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350-employee Ogden manufacturer sold to Florida firm

By Barbara Rattle
The Enterprise

Cornerstone Research & Development Inc., an Ogden-based manufacturer of top-branded vitamins and dietary supplements, has been sold to an affiliate of Boca Raton, Fla.-based Sun Capital Partners Inc. Terms were not disclosed.

The seller of the company, which operates from an approximately 200,000 square foot facility at 900 S. Depot Dr., was Mitsui & Co., a publicly traded Japanese firm that dates back about 100 years. Mitsui purchased Cornerstone in 2004.

Cornerstone CEO Mike Beardall said little will change as a result of the acquisition. Cornerstone will retain its name, location, management and all employees, of whom there are about 350 full time. The company



makes use of another 50 to 70 part-time staffers to keep up with fluctuations in demand.

Cornerstone is a leading “pure play” nutrition supplement manufacturer, meaning it does not compete with its customers.

“We manufacture products for other companies and put their logo on the bottle,” Beardall said. He noted a number of the firm’s competitors not only do the same, but then manufacture generics as a side business. Cornerstone does not.

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Pipe fabricator opens 50,000 sq. foot plant in Salt Lake City

By Barbara Rattle
The Enterprise

Permalok Corp., a St. Louis-based firm that fabricates and distributes large interlocking steel pipes for underground or “trenchless” construction, has opened a 50,000 square foot plant at 537 W. 600 S., Salt Lake City.

Company CEO Richard Bauman said Salt Lake City was chosen as the firm’s western outpost “because of the fact that a good percentage of our market area is west of Denver, all the way to the coast and Hawaii. It’s an ideal location. And the Salt Lake City area is particularly ideal for us because of the steel background that you already have.”

Ten people are employed at the new Utah plant, although that number couple double, Bauman said, noting Permalok employs 33 in its home state of Missouri.

“We take sheets of plate, thicknesses a half inch to an inch-and-a-half, and roll it into pipe,” he said. “We have a patented connector that joins steel pipe without welding. We have couple of production facilities in St. Louis



and ship either by rail or truck.”

Most of the company’s customers use Permalok’s products to deal with water and wastewater. The firm’s pipe producing capabilities range from 30 to 150-inch outside diameter. The Permalok connection is attractive to the trenchless excavation industry because it is designed to be flush with the interior and exterior surfaces of the pipe. Joint quality is further enhanced because the Permalok connector is consistently round, true and perpendicular to the pipe axis. Its unique machined groove makes stabbing and aligning easy and quick.

Permalok leased its Salt Lake plant with the assistance of Michael Jeppesen and Jeremy Jensen of IPG Commercial Real Estate.

Google exec: small firms wanting to go global must use technology

By Brice Wallace
The Enterprise

Have a small company that you’d love to see doing international business? Todd Rowe has some advice: use technology to raise awareness of your company, and it need not cost a fortune.

Speaking at the Governor’s Utah Economic Summit last week, Rowe, managing director of global channel sales at Google, said many small companies avoid setting up websites or using other technologies because they consider them complex, costly and a drain on time. However, Rowe said technology will determine the winners and losers in the business world.

“Technology is an interesting thing. It is a double-edged sword,” said Rowe, a Utah native and University of Utah graduate. “For those who leverage it, take advantage of it fully, those are the companies that are the winners that will take the market share if they can differentiate themselves from the other companies.

The other part of that double-edged sword is the companies that stay with that same business model that they’re comfortable with, that they know, that they don’t necessarily want to change. Those eventually are the ones that become the dinosaurs, that die out a bit.”

The technology can be in various forms. One can be a “smart” website. Other elements can be added, such as mobile apps and Web videos. All can move a company from being “geographically constrained” to being in “borderless markets” with a potential customer base of hundreds of millions of people. Technology “levels the playing field” for small companies, he said.

To bolster his case, Rowe cited a pair of Utah-based companies. South Jordan-based Ricochet Offroad Armor, a 30-year-old, family-based business that makes protective plates for off-road vehicles, used its website to expand

see TECH page 2

Five-store Uinta Golf sold to Edwin Watts Golf Shops

On the heels of opening its first store — in Iowa — Edwin Watts Golf Shops LLC, a Florida-based firm that is one of the world’s largest specialty golf retailers, is acquiring Uinta Golf’s five stores in Utah.

Uinta, the premier golf retail chain in Utah, has sold stores in Salt Lake City, Sandy, Riverdale, Orem and St. George. Under new ownership, they will be known as Edwin Watts Golf Uinta, with the Salt Lake City location serving as Edwin Watts Golf’s new western regional office. The new name is expected to be introduced on May 1.

Associates currently working for Uinta Golf will maintain their positions within the new Edwin Watts Golf Uinta stores.

“Uinta Golf has an unmatched history of golf retail excellence in the state of Utah for more than 40 years, and we’re proud to bring the Uinta brand into the Edwin



Watts Golf portfolio,” said John Watson, CEO, Edwin Watts Golf. “Recognizing the strong heritage and the established reputation throughout the community, we will preserve the brand as Edwin Watts Golf Uinta.”

In an online letter to customers, Uinta owner Sean Smith said “the decision to sell to Edwin Watts Golf was not an easy one, but one that I felt was necessary in order for our stores to remain competitive in the future. The golf retail landscape is quickly maturing and changing. I felt that we needed to be a part of something bigger in order to continue to thrive and provide you with the service you are accustomed to.”

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CORNERSTONE

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The customers of Cornerstone, which Beardall was unable to identify due to non-disclosure agreements, are “the premier distributors and marketers of dietary supplements throughout the United States,” he said, “and about 20 percent of our business ends up in Southeast Asia. We ship to U.S. locations and they distribute throughout the world, but we actually manufacture products for the U.S., South America, Europe, Asia, Africa — almost every country throughout the world.”

Cornerstone develops, produces and packages more than 500 different capsule, tablet and specialty powder products for its customers. They include vitamin and mineral supplements, botanicals, energy and weight management supplements, probiotics, and anti-aging/general wellness supplements. The company can manage the entire formulation, design and product sourcing process for its customers. Its packaging capabilities include bottles, capsules,

Clarification

A story in the April 2 edition of *The Enterprise* about Salt Lake City-based Interior Solutions buying Phoenix-based Concert Architectural Interiors implied that Interior Solutions has now become a dealer for the Spacesaver and Allsteel brands. In fact, only its new Arizona office has those rights. Interior Solutions' flagship product line continues to be Kimball.

tablets, blister cards, pillow-packs and bulk packaging. Its plant is capable of producing more than five billion tablets and capsules annually, making it one of the largest in the industry. The company traces its roots back to 1992.

Beardall said new ownership is welcome.

“The real benefit is it's U.S. ownership,” he said, “and Sun is very strategic and has growth strategies for every acquisition they make. They plan to grow this business aggressively.”

Sun Capital has prior experience in the nutraceutical industry with former affiliated portfolio company Elan Nutrition, a formu-

lator and manufacturer of snack and nutrition bars.

Sun Capital Partners is a leading private investment firm focused on leveraged buyouts, equity, debt and other investments. Sun Capital affiliates have invested in more than 295 companies worldwide with combined sales in excess of \$45 billion since Sun Capital's inception in 1995. Some of its portfolio companies include American Standard, Bonmarche', Boston Market, Contessa Premium Foods, Fazoli's Restaurants, Gerber Childrenswear, Gordmans, Hickory Farms, Limited Stores, Shopko Stores and The Scooter Store.

Performance Bicycle opens first Utah store

Performance Bicycle, the nation's largest independent cycling retailer, has entered the Utah market with a 9,700 square foot location at 291 W. 2100 S., Salt Lake City. It joins the Chapel Hill, N.C.-based firm's 106 stores in various states.

“Salt Lake City has a strong local cycling community, and our mission is to be the go-to resource for cyclists of all types and levels,” said David Pruitt, Performance Bicycle's CEO.

The new store's manager is Luke Stevenson, a Salt Lake City native. The new store has more than 3,000 items in stock, including hundreds of bikes, helmets, shoes, apparel, components, nutrition products and gear. The new store will also feature Performance Bicycle's signature Spin Doctor Service and Repair department.

Spin Doctor certified mechanics participate in a continuous training program and are on-hand seven days a week and trained to industry established standards; all work is backed by a complete customer satisfaction guarantee.

Performance Bicycle stores offer free lifetime adjustments for every bike purchased. Every item it sells is backed by a 100 percent satisfaction guarantee. Kid's bikes come with a free size and safety fitting and a Kid's Bike Growth Guarantee offers discounts on new bikes when kids have outgrown their old ones. A Team Performance Buyer' Club gives 10 percent back on every purchase and free second-day shipping upgrades.

The company leased its location with the assistance of Paul Jensen of Surety Properties.

TECH

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beyond the Utah market, and business ultimately quintupled, he said. The company augmented the site with videos and with photos submitted by off-road enthusiasts.

Another company, Provo-based Orabrush, had limited success selling its tongue scraper door to door. A \$500 investment in a clever, humorous video about the product paid off handsomely after the video gained 39 million views on YouTube. The firm sold more than one million units online and the scraper also is now available at CVS and Walmart. “That's a pretty good return on investment,” Rowe said.

Companies investing in mobile apps and videos, in most cases, will see revenues increase, he said. “If you're not doing that, my guess is, your competition is,” he said.

Rowe cautioned that it's a big online world out there, and that it is difficult to stand out in the crowd. But it also represents opportunity. The world has seven billion people, but the number of Google searches daily is about three billion. In the U.S., 97 percent of consumers go online to look for local products. The U.S. population is about 300 million, but there are more than 200 million mobile phones and 60 percent of them are smartphones — poten-

tial tools for customers if a company has mobile apps. “The good thing for us in Utah [is] less than 40 percent of websites actually are mobile-optimized, meaning you can differentiate yourself from your competition,” Rowe said.

Only 37 percent of U.S. small businesses have websites, meaning opportunity exists for companies that want to use technology to help boost business. Rowe urged companies to simply get started, using one technology and then expanding from there. They can check out technology available for small businesses, see what their competition is doing and attend events as a way of learning about their options. Then they can get online with a smart website, get involved in online advertisements, go mobile, post videos and conduct analysis to know how their customers respond.

“Forty percent of companies have websites; 60 percent do not. They are sitting ducks for being able to take new customers, take market share. This is easy pickins,” Rowe said, noting that companies might have a two- to three-year window of opportunity to beat competitors in the tech realm.

“You're seeing that shift in technology. That is a given. What is not a given is which companies are going to take advantage of that? Will it be you or will it be your competition?”

As part of the acquisition, Edwin Watts Golf will obtain Uinta Golf's state-of-the-art RoboFit equipment testing center, including an advanced swing robot similar to what the USGA utilizes for its product testing.

