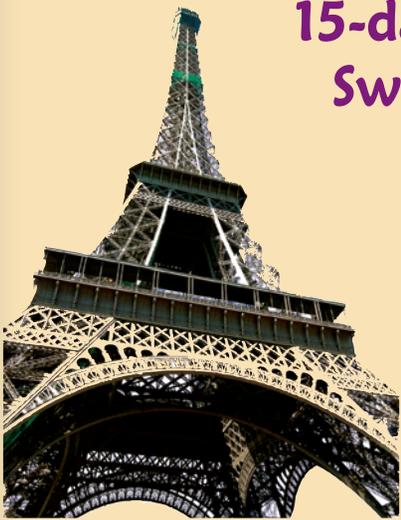
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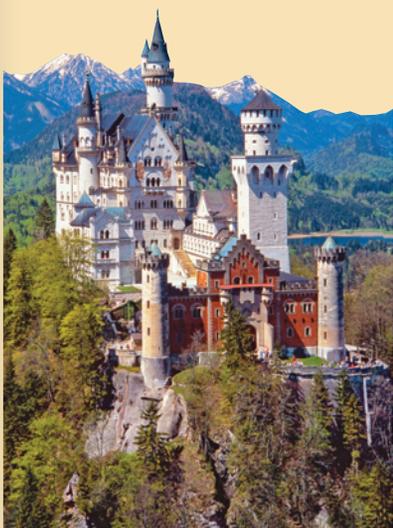
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## What's the sincerity of your message?

When someone tells me "have a nice day," I don't think they mean it. I think they're just saying it as a kind of mundane, almost impolite, form of politeness. Forced nicety. Said out of habit, not sincerity. To me, it's not just thoughtless, it's also meaningless. Heck, half the time people don't even look at you when they say it.

Oh, they don't mean it as an insult. People say "have a nice day" because they don't know what else to say. Or don't care what they say. Or they are trained to say it.

But think about it. Do they only mean *that* day? Do they want me to have a crappy tomorrow? Or they will go so far as to say, "have a good rest of the week." What does that mean, I'm going to have a horrible weekend? Or month? Or year? Or life?

If you are going to say something to me, or your customer, make it sincere, make it meaningful and make it relevant. Otherwise, I mentally check you off — the same way you check people off. And the question here is, are you being checked off?

Consistency of message and expression is important — but not robotic. Give people leeway to be human.

Boring and insincere typically has a way of permeating everything else in a company. The color of your logo. The political correctness of your slide show. The stuffiness of your business card. The boringness of your job title.

Who cares? Only you! (Your marketing people, your ad agency, yada, yada.) Anyone preparing "boring" marketing tools in this day and age should be forced to take that junk out on a sales call and see how customers perceive it or care 10 cents about it.

The key word is sincerity. The secondary word is differentiation.

Here are some golden opportunities to be creatively sincere:

- At the fast food window.
- When customers walk in your store.
- When customers pay for something.
- When customers board the plane.
- When customers are about to order in a restaurant.
- When customers are sent an invoice.

These are all opportunities to prove differentiation, be sincere, and even wow the customer.

• Marketing and HR people: Get off your corporate hobby

horse and saddle up your creative brain.

• Employees: You're an individual, not some kind of automated answering device. (Don't get me started. Really, if my call is so darn important, do something about it, don't tell me about it.) Use your friendliness and creativity to craft a message that the customer perceives as real.

Southwest Airlines is anything but politically correct. Their people are happy, their customers are happy, their message is clear and they make a ton of money. Jeez, I wonder if there's a correlation!

What about you? How sincere are you?

Here are four things you can do tomorrow without anyone's permission:

- Look me in the eye. Make sure there's a locked-in moment.
- Say something slightly different. "You're all set" versus "thanks for your business."
- Shake my hand like you mean it. Firm, with eye contact.
- Smile. When you smile, it makes others smile.

Idea: Make a goal to create 12 smiles a day through your words, actions or deeds. Creativity and sincerity will automatically materialize.

Have a nice day!

Jeffrey Gitomer is the author of *The Sales Bible*, *Customer Satisfaction is Worthless*, *Customer Loyalty is Priceless*, *The Little Red Book of Selling*, *The Little Red Book of Sales Answers*, *The Little Black Book of Connections*, *The Little Gold Book of YES! Attitude*, *The Little Green Book of Getting Your Way*, *The Little Platinum Book of Cha-Ching*, *The Little Teal Book of Trust*, *The Little Book of Leadership*, and *Social BOOM!* His website, [www.gitomer.com](http://www.gitomer.com), will lead you to more information about training and seminars, or e-mail him personally at [salesman@gitomer.com](mailto:salesman@gitomer.com).

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## 401(k) profit-sharing options: use them to reward employees

Could you help your employees save more for retirement? Adding a profit-sharing feature to your company's 401(k) plan could allow you to do just that. It could also help your firm compete against the "big fish" as you try to recruit the best.

Most 401(k) plan participants know about the annual employee contribution limit on their accounts: \$17,500 in 2013, with up to \$5,500 of additional elective deferrals permitted for those 50 and older. The annual maximum deferral limit (the limit for combined employee/employer contributions to a 401(k) per year) is less well known.

For 2013, that limit is \$51,000.

In addition, employer contributions to a profit-sharing plan are usually tax-deductible at both the federal and state level. So 401(k) profit-sharing may help your firm shrink its tax burden.

Small-business owners can also take advantage. You can receive profit shares yourself as an owner, a move that may let you greatly reduce your own tax liability. You can even determine the size of your profit share for a given year after the year is over (you can do this between Jan. 1 and March 15 if your company is a corporation or between Jan. 1 and April 15 if your business is a partnership, sole proprietorship or other business entity on a calendar fiscal year). Solopreneurs can also direct profit shares to themselves.

You have great flexibility. Many firms simply direct equal profit shares into each employee's 401(k) account. Other businesses opt for age-weighted or comparability profit-sharing methods; a comparability analysis from the plan advisor instructs how the profit sharing formula should be weighted toward older or key employees. This formula may be refined and adjusted as a byproduct of yearly testing.

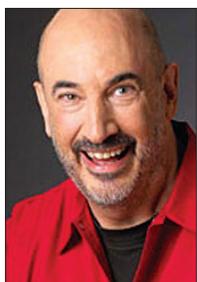
The amount of profit-sharing can vary year to year. There is no requirement to make annual employer contributions. This means that if your business has a lean year, you aren't obligated to share what little profit there is with 401(k) plan participants.

In 2013, the per-employee profit sharing contributions made by an employer cannot exceed the smaller of 100 percent of an employee's eligible compensation or \$51,000. (The amount of compensation taken into account is limited to \$255,000 for 2013.) A company's total deductible profit-sharing contribution can't exceed 25 percent of its total eligible payroll.

