

OF NOTE



Disney's wonderful world

Despite some early technical glitches, it looks like Disney+, the company's new streaming service, is off to a robust start. Within the first 24 hours after its formal launch, Disney said it had signed up 10 million subscribers. Customers pay \$6.99 per month or \$69.99 per year for access to over 500 movie titles and 7,500 television episodes.

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Opinion page 16

\$45 million expansion means 2,245 new jobs for Qualtrics

Brice Wallace
The Enterprise

A Utah tech giant will grow by more than 2,200 jobs in Provo over the next decade, boosted by a state tax credit incentive.

Qualtrics LLC plans to add 2,245 jobs in a \$45 million project that is only part of its expansion plan for the next 10 years.

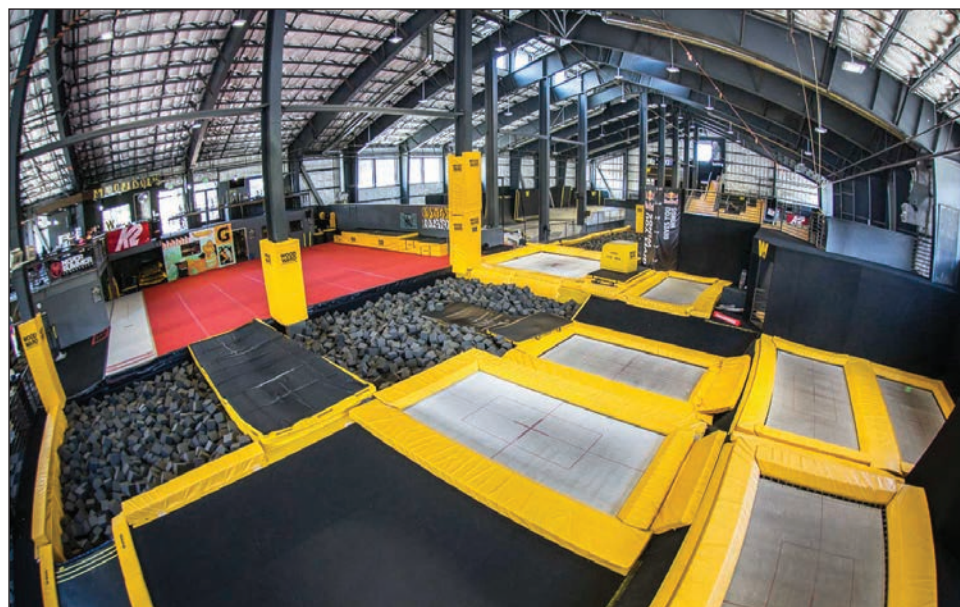
"Our headcount growth plans over the next 10 years far exceed the 2,000 that you see here," Rob Bachman, chief financial officer, told the Governor's Office of Economic Development (GOED) board last week after the company was approved for the incentive of up to \$32.8 million over 10 years. "Yes, we will primarily focus in Provo, but we haven't closed off the opportunity to have other satellite offices

inside Utah as well."

Based in Provo and with co-headquarters in Seattle, Qualtrics is an experience management company that specializes in software that enables companies to collect and analyze data on customers, brand, employees and products to increase insight into business operations and the effectiveness of product offerings. Founded in 2002 in Provo, Qualtrics was acquired by SAP for \$8 billion in a transaction completed in January.

"We're very excited for them. Qualtrics is basically one of the quintessential Utah success stories," Owen Barrott, GOED incentives analyst, told the GOED board. "They've been growing very rapid-

see QUALTRICS page 3



While Woodward Park City will offer skiing, snowboarding and tubing during the winter, it also will have mountain biking in the summer and a 66,000-square-foot building for skateboarding, BMX, scooter, parkour, cheer and digital media.

New resort will give Utah's ski industry chance at new records

Brice Wallace
The Enterprise

Coming off a record-setting season, Utah's ski industry is poised to boost its numbers even higher this season, aided by the addition of a ski resort that will be more than a ski resort.

Woodward Park City will be the nation's first ski resort and action sports facility, offering year-round activities for ev-

eryone from newbies to experts. Its winter sports offerings could help Utah top its record of 5.1 million skier days, set last winter. That figure was up 24 percent from the prior season and 12 percent over the previous record.

Spending also set a record, reaching nearly \$1.7 billion, Nathan Rafferty, Ski

see SKI SEASON page 4

Big surprise: We just don't understand AI

Guess what? American consumers don't fully understand or trust artificial intelligence.

This not-so-shocking news is contained in a new report from Entrata, the Lehi-based multifamily real estate technology company.

The study revealed that, even though many consumers know the broad definition of artificial intelligence (AI, or the ability of a computer program or a machine to think and learn similarly to how a human would), most don't fully understand its scope or the countless ways in which it affects their lives. Due to this lack of understanding, many still harbor a lack of trust for the technology.

"No matter how you look at it, AI is a huge part of our present and will be an even larger part of our future," said Chase Harrington, president and chief operating officer of Entrata. "Our study shows that many people don't fully understand the technology and that makes them mistrust it. At Entrata, we're always pushing the technology envelope and AI is a big part of what's going to continue to make our products leaders in the space."

More than 38 percent of respondents have either just heard of artificial intelligence or have no idea what it is. Surprisingly, of those who claimed to be an expert in their understanding of AI, 20 percent not only got the definition wrong, but they were significantly more likely to get the definition wrong than other groups who say they know only a little or have just heard of it.

Despite this lack of understanding, more than half (52 percent) of people say they feel comfortable interacting with AI, which is good, because more than 40 percent of people use some form of AI on a daily basis, whether that be Gmail, Siri or Alexa or Netflix and much more.

It's also clear that people don't understand chatbots (a computer program designed to simulate conversation with human users, especially over the Internet), with 33 percent of people thinking that Alexa and Siri are chatbots. In fact, 20 percent of people claim to have never interacted with a chatbot, and nearly 30 percent of people don't think they would recognize when they're interacting with one. That said, respondents reported that their favor-

see AI page 6

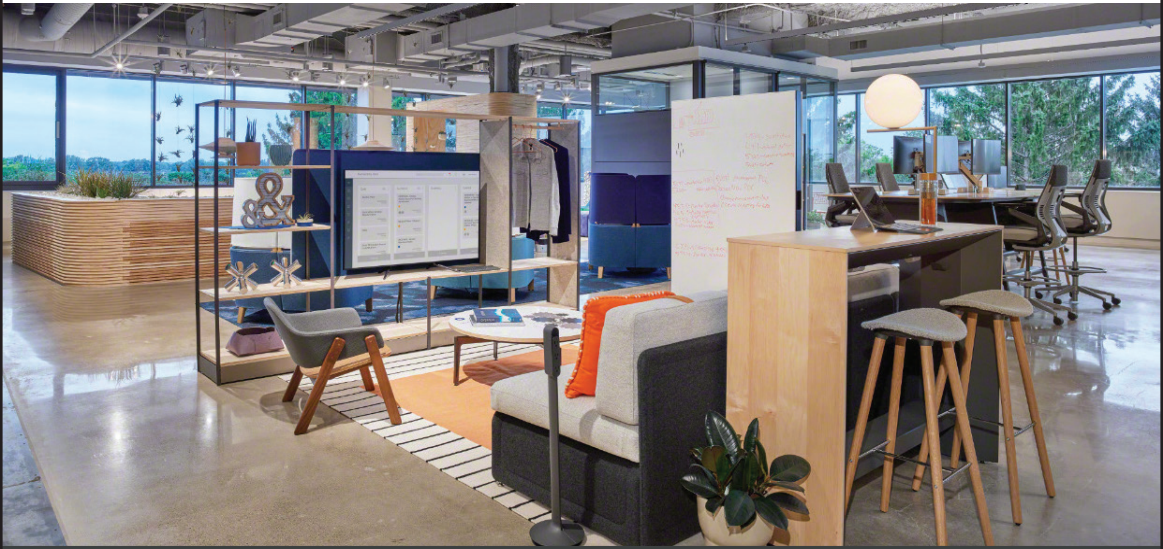




OFFICE FURNITURE • INTERIOR DESIGN

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Midwest COMMERCIAL INTERIORS
D•VISION SOLUTIONS
BOUNTIFUL GLASS



Workers pour concrete to secure the giant penstock pipes at the Olmstead Hydroelectric Power Plant at the mouth of Provo Canyon. The rebuilding of the plant, originally installed in 1904, was named the Intermountain Project of the Year by Engineering News Record.

Olmstead Plant rebuild named Intermountain Project of the Year

Engineering News Record has named the Olmsted Hydroelectric Power Plant Replacement at the mouth of Provo Canyon as the Intermountain Project of the Year as part of its annual awards program that honors the best construction projects in the United States. The Olmsted project also was recognized as the Best Energy/Industrial Project in the Intermountain Region and received the Excellence in Safety Award.

The two-year project included construction of a new powerhouse and a new transmission line that required installing 850 feet of 84-inch steel pipeline into a 12-foot rock tunnel. Much of this work was done during the winter on steep slopes and required crews to use two excavators to move and install 20-foot sections of penstock, each weighing 22,000 pounds. In total, the project logged more than 250,000 work-hours without a reportable accident — a remarkable achievement considering the high-risk construction site.

Olmsted is a partnership with the U.S. Bureau of Reclamation, U.S. Department of the Interior and Central Utah Water Conservancy District. The \$42 million facility was designed by

Jacobs Engineering Group and Ames Construction of West Valley City was the general contractor.

“We were able to install a very efficient, high-quality, modern plant and deliver a project that continues the legacy of historic generation of power,” said K.C. Shaw, chief engineer at Central Utah Water, which operates the federal facility.

The Olmsted Power Palnr is one of the oldest hydropower generation plants in the western United States. In 1904, Olmsted became the first high-voltage, long-distance, alternating-current power transmission system in the world. After an evaluation showed the facility was nearing the end of its life, the plant shut down in 2015. Plans for a new facility began in order to maintain water rights and store water in Jordanelle Reservoir.

Olmsted is part of the Central Utah Project (CUP), which captures a large portion of Utah’s share of Colorado River water from the Uinta Basin and moves it through several reservoirs to eight counties along the Wasatch Front and Central Utah. The CUP system delivers more than 350,000 acre-feet of water each year.

Consumer prices steady, signal good holiday season

Consumer prices along the Wasatch Front remained steady from September to October, remaining up 2.9 percent from a year ago. The Zions Bank Wasatch Front Consumer Price Index (CPI) remained unchanged while the national Consumer Price Index has increased 1.8 percent since October of last year.

The price of utilities dropped 1.9 percent in October as the price of electricity decreased. The drop counterbalanced slight increases in several other industries, including other goods and services (1.3 percent), housing (0.1 percent), food at home (0.3 percent) and clothing (0.5 percent). The small bump in housing prices from September to October ended a two-month streak of falling prices in the sector.

Although housing prices were again the primary driver of year-over-year price growth, this is the fourth straight month that 12-month housing price growth (now at 3 percent) has slowed for the sector. A jump in prices in the recreation sector was the second-most-significant driver of 12-month price growth. Recreation sector prices have grown 12.9 percent since October 2018, the highest jump since Zions Bank began the Wasatch Front Consumer Price Index in 2010.

According to the national Bureau of Economic Analysis, consumer spending in Utah grew at a rate of 7.3 percent from 2017 to 2018 — faster than in any other state. Higher consumer spending often comes as a result of higher consumer incomes, overall price growth and greater consumer confidence. In Utah's case, the upsurge in consumer spending is likely due to all three, according to Randy Shumway, chairman and partner at Cicero Group, a Salt Lake City management consulting firm that does data collection and analysis for the CPI.