UINTA

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He said Edwin Watts Golf Uinta will continue to accept Uinta Golf gift cards through April of 2013.

Until it opened its store in Iowa, Edwin Watts operated as an integrated, multi-channel retailer — it launched a golf shop in the Murray Sears store two years ago — offering brand name golf equipment, apparel and accessories through its 84 domestic retail locations, the Internet and telephone/catalog/direct mail sales.

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Custom plastics firm to nearly double footprint in West Valley City

By Barbara Rattle
The Enterprise

Premier Plastics, a West Valley City-based custom plastic packaging and thin-wall thermoforming company, is preparing to nearly triple the size of its footprint.

Presently located in about 10,000 square feet at 2450 S. 3400 W., the 22-year-old business has purchased a 27,000 square foot building at 2370 S. 3600 W. that will be complemented by enough new equipment to grow its staff by 30 to 50 percent during the third quarter of this year, according to owner Jim Holbrook.

He said Premier Plastics has grown by more than 100 percent during the last few years and plans to make the physical move to the new location during the first week of June. A staff of 20 will relocate. Holbrook said the company's revenues average \$2 million annually, but with the larger building and more equipment, is "on track for 2012 to be at \$3.5 million. We're on schedule for that already."

Thai restaurant to open in downtown Salt Lake in May

A husband-and-wife team will soon open a Thai restaurant in downtown Salt Lake City to attract diners looking for something different for lunch.

Kongphan and Kulnapa Siripong expect to open the 1,500 square foot Bangkok Terrace at 69 Gallivan Ave. sometime in early May. The restaurant will offer cafeteria-style lunches, with different specialty menus daily. Customers will be able order from the regular menu if they don't like the daily options.

"The customer can sit down and eat at the restaurant or take out to eat at their desks at work or the top of the restaurant [where] we have an open space that people can sit back, eat and relax," Kulnapa Siripong said.

She expects a good number of downtown lunchtime diners tired of the typical fare of sandwiches, burgers and salads to come into Bangkok Terrace for "some authentic and healthy food that they can have in a rushed day, or they can relax in our restaurant and eat the food in the park or outdoors, especially in the spring and summer."

"The taste of our food will be very close to the food they can eat in Thailand. ... Our restaurant, Bangkok Terrace, is authentic in every way: the food, the decorations and the feel — everything."

She expects the "to die for"

Premier Plastics specializes in custom plastic packaging and thin-wall thermoforming, from concept to completion, low-volume to high-volume production. The company offers full-service production and fulfillment for clamshell and blister packaging as well. Using unique materials, Premier Plastics can create anti-static products for the computer and electronic industries, and FDA-approved materials for medical and dental products. The firm is ISO 9001-2000 compliant, meaning its products and processes meet a globally recognized standard of quality.

Premier will add two more high-speed, plastic forming lines and additional packaging lines at the new location. Wells Fargo is providing the building loan and financing some infrastructure construction that is currently under way.

The firm purchased its new building with the assistance of IPG Commercial Real Estate.

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There's No "I" in Teamwork But there's plenty of future



The faster business moves, the more trends seem to come and go. In recent years, knowledge workers have thrived (or survived) with MBO, TQM, learning organizations, act-like-you-own-the-company, lean this or that, and many more.

Some of these strategies have legs, but one is simply irreplaceable: collaboration. It's beyond trend, really. Call it group work, teamwork, or collaboration, it's a fact of life in offices worldwide and it's not going away. It's like your favorite sweater: hardly trendy, a little worn maybe, but you wouldn't feel right without it.

Collaborative work has huge implications for the built environment and it's a topic of discussion with every client, say designers, architects, educators, and researchers. Teamwork is increasing even in corporate cultures that are physically mired in a much older generation of workplace.

The workforce is all about 'we,' it's more collaborative. Nothing is ever one hundred percent your idea.

Collaborative work is definitely increasing. There's an increase in project work in all types of organizations around the world, and that drives an increase in spaces where teams can collaborate. What's the reason for a renewed emphasis on collaborative work? Three reasons are cited most often: the speed and complexity of business today, the efficiency that results from collaboration, and tools that allow people to work together more than ever before.

A Tougher Business Environment Requires Teamwork

Businesses operate in a faster, more complex environment today. First, over the past twenty years and more so in recent years, you have this flattening of the world, It's becoming a global community. You're not competing locally anymore, by and large. It's far more competitive than that. Customers are everywhere, so we work everywhere.

Second, business today is increasingly complex. The problems are more diverse. You can't solve today's problems like yesterday's problems.

Back in the day, it was more of a linear process. Things are more complicated now and the way the world works requires interaction on so many levels. As a result, collaboration is inherent in the culture these days.

In this more complex, more competitive world, the speed at which an organization can increase productivity and innovation is the key to success. Productivity gains make you more profitable, and innovation separates you from the pack. The best way to increase both of those is collaboration.

Learning to Work as a Team

There are many strategies designers recommend for a workplace that can flex with collaborating workers, including:

- lower panels that aid communication
- places that support unplanned collaborations, from a group of lounge pieces huddled off to the side to open team spaces with movable furniture
- small private rooms for confidential discussions and phone calls
- café spaces that attract everyone and increase those casual, often inspiring, conversations

A key part of designing collaborative spaces is involving workers in their development and testing. Yet even when they're deeply involved in planning a new space, most knowledge workers need time and sometimes training to learn the best ways to use team spaces and processes.



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Social media as an employee screening tool? Experts say beware

By Brice Wallace

The Enterprise

Companies using Facebook, LinkedIn and Twitter to learn more about a potential new employee might want to rethink that strategy, according to Jason D. Boren, a litigation attorney at Ballard Spahr.

Speaking at last week's Salt Lake SHRM (Society for Human Resource Management) Employment Law Seminar, Boren noted that social networking sites represent opportunities for companies to learn about job candidates and other matters, but they also are potential landmines if employers or employees cross over ever-changing legal and ethical lines.

Issues abound regarding trolling for new-hire information, using social media sites in the workplace, retaliating against whistleblowers, restricting use of social media when employees are off-duty, and employees expressing political views, for example.

"It is an ongoing and changing thing," Boren said of social networking.

Horror stories abound. Nurses and staffers fired after posting photos of a man and his stab wounds. Police officers posting insensitive comments about the victim of an officer-involved fatal shooting. A mayor accidentally tweeting confidential information about 65 employees to his 760 Twitter followers. Airport security personnel posting hundreds of racist and anti-Muslim comments. Airline flight attendants belittling passengers online. Restaurant workers posting negative comments about the restaurant and its management. A bank intern fired after posting photos of himself in a Halloween costume after telling his bosses he needed to leave work to address a family emergency.

A more-common activity is companies' use of Facebook and other social media sites to check out potential new employees during the hiring process. This allows companies, inexpensively, to get additional insight into the candidate but can leave the company susceptible to trouble if they consider protected employment classes, which are often obvious when scanning a person's profile.

"Companies use it to check credentials," Boren said. "Is the candidate what the candidate represents himself or herself to be? Does that candidate use common sense in what he or she posts online? Do they excessively drink or participate in things that might be embarrassing to the company if they were to be associated with the company? There are a number of things that you can verify

online.


"What they put out there is open to the public to look at, and I think it gives you as an employer a different view of someone rather than just sitting across the table during an interview or going to lunch with that candidate to see what their common sense and judgment is and what type of person they are. They may actually, on Facebook, badmouth their former employer or disclose trade secrets or something else."


Boren suggested that companies institute policies regarding social media use in the hiring process, check and comply with the sites' terms of use, be consistent in using social media, document all activity and perhaps have a third party filter out protected-class information.

Regarding employee activities, again Boren suggested policies and training about them. Any prohibitions of social media in the workplace should be spelled out and their justifications explained. Workers should be warned about releasing confidential information such as trade secrets. Companies should monitor employees for compliance and be consistent in enforcement when violations occur.

Typically, the policies should clearly state that the company can monitor employee activity at the sites if the workers are using company equipment or company time. Companies also should caution workers about how they identify themselves on social networking sites in order to avoid negative associations with the employer.

"You're not trying to get into the employees' personal life and what they can do on their own time," Boren said. "What you want to do is restrict any relation to the company or any type of representations that may come back to bite the company."


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• Industry Briefs •

BANKING

• **Bank of American Fork** has rolled out **TheWayiPay**, an online person-to-person payment service that allows customers to make secure payments from their checking account to nearly anyone with a U.S. bank account. Customers can pay virtually anyone using only the recipient's name and e-mail address. TheWayiPay person-to-person payment service is available through Bank of American Fork's online banking. Payments processed are deducted from a customer's account electronically and deposited directly into the recipient's bank account in one to three business days. There is a \$1 fee per payment.

• **Utah Central Credit Union**, Salt Lake City, as part of its **Member Appreciation Month**, is giving away \$100 to one member each week in April. All members in good standing are eligible and are automatically entered to win. For every product a member has with Utah Central, they will be entered into the drawing one time. The more products a member has, the more chances he or she has to win. The membership list will be updated daily. At the end of the

Parr Brown selects Leithead as president for fiscal 2013

The law firm of Parr Brown Gee & Loveless has selected litigation attorney Heidi E.C. Leithead to lead the firm for the 2013 fiscal year.

One of unique attributes to Parr Brown's management approach is to name a new attorney to lead the firm for the coming year. Leithead has been serving as secretary for the past year, a prerequisite for the role of president.



Leithead

Leithead received her B.A. degree, cum laude, from the University of Utah in 1982. She earned her J.D. in 1987 from the University of Utah's S.J. Quinney School of Law, where she was awarded the Order of the Coif and Leary Scholar academic designations and served as a staff member and on the board of editors of the *Utah Law Review*.

For the past 25 years, Leithead has built an employment law practice, representing employers and management in counseling and training as well as complex litigation-related issues before federal and state trial and appellate courts and administrative agencies.

month, the daily \$100 winners from Chartway's Utah Region family credit unions, including HeritageWest, SouthWest Community and Utah Central, will be entered into a grand prize drawing for an all expense paid cruise for two valued at up to \$5,000.

• **U.S. Bank** opened a new full-service **branch in Clinton**. The branch is inside Walmart at 1632 N. 2000 W. Lindsay Bailey is the branch manager. This is the second U.S. Bank branch to open inside a Walmart during the past eight months in the state. There

are 39 U.S. Bank branches in Smiths locations in Utah, for a total of 42 in-store locations.

• For a limited time, **Bank of Utah** is offering **grants up to \$5,000** to help first-time homebuyers who qualify to get into a home this year. As of April 2, \$1.5 million in Home\$tart funds have been made available to all Federal Home Loan Bank members on a first-come, first-served basis. Bank of Utah is one of a handful of Utah banks to participate in the program. In order to qualify, homebuyers must earn at least 20 percent less

than the local median income (adjusted for family size). The Home\$tart Program matches \$3 for every \$1 that homebuyers may have saved (up to \$5,000) toward a buying a home. Home\$tart grants can be used for down payments, closing costs or rehabilitation of an owner-occupied housing unit, including a condominium or townhome. Applicants must qualify for an FHA loan and intend to live in the home for five years or receive a pro-rated penalty.