Your employees have more impetus to excel. Not every employee sees the (direct) link between their performance and attitude and a company's success. When profit-sharing is introduced, that link is recognized. Workers have motivation to succeed regardless of how they are managed. Profit-sharing has the potential to leave owners, employees and even a firm's clients or customers happier.

There is still time to arrange this for 2013. If you have wondered about introducing a profit-sharing option for your workers in 2013, there is still probably time to do so.

Mark Lund is a portfolio management specialist, investor coach, speaker and author of *The Effective Investor*. To get a free consumer report, "9 Investor Mistakes that Kill Portfolio Performance," go to [www.StonecreekWealthAdvisors.com](http://www.StonecreekWealthAdvisors.com). Lund offers investment management services through Stonecreek Wealth Advisors Inc., an independent fee-only Registered Investment Advisor firm in Draper. He can be reached at (801) 545-0696.



Jeffrey Gitomer



Mark Lund

# THE Enterprise

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## Park City firm becomes Utah's first certified B corporation

By Brice Wallace  
The Enterprise

You might have heard of S corporations and C corporations, but a group of environmentally conscious people are hoping the concept of B corporations catches on.

The "B" stands for "benefit," and some supporters of the B corporation ideals gathered recently in Salt Lake City to encourage more companies to attain the "B Corp" certification and celebrate Utah's first company to do so.

B corps are certified by the nonprofit organization B Lab as meeting high standards of social and environmental performance, accountability and transparency. So far, B Lab has certified 688 B corporations in 24 countries and covering 60 industries.

"What's cool about this is you don't have to be a big company to become a B corp," Bill Wilson, one of three founders of DwellTek, said at the panel discussion and reception presented by B Lab and Net Impact Utah. Utah's first B corporation, the Park City-based company provides energy audits, energy-efficiency improvement services and solar integration.

"You just have to have the right values, [be] working on the right things and really just go to the effort of trying. What's happening to us now is we're looking at ourselves a lot differently. We just signed up to live to a higher standard, so we're taking it seriously. We're really looking at what we do, how we do it, how we treat our employees, how we're involved in the community and we're making more robust plans to really walk the walk."

Andy Fyfe, community development manager for B Lab, said for-profit companies can use the designation to help differentiate themselves from other firms that claim to love the environment and their communities. The certified B corps are "redefining success in business by not only competing to be the best in the world but best for the world," he said. "You shouldn't have to leave your values at home when you come down a hill and trudge in the snow to get to work in the morning."

Executives from B corporations said the certification has

helped their companies in various ways, including giving their companies' activities more introspection and validating their good works.

B Lab helped "show us all the things that we couldn't see," said Mandy Cabot, cofounder and president/CEO of Dansko. "It's exhilarating to be involved in a community of other like-minded companies."

The assessment provided her company with a broad-based look at its practices and noticed a few things — "low-hanging fruit that we just didn't see," she said — the company could undertake to improve. The certification "institutionalized our values," she said, allowing the company to "look at doing great things in the world, not just maximizing our profits."

The certification has improved the company's culture, improved customer and employee loyalty, allowed it to attract better talent, increased brand value, boosted media exposure and helped it implement "a whole host of best in class operational practices," Cabot said.

B corporation status has increased "opportunities that come up when you come to know your business better," said Vincent Stanley, vice president of marketing and senior writer/editor at Patagonia.

"I think in our case, in almost every activity that we've engaged in that we first regarded as disruptive ... that kind of activity when we find out what we're actually doing, we get smarter about our business and it always leads to some kind of business opportunity. When we know ourselves better, we actually act better. And, in a way, it's better for the business financially as well as culturally and environmentally."

The executives hope more companies do the same. "I come from a long line of capitalists and I also come from a long line of philanthropists," Cabot said, "and it is the most exciting thing I could possibly imagine to be at this time, this place — in the company of like-minded businesses who are out here to do nothing short of change the face of capitalism."

## Bill would require government contractors to advertise job openings on state's online board

By Brice Wallace  
The Enterprise

A bill requiring government entities and government-contracting companies to advertise job openings on the state's online job board was held in a legislative committee in order to give its sponsor time to refine the bill's language.

Several members of the House Business and Labor Committee said the bill was too broad and could be a burden to contracting companies.

HB265 would require all government entities and private companies that contract with a government entity to advertise openings for jobs in Utah on the state Department of Workforce Services' (DWS) website. For companies, the requirement would last for the duration of the contract with a government entity that uses taxpayer money. It would apply to company's subcontractors, and for governments, it would apply to any state, county, municipality, local district, special service district and state educational institutions.

The bill would not preclude contractors from advertising job openings in other forums.

If approved, the bill would take effect May 1.

The bill's sponsor, Rep. Paul Ray, R-Clearfield, said the bill was designed, in part, to help veterans find jobs after their deployment ends. The idea is, he said, "how do we get jobs into the pipeline? And this [bill] benefits more than just veterans. This benefits the public

in general — anybody that's using Workforce Services."

Ray said most government entities and contracting companies already use the DWS for posting job openings.

But a few committee members wanted the bill's language narrowed, and Ray was open to their suggestions. For example, he said the intent of the bill was not to require companies to post all their openings, instead limiting them to those related to the contracted work. Also, the bill would not apply to companies who already know who their subcontractors would be or if a company's executive wanted to hire his or her own children.

The goal is to have governments and contractors post openings if they are "blindly" looking for workers, he said. "We're talking taxpayer dollars, and I think they dang ought to be putting those on the Workforce Services website so that the citizens of the state have a crack at these jobs," Ray said. "I think it's absolutely the right thing to do and the prudent thing to do."

But some legislators wondered if the bill would harm businesses. Rep. Johnny Anderson, R-Taylorsville, said the bill "does present a mandate for employers. It would be a burden for these contractors."

Some contractors are large, with their own human resources departments, attorneys and other layers to deal with hiring and posting, while others are very small, without those resources, he

said. And government contracts already are very complex.

Anderson suggested encouraging governments and contractors to use the DWS site, "but placing another mandate on these contracts is very concerning to me."

Rep. Brad Wilson, R-Kaysville, said the spirit of the bill is "terrific" but he has concerns about its execution. He suggested DWS posting be required only if the jobs are being posted elsewhere. He also raised concerns about contractors needing to hire rare experts for certain tasks.

"To have to go through the bureaucracy of posting these jobs when there's only a handful of people in the state that can do particular work just seems like it's probably not very friendly to the business community and the contractors in the state," Wilson said.