"In the second quarter of this year, Utah had the nation's fourth-highest personal income growth rate and sixth-highest GDP growth rate," Shumway said. "This means Utahns have more to spend and, as we've seen in past consumer attitude surveys, are quite confident in the overall economy. Add to that our continued modest price increases and it is not surprising to see Utah consumers spend more."

GOED

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ly. In January, they were acquired by SAP for a tremendous sum. They're continuing to grow, continuing to expand revenue, continuing to expand operations."

The company announced Nov. 13 it would create 200 tech jobs in Chicago, which would serve as the hub of the company's Midwest operations and will host roles in client success, sales, support, and delivery and implementation. The company said that location would be its 25th office globally. That announcement followed ones for downtown Seattle — to house more than 2,000 employees — and Dublin, Ireland, doubling the number of employees there to more than 700.

The company has about 3,000 employees worldwide, including 11 offices and more than 700 employees overseas.

Qualtrics is approaching full capacity in the Provo office and plans to add office space and employees in Provo by building a new facility of up to 150,000 square feet. The new positions will include software engineers,

sales, marketing, technical support, finance and account management — all representing an expansion of existing Utah operations.

When Qualtrics was approved for a GOED incentive in 2012, the company had only about 200 employees, Bachman said. That incentive, totaling about \$10.8 million over seven years, was tied to the creation of about 1,080 jobs.

"The concept and the thought of having SAP put even more of a footprint in Utah alongside Qualtrics is a big deal, and this headcount (2,245) years ago would have seemed crazy," Bachman said. "It doesn't seem so crazy to us anymore. We're going to go do this, we're going to expand, and we're going to continue to enrich the existing talent that exists from the great academic institutions that we have in Utah, but also pull really great talent from outside into Utah and retain the existing talent that we have here."

The incentivized jobs are expected to pay an average of \$87,000 a year. New total wages over five years are expected to reach nearly \$1.5 billion, and the project is projected to generate new state tax revenue of \$131.1 million during that time.

Survey: Businesses planning 3 percent raises

The average Utah employer is planning to give its employees a 3 percent raise in the next year — make that 5 percent for top performers. That's according to the 2019 Planning Packet Survey released recently by the Employers Council. The poll reveals projections about compensation budgets for 2020 made by Utah's employers.

The projected 3 percent average employee pay increase for Utah in 2019 is down 0.3 percent from the actual 3.3 percent pay increase documented in 2019 in Employers Council's 2019 Benchmark Compensation Survey.

"Overall, the survey projects Utah's salaries will remain strong and employees will continue to experience an upswing in overall compensation," said Ryan D. Nelson, president of Employers Council's Utah office. "In the past year, average employee pay increased by 3.3 percent and it's estimated to grow another 3 percent in 2020. This survey is an in-

credibly extensive estimate of where the entire state is headed in terms of compensation, and we are pleased to provide such relevant and helpful information to employers."

The complete survey separated pay increases geographically among four states, including Arizona, Colorado, Utah and Wyoming, as well as within Utah, including Wasatch North, Wasatch South, Mountainland and Central-Southern.

When compared with the other states, Utah's average pay increase for the typical employee was on par with other states, though Utah's projected pay increase for top performers was down nearly a full percent since 2018, while all other participating states' projected top performer pay increased.

The projected pay increases for neighboring states included Arizona at 3.1 percent, Colorado at 3.1 percent and Wyoming at 3 percent. Top-performer pay hikes were set at 5.4

percent for Arizona, 5.2 percent for Colorado, and 4.6 percent for Wyoming.

The survey also includes Business Trends and Staffing/Hiring Levels sections with information related to 2020 business outlook, the greatest challenges to achieving business growth, the most challenging job groups to recruit and/or retain, strategies to overcome recruitment and retention challenges.

The full survey can be accessed by Employers Council members at the organization's website.

Employers Council has more than 4,500 employer members and offices in Salt Lake City; Scottsdale, Arizona; and Denver, Colorado Springs, Loveland and Grand Junction, Colorado.

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SKI SEASON
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Utah’s president and CEO, said at the industry’s recent season kickoff news conference.

“The economic impact in a state where tourism is now over \$9 billion in spending was almost \$1.7 billion in the ski industry alone, so [it’s] a very, very healthy economy, a vibrant ski industry,” Rafferty said.

Utah didn’t reach a snowfall record last winter, “but it felt like it some days,” he said, noting that snow piled up to 711 inches. People were able to hit the slopes for more than 200 days.

“Having a ski season that lasts nine months helps us break those kinds of records,” he said.

All of that activity has boosted anticipation for the upcoming season, according to Rafferty.

“One thing that happens when you have a season as good as we did last year was this tailwind effect going into the ski season this year,” he said. “Skiers and snowboarders in general have short memories and their memories only last until their last powder day, which was only a few months ago, it feels like. That translates into increased season pass sales [and] increased excitement. ... All our resorts are locked and loaded and getting excited for the great ski season ahead.”

While several of Utah’s resorts have undertaken multimil-

lion-dollar improvement projects, Woodward Park City’s 125-acre indoor/outdoor campus will be at the site of the old Gorgoza tubing park. Tubing will still be offered, but it will be only part of the offerings, which will include lift-accessed snowboarding, skiing, mountain biking, skateboarding, BMX, scooter, parkour, cheer and digital media.

Shaydar Edelmann, Woodward Park City general manager, said it will be open to the public 365 days and nights each year and offer a safe progression in each sport — “for all athletes, from families and ‘never-ers’ all the way through professional-level training.”

Lift tickets will start at about \$50. Season passes will not be available, but memberships will, starting at a \$100 per month introductory rate.

The exact opening date has yet to be determined, but a grand opening celebration and open house are scheduled for Dec. 14.

“We’re part of the Powdr resort family, so we’re on a mission to inspire people with cool experiences and awesome places, and we offer more sports, more programming, more days to create memories, and more ways to build a passionate community,” Edelmann said. “That’s what we’re about and we’re incredibly excited to be coming to you here.”

“I don’t know about you,” Rafferty told the crowd, “but that makes me want to be 15 years old again.”

In addition to Woodward Park City and the improvements undertaken at other resorts, Utah’s ski industry will be boosted by the redevelopment of the Salt Lake City International Airport, improvements to public transit and the industry’s variety, Rafferty said.

“We get a real big marketing bump from these multi-area passes that in the market right now,” he said. “Seven of our resorts are on these major multi-resort passes, which leaves eight of our resorts in the independent world, which is also a great thing. So, we have this variation of being able to go to the resorts that have these multi-area passes but there are very distinct, independent resorts that have a great flavor and really add to the overall mix here.”

The tentative opening dates for Utah’s resorts are:

- Dec. 7 for Deer Valley Resort.
- Nov. 27 for Snowbasin Resort.
- Nov. 29 for Snowbird.
- Dec. 6 for Sundance Mountain Resort.
- Dec. 20 for Eagle Point Resort.

Alta Ski Area, Park City Mountain and Solitude Mountain Resort hoped to open this past weekend. Dates for Beaver Mountain, Brian Head Resort, Brighton Resort, Cherry Peak Resort, Powder Mountain, Nordic Valley and Woodward Park City have yet to be determined.

CORPORATE
FINANCIAL REPORTS

The following are recent financial reports as posted by selected Utah corporations:

Nu Skin

Nu Skin Enterprises Inc., based in Provo, reported net income of \$44 million, or 79 cents per share, for the third quarter ended Sept. 30. That compares with \$53.1 million, or 94 cents per share, for the same quarter a year earlier.

Revenue in the most recent quarter totaled \$589.9 million, up from \$675.3 million in the year-earlier quarter.

Nu Skin develops and distributes beauty and wellness products through a global network of sales leaders in Asia, the Americas, Europe, Africa and the Pacific.

“We delivered strong profitability, with earnings per share at the high end of our range due to our focus on operational efficiencies,” Ritch Wood, CEO, said in announcing the results. “Revenue came in slightly below expectation, primarily due to the challenging regulatory environment in Mainland China, where meeting restrictions continued throughout the quarter. Despite this, our sequential sales leader trends stabilized both in China and globally, and recent product introductions and business incentives drove year-over-year increases in customer acquisition. Our manufacturing segment also continued to perform well, with revenue growing 18 percent this quarter.”

ZAGG

ZAGG Inc., based in Salt Lake City, reported net income of \$8.7 million, or 30 cents per share, for the third quarter ended Sept. 30. That compares with \$14.6 million, or 51 cents per share, for the same quarter a year earlier.

Sales in the most recent quarter totaled \$146.5 million, up from \$141.1 million in the year-earlier period.

During the second quarter, the company started a restructuring plan that extended into the third quarter. The plan included reductions of approximately 10 percent of its global headcount. That led to one-time severance restructuring charges totaling approximately \$2.2 million, of which \$400,000 was recorded in the second quarter and the remaining was recorded in the third quarter. The headcount reductions are expected to provide gross annualized savings of ap-

proximately \$8 million, the company said.

ZAGG produces screen protection, mobile keyboards, power management solutions, social tech and personal audio sold under the ZAGG, mophie, InvisibleShield, IFROGZ, BRAVEN, Gear4 and HALO brands.

“While the first half of 2019 was challenging, we are pleased with the performance in the third quarter of 2019, which was in line with our expectations,” Chris Ahern, CEO, said in announcing the results. “Specifically, we began to experience the benefits of our recent acquisitions in a much more meaningful way during the third quarter of 2019. Sales of Gear4 protective cases and HALO power products helped to more than offset the headwinds we have faced in our core business.”

Purple

Purple Innovation Inc., based in Alpine, reported net income of \$8.4 million, or 16 cents per share, for the third quarter ended Sept. 30. That compares with a net loss of \$4.4 million, or 9 cents per share, for the same quarter a year earlier.

Revenue in the most recent quarter totaled \$117.4 million, up from \$70.8 million in the year-earlier quarter.

Purple designs and manufactures comfort products, including mattresses, pillows and cushions.

“Following strong growth during the first half of the year, the pace of our business accelerated significantly in the third quarter,” Joe Megibow, CEO, said in announcing the results. “We experienced robust demand for our differentiated product offering across our expanded network of wholesale partner doors and through our direct-to-consumer channel. Our outstanding top-line performance, combined with improved efficiencies in our manufacturing, supply chain, fulfillment and marketing, along with a shift in certain marketing and human resource investments until later in the year, fueled substantial gains in operating margin and profitability.

“The foundation for sustained growth is in place. I am confident that we have assembled the right team and implemented the right strategies to successfully capitalize on Purple’s breadth of proprietary

see EARNINGS page 6

THINGS WITH FEWER YEARS OF SERVICE THAN FABIAN VANCOTT:

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UNDERSTANDING THE BACKDOOR AND MEGA BACKDOOR ROTH IRA

For many, Roth IRAs are an effective retirement saving tool because they allow the post-tax money contributed to grow and be withdrawn tax-free. However, once you make over a certain amount of money, you can no longer contribute directly to a Roth IRA. In 2019, this restriction applies to anyone with a yearly income of over \$193,000 (for those married filing jointly) or \$122,000 (for single filers).

However, high-income households can still reap the benefits of a Roth IRA; they just have to go about things a little differently. So, if you are above the income limitation but still consider tax-free growth and withdrawals to be an important part of your retirement plan, consider the following strategies to maximize your retirement savings.