• **Mountain America Credit Union** has appointed **David Leigh**

as branch manager of its new Questar Branch in downtown Salt Lake City at 325 S. State St. in the new Questar building.

• **Weber State Credit Union** will host its eighth annual **Shred Day** on April 28. Shred trucks will be at the Main branch of WSCU (4140 Harrison Blvd, in Ogden), the North Ogden branch (2388 N. Washington Blvd. in North Ogden), and the Roy branch (5997 S. 3500 W. in Roy) from 10 a.m. to 2 p.m. Members of the community can

continued on next page

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A DIFFERENT WAY TO BANK REQUIRES A DIFFERENT BANK.

from previous page

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• **The U.S. Department of the Treasury** released a report last week showing that **Utah banks have increased their small business lending by \$126.1 million** since receiving capital through Small Business Lending Fund (SBLF). The SBLF, which was established as part of the Small Business Jobs Act that President Obama signed into law, encourages community banks to increase their lending to small businesses. Treasury invested more than \$4 billion in 332 institutions located in over 3,000 communities in 48 states, through the SBLF. Nationwide, institutions participating in the SBLF significantly increased small business lending in the last quarter of 2011 by \$1.3 billion over the prior quarter for a total of \$4.8 billion over their baseline.

• **Mountain America Credit Union** has been honored by the **American Institute of Certified Public Accountants** and the **Society for Human Resource Management** for providing financial education programs for

their employees to help improve their personal and financial well-being. Mountain America provides a no-cost course for its employees called the 8 Pillars of Financial Greatness. In addition, Mountain America teaches financial literacy classes in high schools throughout the state reaching thousands of students, helping them learn the importance of understanding the basics of budgeting, saving, spending, wise use of credit, credit reports and protecting their identity.

• **First Utah Bank** has become

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CONSTRUCTION

• **Lehi Block Co.** has inked an agreement with **Rubbersidewalks Inc.** of Fountain Valley, Calif., for exclusive distribution rights in Utah, Nevada, Wyoming and to The Church of Jesus Christ of Latter-day Saints. Rubbersidewalks' TERREWALKS are non-concrete modular sidewalks that have been

installed nationwide. They are said to surpass other pavement options in performance, safety, environmental benefits and cost effectiveness, and are made from 100 percent post-consumer plastics.

• Based on a survey of franchisees done by the *Franchise Business Review*, Lindon-based **Precision Concrete Cutting** was named the No. 1 franchisor in the Service category and the No. 1 franchisor in the "Under 50 Units" category. Precision Concrete Cutting is the leader in uneven trip hazard removal and uses a propri-



etary system to repair sidewalk trip hazards and manage sidewalk infrastructure. The company has franchise locations across the United States and Canada.

ECONOMIC DEVELOPMENT

• Three Utah firms are recipients of *Trade & Industry Development* magazine's Corporate Investment and Community Impact Awards: Lehi-based **IM Flash Technologies**, **eBay** in Draper and South Jordan, and Salt Lake City's **ITT Exelis**. The awards recognize corporate locations and investments with a focus on both the company investing in the community and the economic developers responsible for securing that investment. Each year, the magazine recognizes the top 30 companies in the two distinct categories of Corporate Investment and Community Impact.

INSURANCE

• Three additional insurance executives have joined **The Buckner Co.**, Salt Lake City. They are **Ryan Loftin**, **Jeremy Stucki** and **Micah Zabriskie**. This

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increases the company's employee count to 125. Loftin will work out of the firm's Salt Lake City office, while Stucki and Zabriskie will be based in the Ogden office. Loftin, Stucki, and Zabriskie have worked with commercial clients from a variety of backgrounds, ranging from contractors, oil and gas companies, auto dealers, farm equipment retailers, building material suppliers, to other retail and restaurant businesses.

• **EMI Health**, Salt Lake City, is a top-ranked PPO in the state of Utah, according to the results of the **Consumer Assessment of Health Plans Survey (CAHPS)** released as part of the Utah Department of Health's 2011 Health Plan Satisfaction Report. Conducted by DataStat Inc., an independent survey firm that examines all major health plans in Utah, the CAHPS survey measures member attitudes about the health care and services they received from their health plan during 2011. According to the results, EMI Health respondents gave the company high marks in three main categories: satisfaction with the health plan, satisfaction with the health care received and satisfaction with doctors available through the health plan.

LAW

• **Durham Jones & Pinegar** has hired **Elisabeth C. Smith** as an associate in the firm's Salt Lake City office. Smith's practice will focus on a wide variety of corporate and securities law matters, including mergers and acquisitions, offerings of debt and equity securities, and general matters of business and finance law. Smith received a J.D, magna cum laude, from the Boston University School of Law, and a B.A. in economics, summa cum laude, from Utah State University. Smith was formerly affiliated with the law firm Goodwin Procter LLP and the Commonwealth of Massachusetts Departments of Labor and Workforce Development. Most recently, Smith taught contracts and legal writing as a part-time faculty member at Boston University School of Law.

MANUFACTURING

• **JD Machine**, Ogden, has hired **Bryan Crowell** as general manager. Due to business growth, the 100 person, 33-year-old manufacturing company is making the addition to the management team with hopes of increasing productivity and efficiency and to prepare for future growth. Crowell brings 25 years of experience in manufacturing, quality and operations. He has experience in defense and automotive industries. He is specifically trained in the methodologies of the Toyota Production System and has managed repeat Shingo Award-winning operations.

MEDIA/MARKETING

• **Google** will be featuring Salt Lake City-based **Zagg Inc.** and its success in growing its business on YouTube on Google's blog on April 18. Google is also flying some Zagg representatives to its corporate headquarters for a two-day meeting with executives in order to learn about other ways to grow their business online. Zagg has created videos on its ZaggTV YouTube channel that have received more than 20 million views. According to Google, YouTube video ads drive a 20 percent increase in traffic to a website and a 5 percent increase in searches for a given business. Zagg has been so successful with YouTube that it has doubled visits to its website with its videos.

• **Snapp Conner PR**, South Jordan, has brought 15-plus additional years of public relations experience to its roster with the addition of **Kelly Wanlass** to its senior PR consultancy team. She started her career as a writer for The Associated Press and branched into PR at Applied Communications Corp., where she managed media relations for various products at Oracle and Storage Technology Inc. At Snapp, Wanlass will be a senior PR associate.

NATURAL RESOURCES

• **Fairchild International**, a Virginia-based manufacturer of underground mining equipment, is now working with **Genco Mine Service**, Huntington, to sell and service its full line of underground mining equipment west of the Mississippi River. Through the alliance, Fairchild expects to increase its geographic reach in the coal mining industry and create new markets among mine operators that specialize in the extraction of soda ash, potash and molybdenum, as well as other minerals and metals.

• In an effort to streamline operations and increase public involvement, Mayor Ralph Becker and the Salt Lake City Council have created a new **Parks, Natural Lands, Trails**

and Urban Forestry Advisory Board. The redesigned board will serve as a catalyst venue for citizen involvement in the stewardship of Salt Lake City's public lands. The Mayor and Council will select up to 11 Salt Lake City residents who will serve as Advisory Board members of the Division of Parks and Public Lands. Individuals are encouraged to apply for open positions by visiting www.slcgov.com/bc/boards-and-commissions-membership. Filled positions will reflect a range of broad community interests, including geographic, professional, cultural and neighborhood diversity.

NONPROFIT

• The **Davis Chamber Women in Business Committee** donated the proceeds of its AMBER Alert fund-raiser to Utah **Attorney General Mark Shurtleff** at its monthly luncheon April 12. A check for \$10,000 was presented to help find missing children in Utah. The Utah AMBER Alert is funded solely with donations, and the Davis Chamber Women in Business is currently the only source of that funding. The fund-raiser, a costume party and silent auction were held last October.

• The **YMCA of Northern Utah** has received a \$35,000 grant

from the **George S. and Dolores Doré Eccles Foundation** to increase the number of youth from low-income families who can participate in its summer camps at Camp Roger and its out-of-school programs in both Salt Lake and Weber counties. The grant builds on the Foundation's history of support for the YMCA's programs and facilities.

REAL ESTATE

• The Ogden office of **Coldwell Banker Residential Brokerage** has hired **Mike Minkevitch**, **Christine Carver**, **Katarina Pomaybo** and **Mandi Lee**. Minkevitch started his career with Coldwell Banker Residential Brokerage's South Ogden office seven years ago before working briefly with Prudential for the past six months. In his return to the company, he will continue specializing in residential sales in the North Davis and Ogden areas. Carver earned her real estate license in 2006 and her broker's license three years later in 2009. She had previously worked with Coldwell Banker Residential Brokerage, but most recently was with Prudential Utah Real Estate. Prior to joining Coldwell Banker Residential Brokerage, Pomaybo owned her own real estate com-

pany, Tahoe Resort Realty, in California. She has been a licensed agent since 1989, earning her California broker's license in 2005 and her Utah broker's license last year. Prior to joining Coldwell Banker Residential Brokerage, Lee worked at Prudential Utah Real Estate in South Ogden. She has been a licensed agent for more than eight years.

• **Prudential Utah Elite Real Estate, First Colony Mortgage, Vivint, Flagship Homes, Edge Homes, SUNROC Building Materials, Richmond American Homes, Utah Lifestyle Homes and Fit Marketing** have teamed up to sponsor the first **Utah's Amazing Home Race**. The winners of the race will receive \$10,000 toward the down payment on a home. The event will be held on May 12 when up to 100 teams will set off on a one-day journey across Utah County for a chance to win. Each team is comprised of two racers, with at least one of them having been pre-qualified to purchase a home. At the starting line, teams will be given the location of 10 destinations they must travel to and it is up to them to determine the best route. At each location, the teams will compete in a series of mental

continued on page 9

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Executive Lifestyle

Saving on summer vacations

You don't have to confine your summer vacation travel plans to a camping trip in one of the nearby canyons in order to save money.

Not that there's anything wrong with that.

I could actually say that when my children were quite young. They are all grown now. But I can remember spending a week with them at the politically-incorrectly-named Redman Campground up Big Cottonwood Canyon. All eight of us in two tents and the back of a station wagon. I must say, my wife has since informed me that the height of her roughing it in the woods will be in a condo



Don Shafer

where we might have to make our own beds, and where we will eat no more than two meals a day, after neither of which she is cleaning up. She is through with so-called vacations where she does

non-stop work from dawn to well after dark every day.

Anyway, affordable yet exotic possibilities are out there and many of them involve cruise ships.