The committee's chairman, Rep. Jim Dunnigan, R-Taylorsville, said Utah has 900 political subdivisions that would be subject to the bill and many of the smaller ones contract with other government entities. "Do we really want to require them to post?" Dunnigan asked. "Do we want to require them to post a vacancy if they know full well they already have somebody to hire, whether it's a private or government [entity]?"

He also said the bill needs to define a penalty for non-compliance rather than leaving that to administrative rulemaking at DWS.

## TURNAROUND

from page 4

Dotzour said the national economy began a "real" rebound in the third quarter of 2011. On the rise are home sales, car sales, retail sales and real estate construction. Meanwhile, residential housing markets are stabilizing, more people are working, there is strong pent-up demand, and Americans have credit capacity again.

"This is a real economic recovery because of the pent-up demand and the fact that people want to buy stuff again. ... Americans have credit capacity again. It's one thing for you to want to buy something. If you want to buy something but you don't have any credit left, you are impotent toward economic growth. But if you want to buy something and you have the credit capacity to do it, that is real demand."

The housing industry is "heading toward a tailwind," Dotzour said. Among the factors

boosting housing are diminishing fears of losing one's job, five years of pent-up demand for a different home, a reduced fear of declining home prices, price increases reported for several months, "unbelievably low" mortgage rates, a return of positive leverage bringing back speculators, and low inventory resulting in higher prices.

Dotzour said real estate professionals need to reassess the industry's status in the wake of the recession. "We're starting to build houses again. It's kind of slow. The housing market is turning a corner and I think the reason people hesitate to talk about it is because they always say, 'Well, compared to 2007, it's still way low.'"

But he insisted that the levels of 2007 shouldn't have occurred because loans were approved for people with no job or credit or income. "We're not going to get back to 2007 levels probably for a long time," Dotzour said. "But we are getting back to normal levels, and you know what? There's nothing wrong with normal."

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# • Industry Briefs •

## ASSOCIATIONS

• **Kneaders Bakery and Café** was named Business of the Year by the **Utah Valley Chamber of Commerce** at its annual installation banquet last week. Other businesses honored by the chamber included the Utah Valley Marathon, Small Business of the Year; La Jolla Grove Restaurant, New Business of the Year; Aribex and Qualtrics, Innovative Businesses of the Year; and Utah Community Credit Union, Community Partner. Jeff Rust from Corporate Alliance received the Rising Star Award. Steve Smoot, Intermountain Healthcare's vice president of the Urban South Region, was installed as Chairman of the board; Nathan Hyde, general counsel for IM Flash Technologies, was named board chair-elect; Rona Rahlf, publisher of the *Daily Herald*, will be past chair; and Angie Morris from Hawkins, Cloward and Simister will serve as treasurer.

## BANKING

• **Leonel Castillo**, president and CEO of **American Bank of Commerce**, Provo, has been named to serve on the FDIC Advisory Committee on Community Banking of the **Independent Community Bankers of America**, Washington, D.C. The panel, which was established in 2009, provides advice and recommendations to the agency on community bank policy and regulatory matters. The advisory committee members represent a cross-section of community bankers from around the country.

## CONSTRUCTION

• The **American Concrete Pavement Association** and the **Utah Department of Transportation** presented **West Valley City** with a paving award for **The Fairbourne Station Phase I roadways**. West Valley City was recognized for the best Portland Cement Concrete Pavement Municipal Streets Project under 5,000 square feet. The project consisted of constructing two new roads, Weigh Station

Road and Three Mill Lane, and rebuilding Market Street. The City contracted with M.C. Green & Sons to perform the work, which took approximately three months to complete.

## EDUCATION/TRAINING

• **Westminster College's Center for Entrepreneurship** announced that **Liyen** as the first place winner in the 2012-13 **Opportunity Quest business plan competition**. Liyen is currently working to sell its inhaler device, **Slyder**, which is a spacer that serves as a carrying container for the inhaler. Chris Ciancone, Liyen team leader, accepted the award and a \$5,000 check during the sixth annual award banquet on Jan. 25. Liyen is now automatically entered as a finalist in the Utah Entrepreneur Challenge, where it will compete against teams from schools throughout the state.

• The **University of Utah College of Science's ACCESS Program for Women in Science** has received a \$240,000 grant from **Chevron** to increase efforts to expand the program's outreach to young women in underserved communities in Utah and to increase awareness of the program and participation by qualified students." Since the program's inception in 1991, ACCESS has helped more than 500 young women. Of the women who have graduated, 76 percent earned a degree in science or a science-related field, with 15 percent going on to receive an advanced degree in a science-related field. ACCESS students have gone on to careers in medicine, science and engineering.

## FINANCE

• **Grow America**, a local organization that is working to stimulate the economy by uplifting and supporting entrepreneurs, is premiering its national program with the launch of a **\$35,000 Innovative Product Competition**

as the first step in its expansion strategy for 2013. On Feb. 26, the Innovative Product Competition will award \$35,000 to three winning companies (\$20,000 for first place, \$10,000 for second and \$5,000 for third). The competition is hosted on CrowdLift, a new online platform that lets entrepreneurs use their community, the social community and entrepreneurial networks to provide votes and to help the best innovations rise to the top. For more information, visit [www.growam.com/competition](http://www.growam.com/competition).

## HUMAN RESOURCES

• South Jordan-based **HireVue**, a firm that allows employers to browse, watch rate and share interviews, is introducing a new produce called **CodeVue** that is designed to help those seeking technical talent to retain the right employees. CodeVue is billed as the world's first cloud-based digital recruiting platform built to identify, screen and assess technical talent.

## INSURANCE

• 2012 was been another record breaker for the **Utah Insurance Department's Captive Division**. The year concluded with the licensure of 68 new captive insurance companies and 14 new cell captives. This represents just one less license than the 69 new captives licensed in 2011. In 2007 Utah had 93 active captives; by the end of 2012 it had a total of 286, representing an annual growth rate of 26 percent making Utah one of the fastest growing captive domiciles in the world. Captive insurance is a type of self insurance regulated by state insurance departments. The captive insurer is created by a company or group of companies as a form of alternative insurance to finance its own risk. The owners of Utah's 286 captives are located in 30 different states, primarily from the western United States. The fastest growing industry segments during 2012 were agriculture, retail and

telecommunications.