BACKDOOR ROTH

A Backdoor Roth allows high-earners to maximize Roth contributions even if they are above the income limitations for contributing directly to a Roth account. The first step is to make a non-deductible contribution to a Traditional IRA. For 2019, the contribution limit for IRAs is \$6,000 a year, and you will want to contribute the maximum to make this strategy effective. That money is then converted into a Roth IRA where it can grow tax-free and eventually be withdrawn tax-free.

In order to avoid tax complications, before completing a backdoor Roth you must ensure that you do not have any existing traditional IRA accounts with assets in them. Work with a financial advisor you trust to guarantee you are minimizing tax consequences and maximizing your Roth opportunities.

MEGA BACKDOOR ROTH

Mega backdoor Roth conversions are a similar process; however, they deal with company 401k plans rather than just IRAs. Additionally, this strategy allows you to contribute even more money into a Roth account. While anyone can complete a backdoor Roth conversion, only those whose employer has a specific 401k structure can make use of a mega backdoor Roth. Your company 401k plan must offer both after-tax contributions and in-service withdrawals, a combo that is somewhat rare.

However, if your company's 401k structure meets these qualifications and you can fund a mega backdoor Roth, this strategy can be a powerful way for you to maximize your retirement savings.

HERE IS HOW IT WORKS:

The total contribution limit for a 401k in 2019 is \$56,000. As an employee, you can contribute up to \$19,000, and typically, your company contributes some. But, even if you contribute the maximum and your company matches a portion, you will not reach the total contribution limit.

However, if your company allows after-tax contributions, you can contribute the remaining amount in after-tax money. For example, say that you max out your 401k contributions and your company contributes \$7,000. That still leaves a remaining \$30,000 that you could contribute in after-tax money. Then, you would complete a mega backdoor Roth by rolling that \$30,000 over into a Roth IRA.

IN SUMMARY...

Both backdoor and mega backdoor Roth conversions are powerful ways for high-earners to save for retirement. As you consider how you can maximize your retirement savings, work with an expert you can trust. At TrueNorth Wealth, we are fee-only financial planners who specialize in creating a retirement plan catered to your individual needs and circumstances.



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EARNINGS

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technologies and processes. We move forward focused on building on our momentum by further investing in the business to bring enhanced comfort to consumers and generate increased value for our shareholders.”

Clarus

Clarus Corp., based in Salt Lake City, reported net income of \$3.5 million, or 11 cents per share, for the third quarter ended Sept. 30. That compares with \$4.1 million, or 14 cents per share, for the same quarter a year earlier.

Sales in the most recent quarter totaled \$60.2 million, up from \$55.7 million in the year-earlier quarter.

Clarus’ primary business is as a developer, manufacturer and distributor of outdoor equipment and lifestyle products focused on the climb, ski, mountain and sport markets. Its products are principally sold under the Black Diamond, Sierra, PIEPS and SKINourishment brand names.

“Our third quarter continued to be driven by the momentum in our Black Diamond brand, with sales up 14 percent,” John Walbrecht, president, said in announcing the results. “We grew in every geography, sales channel and category, led by 61 percent growth in ski on strong demand

in our backcountry portfolio of products like JetForce, beacons and packs.

“Apparel also continues to meaningfully contribute to brand sales growth, up 23 percent, driven by men’s and women’s sportswear, technical outerwear and logowear. These strong top-line trends also drove a 13 percent increase in brand EBITDA. Our commitment to product innovation, new product introductions and an accelerated go-to-market strategy are producing these results.”

Nature’s Sunshine

Nature’s Sunshine Products Inc., based in Lehi, reported net income of \$1.4 million, or 7 cents per share, for the third quarter ended Sept. 30. That compares with \$1.3 million, or 8 cents per share, for the same quarter a year earlier.

Sales in the most recent quarter totaled \$88.5 million, down from \$88.8 million in the year-earlier period.

Nature’s Sunshine is a health and wellness company engaged in the manufacture and sale of nutritional and personal care products.

“We continue to make excellent progress implementing our global strategy, which focuses on strengthening our brand, improving field fundamentals, expanding digital capabilities, extending our manufacturing leadership, and improving organizational ca-

pabilities,” Terrence Moorehead, president and CEO, said in announcing the results.

“We have strategically restructured the business to both align our resources to our global strategy and improve profitability, which drove strong growth of adjusted net income and adjusted EBITDA (earnings before interest, taxes, depreciation and amortization) during the third quarter.”

Profire

Profire Energy Inc., based in London, reported net income of \$922,000, or 2 cents per share, for the quarter ended Sept. 30. That compares with \$1.7 million, or 3 cents per share, for the same quarter a year earlier.

Revenue in the most recent quarter totaled \$9.9 million, down from \$11.5 million in the year-earlier period.

Profire creates, installs and services burner and chemical management solutions in the oil and gas industry.

“During the third quarter, we were able to generate positive net income and operating cash flows, successfully integrate two acquisitions, and repurchase \$916,000 of our stock, all while remaining debt-free,” Brenton Hatch, chairman and CEO, said in announcing the results.

“In the third quarter, we sold just over \$300,000 worth of Millstream products and Midflow generated just over \$400,000 in

revenue. Additionally, through these acquisitions, we have been able to add new customers, build new direct relationships with end-users and OEM resellers, enabling us to capture revenue not previously available to us. In the quarter we realized \$400,000 worth of revenues on Profire products from these new relationships.”

Superior Drilling Products

Superior Drilling Products Inc., based in Vernal, reported a net loss of \$418,000, or 2 cents per share, for the third quarter ended Sept. 30. That compares with net income of \$128,000, or 1 cent per share, for the same quarter a year earlier.

Revenue in the most recent quarter totaled \$ 5 million, up from \$4.8 million in the year-earlier quarter.

The company designs and manufactures drilling tool technologies.

“We made significant progress in the Middle East during the quarter, expanding the fleet of our patented Drill-N-Ream (DNR) well bore conditioning tool and building up our team in the region,” Troy Meier, chairman and CEO, said in announcing the results. “We have agreements with three oil field services companies to represent the tool in the Middle East North Africa region (“MENA”) and are in discussions with others to extend our reach into that market. Demand for the DNR has grown quickly as the tool gains acceptance in the region and as more operators experience the value that our tool generates.”

Vivint Solar

Vivint Solar Inc., based in Lehi, reported a net loss attrib-

utable to common stockholders of \$13.8 million, or 11 cents per share, for the third quarter ended Sept. 30. That compares with a loss of \$7.9 million, or 7 cents per share, for the same quarter a year earlier.

Revenue in the most recent quarter totaled \$103.8 million, up from \$77.8 million in the year-earlier period.

Vivint Solar is a full-service residential solar provider in the United States.

Overstock.com

Overstock.com Inc., based in Salt Lake City, reported a net loss of \$30.9 million, or 89 cents per share, for the quarter ended Sept. 30. That compares with a loss of \$47.9 million, or \$1.55 per share, for the same quarter a year earlier.

Revenue in the most recent quarter totaled \$347.1 million, down from \$440.6 million in the year-earlier period.

The company is an online retailer and “advancer” of blockchain technology.

“The results of our third quarter were in line with our revised guidance,” Jonathan Johnson, CEO, said in announcing the results. “Our retail business continues its path to sustained profitability, despite a few external headwinds, thanks to the focused leadership of an executive team with a proven track record of success.”

“tZERO continues to reach milestones on its product roadmap, which is no small feat in the highly regulated capital markets environment. Other Medici Ventures companies are bringing their products into production and increasing their leads in their respective verticals.”



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AI

from page 1

ite things about using chatbot technology include:

- It’s available 24/7 (39 percent).
- It’s easily accessible (15 percent).
- It’s quick and efficient (12 percent).
- They don’t have to talk to a real person (9 percent).

Despite people overall wanting chatbots to have more human-like personality traits, 36 percent of respondents don’t care about those traits as long as they get the information and help they need.

Despite their trepidation around AI, it turns out that people trust the technology more than they trust Pres. Trump, the Rus-

sians and sometimes even their grandma:

- 90 percent of people trust AI more than the Russians.
- 79 percent of people trust AI more than Pres. Trump.
- 73 percent of people trust AI more than the government.
- 71 percent of people trust AI more than Wall Street.
- 47 percent of people trust AI more than their neighbors.
- 41 percent of people trust AI more than their co-workers.
- 40 percent of people trust AI more than the police.
- 25 percent of people trust AI more than their spouse.
- 23 percent of people trust AI more than their grandma.

Generated by Entrata and fielded in August, the survey collected online responses via Qualtrics from 1,051 U.S. consumers who are over the age of 18.

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Industry Briefs

Industry Briefs are provided as a free service to our readers. Company news information may be sent to brice@slenterprise.com. The submission deadline is one week before publication.

BANKING

• **EnerBank USA**, Salt Lake City, has promoted **Joel Cannon** as senior vice president of sales and marketing. Cannon succeeds **John Harris**, executive vice president of sales and marketing, who has retired after being with the bank since 2004. Before joining EnerBank, Cannon served in several roles, including co-founder and chief product officer at JobDash and vice president of operations at Neutron Interactive. Cannon is also a past board chair and current executive board member at Utah based nonprofit People Helping People. EnerBank USA helps strategic business partners — including home improvement product manufacturers, distributors, franchise organizations and trade associations — and independent home improvement contractors increase their sales.



Joel Cannon

CONSTRUCTION

• **Sundt**, a Salt Lake City-based general contractor, has hired **Richard Carlucci** as a bid director in the Sundt Infrastructure Development Group. He will be responsible for public/private partnership (P3) bids and private development opportunities. Carlucci's experience includes project finance, commercial negotiations with owners and partners, proposal development, strategic partner evaluation,



Richard Carlucci

and alternative technical concept development. He joins Sundt from Ashurst LLP and previously was a commercial director at Skanska Infrastructure Development.

DIVIDENDS

• The board of directors of **Nu Skin Enterprises Inc.**, a Provo-based beauty and wellness products company, has declared a quarterly cash dividend of 37 cents per share. The dividend will be paid Dec. 11 to shareholders of record Nov. 29.

ECONOMIC INDICATORS

• An area in **Wallsburg** has Utah's lowest poverty rate and an area of **Monument Valley** has the highest, according to a study by **UnitedStatesZipCodes.org**, using the most recent data from the U.S. Census Bureau. Utah's overall poverty rate is 9.7 percent. The five ZIP code areas with the lowest rates are **Wallsburg**, 0.3 percent; **Laketown**, 0.4 percent; **Glenwood**, 0.7 percent; **Lyman**, 1.2 percent; and **Dugway**, 1.2 percent. The five ZIP code areas with the highest rates in Utah are **Monument Valley**, 48.2 percent; **Hildale**, 46.8 percent; **Mexican Hat**, 43.6 percent; **Ibapah**, 43.3 percent; and **Montezuma Creek**, 42.5 percent.

EXPANSIONS

• **Galileo**, a Salt Lake City-based payment platforms company, has opened offices in San Francisco and New York City. The company said it chose San Francisco as a base for its rapidly expanding fintech developer ecosystem, while the New York office supports Galileo's expansion into investment-related solutions. Galileo's San Francisco office is led by **Egan Anderson**, head of Galileo's developer ecosystem. The New York office is led by **Aaron Dillon**, managing director of Galileo Money+ and Galileo Investment Advisers.