Cruise ships offer a place where you can see lots of interesting places after unpacking once, because your room sails with you and also where all meals are a part of the price, including excessive snacking. All of the major cruise companies have extensive supervised children's programs, too. Fun and games for everyone from preschool through high school with other kids their own ages.

If you confine your drinking to milk, lemonade, coffee, tea and water, that's also part of the bargain. And, by planning your own see SHAFER page 16

Great books on organizational health, selling and prosperity

(Editor's note: Each month Jack Covert, founder of 800-CEO-READ, reviews the best recently released business books. Jack is also the coauthor of *The 100 Best Business Books of All Time*, recently updated and expanded, and released in paperback. 800-CEO-READ is a leading direct supplier of book-related resources to corporations and organizations worldwide, and specializes in identifying trends in the changing business market).

respect others and do the best for them. Then you don't have to be a salesperson about what you do. Selling becomes an activity consistent with who you are."

Clearly, not only is sales complicated, but salespeople also have to have a complex range of skills and intuition. They must have enough empathy to connect with people, but not so much that they cannot close a sale. Delves Broughton's analysis of the process smoothly translates into his analysis of the people involved, where the most successful are often the most complex, all while exhibiting a patterned, learned and simplistic message on the surface.

If sales, and salespeople, are complicated, it's also all very fascinating, and this book is as entertaining as it is educational. There are incredible stories within it, from PT Barnum, Jeffrey Gitomer, and Donald Trump to everyday people and products you might have never heard of ... yet.



The Art of the Sale: Learning from the Masters About the Business of Life

By Philip Delves Broughton, The Penguin Press

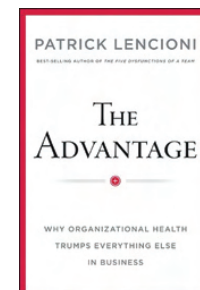
304 pages, \$27.95, Hardcover

Selling is complicated. No one seems to like it, whether they're doing the selling or being sold to, yet it is one of the most common positions in the world and many sales gurus preach, "everyone is in sales." Its ubiquity would seem to make it very clear to people, but it remains a slippery topic to understand.

Philip Delves Broughton's new book, *The Art of the Sale: Learning from the Masters About the Business of Life*, examines this enigma in great detail. From high-level insurance sales, customer-focused antiques retail and intense info-marketing to the nearly religious world of sales consulting, Delves Broughton reveals some of the fundamentals of this tricky business: storytelling, failure, persistence and, in essence, the human experience.

As Mrs. Shibata, one of Delves Broughton's case studies and the most successful insurance sales person in Japan, states:

"Selling is very hard to teach, because it's about what exists in your head and what goes on in your whole life. If you keep your friends and respect your parents, the benefits of that come back to you in this life. It comes back as income you can see. The objective in sales becomes the same as that in the rest of your life, to



The Advantage: Why Organizational Health Trumps Everything Else in Business
By Patrick Lencioni, Jossey-Bass
220 pages, \$27.95, Hardcover

This is a book many people may have been waiting for. Although Patrick Lencioni has established himself as an elite business book writer, he writes parables, and for some, fictional stories just don't get to the point quickly enough or clearly detail the important steps, data and analysis of a situation in order to change and improve it.

If that sounds like you, then you'll appreciate *The Advantage: Why Organizational Health Trumps Everything Else in Business*. The book is pure non-fiction, and begins by identifying the difference between smart and healthy companies. According to Lencioni, in order to be successful you have to be both, but many leaders focus only on the smart

see BOOKS page 14

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from page 7

or physical challenges. The first team to reach the finish line with all the tasks completed will win the \$10,000 prize and be crowned the first Utah's Amazing Home Race champion. All entrants must be from Utah County and intend on purchasing a home. The winning team must use the \$10,000 toward a down payment within six months of the event, or the funds will be forfeited. For more information about the race, go to UtahsAmazingHomeRace.com.

• **John Dowdle, Kathie Fischer and Sandy Ewing** were recently recognized as the 2011 **top sales producers at Daybreak**, a more than 4,000-acre community in South Jordan. More people have moved to Daybreak in South Jordan than any other new-home community in Utah. In 2011, Daybreak had 222 new home sale closings and 114 resale home closings with an estimated dollar volume of \$85,846,647. Dowdle sold 36 new homes in Daybreak during his first year of working with Destination Homes. Fischer, of Holmes Homes, earned the second highest sales in Daybreak with 33 closings. Ewing, of Sego Homes, achieved the third highest sales in Daybreak with 21 new home closings.

RESTAURANTS

• The Sweet Tooth Fairy, American Fork, was declared

winner April 8 in the most recent episode of Food Network's "Cupcake Wars." The gourmet bake shop became the first Utah company to win the show's top honor, receiving \$10,000. The firm's first-round Cranberry Wine and Brie Cheesecake cupcake, when participants were required to create a cupcake using a few selected "mystery ingredients," utilized dark chocolate, cranberry juice, red wine, brie cheese and cashews. The other cupcake flavors presented by the winning team included Sweet Tooth Fairy favorites Sweet Potato Pie, Creme Brulee and Nutella Crepe. These cupcakes will be available in Sweet Tooth Fairy stores over the next two months, with Cranberry Wine and Brie Cheesecake and Sweet Potato Pie featured throughout April, and Creme Brulee and Nutella Crepe debuting in May. As part of The Sweet Tooth Fairy's Bake a Difference initiative, 25 cents from the sale of each winning cupcake will be donated to the Safe to Talk Foundation and the war on bullying.

RETAIL

• **September Bickmore and Bonnie Ulmer of Deer Valley Grocery~Café** produced the **winning cocktail** April 4 when a panel selected the original cocktail "Flower & Pine" as Park City's "Signature Cocktail" for spring and summer 2012. Flower & Pine

beat submissions from 11 other local bartenders and mixologists, who together took part in the Park City Restaurant Association's Spring Cocktail Contest, which was held at Cisero's Ristorante and Good Times Bar on Main Street. Deer Valley Grocery~Café took home a \$100 cash prize and a trophy. Flower & Pine will appear on drink menus at Park City restaurants and bars through the rest of spring and summer 2012. The cocktail consists of 1.5 ounces of Beefeater gin, half an ounce of St. Germaine liqueur, half an ounce of Zirbenz Stone Pine liqueur, two dashes of Peychaud's bitters and one lemon wedge. It is served in a martini glass.

• **Green Endeavors Inc.** a majority owned subsidiary of Nexia Holdings Inc., Salt Lake City, has formed a new subsidiary, Landis Experience Center LLC, that has signed a seven-year lease to open an Aveda salon called the **Aveda Experience Center at City Creek Center**. It will sell Aveda's full line of hair and skin care products. Aveda Experience Centers in the past were owned and operated by Aveda directly. Within the last year Aveda has allowed a few select salon operators to open and operate Experience Centers. Landis already operates an Aveda salon in Salt Lake City's Marmalade district.

SPORTS/RECREATION

• **Ski Utah** has presented several media members with honors. **Jeff Sory and Tim Hughes of KSL Outdoor Radio** were presented the Ski Utah Local Media Members of the Year award, presented annually to media members who share their passion for Utah winter sports through their work. For the past four ski seasons, Sory and Hughes have featured ski and snowboard resorts around the state and encouraged Utahns to ski and snowboard through the "Snow Day" segment of their show. **Craig Gordon of the Utah Avalanche Center** earned the Ski Utah Local Weather Enthusiast of the Year award. Gordon has been an avalanche forecaster since 2000 and developed the "Know Before You Go" avalanche education program for Utah's young adults. The honors were presented during Ski Utah's annual local media day at Solitude Mountain Resort.

TRAVEL/TOURISM

• **The National Association of State Chief Administrators (NASCA)**, an association devoted to state chief administrators and a leading advocate in advancing professional development and best practice solutions for state government administrative functions, has chosen Salt Lake City as the site for its **2012 Institute on Management and Leadership**, Sept. 23-25.

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Across the West, state of the art buildings are going up, despite the slowdown. There have been hard times. But we are coming through them. And a whole crop of buildings is going up. They span all fields of life. A futuristic library in San Diego. A brand-new, quakeproof stadium for the San Francisco 49ers. A massive shopping center that has revitalized the heart of Salt Lake City. Behind the glare of the lights and the weightless illusion of windows and walls that flow like water over a pebbled beach, lies a unique steel skeleton fabricated and erected with the unmatched expertise of the country's leading steel expert: **SME STEEL**.



For twenty years, **SME** has led the West in steel fabrication and erection. They build the buildings you've been in. In Las Vegas, **SME Steel** lies at the heart of the stunning CityCenter, the largest privately financed development in the United States. **SME** steel tops the 1,149-foot Stratosphere, the tallest observation tower in the country. Those are just the record holders. The Bellagio, The Mirage, Treasure Island, Planet Hollywood, MGM, Caesars Palace, Golden Nugget, Sunset Station, Green Valley Ranch, Treasure Island, and many Circe de Soleil theaters round out the list.



Bay Area sports fans love their work without even knowing it. Baseball fans packed the 43,000-seat AT&T Stadium to cheer the Giants all the way to the 2010 World Series Championship. As sad as some fans were to leave Candlestick, it was time for a move, and the new ballpark is widely considered to be one of the best in Major League Baseball. **SME** is proud to have built it. Nearby, San Jose Sharks fans know their work well. They built the HP Pavilion, lovingly called the Shark Tank by San Jose hockey fans who cheered their team to four consecutive Pacific Division NHL championships. Next up: the new home of the San Francisco 49ers. They are hard at work fabricating the bones of what will be the gorgeous new stadium in Santa Clara, the first NFL stadium in the country to feature earthquake-resistant **CoreBrace** technology. The 49ers Stadium project is more than dollars and cents for them. **SME** workers are proud to have a hand in constructing such a historic building.



Here in Utah, **SME** has fabricated and erected some of the most notable developments of the past two decades. The new Salt Palace and the Grand America Hotel are **SME** projects. So too is the pedestrian sky bridge at City Creek. It may look easy, but assembling the 320,000-pound bridge in the heart of downtown Salt Lake City, over Main Street and TRAX light rail



lines, was no walk in the park. It was such a complex and difficult project that National Geographic featured it on their program, “World’s Toughest Fixes.” But SME’s work is not all hotels and shopping malls. SME structural steel and CoreBrace technology are built into the new IMC Hospital in Murray, helping to guarantee that crucial services remain functioning in the event of a catastrophe.

The steel fabrication and erection business is a lot more complicated than it looks. True, workers balance on beams hundreds of feet in the air like those ironworkers from the old days you see in black and white photos but with the added security of modern safety equipment. The look on their faces while they cut beams with plasma torches in the massive West Jordan plant seems more like a happy child with a set of tinker toys than a man on the job. The cadre of business and engineering experts stand behind everything they do. They provide the invaluable computer savvy, administrative expertise, and business acumen that keep them humming—some fixes cannot be solved with sweat alone.