• The **U.S. Small Business Administration** has launched a new **Web page and blog dedicated to educating small-business owners about the Affordable Care Act**. The new tools will serve as a gateway for small business owners connecting them with information provided by SBA's federal partners responsible for implementing the law, including the U.S. Department of Health and Human Services. SBA's new Web page, [www.sba.gov/healthcare](http://www.sba.gov/healthcare), breaks down the key provisions of the act based on business size in the following categories: self-employed, fewer than 25 employees, fewer than 50 employees and more than 50 employees. The page also provides links to other information for small businesses, including a glossary of key health care reform terms, an interactive timeline with dates for when certain reforms will be implemented, a state-by-state breakdown of health care options and how to learn more about specific tax provisions and regulations. The blog, titled **Health Care Business Pulse** ([www.sba.gov/blog](http://www.sba.gov/blog)), will provide small-business owners with continuous updates about the implementation of the act.

## MANUFACTURING

• **Amedica Corp.**, a Salt Lake City-based spinal and reconstructive medical device manufacturer, has made several new additions to its executive management team to help guide the company's efforts as Amedica shifts the standard of care for interbody fusion devices toward proprietary Silicon Nitride (Si3N4) ceramic. **Paul Sendro**, formerly senior vice president of sales for Amedica, will now be leading the company's strategic market development initiatives. He has over 20 years of experience in the orthopaedic, trauma

and spine medical device industries. He has held leadership positions at numerous well established companies such as US Spine, Vertebrom, Blackstone Medical, Stryker Inc. and Synthes USA. **Jim Abraham** joins Amedica as senior vice president of sales, bringing with him over 25 years of experience in the orthopedic, trauma, spine, biologics and dental markets. He comes to Amedica from Stryker Orthopedics. **Kevin Ontiveros** joins Amedica as chief legal and compliance officer. He has more than 20 years of experience serving as in-house and outside corporate counsel for publicly traded and privately held medical device and biotechnology/pharmaceutical companies such as ImaRx Therapeutics Inc. and NPS Pharmaceuticals Inc.

## REAL ESTATE

• **Lyndi Reed** has joined **All American Realty LLC**, Sandy. She has more than 20 years of experience in real estate management and commercial sales. Reed was formerly with Keller Williams since 2006 and was previously with New America International (NAI). Prior to her affiliation with NAI, Reed worked as a corporate real estate administrator for Diebold Inc.

## RETAIL

• **Homegrown Farmer's Market** celebrated its **grand opening** at 9420 S. 700 E, #668, Sandy, on Feb. 2. It features products from Utah businesses and was co-founded by Mikel Smith Jr., founder and CEO of Nature Baked Inc., Pleasant Grove. Featured products come from companies such as Heber Valley and Gold Creek Cheeses, Laurie's Buffalo Chips and Salsa and Slide Ridge Honey Vinegar. For more information visit [www.homegrownfarmersmarket.net](http://www.homegrownfarmersmarket.net).



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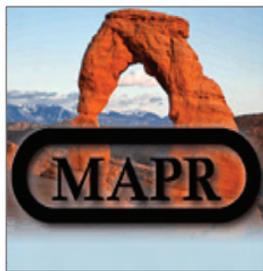
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# Law Firms in Utah

Listed Alphabetically

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Firm Name Address	Phone Fax Web	# of Utah Attorneys  # of Utah Partners	# of Utah Paralegals  # of Full Time Utah Employees	Total # of Attorneys Nationwide  Year Established	Locations in Utah  Locations Nationwide	Major Areas of Practice	Managing Partners
<b>Ballard Spahr LLP</b> 201 S. Main St., Ste. 800 Salt Lake City	801-531-3000 801-531-3001 ballardspahr.com	39	11	508	Salt Lake City	Business & Finance, Commercial Litigation, Communications, International, Labor & Employment, Life Sciences/Technology, M&A, Mortgage Banking, Patents, Public Finance, Real Estate, Resort & Hotel, Securities, Tax	Blake K. Wade
		18	68	1885	Atlanta, GA; Baltimore, MD; Bethesda, MD; Denver, CO; Las Vegas, NV; Los Angeles, CA; New Jersey, Philadelphia, PA; Phoenix, AZ; San Diego, CA; Washington D.C., Wilmington, DE		
<b>Callister Nebeker &amp; McCullough, P.C.</b> 10 E. South Temple, Ste. 900 Salt Lake City	801-530-7300 801-364-9127 cnmlaw.com	51	11	51	Salt Lake City, Sugar House	Banking, corporate, Estate Planning, Tax, Litigation	T. Richard Davis
		32	41	1974	DND		
<b>Christensen &amp; Jensen</b> 15 W. South Temple, Ste. 800 Salt Lake City	801-323-5000 801-355-3472 chrisjen.com	27	7	DND	Salt Lake City	Appeals, commercial litigation, construction, Crisis Management, Employment & Labor, Fire, Government Defense, Insurance Bad Faith & coverage, Mediation & Arbitration, Personal Injury & Property Damage, Products Liability, Real Estate & Land Use, Recreational, Dram Shop, & Hospitality, Tort Defense, Transportation Law, Water Law	Scott T. Evans
		19	54	1949	DND		
<b>Clyde Snow &amp; Sessions</b> 201 S. Main Street, Ste. 1300 Salt Lake City	801-322-2516 801-521-6280 clydesnow.com	29	4	29	Salt Lake City	White Collar Criminal Defense & Government Investigations, Family Law & Domestic Relations, Estate & Tax, Business & Transactions, Employment Law, Real Property & Eminent Domain, Natural Resources and Water Law, Intellectual Property & Trade Secrets Litigation, Securities, Professional Malpractice	Walter A. Romney, Jr.
		19	40	1951	DND		
<b>Cohne, Rappaport &amp; Segal, P.C.</b> 257 E. 200 S., Ste. 700 Salt Lake City	801-532-2666 801-355-1813 crslaw.com	17	2	17	Salt Lake City	Civil Litigation, Real Estate, Business, Family Law, Bankruptcy, Wills & Estates, Contracts, Securities, Mergers & Acquisitions	Jeffrey L. Silvestrini
		14	10	1975	DND		
<b>Dorsey &amp; Whitney LLP</b> 136 S. Main St., Ste. 1000 Salt Lake City	801-933-7360 801-933-7373 dorsey.com	24	4	561	Salt Lake City	Bankruptcy & Financial Restructuring, Corporate, Trial, Energy & Natural resources	Annette Jaruis, Marianne Short
		13	38	1912	Anchorage, AK; Wilmington, DE; Denver, CO; Des Moines, IA; Fargo, ND; Minneapolis, MN; Missoula, MT; New York, NY; Palo Alto, CA; Seattle, WA; Costa Mesa, CA; Washington D.C.		
<b>Durnam, Jones &amp; Pinegar</b> 111 E. Broadway, Ste. 900 Salt Lake City	801-415-3000 801-415-3500 djplaw.com	70	7	78	Salt Lake City, Ogden, St. George	Business & Finance, Intellectual Property, Litigation	Kevin Pinegar
		46	54	1991	Las Vegas, NV		
<b>Fabian Law</b> 215 S. State St. Salt Lake City	801-531-8900 801-596-2814 fabianlaw.com	45	2	46	Salt Lake City	Bankruptcy, business & corporate, complex Litigation, Employment, Energy & Utilities, Environment Natural Resources, Real Property, Tax & Estate Planning	John E. S. Robson
		26	85	1919	Columbus, OH; Las Vegas, NV; Washington D.C.		
<b>Holland &amp; Hart LLP</b> 222 S. Main St., Ste. 2200 Salt Lake City	801-799-5800 801-799-5700 hollandhart.com	76	10	450	Salt Lake City	Business & Finance, Bankruptcy, Emerging Growth & Venture Capital, Environmental & natural Resources, Employment & Immigration, Intellectual Property, Litigation, Real Estate & Construction, Tax	Greg Lindley
		41	138	1947	Aspen, CO; Billings, MT; Boise, ID; Boulder, CO; Carson City, NV; Cheyenne, WY; Colorado Springs, CO; Denver, CO; Denver Tech Center, CO; Jackson Hole, WY; Reno, NV; Santa Fe, NM; Washington D.C.		
<b>Jones Waldo</b> 170 S. Main St., Ste. 1500 Salt Lake City	801-521-3200 801-328-0527 joneswaldo.com	78	14	DND	Provo, Salt Lake City, St. George, Park City	Commercial Real Estate, Business Law Litigation	Keven Rowe
		56	DND	1875	Naperville, IL		
<b>Kirton McConkie</b> 50 E. South Temple Salt Lake City	801-328-3600 801-321-4893 kmclaw.com	130	18	130	Salt Lake City	Real Estate, Intellectual Property, Litigation, Business, Employment, Healthcare, Tax and Estate Planning, Immigration, Construction	Lorin Barker
		83	234	1964	DND		