FOODS

• The **Rio Grande Winter Market**, a project of **Urban Food Connections of Utah**, has returned at the Rio Grande Depot, 300 S. Rio Grande St., Salt Lake City. The Winter Market is held every Saturday, 10 a.m.-2 p.m., through April 18, except for Dec. 28 and Jan. 4. It is in its seventh season. Details are at slcfarmers-market.org.

GOVERNMENT

• Val Hale, executive director of the **Utah Governor's Office of Economic Development (GOED)**, has appointed **Kori Ann Edwards** as managing director of operations and **Ryan Starks** as managing director of urban and rural business services. They succeed **Jill Flygare** and **Ginger Chinn**, respectively, who are going to work for the Utah Inland Port. As managing director of operations, Edwards will help provide operational strategies, planning and tactical management to ensure GOED has the proper internal controls, administrative and reporting procedures. She will also ensure the agency has people and systems in place to ensure appropriate operating efficiencies. She will oversee GOED's areas of finance, compliance, policy, contract management, human resources, technology services and facilities.



Kori Ann Edwards



Ryan Starks

previously worked at Logistic Specialties Inc. (LSI) for 20 years, most recently as its senior vice president. She also worked as an account executive with Gates McDonald in Salt Lake City. She received a bachelor's degree from Utah State University in political science. As managing director of urban and rural business services, Starks will direct strategic growth for Utah's industry cluster program and manage GOED's rural programs and workforce development initiatives. He also will oversee GOED's business services, including resources and staff at Utah's Business Resource Centers, the Procurement Technical Assistance Centers (PTAC) and the Utah SBIR program. Starks was previously the executive director of Wasatch Economic Development/Heber Valley Chamber of Commerce and CVB. His previous employment includes positions at the Wasatch Center for

Advanced Professional Studies, the Governor's Office of Planning and Budget, the U.S. Government Accountability Office and GOED. Starks is also an adjunct professor for Brigham Young University's Marriott School of Business. He received a bachelor of arts degree from Weber State University and a master's degree from Brigham Young University in public administration.

HEALTHCARE

• **Qualtrics**, a Salt Lake City-based experience management (XM) company, has launched the **XM Healthcare Advisory Board**. Members from top healthcare organizations will collaborate on XM solutions to improve the experiences of patients, providers and payers, the company said.

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LAW

• **SixFifty**, a Lehi-based technology subsidiary of law firm Wilson Sonsini Goodrich & Rosati, has appointed three people for its executive team: **Daniel Webb**, vice president of partnerships; **Mark Higginson**, vice president of customer success; and **Dustin McBride**, vice president of sales. All previously worked at WeWork. Webb has more than 15 years of sales and business development experience in the tech industry, specifically in hardware development and SaaS. At WeWork, Webb was the director of enterprise technology partnerships, and at Teem, he acted as the director of global partnerships and alliances. Higginson has more than 10 years of sales and business development experience and was the global director of customer success at both WeWork and Teem, before it was acquired by WeWork in September of 2018. McBride has almost 15 years of technology sales experience. At Teem and WeWork, he acted as an enterprise account executive on their sales teams and will take on a senior sales role at SixFifty.

• **Holland & Hart**, Salt Lake

City, has hired **Brit Merrill**, who counsels large and small employers on state and federal compliance and litigation issues. Before joining Holland & Hart, Merrill worked with a large Utah-based law firm where her practice included commercial litigation and immigration law. She received her J.D. from the University of Utah S.J. Quinney College of Law, an M.A. from Westminster College, and a B.S. from the University of Utah.



Brit Merrill

MANUFACTURING

• **Purple Innovation Inc.**, an Alpine company that produces comfort products, has launched an underwritten secondary public offering of 8 million shares of its Class A common stock to be sold by **InnoHold LLC**, **Tony Pearce** and **Terry Pearce**. The underwriters have a 30-day option period to purchase up to 1.2 million additional shares of Class A common stock from the selling stockholders. The selling stockholders will receive all of the net proceeds from the offering. Purple is not selling any shares of Class A common stock in the offering and will not receive any proceeds from the offering.

NONPROFITS

• **AARP Foundation Tax-Aide** has begun volunteer recruitment for its Tax-Aide program, the nation's largest volunteer-run tax-preparation service. The foundation is looking to expand its team of volunteers for the upcoming tax season. Tax-Aide offers free in-person tax preparation and assistance to low- and moderate-income people nationwide. There are a variety of volunteer roles, including tax preparers, client facilitators, those who can provide technical and management assistance, and interpreters. Every level of experience is welcome. Volunteer tax preparers complete tax preparation training and IRS certification. Last year, 122 AARP Foundation Tax-Aide volunteers helped nearly 11,000 Utahns file their federal and state tax returns, finding over \$5 million in total refunds. The program is offered at approximately 35 sites in Utah, including senior centers, libraries and other locations. Details are at aarpfoundation.org/taxaide or 1 (888) OUR-AARP (1-888-687-2277).

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Industry Briefs

from previous page

PHILANTHROPY

• **Walker Edison**, a Salt Lake City-based drop-ship solutions company, recently had a companywide service event in partnership with **Rise Against Hunger**. More than 100 employees prepared and packaged 40,000 meals for people in need. For each of the past two years, Walker Edison has donated 20,000 meals, but this year the company decided to double its efforts.

REAL ESTATE

• **CBRE Inc.**, a commercial real estate firm, has hired **Brian Anderson** and **Sara Pickett** as retail brokerage specialists for its Salt Lake City office. Working as a team, their primary focus will be on retail clients looking to lease new space or expand their business along the Wasatch Front, though they have licenses spanning Utah, Idaho and Washington. A vice president over retail services, Anderson has worked in the real estate industry since 2007. He works in



Brian Anderson



Sara Pickett

overseeing client relations and marketing for the team. In addition to real estate, her background includes content marketing and community outreach. She has a bachelor's degree from Weber State University.

RECOGNITIONS

• **Impartner**, a Salt Lake City-based channel management platform company, has received the 2019 **Business Intelligence Group's BIG Award for Business** for New Product of the Year, Technology Software, Small

landlord leasing representation and tenant site selection but is also skilled in redevelopment and investment transactions. Most recently, he served as a vice president in the Salt Lake City office of JLL. Pickett has joined as a client services specialist working alongside Anderson and

Companies. The organization's annual program rewards companies, products and people that are leading their respective industries worldwide and nominees are judged by business executives with relevant experience and knowledge. In winning the award, Impartner was recognized, in part, for its introduction of Impartner PRM for Microsoft Dynamics 365.



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SERVICES

• **Thumbtack**, a San Francisco-based local services marketplace connecting consumers to skilled professionals across nearly every U.S. county, has announced plans to grow its local operations, which has surpassed 350 employees in Utah. The company is adding 15,000 square feet to its Draper location, bringing the company's footprint in Utah to over 45,000 square

feet. Thumbtack intends to begin using the new office space in the first quarter of 2020. Upon opening its Draper office in 2012, Thumbtack built local expertise in customer service. But, over the past two years, the company has broadened the scope and impact of its local team to also include customer success, sales, marketing, engineering, IT and human resources. Today, two-thirds of Thumbtack's team in Draper is focused on sales and success.



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Calendar

Calendar listings are provided as a free service to our readers. Information about upcoming events may be sent to brice@slenterprise.com. The submission deadline is one week before publication.

Nov. 18, 10-11 a.m.

“Silicon Slopes Town Hall: Utah’s Air Quality.” Speakers are Thom Carter, executive director of the Utah Clean Air Partnership, and Scott Baird, executive director of the Utah Department of Environmental Quality. Location is Silicon Slopes, 2600 W. Executive Parkway, Suite 140, Lehi. Free. Details are at siliconslopes.com.

Nov. 19-Dec. 3

Silicon Slopes Fall 2019 Entrepreneurship Lecture Series. Nov. 19 is “The Journey is the Destination,” featuring Kristin Andrus, chief culture officer at Her Home. Dec. 3 is “Starting and Growing a Food Business,” featuring Andrew and Shauna Smith, CEO and president and co-founders of Four Foods Group. Each starts at noon. Location is Utah Valley University, Clarke Building, Room 101C, 800 W. University Parkway, Orem. Free. Registration can be completed at Eventbrite.com.

Nov. 19, 7:30 a.m.-1 p.m.

Utah Machining and Welding Workforce Summit, presented by UTech, Department of Workforce Services and the Governor’s Office of Economic Development. Location is Salt Lake Community College’s Miller Campus, 9750 S. 300 W., Sandy. Free. Registration can be completed at Eventbrite.com.

Nov. 19, 8:30 a.m.-12:30 p.m.

“Family and Medical Leave Act Advanced Practice,” an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$145. Details are at employerscouncil.org.

Nov. 19, 8:30-11 a.m.

Women in Business Retreat, a South Valley Chamber event. Location is Juan Diego High School, 300 E. 11800 S., Draper. Details are at southvalleychamber.com.

Nov. 19, 11:30 a.m.-1 p.m.

Women in Business Luncheon, an Ogden-Weber Chamber of Commerce event. Location is Ogden Eccles Conference Center, 2415 Washington Blvd., Ogden. Cost is \$20 for members, \$30 for nonmembers. Details are at ogdenweberchamber.com.

Nov. 19, 11:30 a.m.-1 p.m.

Southwest Valley Women in Business Lunch. Location is A Beautiful SurpriZe, 13276 S. 5600 W., Herriman. Details are at swvchamber.org.

Nov. 19, 11:30 a.m.-1 p.m.

“Cybersecurity Best Practices to Protect Your Business from a Data Breach,” a Murray Area Chamber of Commerce event. Location is VLCM, 852 E. Arrowhead Lane, Murray. Free. RSVPs are required. Details are at murraychamber.org.

Nov. 19, 11:30 a.m.-1 p.m.

Business Alliance Networking Luncheon, a Davis Chamber of Commerce event. Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Free. No RSVP required. Details are at davischamberofcommerce.com.

Nov. 19, noon-1 p.m.

“Startup Conversations: Lessons from Starting, Building and Selling an E-Commerce Company,” a Silicon Slopes event. Panelists are Andy Stroman, founder of Campsaver.com and angel investor; Tara Haskins, director of business development at Fluid Advertising (moderator); and Dale Majors, CEO of Venture Anyway. Location is Pluralsight East Headquarters, 172 N. East Promontory, Suite 300, Farmington. Free. Details are at siliconslopes.com.

Nov. 19, 6-8 p.m.

“SEO Skills & Strategy: About the New Google Update,” a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Free. Details are at <https://clients.utahsbdc.org/events.aspx>.

Nov. 20-22

Utah Farm Bureau 103rd Annual Convention. Location is the Davis Conference Center, 1651 N. 700 W., Layton. Featured speakers are Zippy Duvall, president of the American Farm Bureau Federation; and Neil Ihde, speaker, lecturer, consultant and founder of Life IQ. Details are at utahfarm-bureau.org.

Nov. 20, 8-10 a.m.

M.A.C.H. Speed Networking, a Murray Area Chamber of Commerce event. Location is Urban Arts Factory, 116 S. Rio Grande St., The Gateway, Salt Lake City. Free. Registration can be completed at Eventbrite.com.

Nov. 20, noon-1:30 p.m.

2019 WBCUtah Appreciation Luncheon, a Women’s

Business Center of Utah event. Location is The Foundry SLC, 412 S. 700 W., Suite 210, Salt Lake City. Free. Details are at wbcutah.org.

Nov. 20, 1-2 p.m.