Early one morning, in August 2008, SME got word that all fabrication and erection work was being halted on an ongoing \$250 million casino project in Las Vegas called Echelon. The project’s backers had pulled out. SME was only 35 percent complete. It was one of those rare white-knuckle challenges that so

often tailspin into bankruptcy and costly litigation, and can drive multi-million dollar companies out of business. The SME team quickly convened to problem solve and to look for a solution outside the box. SME took its proposals to the owners and came up with a brilliant plan that satisfied the needs of the owners while allowing SME to collect payment on the 35 percent already complete and to keep the backlog for the future. It was harrowing, but their team got through it with calmness and professionalism.

SME exercises professionalism constantly. They may not face crises on the scale of the Echelon project every day, but their entire business is built on managing chaos. The thousands of beams that form the skeleton of the buildings they erect may look the same, but more often than not, every piece is unique. And heavy. When you are erecting a building like the CityCenter, with 78,000 tons of structural steel reaching 61-stories high over 18 million square feet on a construction site 67-acres large, timing is everything. Every piece of those 78,000 tons is logged in computers and tracked from space. When it arrives, it must arrive at the right place at the right time, error free, or the entire project jams up with costly delays. More than anything, their success has grown from the quiet professionalism of their employees, which allows them to under-promise and over-deliver.

Let the facts speak for themselves. Since its founding twenty years ago, SME has expanded from a 200-employee company with \$23 million a year in revenues into a company that, in its peak pre-recession year, brought in \$450 million in revenue and employed 1,500. Things are coming back. 2012 revenues are project to top \$200 million. Despite the recession, they have over 800 workers, across four divisions, operating out of more than 400,000 square feet of fabrication facilities in Utah, Idaho, Arizona, and Nevada. They can produce literally anything made out of metal, from structural steel and Buckling Restrained Braces to ornamental metals, handrails, stairs, and metal decking. Their business took a hit along with everyone else’s. But they survived with minimal layoffs. Instead, they streamlined and kept all facilities up and running. On paper, SME Steel may look like the competition, but nothing compares to their dedicated workforce. Worker morale is one of their highest priorities, which is why they have the best employees and lowest turnover in the industry. In the end, their hard work and professionalism made them into the industry leader they are today.

In the words of Wayne Searle, CEO, “The equipment’s the same, the steel is the same, the difference is the people.”



Measuring the ROI of social media is a joke

I got an (unsolicited) e-mail offering a webinar to teach me about how to measure, and the importance of measuring, the ROI of social media.

TOTAL JOKE. And a bad one at that.

Social media, business social media, is running wild — with or without you. Your customers and prospective customers are posting on Facebook whether you have the balls to have a presence there or not.

And I am not just talking to companies — I am talking to YOU — the individual.

CONSIDER THIS: Of all the grassroots revolutions that have occurred on social media, *none of them* were started by companies or governments. They were all started by people — people who were excited, people who were afraid, people who were pissed and people who wanted change and spoke up. They spoke over CEOs, media, newspapers, government, lobbyists and politicians.

HERE'S WHAT THEY SHOULD MEASURE: **LRI** otherwise known as Lost Revenue (and goodwill and customer loyalty) of Idiots.

While Macy's and most other department stores are/were measuring ROI, Zappos is cleaning their clock, delivering value, connecting with and responding to customers one on one, and building a billion dollar empire in less time than it took Macy's to expand to a second store 100 years ago.

Webinars on the subject of ROI of social media are likely run by the same people who thought Amazon.com wouldn't make it. If Bezos measured the ROI at Amazon in the first five years, he would have quit. He accomplished domination while Barnes & Noble was measuring ROI, and Borders was going broke.

Amazon now has total market dominance based on leadership, vision and technological excellence. Same with Apple. Microsoft used to laugh at them; now their employees all have iPads and iPods at home.

Measure? No. **INVESTRESOURCES IN SOCIAL MEDIA WITHOUT MEASURING. NOW!**

It's way too soon to measure.

MAJOR POINT OF UNDERSTANDING: If they had measured the ROI of TV, or the computer, or the automobile, or the telephone, or the Internet after five years, **NOBODY** would have gotten involved, and we'd be in a technological bog — sinking.

Wake up and smell the opportunity!

People guarding nickels have no idea of the power or the value of business social media, much less social media. They have no idea of the lost opportunity or the lost revenue. They have no idea of the perception and participation of customers.

My bet is people who measure the ROI of social media **HAVE NEVER TWEETED**. Wanna take that bet?

I define these people as the ones who still have a small rubber circle in the middle of their keyboard, completely out of touch with what's new and trying to prevent the unstoppable force of progress and customers.

Want to know who else "measured" financial return?

Blockbuster measured online movie services.

Blackberry measured smartphones.

Microsoft measured music players.

Billion-dollar **MIS-MEASURE-MENT**: Bank of America **DIDN'T** measure or understand the power of Facebook. They were greedily measuring increased revenue from debit card customers. Their billion dollar loss paled in comparison to their complete loss of goodwill. I doubt they will recover in a decade.



Jeffrey Gitomer

All of those companies are/were foolish.

There's one company you want to take their time, measure nickels, rely on lawyers and stick their big toe in the water before getting involved — that one company is your biggest competitor.

Here's an easy plan to get rolling in a week or two:

1. Gather the e-mail addresses of EVERYONE in your world.
2. Create a first-class, well tagged with keywords, business page on Facebook, LinkedIn and Twitter.
3. Start a YouTube channel by inviting your customers to film WHY they bought from you.
4. Map out a strategy, and goals for engagement, for Facebook, LinkedIn, Twitter and YouTube.
5. Assign someone to monitor, post and RESPOND to all who engage.
6. Create six value-based messages, two each for Facebook, LinkedIn and Twitter.
7. Shoot two to three value-based (something your customers could use) videos and post them on YouTube.
8. Invite all of your customers to join you by sending examples of your value messages. I recommend one campaign per media for four weeks — but have links to all in each e-mail.
9. Post something every day on Facebook. Tweet something every day. Link with two to five people every day. Post one video a week.
10. If you really want to create some buzz, convert your contacts to Ace of Sales (www.aceofsales.com) and send e-mails that differentiate you from the competition.
11. Only listen to your lawyer if they tell you what you CAN do. Start there. Start now. Start.

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

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8.2 percent or 11.3 percent?

March employment gains were less than expected, less than exciting, less than worth writing home about and will again pose the question of whether U.S. job creation is about to slow as summer months approach. Such a pattern occurred during the past two years.

The American economy added 120,000 net new jobs during March, sharply below the consensus view of 205,000 net new jobs. The gain was the smallest in five months and was less than half the average gain of the three prior months. In addition, previously reported job gains during January and February were revised higher by only 4,000 jobs, breaking a pattern of sizable upward revisions to prior data that had largely been in place for some time.

Better news saw the nation's unemployment rate decline from 8.3 percent in February to 8.2 percent in March — but NOT for the right reason. The rate declined only because an estimated 164,000 people, presumably discouraged at the prospect of finding a job, dropped out of the labor force in March.

The household survey, from which the unemployment rate is derived, also reported a decline of 31,000 employed people in March. One lumps various numbers together to arrive at the 8.2 percent rate.

Much weaker-than-expected employment data in March validated recent views of Federal Reserve chairman Ben Bernanke that the prior pace of more solid job gains could not be sustained unless and until U.S. economic growth picked up. In a presentation on March 26 (to a room full of economists no less!), Bernanke stated that recent employment gains had been a "welcome development."

"Still," he continued, "conditions remain far from normal, as shown, for example, by the high level of long-term unemployment and the fact that jobs and hours worked remain well below pre-crisis peaks. We cannot yet be sure that the recent pace of improvement in the labor market will be sustained."

Job Detail

The 120,000 net rise in employment, for a change, did not include a major hit to estimated state and local government employment (I will come back to that). The private sector added 121,000 net new jobs in March, led by the addition of 31,000 net new jobs in goods production.

Manufacturing continued its promising stretch of new job creation. The addition of an estimated 37,000 net new jobs in March sees total manufacturing employment up by 470,000 jobs since January 2010, according to the U.S. Department of Labor's Bureau of Labor Statistics (BLS). The construction sector (down 7,000 jobs) and logging and mining (up 1,000 jobs) were less newsworthy.

The nation's private service providing sector added 90,000 jobs in March, led by the addition of 39,000 net new jobs in leisure and hospitality; 37,000 net new jobs in education and health services; and 31,000 jobs in professional and business services. According to BLS, employment in professional and business services has climbed by 1.4 million jobs since reaching a low

point in September 2009. In contrast, the retail trade sector lost an estimated 34,000 jobs in March, the largest monthly decline since October 2009.

State and Local

Local government payrolls have now reached their lowest level in six years, a sign that municipalities still face fiscal strains almost three years after the end of the recession, according to a Bloomberg.com story. The total of 14.1 million local government employees is the smallest since February 2006.

State government payrolls, less tied to the sluggish nature of property taxes, rose for the third month in a row to 5.1 million. The streak of job gains was the longest since 2008. Both sectors will likely stay under pressure as the combined pace of tax collections in 2011's final quarter was the weakest in a year. Total employment within the state and local government sector has fallen by 640,000 positions since 2008.

8.2 Percent or 11.3 Percent?

The substantial decline in the nation's labor participation rate continues to "understate" the painful level of unemployment, when compared to just four years ago. An estimated 66 percent of potential workers were either employed or seeking employment in 2008.

That share in March 2012 was down to 63.8 percent. Simply applying a 66 percent rate to the March data would suggest an unemployment rate of not 8.2 percent (as reported) but a much different 11.3 percent rate!

I have noted before that if we could somehow get three million more people to leave the estimated labor force, national politicians could brag of a 6.4 percent unemployment rate. But does that mean anything?

I leave this to your interpretation.

Other Employment Detail

The nation's "underemployment rate," that which includes the officially unemployed, those working part-time who would prefer to work full-time and those discouraged workers who are not formally seeking a job but would accept one if offered, declined from 14.9 percent in February to 14.5 percent in March. A 400,000 decline in those able to move from (involuntary) part-time jobs to full-time jobs (8.1 million to 7.7 million) — a very positive development — primarily accounted for the drop.

Average hourly earnings for all employees on private nonfarm payrolls rose by five cents (0.2 percent) to \$23.39. The rise of 2.1 percent during the past 12 months trails the 2.9 percent consumer inflation rise of the past year.

Challenges Ahead, and Some Clarity

The desire for strong job gains over the balance of the year will be met with significant challenges. Five consecutive sessions of the Dow Jones Industrial Average losing ground validates this view.