# Law Firms in Utah

Listed Alphabetically

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Firm Name Address	Phone Fax Web	# of Utah Attorneys	# of Utah Paralegals	Total # of Attorneys Nationwide	Year Established	Locations in Utah Locations Nationwide	Major Areas of Practice	Managing Partners
<b>Parr Brown Gee &amp; Loveless</b> 185 S. State St. Salt Lake City	801-532-7840 801-532-7750 parrbrown.com	73	10	73		Salt Lake City	Corporate Law, M&A, Securities Regulation & Public Offerings, Real Estate Development & Finance, Commercial Litigation, Employment Law, Natural Resources Law	Heidi E. C. Leithead
		54	36	1975		DND		
<b>Parsons Behle &amp; Latimer</b> 201 S. Main St., Ste. 1800 Salt Lake City	801-532-1234 801-536-6111 parsonbehle.com	106	9	133		Salt Lake City	Antitrust & competition, Banking & Finance, Corporate Restructuring & Chapter 11 Bankruptcy, Corporate Transactions, Securities & Tax, Divorce & Family, Employment & Labor, Energy & Utilities, Environmental & Natural Resources, Government Relations & Lobbying, Health Care, Intellectual Property Law & Litigation, Litigation, Trials & Appeals, Mining, Real Estate, Trusts & Estate Planning	Raymond J. Etcheverry
		75	185	1882		Boise, ID; Reno, NV; Las Vegas, NV; Spokane, WA		
<b>Price Yeates &amp; Geldzahler</b> 15 W. South Temple, Ste. 1700 Salt Lake City	801-524-1000 801-524-1098 princeyeates.com	36	3	36		Salt Lake City	Alcoholic Beverage Licensing & Compliance, Bankruptcy, Commercial Business, Employment Labor, Estate Probate Trust Administration, Family Law, Financial Institutions, Government Relations, International Law, Litigation, Natural Resources, Personal Injury, Real Estate, Tax, Trademark & Unfair Business Practices	John S. Chindlund
		25	51	1971		DND		
<b>Ray Quinney &amp; Nebeker P.C.</b> 36 S. State St., Ste. 1400 Salt Lake City	801-532-1500 801-532-7543 rqn.com	102	8	102		Salt Lake City, Provo	Litigation, IP Litigation, Employment, Real Estate, Tax, Banking & Finance, Bankruptcy, Corporate/M&A	John A. Adams
		77	DND	1940		Utah		
<b>Snell &amp; Wilmer</b> 15 W. South Temple, Ste. 200 Salt Lake City	801-257-1900 801-257-1800 swlaw.com	47	4	415		Salt Lake City	Commercial Litigation, Products Liability, Commercial Finance, Real Estate, Corporate Finance, Mergers & Acquisitions, Bankruptcy, Environment, Oil, Gas and Mining, Intellectual Property, Employment	Brian Hulse
		25	50	1938		Phoenix, AZ; Tucson, AZ; Los Angeles, CA; Orange County, CA; Denver, CO; Las Vegas, NV; Reno, NV		
<b>Snow Christensen &amp; Martineau</b> 10 Exchange Place Salt Lake City	801-521-9000 801-363-0400 scmlaw.com	52	17	DND		Salt Lake City, St George	Business Organizations, Commercial Litigation, Insurance Defense, Bankruptcy, Trucking & Transportation, Appeals	Andrew Morse
		43	53	1886		DND		
<b>Stoel Rives LLP</b> 201 S. Main St. Salt Lake City	801-328-3131 801-578-6999 stoel.com	73	7	390		Salt Lake City	Corporate, Litigation, Energy, Labor & Employment, Intellectual Property, Real Estate, Estate Planning	Richard H. Johnson II
		43	133	1907		Anchorage, AK; Boise, ID; Lake Tahoe, CA; Minneapolis, MN; Portland, OR; Sacramento, CA; San Diego, CA; San Francisco, CA; Seattle, WA; Vancouver, WA		
<b>Strong &amp; Hanni Law Firm</b> 3 Triad Center, Ste. 500 Salt Lake City	801-532-7080 801-596-1503 strongandhanni.com	52	15	52		Salt Lake City, Sandy	Business, Insurance Defense, commercial Litigation, Employment, Family, Medical Malpractice Defense, Real Estate	Catherine M. Larson
		34	104	1888		DND		
<b>Thorpe North &amp; Western, LLP</b> 8180 S. 700 E., Ste. 350 Sandy	801-566-6633 801-566-0750 tnw.com	21	2	21		Sandy	Intellectual Property, Patents, Trademarks, copyrights, trade Secrets	Garron M. Hobson & Peter M. de Jonge
		8	14	1979		DND		
<b>TraskBritt P.C.</b> 230 S. 500 E. Ste. 300 Salt Lake City	801-532-1922 801-531-9168 traskbritt.com	24	11	24		Salt Lake City	Intellectual Property	Edgar R. Cataxinos
		8	63	1973		DND		
<b>Van Cott Bagley Cornwall &amp; McCarthy, P.C.</b> 36 S. State St., Ste. 1900 Salt Lake City	801-532-3333 801-534-0058 vancott.com	57	5	57		Salt Lake City, Ogden, Park City	Banking & Financial Service, Construction, Corporate, M&A, Business Transactions, Eminent Domain, Employment & Employee Benefits, Energy, Government Relations, Insolvency & Creditor Rights, Intellectual Property, Natural Resources & Environmental Law, Litigation, Real Estate, Wealth Management	Stephen D. Swindle
		28	107	1874		Las Vegas, NV		
<b>Workman Nydegger</b> 60 E. South Temple, Ste. 1000 Salt Lake City	801-533-9800 801-328-1707 wnlaw.com	53	7	55		Salt Lake City	Intellectual Property (IP) Prosecution, IP & Complex Litigation, Mediation, Licensing, IP Counseling	Brent P. Lorimer
		35	DND	1984		Irvine, CA		