“Navigating the Maze of Contracting Services for the Federal Government,” a Silicon Slopes event. Presenter is John Esplin, president of Centeva. Location is Centeva, 155 Church St., Logan. Free. Details are at siliconslopes.com.

Nov. 20

Small Business Development Center (SBDC) Workshops, including “Quickbooks Workshop,” 5:30-6:30 p.m. and 6:30-8 p.m.; “Tax Planning Clinic,” 5:30-6:30 p.m.; and “Simple Steps,” 6:30-8 p.m. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Nov. 20, 6-8 p.m.

“The Art of the Pivot: Embracing Change as an Entrepreneur and Following Your Clients,” part of the Salt Lake Community College Miller Business Resource Center “Entrepreneurship Lecture Series.” Speaker is Chris Elmore, CEO of AvidXchange. Location is Miller Business Resource Center, 9690 S. 300 W., Sandy. Free. Registration can be completed at Eventbrite.com.

Nov. 20, 6-9 p.m.

Ninth Annual Zero Waste Awards and Film Screening, a Utah Recycling Alliance event celebrating local businesses, nonprofits and government agencies that are setting the standards for zero waste in Utah. Activities begin with a presentation of URA’s Volunteer Appreciation and Zero Waste Awards, followed by a screening of “Salvage” by Amy C. Elliott. Location is the Salt Palace Convention Center, Room 251, 100 S. West Temple, Salt Lake City. Cost is \$25 in advance, \$30 at the door. Registration can be completed at Eventbrite.com.

Nov. 21, 8-11:30 a.m.

“Recordkeeping for Human Resources,” an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$145. Details are at employerscouncil.org.

Nov. 21, 8 a.m.-5 p.m.

Utah SBDC’s Employer Tax Workshop, a Small Business Development Center (SBDC) event. Location is the Salt Lake

SBDC, Salt Lake Community College’s Miller Campus, Corporate Partnership Center, Building 5, 9690 S. 300 W., Sandy. Cost is \$19.95. Details are at <https://clients.utahsbdc.org/events.aspx>.

Nov. 21, 9-11 a.m.

“Doing Business with India” Seminar, a World Trade Center Utah event, in partnership with the U.S. India Strategic Partnership Forum and Dorsey & Whitney. Panelists include the Indian consul general to the U.S., leaders from the U.S. India Strategic Partnership Forum, leaders from the U.S. Chamber of Commerce and industry representatives. Location is Dorsey & Whitney, 111 S. Main St., Suite 2100, Salt Lake City. Free. Registration can be completed at Eventbrite.com.

Nov. 21, 9-10 a.m.

“Coffee With Clancy: Conquer Your Financial Projections and Operating Cash Flow,” a Women’s Business Center of Utah event featuring Clancy Stone, business advisor for the northern region for the Women’s Business Center of Utah; and Richard P. Brown, veteran business manager at the Veteran Business Resource Center. Location is Meyer Coffee & Café, 595 S. Main St., Heber. Free. Details are at www.wbcutah.org.

Nov. 21, 11:30 a.m.-1 p.m.

WBN Luncheon, a Utah Valley Chamber event. Location is Strap Tank, 3661 N. Outlet Parkway, Lehi. Cost is \$25 for chamber members, \$30 for nonmembers. Details are at thechamber.org.

Nov. 21, 11:30 a.m.-1 p.m.

Multi-Chamber Luncheon Series. Location is Jordan Valley Water Conservancy District, 8275 S. 1300 W., West Jordan. Cost is \$20 for members, \$25 for nonmembers. Details are at southjordanchamber.org.

Nov. 21, 11:30 a.m.-1 p.m.

“Multiplying Lasting Profitable Relationships,” a West Jordan Chamber of Commerce event. Presenter is Clay Neves of Personal Sales Dynamics. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for members, \$10 for nonmembers. Details are at westjordanchamber.com.

Nov. 21, 11:30 a.m.-1 p.m.

Lunch & Learn, a Murray Area Chamber of Commerce event. Speaker is from Turn Key Truck & Auto Care. Location to be announced. Cost is \$20 for mem-

bers, \$25 for guests. Details are at murraychamber.org.

Nov. 21, noon-1 p.m.

“Best Practices: Prevention and Incident Response,” part of the Cybersecurity Lunch & Learn Series presented by the Salt Lake Chamber and the Davis Chamber of Commerce. Location is Boondocks, 525 S. Deseret Drive, Kaysville. Free. Details are at slchamber.com.

Nov. 21, 6-7 p.m.

Small Business Development Center (SBDC) Workshops, including “Accounting Clinic,” “Intellectual Property Clinic,” “Health Insurance Clinic” and “Legal Clinic.” Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Nov. 22, 7:30-8:30 a.m.

“Eggs & Issues,” a Murray Area Chamber of Commerce event. Speaker is Murray City Police Chief Craig Burnett. Location is Anna’s Restaurant, 4700 S. 900 E., Murray. Free (pay for what is ordered from the menu). Open to the public. Details are at murraychamber.org.

Nov. 22, 8-9 a.m.

“The CCPA: Explained,” presented by World Trade Center Utah, in partnership with Parsons Behle & Latimer and focusing on the California Consumer Privacy Act (CCPA). Tsutomu Johnson, a Parsons Behle & Latimer attorney, will discuss the CCPA’s history, requirements and impact on business in Utah and discuss tactics to comply with the regulation, which goes into effect Jan. 1. Location is World Trade Center Utah, 60 E. South Temple, Suite 300, Salt Lake City. Free. Registration deadline is Nov. 20. Registration can be completed at Eventbrite.com.

Nov. 22, 9-10 a.m.

Pitch Clinic, a West Jordan Chamber of Commerce event for business development professionals to hone their skills in delivering a powerful elevator pitch. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for chamber members, \$10 for nonmembers. Details are at westjordanchamber.com.

Nov. 27, 7:30-8:30 a.m.

Coffee Connection, a Holaday Chamber of Commerce event. Location is Great Harvest,

Succeeding in Your Business

Are you selling business opportunities without knowing it?

"I have a small manufacturing business in the Midwest.

"For years, I have hired individuals to act as distributors for my products throughout the United States, similar to what the Avon cosmetics people do. They have assigned territories and cannot solicit business in a territory outside their own, but they can accept orders from anywhere.

"I train these people on how to sell my products, and I provide them with business cards that say they are 'authorized distributors' of my business, but there's no exclusive relationship — they can represent any other products they want. I do not charge an upfront fee for a sales territory, the way franchises do, but I do impose minimum sales quotas on the distributors each month if they want to keep their territories.

"My attorney recently expressed concern that what I've been doing all these years may be viewed as a 'business opportunity.' Now, I know a little bit about those, and they're usual-

ly raise-chinchillas-at-home-for-fun-and-profit programs that advertise in the back of comic books or through spam emails. I'm a thoroughly legitimate operation. Should I be concerned about this?"

The short answer is maybe.

First, you need to check out the Federal Trade Commission Business Opportunity Rule on the FTC website. Under this rule, which has been around since the 1970s, companies that sell business opportunities to consumers are required to provide them with a disclosure document containing very specific information about the opportunity and how it performs.

Like franchises, there is no requirement for business opportunities to register with the FTC before they sell. A number of states, however (including Connecticut and Florida), require business opportunities to file copies of their disclosure documents with a state agency (usually the state banking regulator) before they offer their

program to state residents. For a list of states that regulate business opportunities, see <https://www.franchiselawsolutions.com/faqs/business-transaction-faqs/business-opportunity-laws/> (there's also an excellent article by my good friend and franchise attorney Tom Pitegoff at <https://www.lexology.com/library/detail.aspx?g=6ab54f7d-8693-4ae1-a3f0-a1b977f877c2>).

Until a few years ago, the FTC rule had only a limited impact on the world of business opportunities, focusing on businesses that give rise to the most fraud claims, such as vending machine programs (in which consumers buy vending machines and their contents and place them in local retail stores, splitting the proceeds with the store owner). Then, in 2012, the rule was broadened to include business opportunities where the seller promises to buy back goods or services from the consumer, such as through payment for services like stuffing envelopes from the purchaser's home.

Under the rule, a business opportunity is defined as a commer-

cial arrangement in which:

- A seller solicits a prospective purchaser to enter into a new business.

- The purchaser makes a required payment (which used to be \$500 or more but now can be any amount).

- A seller expressly or implicitly represents that the seller or some other designated person will provide locations for the use or operation of equipment or displays; provide outlets, accounts or customers for the purchaser's goods/services; buy back all goods the purchaser makes, produces, grows, etc.

Note that a seller will not be considered a business opportunity unless all three conditions apply.

Your minimum sales quota will have to be looked at more closely (it is this practice, I think, that gave your attorney some concern about business opportunity status). Many distributors allow their distributors to purchase merchandise themselves, out of their own pockets, in order to meet their minimum sales quotas. If that's the case with your business, there's a good chance the FTC

would view that as a required payment, since, in effect, you are requiring your distributors to buy a minimum amount of product each month, quarter or year.

Even if that is the case, though, it does not appear that you are offering your distributors a guaranteed market for the products they purchase. That guarantee distinguishes a business opportunity from other businesses. While you offer training and education to your distributors (presumably including information about the customers likeliest to buy your products and where to find them), your distributors eat whatever they kill — you do not appear to be giving them lists of potential customers who have expressed interest in your products or offering to buy back any products that aren't sold through to the ultimate customer.

The bottom line is that you will need to discuss your program with a local attorney who is familiar with franchises and business opportunities. To find such

see ENNICO page 19



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The end of the 2019 calendar year is fast approaching and now is the time to take advantage of some estate and income tax planning strategies before the New Year's Eve ball drops.

Increased Transfer Tax Exemptions.

In the 2017 tax act, the estate and lifetime gift tax exclusion amount was increased from \$5 million (indexed for inflation) to \$10 million (indexed for inflation). For 2019, the exclusion amount is \$11.4 million. The increased exclusion amount is only available for decedents dying and gifts made after 2017 and before 2026. A decedent's estate or lifetime gifts above the exclusion amount is subject to the 40 percent estate and gift tax rate. For this reason, if you have a taxable estate, you should annually consider the following planning opportunities to reduce the size of your estate:

1. Annual Exclusion Gifts. A popular strategy to make gifts without using any of your lifetime gift tax exclusion is to take advantage of the annual gift tax exclusion. For 2019, you may gift assets up to \$15,000 in value to a person without using your lifetime gift tax exclusion, and you may make such gifts to an unlimited number of people. For example, if a parent gifted \$15,000 of stock to each of her five children, the parent will transfer \$75,000 of assets without using any of the parent's lifetime gift tax exclusion. The parent's spouse may also make similar transfers. If a couple has 20 descendants, together they could gift \$600,000 annually without using any of their lifetime gift tax exclusions.

2. Tuition and Medical Payment Exclusion. Tuition payments made on behalf of a person do not use any of your lifetime gift tax exclusion or annual gift tax exclusion. Also, any payments for a person's medical care gets the same tax-free treatment. To qualify for these exclusions, you must make the payments directly to the educational organization or medical provider. A cash distribution to a person to pay the tuition or medical costs does not qualify for the exclusion.

3. 529 College Savings Plans. Contributions to a 529 college savings plan do not qualify for the tuition payment exclusion, but do qualify for the annual gift tax exclusion. Also, a special rule allows a contributor to make up to five annual gift tax exclusion gifts (\$75,000) in a single year when funding a 529 plan for a beneficiary. But, if you make a five-year gift in 2019, you would not be able to make another annual gift tax exclusion gift to the beneficiary until 2024. You and your spouse could make a 2019 gift of up to \$150,000 to a 529 plan for a beneficiary under this strategy.