The European fiscal situation promises to get worse before it gets better, with the focus now quickly shifting to Spain. In addition, greater scrutiny is now

see *THREDGOLD* next page



Jeff Thredgold

How the SBA refinancing program can help your business

Interest rates are at historic lows, yet due to the decline in real estate values, you may wonder if your business can refinance its commercial mortgage. The answer is yes in many cases, thanks to a temporary loan refinancing program under the Small Business Jobs Act.

The 504 loan refinancing program is offered by the Small Business Administration (SBA) through Sept. 27, 2012. Borrowers can finance up to 90 percent of the current appraised value of available collateral, which could include fixed assets like commercial or residential real property. This program provides small businesses the opportunity to lock in long-term, stable financing and provide funding for business expenses by refinancing eligible fixed assets. Eligible fixed assets include:

- The purchase of land, including existing buildings.
- The purchase of improvements, including grading, street

improvements, utilities, parking lots and landscaping.

• The construction of new facilities or modernizing, renovating or converting existing facilities.

• The purchase of long-term machinery and equipment.

Who's eligible? Businesses that:

- Have at least 10 percent existing equity in the property or can inject equity of at least 10 percent (if you have more equity than this, you can finance existing qualified debt or may use the excess equity to obtain working capital for payment of eligible business expenses, such as rent, utilities or inventory).
- Have a commercial mortgage that is at least two years old.
- Are current on their loan payments (i.e., in the last year, had no payments more than 30 days past due according to original or modified terms (including deferments, or if it had a modification,

entered into the modification in writing prior to Oct. 12, 2011) and have successfully made all required payments for the past 12 months.

• Do not have an existing government-guaranteed loan.

• Are for-profit.

• Have a tangible net worth of less than \$15 million.

• Have an after-tax profit of less than \$5 million for the previous two years.

• Occupy at least 51 percent of the property at the time of application.

Loans under the 504 program are limited to \$5 million for most refinances (\$5.5 million for eligible manufacturing projects and projects that incorporate energy-saving technologies).

Access to working capital is currently one of the biggest credit gaps in the marketplace. The SBA's 504 refinancing program can help close that gap and support businesses in remaining viable and vibrant. But remember, this program is only temporary, so talk to an SBA-preferred lender

today to see if you qualify.

Dale Gunther is vice chairman of the board of People's Utah Bancorp, the holding company for Bank of American Fork, which is an Equal Housing Lender and Member FDIC. At the start of his 16-year tenure as CEO at Bank of American Fork, the bank had

two branches and \$80 million in assets; it now has 13 offices and more than \$880 million in assets. Gunther has served as chairman of the Utah Bankers Association and currently serves as an American Fork City Councilman. This article should not be considered legal or investment advice. Seek legal and investment advice from your own qualified professional.



Dale Gunther

THREDGOLD

from previous page

entering new locales such as the Netherlands. French financial challenges are again raising more eyebrows.

U.S. economic growth has now been positive for 11 straight quarters. That being said, the current economic recovery is the weakest since the 1940s. Growth forecasts for this year still center near 2.4 percent after inflation; simply pathetic giving the unprecedented and massive amount of fiscal and monetary stimulus at play in the economy.

One element of clarity?

Rick Santorum's suspension of his presidential campaign will place additional pressure on two other candidates to see the obvious. How many of the three will actively get behind Mitt Romney as November approaches remains to be seen.

Jeff Thredgold is the only economist in the world to have ever earned the CSP (Certified Speaking Professional) international designation, the highest earned designation in professional speaking. He is the author of *econAmerica*, released by major publisher Wiley & Sons, and serves as economic consultant to Zions Bank.

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| Utah Corn on the Cob
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<i>Cooked on site</i> | Glazed Orange Rolls |
| Ice Cold Lemonade | Brownie Sundae
<i>Brownie, vanilla ice cream, covered with deep rich chocolate sauce</i> |
| Bar-B-Que Boneless | |

Bar-B-Que Beef
Shredded bar-b-que beef on a bun

Dutch Oven Bar-B-Que Chicken/Ribs
Potatoes Au Gratin
Peach Cobbler
Cooked in Dutch Ovens

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10 oz. USDA Choice
Top Sirloin Steak
Baked Idaho Potato
Grilled on site

Hamburger/Hot Dog
Meier's own quarter pound
Hamburger w/all condiments
Jumbo all Beef Franks
Grilled on site

Tri Tip Roast/Marinated
Grilled Chicken Breast
Grilled on site

Pork Back Ribs
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Marinated Grilled Chicken Breast

Hamburger/Grilled Chicken
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Hamburger w/all the condiments
Marinated Chicken Breasts
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BOOKS

from page 8

side of business — the clear, quantifiable data that can be adjusted to make improvements. What if that alone doesn't work?

Organizational health is more qualitative. Take culture, for instance. Funky furniture or company yoga classes don't make the culture. A company might say, "We're a great place to work because we have these things." Meanwhile, behind those things might be employees who don't feel aligned with the company's mission, connected to their coworkers or passionate about their role. Those are the points that help develop and shape the culture, and this book describes in clear detail how to create better alignment throughout an organization. Soft? Hardly.

Here, Lencioni describes how an aligned team functions within a healthy organization:

"Members of cohesive teams spend many hours working together on issues and topics that often don't fall directly within their formal areas of responsibility. They go to meetings to help their team members solve problems even when those problems have nothing to do with their departments. And perhaps most challenging of all, they enter into difficult, uncomfortable discussions, even bringing up thorny issues with

colleagues about their shortcomings, in order to solve problems that might prevent the team from achieving its objectives. They do this even when they're tempted to avoid it all and go back to the relative safety of their offices to do what I refer to as their 'day jobs,' that is, the work of their department."

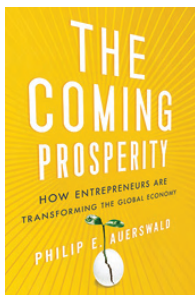
Over the course of the book, Lencioni shows how this direction of focus creates an advantage over companies who focus on it less, or not at all. There are no characters in this book, no fictional situations about company ABC and the problems they face, but the lessons Lencioni is now famous for are still here. In fact, as you're reading, you might even develop your own characters and apply your own situations as you realize that Lencioni is fueling a script for your own story. *The Advantage* is another powerful book by a masterful writer that understands the importance and value of the human element within business.

The Coming Prosperity: How Entrepreneurs Are Transforming the Global Economy

By Philip Auerswald, Oxford University Press

272 pages, \$29.95, Hardcover

With so much of the conversation in America today about the decline, decay and descent of our power, the rise of oth-



ers' and the coming competition that that dynamic will create, Philip Auerswald's new book, *The Coming Prosperity*, reminds us that life on Earth is not a zero-sum game.

The first part of the book tackles the larger picture, the "macro-story line of the coming prosperity." The author details a vision of the future in which an insurgency of entrepreneurs challenge scarcity and create prosperity all over the world:

"[T]he vast majority of alleged threats to humanity are, in fact, dwarfed by the magnitude of opportunities that exist in the twenty-first century. Furthermore, if anything is more naïve than an unquestioning belief in the transformative power of entrepreneurs, it is an unquestioning belief in the power of national governments, international organizations, and multinational corporations to address complex twenty-first-century challenges."

Auerswald doesn't sugarcoat the problems we face as a nation

or a planet — pandemics, climate change and water scarcity among them. In fact, he describes them in more detail and color than many of the doom-and-gloom books that are solely devoted to them. But he shows us a way forward, a way for each of us to contribute and get involved, a way "to think of the three billion people who will join the global economy in the next quarter century as partners rather than competitors, as sources rather than sinks."

In the second section of the book, the human-scale part of the narrative, Auerswald brilliantly charts the economic subtext of the 20th century, "the rise and partial fall of large scale, centralized production" that got us to where we are today, and explores the prospects for an ever-brighter future. You will meet individuals like Karim Khoja, who brought cell phone

service to Afghanistan, and get unexpected management advice from folks like C.P. McCormick, who saved a spice company from oblivion at the height of the Great Depression by increasing wages across the board and cutting working hours from 56 to 45 per week. You will see the genesis of people moving through economies being built, big ideas becoming simple reality, the sweeping arc of history in his writing.

Simply said, Auerswald is an economist, and he thinks like one, but he does not write like one. One of the finest insights in the book comes from Auerswald's young daughter. Reacting to his frustration over rush-hour traffic, she piped up from the backseat: "There's no reason to get angry about the traffic, Daddy, because we're part of the traffic."

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• Calendar •

• April 17, 7:15-9 a.m.: **Association for Corporate Growth Utah Breakfast Meeting.** Guest speaker will be John W. Ward, chief financial officer at Harmons Grocery Stores. In addition to finance, Ward oversees real estate/property management, represents Harmons in government affairs and has been a member of Harmons board of directors since 2001. He graduated from the University of Utah in 1982 with a BS in economics and he received his MBA from Westminster College in 1988. Location is the Little America Hotel, 500 S. Main St., Salt Lake City. Free to ACG members, nonmembers pay \$30. Register at www.acgutah.org or by calling Linda Blake at (801) 359-8613.

• April 18, 11 a.m.-1 p.m.: **Business Matters Luncheon,** presented by ChamberWest. Guest speaker will be Kelly Sanders, president and CEO of Kennecott Utah Copper. Location is Megaplex at The District, 3671 W. Parkway Plaza Dr., South Jordan. Cost is \$20 with RSVP, \$30 without. RSVP with the South Jordan Chamber at (801) 253-5200 or www.southjordan-chamber.org.

• April 18, 11:30 a.m.-1:30 p.m.: **Utah Technology Council Annual Members' Meeting.** Keyvan Esfarjani, co-CEO of IM Flash Technologies, and John Spigiel, general manager of Watson Laboratories, will jointly keynote. They will address "Solving Utah's Talent Shortage." UTC members will elect a slate of trustees for the coming year, and board officers will be announced. Peer awards will be given in the following areas: CEO, CFO, CTO, Emerging Exec, HR Exec, Marketing Exec and Sales Exec. Awards will also be given for Legislator of the Year and Volunteer of the Year. Location is the Grand Ballroom of the Little America Hotel, 500 S. Main St., Salt Lake City. Cost is \$50 for UTC members, \$90 for nonmembers, lunch included. Register at www.utahtech.org.

• April 18, 8:30 a.m.-4 p.m.: **"Enhancing Your Company's Bottom Line,"** presented by Bank of American Fork and CEObuilder. Alan Davis, president of i5 Services, will share what world class companies like British Airways, Walmart, Pep Boys, Rite Aid, etc., are doing to deliver world class profit enhancements. For the last 15 years Davis has been helping companies set and exceed recovery, savings and improvement goals. The largest project recovered \$40 million per year and deterred over \$120 mil-

lion of loss annually for a top five worldwide airline. Location is the Riverton branch of Bank of American Fork, 2691 W. 12600 S. Free, breakfast, networking and lunch included. RSVP at bankaf.com/events or by calling (801) 642-3139.