## • Calendar •

• Feb. 6, 7:30 a.m.-4:30 p.m.: **29th annual Information Technology Conference**, part of Utah State University's "Partners in Business" program. Keynote speakers include Steven John, strategic information officer for Workday; Narayan Desai, principal experimental systems engineer in mathematics and computer science at Argonne National Laboratory; Rick Velasquez, core services application manager for the Church of Jesus Christ of Latter-day Saints; Nicole Forsgren Velasquez, assistant professor in the Jon M. Huntsman School of Business at USU; and Alan Hall, founder and chief executive officer of MarketStar Corp. Location is the Eccles Conference Center at USU. Cost is \$325. Details are at [partners.usu.edu](http://partners.usu.edu).

• Feb. 6-8: **29th annual Investors Choice Venture Capital Conference**, hosted by the Wayne Brown Institute. Activities include an evening reception Feb. 6, all-day conference Feb. 7 and a ski day Feb. 8. Participating companies will be seeking angel, A or B round financing. Location is the Zermatt Resort & Spa, 784 W. Resort Drive, Midway. Attendance fees vary. Details are at [www.venturecapital.org/vc-events-investors-choice](http://www.venturecapital.org/vc-events-investors-choice).

• Feb. 6, noon-1:30 p.m.: **"Creating Your Perfect Pitch,"** hosted by the Women Tech Council (WTC) and Entrepreneurs Circle. Candace Klein, founder and chief executive officer of Bad Girl Ventures and SoMoLend, will discuss pitching ideas to teams, pitching yourself at job interviews, working on a startup and raising capital. Location is The Leonardo, 209 E. 500 S., Salt Lake City. Cost is \$25 for WTC members, \$25 for nonmembers and \$15 for students. Details are available by calling Kristin Wright at (801) 960-2007 or emailing her at [kristin@womentechcouncil.com](mailto:kristin@womentechcouncil.com).

• Feb. 7, 8:30-10 a.m.: **"Affordable Care Act Update"** seminar presented by insurance and employee benefits brokerage firm Moreton & Co. Seminar will address recent guidance, particularly on the "pay or play" penalty and the steps employers must take to comply. Main speaker will be Carolyn Cox, Moreton & Co. in-house compliance counsel. Part of the Moreton & Co. Seminar Series, which will focus on topics in insurance, employee benefits and risk management. Location is the Mountain America Credit Union Tanner Building Auditorium in West Jordan. Registration may be completed at [\[ton.com\]\(http://ton.com\).](mailto:reservations@more-</a></p>
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• Feb. 12, 7:15-9 a.m.: **Association for Corporate Growth Utah breakfast meeting.** Guest speaker will be Jason Kilgore of Kilgore Companies. Location is the Little America Hotel, 500 S. Main St., Salt Lake City. Register at [www.acgutah.org](http://www.acgutah.org) or by calling Linda Blake at (801) 359-8613.

• Feb. 13, 6-8:30 p.m.: **Utah Entrepreneur Workshop.** Event will include tips on starting a business and creative ways to fund a startup company, networking with others and gaining tools to propel ideas forward. Keynote will be by Adam Casto, partner at Rees Capital. Location is Utah campus of the University of Phoenix, 5373 S. Green St., Suite 300, Salt Lake City. Free. Details are at [www.eventbrite.com/event/5087835854#](http://www.eventbrite.com/event/5087835854#).

• Feb. 14, 11:30 a.m.: **Building Owners and Managers Association (BOMA Utah) monthly luncheon.** Guest speaker will be Michael Nascimento. Location is the Grand America Hotel, 555 S. Main St., Salt Lake City. Free for BOMA members, nonmembers pay \$45. Register at [www.BOMAUtah.org](http://www.BOMAUtah.org).

• Feb. 22, 2-4 p.m.: **"Wider Net, More Fish: A Workshop for 21st Century Marketers."** Workshop facilitator is Mark Farr, managing partner at Jibe Media, which he cofounded in 2001. Discussion will include the nine rules of effective online engagement, the five key components of visibility strategy, and creating a strategy for maximizing Web presence. Location is Corporate Alliance Salt Lake Hub, 7730 Union Park Ave., No. 150, Midvale. Details and registration are available by contacting Matt Castleberry at (801) 433-5423 Ext. 205 or [Mattc@jibemedia.com](mailto:Mattc@jibemedia.com).

• Feb. 22, 11 a.m.-1 p.m.: **Society for Marketing Professionals Utah Winter Day.** Teri Klug, director of strategic development at the Economic Development Corp. of Utah, will share insight on a few of the most exciting corporate, manufacturing and industrial developments being discussed in Utah. Following lunch, Lin Alder from ETC and Erick Allen from Layton Construction will lead a guided tour of either cross country skiing or skate skiing at a nearby resort. Location is Jupiter Bowl, 1090 Center Dr., Park City. Register at [www.smp-sutah.org](http://www.smp-sutah.org).

• Feb. 28, 3-5 p.m.: **Utah Technology Council Emerging Exec P2P Forum Series.** Nathan

Furr, professor of entrepreneurship at Brigham Young University, will discuss validation of business models, pricing, revenue streams, market channels and go-to-market strategies. Location is Rees Capital, 651 W. South Jordan Parkway, South Jordan. Details are at (801) 568-3500 or [www.utahtech.org/events](http://www.utahtech.org/events).