4. Gifts in Trust. You might not want to make outright gifts to children or grandchildren because you lose control over how the gifted assets might be spent. A gift in trust allows you to set the rules for how, when and why beneficiaries will receive money. If certain rules are followed, you may make gifts to a trust that you create and the gifts will still qualify for the annual gift tax exclusion.

Charitable Gifts. In addition to making

gifts to family members and friends, charitable giving is a form of estate planning because a gift to charity is not subject to estate or gift tax and provides the donor with an immediate income tax deduction.

1. Give Appreciated Property. If you donate appreciated assets to charity, you get a charitable contribution deduction and avoid the capital gains tax that would be due if you sold the asset and then donated the money to charity. Generally, the higher the appreciated value of an asset, the bigger the potential value of the tax benefit.

2. Qualified Charitable Distributions. If you are 70 1/2 years old and older and are required to take minimum distributions from your IRA, you can take advantage of a special rule that allows you to make a charitable contribution direct-

ly from your IRA to a charity. An IRA distribution directly to a charity counts toward your required minimum distribution and the distribution amount is not included in your taxable income.

3. Bunching Gifts. If your annual charitable gifting does not enable you to itemize your deductions, you should consider making a larger charitable gift in one calendar year and use the standard deduction in other years.

Income Tax Planning. Finally, in addition to charitable gifts, you should consider the following income tax planning opportunities: 1. Accelerate income into 2019 if you expect 2020 income to be significantly higher because of increased income or substantially decreased deductions, 2. Defer income until 2020 if it looks like you may have a significant decrease in income next year from a reduction in income or an increase in de-

ductions, 3. Accelerate deductions into the current year to offset the higher income this year if you expect a decrease in income next year, and 4. Defer deductions into 2020 if you anticipate a substantial increase in taxable income next year. I recommend that you consult with your CPA to discuss the options available for each of these income tax planning opportunities.

The end of the calendar year is usually filled with excitement and cheer, but don't forget to take advantage of these exciting planning strategies before 2019 expires.

Jonathan H. Hoagland is an attorney with the Salt Lake City firm Durham Jones & Pinegar and is a member of the firm's Estate Planning and Tax sections. His practice focuses primarily on trust and estate planning, transfer tax planning, trust administration matters and charitable gift planning.



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Opinion

Plans by Warren and Sanders neglect logic, math and honesty

The more I follow the Democratic presidential campaign, the more I see how little I understand some people. After all, we can have differences when it comes to ideology, and we can aspire to different things in life. We can even have different understandings of what morality means. Still, there are things on which we should all agree: Because our government is \$23 trillion in debt and its annual budget deficits are permanently heading north of \$1 trillion, every American should agree that there isn't much space for more spending.

And yet Sen. Elizabeth Warren promises that if she becomes president, she will spend \$49 trillion over the next 10 years on programs like "Medicare for All," "free" college and many new family entitlements. Meanwhile, Sen. Bernie Sanders would like to spend as much as \$97.5 trillion over the next decade. That's on top of a \$15.5 trillion baseline deficit, according to Brian Riedl at the Manhattan Institute. None of these politicians has a plan to pay for most of what they propose,

and the tax plans they have so far are mostly a recipe for less revenue and seriously slower economic growth.

To be fair, Warren and Sanders aren't the first candidates to make promises they can't deliver. Nor are they unique in campaigning on platforms that would be disastrous for our economy. Most politicians behave this way. In fact, both parties are to blame for implementing bad policies that failed to deliver advertised benefits while adding significant sums to the national debt (think the Affordable Care Act and Medicare Part D, for example). And of course, the lack of fiscal responsibility by the current president is evidenced by the speed at which the budget deficit is rising.

But what is unique about Warren and Sanders is the scale of their schemes to grow the size of government in America without any consideration for fiscal sanity.

What truly puzzles me is that while the math doesn't add up at all — and the worlds they want to produce won't see the light of day without serious pain for

most Americans — they have hundreds of thousands of people cheering them along the way. This is crazy. Let's be honest, the plans by Warren and Sanders almost sound like a 4-year-old's wish list to improve the country (e.g., more candy, more unicorns, more desserts, cartoons throughout the day, all of which is to be paid for by the Wicked Witch of the West and Captain Hook).

Adults, however — such as Riedl — aren't cheering. The amount of spending Warren wants is astronomical. She had planned to finance some of this additional spending with a wealth tax and other levies on the rich. When taken to task for having no plan for her \$32 trillion Medicare for All proposal, she eventually delivered a plan. But it doesn't hold water, as Riedl spells out in brutal detail in a recent Daily Beast column.

Nor is there any word yet on how to reduce the gigantic deficit that the current Medicare system already faces. As Riedl explains, that shortfall "is projected to total \$44 trillion over the next 30 years — plus an additional \$28 trillion in resulting interest costs — that will need to be financed with general revenues." Warren's new plan

would not address that math problem. In fact, says Riedl, "the large Medicare for All taxes would leave few remaining options to close this baseline gap."

Meanwhile, Sanders would like to spend twice what Warren proposes. This additional spending would be on a \$30 trillion guaranteed-jobs program, on top of Medicare for All and free college. He, too, doesn't have the money to pay for most of these schemes, but at least he acknowledges that there is no way around raising taxes on the middle class. Warren is still trying to create the illusion that rich people and bad corporations will be the only ones paying for the spectacular increase in spending.

But again, they're politicians. It's difficult to live in Washington and take them seriously. What I would like to know, though, is how their followers — many of whom are highly intelligent pundits — can honestly justify the scale of the deception.

Veronique de Rugy is a senior research fellow at the Mercatus Center at George Mason University in Fairfax, Virginia.

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VERONIQUE
de RUGY

Democracy should regulate Facebook, not the other way around

There is now a growing consensus that American democracy needs to be saved by Mark Zuckerberg. People from Sen. Elizabeth Warren to Aaron Sorkin are demanding that Facebook stop running obviously false political advertising. So, let me pose a question: Would everyone be as comfortable if the person deciding what constitutes real news vs. fake news were not Zuckerberg but Rupert Murdoch?

It's not a fantasy. In 2005, News Corp. bought MySpace, then the leading social network on the planet. Had things worked out differently, it would be Murdoch or a band of Fox News experts who would be determining what counts as legitimate political speech. Still comfortable?

And these fact-checking decisions aren't as simple as they sound. Let's take the ad that the Trump campaign ran recently on Facebook that provoked the furious backlash. It made three assertions: During the Obama administration, the U.S. government promised Ukraine \$1 billion in aid. Then-Vice President Joe Biden threatened to withhold that aid unless a key Ukrainian anti-corruption official was fired, which he was. Finally, Biden wanted this done because the official was investigating a company associated with his son Hunter.

Now here's the difficulty. The first two claims are undeniable facts. As for the third, the former Ukrainian official, Viktor Shokin, has filed an affidavit in a European court asserting that he was indeed fired for investigating Hunter Biden's company. But is it true?

No. Shokin is almost certainly lying because, for him, it's a better explanation for his dismissal than the more plausible one — that he was widely viewed as corrupt him-

self. So, Trum's claim is almost certainly false, but that is my judgment based on my understanding of the facts and context.

Broadcast networks cannot censor political ads because doing so would be considered an infringement of free speech on their large public platforms. Cable companies like CNN (where I work) are not regulated the same way and thus can make their own decisions. Facebook, of course, is a larger platform than all the networks combined. It now serves as a sort of global public square, and it should be open to political speech.

The criticisms of Facebook are varied, and many of them are valid. It has been far too lax in allowing and even promoting incendiary messages that end up provoking violence, as in countries like Myanmar and Sri Lanka. It also acts as a quasi-monopoly, snuffing out competition, which is a separate matter.

Many argue that Zuckerberg is being disingenuous when he claims that Facebook is a neutral platform, open to all views equally. In fact, Facebook's algorithm promotes certain kinds of material over others — which can help spread fake news, exaggerations and lies. The algorithm encourages engagement and intensity of belief. That helps, say, stamp collectors and animal lovers get more of the content they crave. It helps Warren's supporters see material they like. And it helps Trump-leaning voters see the stuff that excites them.

America has become deeply polarized, and each side wants to believe the worst slander and lies about the other, and this phenomenon is far more prevalent on the right than the left. The situation with Facebook is a symptom of this problem. If Face-

book didn't exist, Trump supporters would listen to talk radio, watch Fox, go to other websites. Facebook accentuates partisanship more than causes it.

Stanford's Jeremy Weinstein, who teaches a blockbuster class on "Computers, Ethics and Public Policy," explains that "it makes very little sense to think that these choices about what speech is allowed and not allowed should be made by unaccountable tech CEOs behind closed doors in a corporate boardroom. Companies are focused on their own bottom-line — which is best catered for if they maximize engagement/attachment to their platforms."

I don't want Mark Zuckerberg deciding what speech is legitimate. I want the government to set parameters for him and other technology companies as to their obligations for what they increasingly are: large news platforms. There are many good ideas out there. Invoke something like the

"fairness doctrine," which for decades required broadcast networks to include a range of views in their programs. Ellen Weintraub, the chair of the Federal Election Commission, has a simple suggestion: Do not allow micro-targeting — serving ads to a very specific segment of the population — which stokes division and hostility, and is often cloaked in secrecy.

Americans feel overwhelmed in the digital era by the power of the tech giants. But, Weinstein argues, they distrust government even more than they do the tech companies. They want Facebook to regulate American democracy. We need the opposite. American democracy should regulate Facebook.

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CALENDAR

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4655 S. 2300 E., Suite 105, Holladay. Details are at holladaychamber.com.

Nov. 27, 6:30-8 p.m.

"Simple Steps," a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Dec. 2, 7 p.m.

"An Evening with Wendy Bird," an Access Salt Lake event and featuring the international speaker and performance coach. Location is The Event Hall at Access Salt Lake, 175 W. 200 S., No. 100, Salt Lake City. Free. RSVPs can be completed at accesssaltlake.com/events.

Dec. 3, 9-11 a.m.

"Jump Start: Intro to Entrepreneurship," a Women's Business Center of Utah event. Location is the Women's Business Center of Utah, 175 E. 400 S., Suite 600, Salt Lake City. Free. Details are at wbcutah.org.

Dec. 3, 11 a.m.-1 p.m.

Women in Business Luncheon, a ChamberWest event that is the Holiday Jingle & Mingle Luncheon. Location is Western Gardens Center, 4050 W. 4100 S., West Valley City. Cost is \$20 before Nov. 26, \$20 for nonmembers or at the door (participants are asked to bring a \$15

gift for the gift exchange). Details are at chamberwest.com.

Dec. 3, 11:30 a.m.-1 p.m.

Business Alliance Networking Luncheon, a Davis Chamber of Commerce event. Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Free. No RSVP required. Details are at davischamberofcommerce.com.

Dec. 3, 5-7 p.m.

Holiday Open House, hosted by the Salt Lake Chamber, Downtown Alliance, Women's Business Center of Utah and Women's Leadership Institute. Location is the Salt Lake Chamber, 175 E. 400 S., Suite 600, Salt Lake City. Free, but registration is required. Details are at slchamber.com.

Dec. 4, 9-11 a.m.

"Starting Your Business 101," a Small Business Development Center (SBDC) event. Location is the Salt Lake SBDC, Salt Lake Community College's Miller Campus, Corporate Partnership Center, Building 5, 9690 S. 300 W., Sandy. Free. Details are at <https://clients.utahsbdc.org/events.aspx>.