• April 18, 2-7 p.m.: **Davis Chamber of Commerce's Fifth Annual Business to Business Expo.** Attendees will have the opportunity to network, learn about local businesses, attend a business seminar, sample food from local restaurants and win prizes. Exhibitor booths will be open to the public from 3 to 7 p.m. Featured speaker will be Spencer Eccles, executive director of the Governor's Office of Economic Development, at 2 p.m., with seating available on first-come, first-served basis. Eccles will address Davis County's growing economy and opportunities for the future. Location is the Davis Conference Center, 1651 N. 700 W., Layton. Admission is free. Details are available at (801) 593-2200 or www.b2bexpo.net.

• April 24, 2-4 p.m.: **"Bad Global Web User Experience: How to Lose Leads and Alienate Customers,"** presented by the Utah Technology Council. Adam Wooten, director of translation services at Lingotek, will be the guest speaker. The presentation will be targeted to the needs of vice presidents, directors, managers, developers and designers in marketing, product management (for Web applications) and e-commerce. Seventy-three percent of the Internet users worldwide browse the Web in a language other than English, and many say they only buy products online in their native language. Consequently, companies seeking growth and stability from international markets are expanding their web presence into other languages. Unfortunately, not all such websites are providing a positive user experience for potential international customers. The location of the event has not yet been chosen, but it will be free for UTC members and \$30 for nonmembers. To register and for more information, visit www.utahtech.org.

• April 24, 11 a.m.-2 p.m.: **Building Owners and Managers Association (BOMA Utah) 12 Point Program to Business Continuity.** The three-hour class will cover areas such as creating a planning team/continuity of authority, communications, risks and hazards, workplace evacuation and sheltering plan, vital records and more. Location is 3 Triad Center, 345 W. North

Temple, Salt Lake City. Free to BOMA members, nonmembers pay \$10, lunch and parking included. Register online at www.BOMAUtah.org.

• May 1, 11 a.m.-1 p.m.: **Utah Innovation Awards Luncheon,** presented by Stoel Rives LLP and Utah Technology Council. More than 300 representatives from Utah's technology, business and academic communities are expected to attend the Awards Luncheon to honor and recognize the finalists and winners in the categories of biotechnology, clean technology and energy, computer hardware/electrical devices, consumer products, consumer software and Web services, enterprise software and Web-enabled B2B solutions, mechanical systems/chemicals, manufacturing, and medical devices. Location is the Marriott City Center, 200 S. State St., Salt Lake City. Cost is \$50 for UTC members, \$70 for nonmembers. Register at www.2012utahinnovationawards.eventbrite.com.

• May 8, 8 a.m.-1 p.m.: **Parsons Behle & Latimer's 24th Annual Employment Law Seminar.** Breakout sessions will include classifying workers as independent contractors, social media in the workplace, immigration compliance, health care regulations, update on employment laws, protecting trade secrets, new legislation affecting employers, sex discrimination laws, issues with co-employment and creating a total rewards package for employees. Keynote speaker will be Spencer P. Eccles Jr., executive director of the Utah Governor's Office of Economic Development. Location is the Little America Hotel, 500 S. Main St., Salt Lake City. Cost is \$150, lunch and handbook included. Registration deadline is April 30. Register with Jeremy Jones at (801) 536-6626 or jjones@parsonsbehle.com.

• May 15-17: **Ninth Annual Utah Tourism Conference.** Location is the Utah Valley Convention Center, Provo. The conference is co-sponsored by the Utah Office of Tourism and the Utah Tourism Industry Coalition. Activities include sessions on domestic and international marketing, research trends, public relations, social media, a legislative update and other topics. Entries and nominations are being accepted for the Utah Tourism Hall of Fame Awards and the seventh annual Utah Tourism Marketing and Advertising Contest. Details on the Hall of Fame can be found at <http://travel.utah.gov>. The awards

will be presented during the conference. The Marketing and Advertising Contest is accepting entries for the best-of-industry marketing, promotion and advertising efforts. The deadline for the contest is April 19. The entry fee is \$25 for up to four entries in the categories of print, broadcast, web and special promotions. Details are at http://travel.utah.gov/tourism_conference/2012UtahTourismConference.html, or by contacting Rebecca Katz at the Utah Office of Tourism at rkatz@utah.gov. Individual conference registration is \$175. Two or more representatives from the same company can register for \$150 per person. Student registration is \$50. Details and registration are at www.utahtourism.org, by calling UTIC at (801) 505-5266 or by contacting the Utah Office of Tourism at www.travel.utah.gov or (801) 538-1900.

• May 30, 3-4:30 p.m.: **Solar Photovoltaic Energy Course,** sponsored by Hunt Electric. The instructor will be Brok Thayn, a certified National Center for Construction Education and Research electrical and core curricula instructor. He is also Hunt Electric's Energy Division manager. Location is the Hunt Electric Training Center, 1863 W. Alexander St., West Valley City. Cost is \$15 and includes refreshments. Register at <http://events.constantcontact.com/register/event?llr=mjlluajab&oeidk=a07e5mmmqwn749953aa> or by calling Jill Lewis at (801) 975-8844.

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COUNTY OF SACRAMENTO,
SITTING AS THE
JUVENILE COURT

In the Matter of:
TYSON FRANK
Minor(s) born: 7-8-97

Case No(s): 229557
PUBLISHED CITATION
WELFARE AND
INSTITUTIONS CODE
SECTIONS 294 & 366.26

THE PEOPLE OF THE
STATE OF CALIFORNIA

TO: TYSON LEFRANCE AKA TYSON LAFRANCE, FATHER, DATE OF BIRTH IS August 25, 1980 aka August 21, 1980, OR ANYONE CLAIMING TO BE THE FATHER OF THE ABOVE-NAMED CHILD BORN TO TRASHHELL FRANK AKA TRACHELL FRANK, MOTHER, DATE OF BIRTH March 14, 1982

PUBLISHED NOTICE OF HEARING AND NOTICE
TO PARENT OF RIGHTS AND PROCEDURES PURSUANT TO WELFARE AND INSTITUTIONS CODE SECTIONS 294 and 366.26

1. YOU ARE HEREBY NOTIFIED THAT on May 29, 2012, at 8:30 a.m. in Department 134 of the Sacramento County Juvenile Court, Superior Court of California, located at 3341 Power Inn Road, Sacramento, CA 95826, a hearing will take place pursuant to Welfare and Institutions Code, Section 366.26, to either terminate your parental rights or to establish a guardianship for your child or to place your child in long-term foster care.
2. You are further notified that the Sacramento County Department of Health and Human Services, Petitioner, will recommend the following action: termination of parental rights permanently and a court order that the above-named minor be placed for adoption.
3. You have the right to personally appear in court and be heard in this matter.
4. On the above date the Court will determine the best permanent plan for your child. Evidence will be presented. After hearing the evidence presented by the parties, the Court will make one of the following orders:
 - a. Terminate your parental rights permanently and order that the child be placed for adoption;
 - b. Without permanently terminating your parental rights, identify adoption as the permanent placement goal and order that efforts be made to locate an appropriate adoptive family for your child for a period not to exceed 60 days;
 - c. Without permanently terminating your parental rights appoint a legal guardian for your child and issue letters of guardianship; or,
 - d. Order that your child be placed in long-term foster care, subject to the regular review of the Juvenile Court.
5. You may have the right to have an attorney represent you at the hearing. If you cannot afford an attorney, the Court will appoint an attorney for you, unless you knowingly and willingly waive your right to representation by an attorney. You have the right to present evidence at the hearing.
6. You have the right to request a trial on the issue of what permanent plan is best for your child. You have the right to present evidence. You have the right to use the Court's power to compel the attendance of witnesses to testify on your behalf. You have the right to confront and cross-examine any adverse witnesses. You have the right to confront and cross-examine the preparers of any reports submitted to the Court by the Sacramento County Department of Health and Human Services, Petitioner. You have the right to assert the privilege against self-incrimination.
7. Any order of the Court permanently terminating your parental rights shall be final and you shall have no legal rights to the care, control or custody of the child.
8. Ten (10) days prior to the hearing, the Sacramento County of Sacramento Department of Health and Human Services will prepare an assessment report containing its recommendation in this matter. You have the right to read the report and obtain a copy of the report. You should immediately contact the social worker assigned to your child dependency case or your attorney if you have any questions or if you would like to read and obtain a copy of the report.
9. If you fail to appear at the hearing, the Court will proceed in your absence to adopt one of the above-mentioned permanent plans. Such proceedings may include the termination of your parental rights so that your child may be placed for adoption. If you have any questions regarding this procedure, please contact the specified below or an attorney.

DATE: March 29, 2012

ANN EDWARDS,
DIRECTOR DHHS
by, Hans A. Gregerson Paralegal
Department of Health and Human Services
Paralegal Services
(916) 875-4136

SHAFER

from page 8

shore excursions, you'll also save.

My advice on cruise ship shore excursions is this: If there is a place you must see in order for the trip to be complete, go ahead and book it with the cruise company as soon as you can, even before you leave home. Then you'll know it won't be sold out and your plans will be secure. When you take an excursion that is sold through the cruise line, you can also be assured that nothing will cause you to be late getting back to the ship. They never take off before all of "their people" are back. However, if you are willing to risk not getting it, usually the same shore excursion will be sold after you disembark for consistently 35 to 50-percent less. And the same companies that handle the ship excursions will literally be lined up on the dock looking for customers.

There are some super prices on cruises available this year, too. Seven-day cruises from either Boston or New York to Bermuda with Norwegian Cruise Lines starting at \$499 per person. Not bad when you consider that hotels in Bermuda run about that much per night and meals can easily run from \$150 to \$200 a day per person. This is a destination that is wildly popular with people in the eastern part of our nation and it offers three full days using the ship as your hotel and over a dozen onboard dining options. Plus, you could spend a few days seeing either Boston or New York before or after your cruise.

Alaska is a very popular summertime cruise destination, and it seems like all of the cruise lines are there with many ships. This has brought prices way down. Fifteen years ago, lead prices

for a seven-day Alaska cruise were between \$1,200 and \$1,800, and tours into Denali and/or Fairbanks for three or four days were almost as expensive as the cruises. This year, a seven-day round-trip through the Inside Passage from Seattle is as low as \$499, and cruise tours of 10 or 11 days start at \$799. Why? Competition.

Competition, and the fact that cruise companies have discovered all kinds of ways to make money from passengers besides the cost of a ticket. They not only rake it in from casinos and bars, but from their spas and shopping malls, and, of course, shore excursions. It's easy to spend more on shore excursions than on the cost of the cruise.