• Feb. 28-March 1: **Fourth annual Intermountain Sustainability Summit.** Event will include education programs, networking and trade show. Focus will be on energy efficiency, renewable energy and achieving carbon neutrality; water conservation, quality and management; and recycling and waste reduction and elimination. Keynote speaker L. Hunter Lovins, president and founder of Natural Capitalism Solutions, will discuss "The Business Case for Sustainability." Related activities include Utah College/University Sustainability Consortium Meeting, 4:30-6 p.m.; Utah's GreenX Team Exchange meeting, 4:30-6 p.m.; and networking dinner, 6:30-8:30 p.m. at Roosters (\$40 cost). Location is Weber State University's Shepherd Union Building. Summit cost is \$75 for general attendees and \$65 for Utah Recycling Alliance members before Feb. 14 and \$90 thereafter; \$10 for students. Students may attend for free by volunteering at the summit (contact Jennifer Bodine at 801-626-6421 or [jenniferbodine@weber.edu](mailto:jenniferbodine@weber.edu)). Details and registration are available at [www.intermountainsustainability-summit.com](http://www.intermountainsustainability-summit.com).

• March 4, 11 a.m.: **Intermountain Association for Corporate Growth Capital Connection and Deal Source.** The conference connects private equity groups with middle market businesses and the intermediaries who work with them across the Intermountain West. Luncheon keynote speaker will be Michael O. Leavitt, formerly governor of Utah and Secretary of Health and Human Services. Location is the Grand America Hotel, 555 S. Main St., Salt Lake City. Register at <http://www.acg.org/utah/2013acgutahintermountainconferenceandcapitalconnection.aspx>.

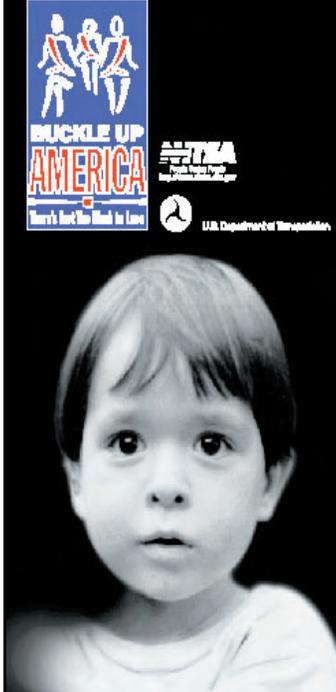
• March 7, 8 a.m.-1 p.m.: **Siemens Energy Days**, with company highlighting solutions for energy efficiency in facilities, including smart building concepts, system recommissioning, and utility management and monitoring. Siemens will provide a breakfast and lunch and a keynote speaker, and vendor booths will highlight the latest technologies in energy

products. Location is Salt Lake City Downtown Hilton, 255 S. West Temple, Salt Lake City. Details are available by calling (801) 230-4895.

• March 19, 7-9 p.m.: **"Power, Persuasion & Purpose: Preparing & Arming the Next Generation to Compete and Succeed Globally."** Cari E. Guittard, founding principal at Global Engagement Partners, will discuss the weapons of global influence and global mindsets. Guittard teaches graduate courses in corporate diplomacy and geopolitics for the University of Southern California Annenberg School and courses in international negotiations and women's leadership for the Hult MBA School in Dubai. Location is the Bill and Vieve Gore Concert Hall at Westminster College, 1840 S. 1300 E., Salt Lake City. Event is free and open to the public. Details are at [utahdiplomacy.org/events](http://utahdiplomacy.org/events).

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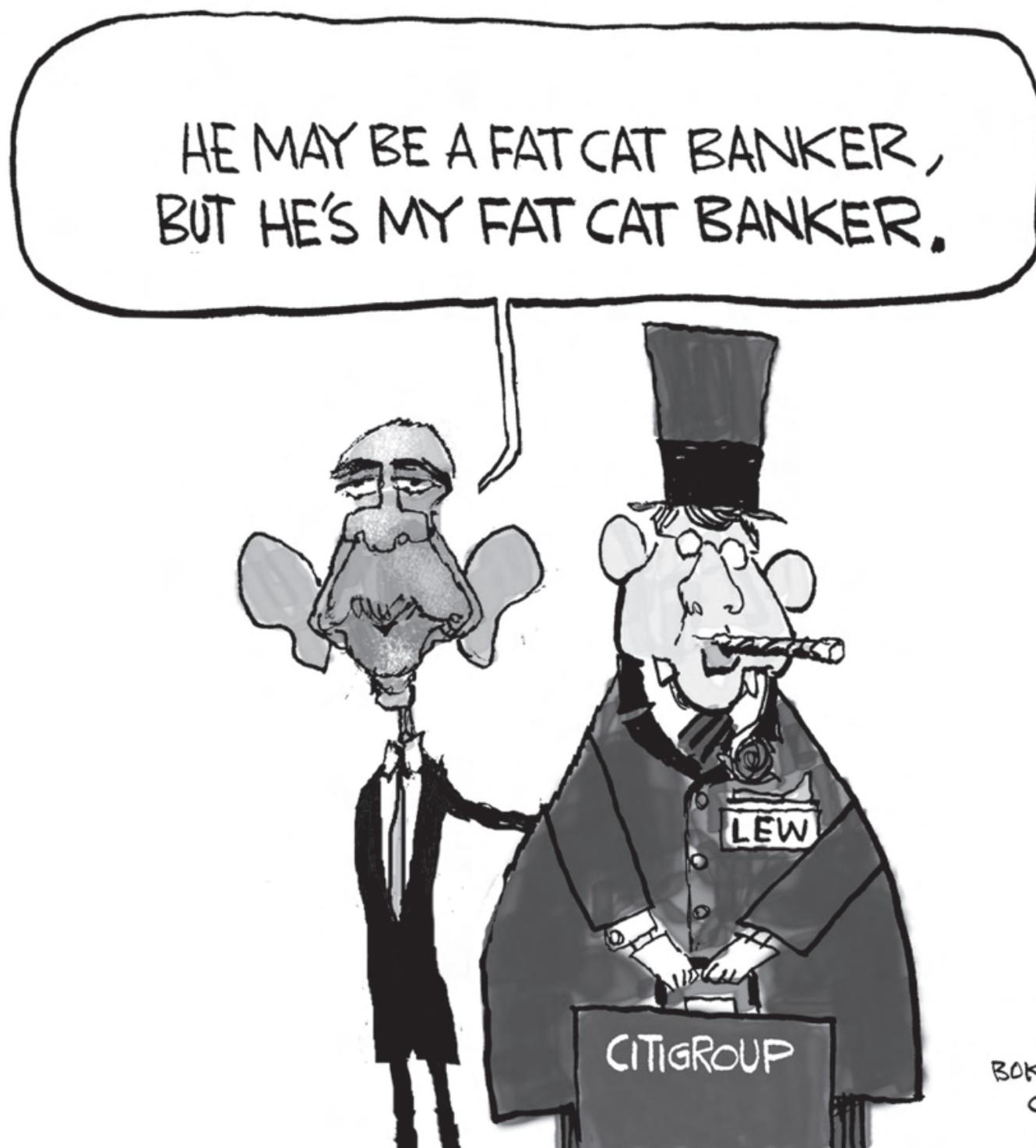


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## Echoes of FDR: Obama links freedom with security and dignity

So much for the “Grand Bargain” — or at least for the not-so-grand gutting of Social Security and Medicare that the “very serious” thought-leaders of Washington political and media circles have always found so appealing. Whatever President Obama may have contemplated up until now, his second inaugural address, delivered on the steps of the Capitol, bluntly repudiated Republican arguments against the social safety net — and forcefully identified those popular programs with the most sacred American values.