Dec. 5, 7:30-9 a.m.

Chamber Speaker Series, an Ogden-Weber Chamber of Commerce event. Location is Weber Center, 2380 Washington Blvd., Ogden. Free for chamber members and first-time guests. Details are at ogdenweberchamber.com.

Dec. 5, 8-9 a.m.

"The Hub of Opportunity:

Creative Land Use for People with Disabilities," a ULI (Urban Land Institute) Utah event. The Hub of Opportunity is an innovative mixed-use, transit-oriented project scheduled to open in spring 2020. Panelists are Tricia Pilny, president/CEO, Parallel Strategies (moderator); Stephanie Mackay, chief innovation officer, Columbus Community Center; Troy Hart, real estate development manager, HousingConnect; and Paul Drake, senior manager, real estate and transit-oriented development, Utah Transit Authority. Location is Columbus Community Center, 3495 S. West Temple, Salt Lake City. Cost is \$35 for members, \$50 for nonmembers. Details are at <https://utah.uli.org/events>.

Dec. 5, 8 a.m.-2:30 p.m.

"Managing the Ill or Injured Workers under the ADA, FMLA and Workers' Compensation," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$205. Details are at employerscouncil.org.

Dec. 5, 3-5 p.m.

Public Policy Forum, a Utah Technology Council event focusing on important issues regarding government's impact on business. Location is NICE inContact, 75 W. Towne Ridge Parkway, Sandy. Free. Registration can be completed at Eventbrite.com.

Dec. 5, 6-7:30 p.m.

"Start Smart," a Small Business Development Center

(SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Free. Details are at <https://clients.utahsbdc.org/events.aspx>.

Dec. 6, 8-10 a.m.

First Friday Face to Face, a West Jordan Chamber of Commerce event. Location is Megaplex Theatres, second floor, The District, 3761 W. Parkway Plaza Drive, South Jordan. Details are at westjordanchamber.com.

Dec. 6, 8:30-11:30 a.m.

"Grow Your Business: Idea Validation," a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Free. Details are at <https://clients.utahsbdc.org/events.aspx>.

Dec. 6, 11:30 a.m.-1 p.m.

Second Annual "Best of Holladay" Awards Ceremony and Chamber Holiday Party, a Holladay Chamber of Commerce event. Location is City Hall, Big Cottonwood Room, 4580 S. 2300 E., Holladay. Details are at holladaychamber.com.

Dec. 6, 11:30 a.m.-1 p.m.

WBN Christmas Luncheon, a Utah Valley Chamber event. Location is Thanksgiving Point, Garden Room, 3003 Thanksgiving Way, Lehi. Cost is \$30. Details are at thechamber.org.

Dec. 6, noon-1 p.m.

Silicon Slopes Live, a lunch and live recording of the Silicon Slopes podcast and featuring Peter Ord, founder, and Todd White, vice president of sales, both from Beynd. Location is Silicon Slopes, 2600 W. Executive Parkway, Suite 140, Lehi. Free. Details are at silicon-slopes.com.

Dec. 9, 11:30 a.m.-1 p.m.

"Utah Gubernatorial Candidates," a Wasatch Business Series event. Location is Residence Inn by Marriott, 171 E. 5300 S., Murray. Open to everyone. Cost is \$20 (prepayment is required). Details are at murraychamber.org.

Dec. 9, 5-7 p.m.

Second Annual WIB Christmas Party, a South Jordan Chamber of Commerce event. Location is Lucienne Salon Spa Boutique, 10690 S. River Front Parkway, South Jordan. Cost is \$15 for members, \$20 for nonmembers. Attendees are asked to bring an auction item (all funds go to the Jordan Education Foundation Christmas for Kids program). Details are at southjordanchamber.com.

Dec. 9, 5:30-7:30 p.m.

"Unlock the Financial Power of Your Business Ideas," a Small Business Development Center (SBDC) three-day training event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Dec. 9, 6-7 p.m.

Accounting Clinic, a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Dec. 10 and 17, 8 a.m.-4 p.m.

"The Leadership Secrets of Santa Claus," part of the Salt Lake Community College Frontline Leader Workshop Series. Dec. 10 is at SLCC's Miller Campus in Sandy. Dec. 17 is at the Westpointe Campus in Salt Lake City. Cost is \$250. Details are at <http://www.slcc.edu/workforce/courses/frontline-leader.aspx>.

Dec. 10, 10-11:30 a.m.

"How to Become a Leader People Will Follow," a West Jordan Chamber of Commerce event. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for chamber members, \$10 for nonmembers. Details are at westjordanchamber.com.

Dec. 10, 11:30 a.m.-1 p.m.

Holiday Soiree, a South Valley Chamber Women in Business event. Location is La Caille, 9565 Wasatch Blvd., Sandy. Cost is \$50, \$400 for a table of 10. Registration can be completed at Eventbrite.com.

Dec. 10, 6:30-8 p.m.

WordPress Workshop, a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Free. Details are at <https://clients.utahsbdc.org/events.aspx>.

Dec. 11, 5-7 p.m.

Business After Hours, an Ogden-Weber Chamber of Commerce event. Location is Fat Cats, 2261 Kiesel Ave., No. 1, Ogden. Free for chamber members and first-time guests, \$10 for nonmember guests. Details are at ogdenweberchamber.com.

Dec. 11, 6-7 p.m.

"Successful Marketing Campaigns," a Utah Marketing Association event that is part of a five-part series of monthly work-

see CALENDAR next page

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CALENDAR

from previous page

shops. Location is Impact Hub Salt Lake, 150 State St., No. 1, Salt Lake City. Free. Registration can be completed at Eventbrite.com.

Dec. 12-13

19th Annual Summit Director & Officer (D&O) Training Conference, presented by Diversified Insurance Group and designed for board chairs, corporate directors and senior executive officers of publicly traded, pre-IPO and private companies to gain insight and receive instruction from nationally recognized experts and thought leaders on best practices and strategies to improve boardroom performance. Location is Montage Deer Valley Resort, 9100 Marsac Ave., Park City. Cost is \$600. Details are at <https://www.summitconf.org/registration>.

Dec. 12, 8 a.m.-noon

"Advanced I-9 Practice," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$145. Details are at employerscouncil.org.

Dec. 12, 11:30 a.m.-1 p.m.

Annual Holiday Party and Networking Luncheon, a Davis Chamber of Commerce event. Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Cost is \$20. Details are at davischamberofcommerce.com.

Dec. 12, 3-4:30 p.m.

"Master Class: Small-Business Vision Board Workshop," a Women's Business Center of Utah event. Location to be determined. Cost is \$15. Details are at www.wbcutah.org.

Dec. 12, 6-8 p.m.

"Business Essentials," a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Free. Details are at <https://clients.utahsbdc.org/events.aspx>.

Dec. 13, 7:45-9 a.m.

Women in Business Networking, an Ogden-Weber Chamber of Commerce event. Location is Weber Center, 2380 Washington Blvd., Ogden. Free for WIB members. Details are at ogdenweberchamber.com.

Dec. 13, 8-10 a.m.

Utah County Speednet,

a Utah Valley Chamber speed networking event. Location is SCERA Center for the Arts, 745 S. State St., Orem. Free. Details are at thechamber.org.

Dec. 13, 8:30-11:30 a.m.

"Grow Your Business: Business Foundation," a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Free. Details are at <https://clients.utahsbdc.org/events.aspx>.

Dec. 13, 11:30 a.m.-1 p.m.

Lunch & Learn, a Murray Area Chamber of Commerce event. Speaker is from the Wasatch Front Regional Council. Location is Prohibition Utah, 151 E. 6100 S., Murray. Cost is \$19 for members, \$25 for guests. Details are at murraychamber.org.

Dec. 17, 8 a.m.-noon

"Recognizing and Addressing Workplace Conflict," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$145. Details are at employerscouncil.org.

Dec. 17, 11:30 a.m.-1 p.m.

Business Alliance Network-

ing Luncheon, a Davis Chamber of Commerce event. Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Free. No RSVP required. Details are at davischamberofcommerce.com.

Dec. 18, 7:30-8:30 a.m.

Coffee Connection, a Holladay Chamber of Commerce event. Location is 3 Cups, 4670 Holladay Village Plaza, Suite 104, Holladay. Details are at holladaychamber.com.

Dec. 18, 5:30-6:30 p.m.

Small Business Development Center (SBDC) Workshops, including "Quickbooks Workshop" and "Tax Planning." Location is the Orem/Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Dec. 19, 8:30-10:30 a.m.

"Unemployment Insurance in Utah: Appeal Hearing Workshop," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$99. Details are at employerscouncil.org.

Dec. 19, 9-10 a.m.

"Coffee With Clancy: Mak-

ing Intellectual Property an Asset for Business Growth," a Women's Business Center of Utah event featuring Clancy Stone, business advisor for the northern region for the Women's Business Center of Utah; and Tom Briscoe, registered patent attorney and IP strategist at Kunzler Bean & Adamson. Location is Publik Coffee Roasters, 975 S. West Temple, Salt Lake City. Free. Details are at www.wbcutah.org.

Dec. 19, 11:30 a.m.-1 p.m.

"Multiplying Lasting Profitable Relationships," a West Jordan Chamber of Commerce event. Presenter is Clay Neves of Personal Sales Dynamics. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for members, \$10 for nonmembers. Details are at westjordanchamber.com.

Dec. 19, 6-7 p.m.

Small Business Development Center (SBDC) Workshops, including "Intellectual Property" and "Legal Clinic." Location is the Orem/

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CALENDAR

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Provo SBDC, Utah Valley University, 815 W. 1250 S., Orem. Details are at <https://clients.utahsbdc.org/events.aspx>.

Dec. 20, 8-10 a.m.

Third Fridays Speed Networking, a South Jordan Chamber of Commerce event. Location is Megaplex 20, 3761 W. Parkway Plaza Drive, South Jordan. Details are at southjordanchamber.org.

Dec. 27, 9-10 a.m.

Pitch Clinic, a West Jordan Chamber of Commerce event for business development professionals to hone their skills in delivering a powerful elevator pitch. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for chamber members, \$10 for nonmembers. Details are at westjordanchamber.com.

Dec. 27, noon-1 p.m.

Women in Business Brown Bag Lunch, a West Jordan Chamber of Commerce event. Location is Residence Inn, 7558 S. Plaza Center Drive, West Jordan. Free. Details are at westjordanchamber.com.

Jan. 3, 8-10 a.m.

First Friday Face to Face, a West Jordan Chamber of Commerce event. Location is Megaplex Theatres, second floor, The District, 3761 W. Parkway Plaza Drive, South Jordan. Details are at westjordanchamber.com.

Jan. 8, 5-7 p.m.

Business After Hours, an Ogden-Weber Chamber of Commerce event. Location is The Monarch, 455 25th St., Ogden. Free for chamber members and first-time guests, \$10 for nonmember guests. Details are at ogdenweberchamber.com.

Jan. 10, 7:45-9 a.m.

Women in Business Networking, an Ogden-Weber Chamber of Commerce event. Location is Weber Center, 2380 Washington Blvd., Ogden. Free for WIB members. Details are at ogdenweberchamber.com.

Jan. 10, 8-10 a.m.

Friday Forum, a Utah Valley Chamber event. Location is Utah Valley Convention Center, 220 W. Center St., No. 200, Provo. Details are at thechamber.org.