“We, the people, still believe that every citizen deserves a basic measure of security and dignity,” said Obama — not only because it is the responsibility we have to each other as human beings, but because security and dignity, for every man, woman, and child,



Joe Conason

are the existential foundations of freedom.

“For we remember the lessons of our past, when twilight years were spent in poverty and parents of a child with a disability had nowhere to turn,” he said.

“We do not believe that in this country freedom is reserved for the lucky or happiness for the few. We recognize that no matter how responsibly we live our lives, any one of us at any time may face a job loss or a sudden illness or a home swept away in a terrible storm. The commitments we make to each other through Medicare and Medicaid and Social Security, these things do not sap our initiative. They strengthen us.”

In a modern nation, suggested the president, those commitments are indeed fundamental to life, liberty and the pursuit

of happiness. This is essentially the same message articulated by Franklin Delano Roosevelt in his 1941 “Four Freedoms” State of the Union address, which included employment, social security and health care as defining aspects of a truly democratic society.

Every liberal and progressive (and presumably every conservative and wingnut, too) recognized that moment as renewing Barack Obama’s allegiance to principles that have sustained the Democratic Party since FDR. Far from undermining freedom, enterprise, and productivity, as right-wing propaganda insists, the president argued that those guarantees — still cherished by the overwhelming majority of Americans — have strengthened the nation.

Obama acknowledged the financial problem that rising health care poses for Medicare; eventually, he said, the federal budget must be stabilized, with

“hard choices” ahead. Yet that objective will not be achieved, he pledged, by undoing the ligaments of security and liberty that American leaders have stitched together over the past century, nor by pitting younger people against their parents and grandparents (as the opponents of Social Security and Medicare habitually attempt to do). He pointedly rejected “the belief that America must choose between caring for the generation that built this country and investing in the generation that will build its future.”

Precisely what the president means when he talks about hard choices should be revealed next month, when he will no doubt feel politically obliged to discuss how to reduce the deficit in his State of the Union address. Troubling signals have emanated from the White House that he might accept sharp and unnecessary cuts in Medicare and Social Security to

achieve the “grand bargain” — which Washington’s conventional wisdom often defines as the only legacy worth pursuing for him.

Indeed, Obama has sometimes appeared to be listening when such very serious types, the over-privileged and under-informed, complain about burdensome “entitlements.” Those worthies might well have assumed that he would ultimately implement their mindless, heartless, and destructive proposals.

But in the speech’s inspirational new beginning, this country’s 44th president set forth a very different expectation, promising hope and not disappointment to the people who re-elected him. The responsibility of his most devoted supporters will be to hold him true to it.

Joe Conason is editor in chief of [nationalmemo.com](http://nationalmemo.com).

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## Shouting louder

An old-time trial lawyer once said, “When your case is weak, shout louder!”

Secretary of State Hillary Clinton shouted louder when asked about the Obama administration’s story last fall that the Sept. 11 attack on the U.S. ambassador’s quarters in Benghazi was due to an anti-Islamic video that someone in the United States had put on the Internet, and thereby provoked a protest that escalated into violence.

She shouted: “We had four dead Americans. Was it because of a protest or was it because of guys out for a walk one night who decided they’d go kill some Americans? What difference, at this point, does it make?”

Students of propaganda may admire the skill with which she misdirected people’s attention. But those of us who are still old-

fashioned enough to think that the truth matters cannot applaud her success.

Let’s go back to square one.

After the attack on the American ambassador’s quarters in Benghazi that killed Ambassador Christopher Stevens and three other Americans, the Obama administration immediately blamed it on the anti-Islamic video.

Moreover, this version of what happened was not just a passing remark. It

was a story that the administration kept repeating insistently. U.N. Ambassador Susan Rice repeated that story on five different television talk shows on the same Sunday. President Obama himself repeated the same story at the United Nations. The man who put the anti-Islamic video on the Internet was arrested for a parole violation, creating more media coverage to keep attention on this

theme.

“What difference, at this point, does it make?” Secretary Clinton now asks. What difference did it make at the time?

Obviously the Obama administration thought it made a difference, with an election coming up. Prior to the attack, the administration’s political theme was that Barack Obama had killed Osama bin Laden (with an assist from the Navy SEALs), vanquished Al Qaeda and was now in the process of putting the terrorist threat behind us.

To have the attack in Benghazi be seen as a terrorist attack — and a devastating one — would have ruined this picture, with an election coming up.

The key question that remains unanswered to this day is: What speck of evidence is there that the attack in Benghazi was due to the much-discussed video or that there was ever any protest demonstration outside the ambassador’s

quarters?

If there is no evidence whatever, then the whole attempt to say that a protest over a video escalated into an attack was a deliberate hoax by people who knew better.

There is no point in the administration saying that they did not have all the facts about the attack immediately. All the facts may never be known. But the real question is: Did you have even a single fact that would substantiate your repeated claims that some video led to a protest in Benghazi that got out of hand and led to the attack?

Interestingly, Hillary Clinton herself was not featured in this campaign, even though as Secretary of State she was a key figure. Hillary was not about to create video footage that could come back to haunt her if she runs for president of the United States in 2016.

In a larger context, the

Benghazi attack showed that you cannot unilaterally end the “war on terror” or the terrorists’ war on us, by declaring victory.

For years, the Bush administration’s phrase “war on terror” was avoided like the plague by the Obama administration, even if that required the Fort Hood massacre to be classified as “workplace violence.” But, no matter how clever the rhetoric, reality nevertheless rears its ugly head.

Once the Sept. 11 attack in Benghazi is seen for what it was — a highly coordinated and highly successful operation by terrorists who were said to have been vanquished — that calls into question the Obama administration’s Middle East foreign policy.

That is why it still matters.

Thomas Sowell is a senior fellow at the Hoover Institution, Stanford University, Stanford, CA 94305.

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