Jan. 14 and 21, 8 a.m.-4 p.m.

"Effective Time Management," part of the Salt Lake Community College Frontline Leader Workshop Series. Jan. 14 is at SLCC's Miller Campus in Sandy. Jan. 21 is at the Westpointe Campus in Salt Lake City. Cost is \$250. Details are at <http://www.slcc.edu/workforce/courses/frontlineleader.aspx>.

Jan. 14, 9-10:30 a.m.

"Jump Start: Intro to Entrepreneurship," a Women's Business Center of Utah event. Location is the Women's Business Center of Utah, 175 E. 400 S., Suite 600, Salt Lake City. Free. Details are at wbcutah.org.

Jan. 15, 8 a.m.-noon

"Improving Behavior: Setting and Achieving Performance Goals for All Workers," a Small Business Development Center (SBDC) event. Location is Tooele Technical College, Board Room, 88 S. Tooele Blvd., Tooele. Cost is \$98. Details are at <https://clients.utahsbdc.org/events.aspx>.

Jan. 16, 9-10 a.m.

"Coffee With Clancy," a Women's Business Center of Utah event featuring Clancy Stone, business advisor for the northern region for the Women's Business Center of Utah. Location is Avenues Publik Coffee Roaster, 502 3rd Ave., Salt Lake City. Free. Details are at www.wbcutah.org.

Jan. 16, 11:30 a.m.-1 p.m.

"Multiplying Lasting Profitable Relationships," a West Jordan Chamber of Commerce event. Presenter is Clay Neves of Personal Sales Dynamics. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for members, \$10 for nonmembers. Details are at westjordanchamber.com.

Jan. 16, 3-5 p.m.

Public Policy Forum, a Utah Technology Council event focusing on important issues regarding government's impact on business. Location is Utah State Capitol, 350 State St., Salt Lake City. Free. Registration can be completed at Eventbrite.com.

Jan. 17, 7:30 a.m.-noon

Utah Economic Outlook & Public Policy Summit 2020, hosted by the Salt Lake Chamber, in collaboration with the Kem C. Gardner Policy Institute at the University of Utah. Location is Salt Lake City Marriott Downtown at City Creek, 75 S. West Temple, Salt Lake City. Cost is \$80 for members, \$100 for nonmembers

(\$10 early-bird member discount before Dec. 20). Details are at slchamber.com.

Jan. 17, 8-10 a.m.

Utah County Speednet, a Utah Valley Chamber speed networking event. Location is SCERA Center for the Arts, 745 S. State St., Orem. Free. Details are at thechamber.org.

Jan. 22, 8-9:30 a.m.

"Are We Experiencing a Kinder, Gentler National Labor Relations Board?" an Employers Council event that is part of a five-part Legal Breakfast Briefing Series. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$99 for this session, \$420 for all five sessions. Other sessions are March 25, May 27, Aug. 26 and Oct. 28. Details are at employerscouncil.org.

Jan. 23, 8:30 a.m.-4 p.m.

"Supervision: Critical Skills for Effective Leaders," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$225. Details are at employerscouncil.org.

Jan. 24, 6-9 p.m.

2020 Business Awards Banquet, a Davis Chamber of Commerce event. Location is the Davis Conference Center, 1651 N. 700 W., Layton. Details are at davischamberofcommerce.com.

Jan. 25, 9-10:30 a.m.

Legislative Breakfast 2020, a Murray Area Chamber of Commerce event. Location is Intermountain Medical, Doty Education Center, 5151 S. Cottonwood St., Building 6, Murray. Free, and open to the public. Details are at murraychamber.org.

Jan. 29, 12:30-4:30 p.m.

"Employment Rules: Key Utah Laws Employers Must Know," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$145. Details are at employerscouncil.org.

Jan. 30-31

Silicon Slopes Tech Summit 2020. Event includes keynote presentations, breakout sessions, entertainment and networking opportunities. Location is Salt Palace Convention Center, 100 S. West Temple, Salt Lake City. Cost is \$149 for an all-access pass (through November). Details are

at siliconslopesummit.com.

Jan. 30, 7:30-9:30 a.m.

Annual Legislative Breakfast, a Utah Technology Council event featuring a discussion of pressing issues with legislators. Location is Utah State Capitol, 350 State St., Salt Lake City. Free. Registration can be completed at Eventbrite.com.

Jan. 30, 3-4:30 p.m.

"Jump Start: Intro to Entrepreneurship," a Women's Business Center of Utah event. Location is the Women's Business Center of Utah, 175 E. 400 S., Suite 600, Salt Lake City. Free. Details are at wbcutah.org.

Feb. 4, 12:30-4:30 p.m.

"Basic I-9 Compliance," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$145. Details are at employerscouncil.org.

Feb. 6, 8:30 a.m.-4 p.m.

"Supervisory Skills Program," an Employers Council event over four consecutive Thursdays. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$740. Details are at employerscouncil.org.

Feb. 6, 9-10 a.m.

"Coffee With Clancy," a Women's Business Center of Utah event featuring Clancy Stone, business advisor for the northern region for the Women's Business Center of Utah. Location is Athena Beans Coffee House & Bistro, 111 W. 9000 S., Sandy. Free. Details are at www.wbcutah.org.

Feb. 7, 8-10 a.m.

First Friday Face to Face, a West Jordan Chamber of Commerce event. Location is Megaplex Theatres, second floor, The District, 3761 W. Parkway Plaza Drive, South Jordan. Details are at westjordanchamber.com.

Feb. 7, 8-10 a.m.

Friday Forum, a Utah Valley Chamber event. Location is Utah Valley Convention Center, 220 W. Center St., No. 200, Provo. Details are at thechamber.org.

Feb. 7, 8:30 a.m.-3:30 p.m.

"Investigations in the Workplace," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$205. Details are at employerscouncil.org.

Feb. 11, 8:30 a.m.-12:30 p.m.

"Coaching Employees: A Step-By-Step Process," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$145. Details are at employerscouncil.org.

Feb. 11, 9-10:30 a.m.

"Jump Start: Intro to Entrepreneurship," a Women's Business Center of Utah event. Location is the Women's Business Center of Utah, 175 E. 400 S., Suite 600, Salt Lake City. Free. Details are at wbcutah.org.

Feb. 12, 5-7 p.m.

Business After Hours, an Ogden-Weber Chamber of Commerce event. Location to be determined. Free for chamber members and first-time guests, \$10 for nonmembers. Details are at ogdenweberchamber.com.

Feb. 13, 5:45-10 p.m.

2020 Annual Gala & After Party, an Ogden-Weber Chamber of Commerce event. Location is Peery's Egyptian Theater and Ogden Eccles Conference Center, 2415 Washington Blvd., Ogden. Cost is \$100. Details are at ogdenweberchamber.com.

Feb. 14, 7:45-9 a.m.

Women in Business Networking, an Ogden-Weber Chamber of Commerce event. Location is Weber Center, 2380 Washington Blvd., Ogden. Free for WIB members. Details are at ogdenweberchamber.com.

Feb. 20, 9-10 a.m.

"Coffee With Clancy," a Women's Business Center of Utah event featuring Clancy Stone, business advisor for the northern region for the Women's Business Center of Utah. Location is Ritual Chocolate, 1105 Iron Horse Drive, Park City. Free. Details are at www.wbcutah.org.

Feb. 20, 11:30 a.m.-1 p.m.

"Multiplying Lasting Profitable Relationships," a West Jordan Chamber of Commerce event. Presenter is Clay Neves of Personal Sales Dynamics. Location is Mountain America Credit Union, 3065 W. 5400 S., Taylorsville. Free for members, \$10 for nonmembers. Details are at westjordanchamber.com.

Feb. 21, 8 a.m.-6 p.m.

35th Annual Investor's Choice Venture Capital Confer-

see CALENDAR next page

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CALENDAR

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ence, a VentureCapital.org event. Location is Marriott Downtown at City Creek, 75 S. West Temple, Salt Lake City. Event is preceded by Feb. 20, which includes a ski and snowboard day at Snowbird Ski Resort, 9385 Snowbird Center Drive, Snowbird; and an investor reception 6-8 p.m. at the Zions Bank Founders Room, 1 S. Main St., Salt Lake City. Registration can be completed at www.ic-2020.eventbrite.com.

Feb. 26, 8:30 a.m.-12:30 p.m.

"Family and Medical Leave Act Essentials," an Employers Council event. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$145. Details are at employerscouncil.org.

Feb. 27, 3-4:30 p.m.

"Jump Start: Intro to Entrepreneurship," a Women's Business Center of Utah event. Location is the Women's Business Center of Utah, 175 E. 400 S., Suite 600, Salt Lake City. Free. Details are at wbcutah.org.

Feb. 28, 8 a.m.-4:30 p.m.

"PHR/SPHR Study Programs," an Employers Council event over five consecutive Fridays. Location is Employers Council, Utah office, 175 W. 200 S., Suite 2005, Salt Lake City. Cost is \$1,695. Details are at employerscouncil.org.



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an attorney, go to <https://lawyers.findlaw.com/lawyer/practice/franchising>, or call your state bar association and ask for a list of franchise-law section members.

A bigger concern for you is that the IRS or another government agency might view your independent distributors as employees for tax purposes. Even though you allow your distributors to work for other people, it does appear you are giving

them very specific instructions about how, when and where to sell your products, to the point where you may be directing and controlling their activities while they are selling your products. The IRS audits very heavily in this area, so make 100 percent sure your distributors are truly independent.

Cliff Ennico (crennico@gmail.com) is a syndicated columnist, author and former host of the PBS television series "Money Hunt."

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VOLUNTEERS



International Relief Teams Seeks Skilled Construction Volunteers

International Relief Teams (IRT) is seeking volunteers with construction skills (handypersons or licensed contractors) for one week deployments to U.S. flood affected areas to help those families who cannot financially recover on their own, get back into their homes. Our construction teams are currently working in Louisiana in the aftermath of last year's record floods, and anticipate we will be needed in Texas in the near future.

Although skilled construction volunteers are our first priority, we will be adding a limited number of unskilled volunteers to each team. All volunteers accepted for this assignment will be flown commercially from an airport near their home to an airport near the job site, leaving on a Sunday and returning the following Sunday. IRT will provide minivans for volunteers to use to for local transportation to and from the arrival airport and to and from the job site.

Teams will be housed at local churches or other suitable facilities. Volunteers are responsible for bringing their own bedding, towels, and toiletries. There is a \$150 volunteer participation fee to help cover airfare and local transportation costs, and volunteers are responsible for their own meals while on assignment.

Work is performed Monday through Friday (full days) and a half day on Saturday. Job assignments generally include installing windows, doors, kitchen cabinets; laying tile, linoleum, or wood flooring; building handicap ramps to the home; roofing; drywall and mudding; finish carpentry work, finishing plumbing; and other related tasks. We ask each volunteer to bring basic hand tools, such as a tool belt, hammer, pliers, putty knives, tape measure, etc. Power tools, generators, compressors, and other large specialty tools are provided by IRT and our local agency partners.

For more information, contact Brett Schwemmer (bschwemmer@irteams.org), or to apply for an assignment, fill out an online volunteer application (www.irteams.org).

About IRT: Since 1988, IRT has been actively involved in helping families in need in 68 international disasters, and 24 U.S. disasters. IRT construction teams worked for more than six years repairing and rebuilding homes in Mississippi after Hurricane Katrina, and four years in New Jersey after Superstorm Sandy, and is now working in Louisiana after last year's record floods.



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