One other thing on saving money with summer travel: Look at alternate airports, particularly if you are going abroad. Example: The lowest roundtrip airfare from Salt Lake City to Tokyo is \$1,616 on American Airlines. But not so fast; roundtrip from Los Angeles is \$900 on United, and I guarantee you can fly SLC-LAX for less than \$716. Going to Europe? Look at Las Vegas to London. Much less than from Salt Lake. London, in fact, seems to be the best airfare deal to Europe, and on the other side of the pond you'll find loads of discount carriers like easyJet, Ryanair and Monarch with roundtrip tickets to all the major cities from London for less than \$200. By the way, this is also a good way to get to see two cities for less than the price of one.

Don Shafer has been hosting radio travel shows in Salt Lake City for more than a dozen years, and was taught everything he knows by travel experts he has interviewed. Although some have called him "The Travel Doctor," he holds a Ph.D. in a totally unrelated field, religion.

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Money, Power and Wall Street

Tue. Apr. 17 & 24, 8PM

In a special two-part Frontline, journalists investigate how two U.S. administrations have confronted the financial crisis while dealing with sharp internal divisions and a relationship with Wall Street marked by mistrust and dependence, mutual interests and competing goals.

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The high court's supremely unethical activists

How the Supreme Court majority will rule on President Obama's Affordable Care Act may well have been foretold months or perhaps years ago — not so much by their questions during argument recently, as by their flagrant displays of bias outside the court, where certain justices regularly behave as dubiously as any sleazy officeholder.

While the public awaits the high court's judgment on the constitutionality of health care reform, it is worth remembering

how cheaply Justices Antonin Scalia and Clarence Thomas in particular have sullied the integrity of their lifetime appointments, and how casually Chief Justice John Roberts and their other colleagues tolerate such outrages.

What is most scandalous in Washington, as a wise pundit once suggested, are the things politicians do that are perfectly legal but shouldn't be — an observation that applies with particular force to the Supreme Court, which is not subject to the ethics restrictions applied to lesser judges on the federal bench. That was why Scalia and Thomas, for instance, could appear as guests of honor at a fund-raising dinner for the right-wing Federalist Society — which

was sponsored by Bancroft PLLC, a major firm involved in litigation against the Affordable Care Act — on the very same day last November that they reviewed an appeal brief on the case from Paul

Clement, the Bancroft attorney whose arguments they received so cordially.

In fact, Clement sat at a table “sandwiched between” the two justices. Scalia was seated with Senate Minority Leader Mitch McConnell, who had told the Federalists that he would rely on them to help undo the “affront” represented by health care reform. And for good measure, Justice Samuel Alito enjoyed the event at another table nearby.

If they were mere federal district or appeals judges, neither Scalia nor Thomas would have been permitted to attend the Federalist celebration, while Alito's attendance would have been questionable, to say the least. But members of the right-wing majority abuse their immunity from ethics regulation without sanction. Poised to reject the Affordable Care Act with the kind of sweeping opinion that could tear down decades of commerce clause jurisprudence, they merit the sharp scrutiny of their motives

and conduct that they have largely escaped until now, even as they drift further and further toward the corporate right.

Investigative reports have revealed partisan and ideological ties that the justices themselves have sought to conceal, dating back to Scalia's duck-hunting trip with then-Vice President Dick Cheney, who had pending before the court a lawsuit challenging the secrecy of his Energy Task Force. No federal judge would have dared to rule in such circumstances, but Scalia dismissed the obvious appearance of conflict with an unbecoming sneer.

As Scott Horton reported in *Harpers* magazine, Scalia's duck-hunting patrons in Mississippi had brought other vital matters before him to get their way, again in a manner that any self-respecting ethical jurist would instinctively abhor.

More recently, Scalia and Thomas were used as celebrity bait by the ultra-right Koch brothers, David and Charles, to draw well-heeled supporters to a secretive conference on undermining the Obama administration at a fancy Western resort. It would be hard to imagine any activity less appropriate for a Supreme Court justice, unless it was Thomas' wife Ginny accepting huge payments from a tea party organization

devoted to repeal of health care reform, which she did in 2010. The justices failed to report any of these screaming conflicts on their disclosure reports, compounding the offense with the coverup.

Alito has likewise ignored the federal judicial ethics rule against political fundraising on several occasions, including at least two events to raise money for the far-right *American Spectator* magazine and for the Intercollegiate Studies Institute, the original sponsors of video dirty trickster James O'Keefe. It is strange to see a Supreme Court justice associating with such gamy ideological enterprises — and even more surprising to learn that Alito gave a blazing partisan keynote address at a *Spectator* dinner where he denounced Vice President Joe Biden in highly personal terms. When *ThinkProgress* reporter Lee Fang approached Alito to ask about his role as a right-wing fund-raiser, he snapped that it “isn't important,” and his bodyguards threatened to arrest Fang.

The right-wing bloc's cynical attitude toward judicial corruption was expressed most succinctly by Chief Justice Roberts, in his opinion upholding a West Virginia judge who had failed to recuse himself from a major case involving the A.T. Massey

Coal Company. Roberts could see nothing wrong with the judge's conduct — even though Don Blankenship, Massey's CEO and principal owner, had donated \$3 million to the judge's re-election campaign. That was too much even for Justice Anthony Kennedy — himself a former lobbyist and the son of a lobbyist — who voted with the court's liberal justices to uphold the constitutional right to adjudication by a magistrate unimpaired by the blatant appearance of favoritism.

Now it will be up to Justice Kennedy to step up in defense of honest, true conservatism — against the right-wing judicial activism that would vacate decades of commerce clause jurisprudence for a partisan objective, and against the corrupting political misconduct of Thomas, Scalia, and Alito — by joining a majority to uphold the Affordable Care Act. By doing so, he might begin to dispel the partisan taint that has afflicted the court since *Bush v. Gore* in 2000 — the decision that eventually brought Roberts and Alito onto the court to form their abusive majority.

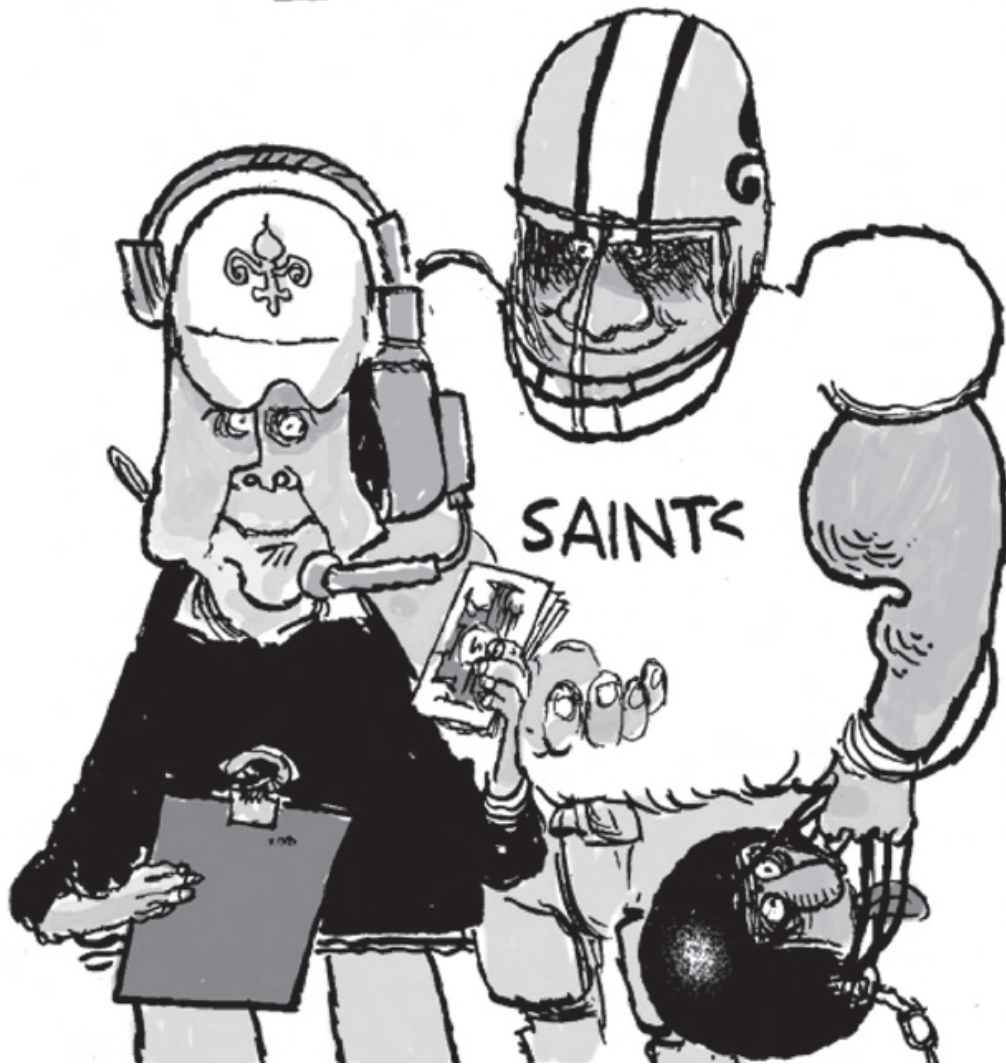
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Political word games

One of the highly developed talents of President Barack Obama is the ability to say things that are demonstrably false, and make them sound not only plausible but inspiring.

That talent was displayed recently when he was asked whether he thought the Supreme Court would uphold ObamaCare as constitutional or strike it down as unconstitutional.

He replied: "I'm confident that the Supreme Court will not take what would be an unprecedented, extraordinary step of overturning a law that was passed by a strong majority of a democratically elected Congress."

But how unprecedented would it actually be if the Supreme Court declared a law unconstitutional if it was passed by "a strong majority of a democratically elected Congress"?

The Supreme Court has been doing precisely that for 209 years!

Nor is it likely that Barack Obama has never heard of it. He has a degree from the Harvard law school and taught constitutional law at the University of Chicago law school. In what must be one of the most famous Supreme Court cases in history — Marbury v. Madison in 1803 — Chief Justice John Marshall established the principle that the Supreme Court can declare acts of Congress null and void if these acts violate the Constitution.

They have been doing so for more than two centuries. It is the foundation of American constitutional law. There is no way that Barack Obama has never heard of it or really believes it to be "unprecedented" after two centuries of countless precedents.

In short, he is simply lying. Now there are different kinds of liars. If we must have lying Presidents of the United States,

I prefer that they be like Richard Nixon. You could just look at him and tell that he was lying.

But Obama is much smoother. On this and on many other issues, you would have to know what the facts are to know that he is lying. He is obviously counting on the fact that, in this era of dumbed-down education, many people have no clue as to what the facts are.

He is also counting on something else — namely, that the pro-Obama media will not expose his lies.

One of the many ways of lying smoothly is to simply redefine words. Barack Obama is a master at that as well.

In the comment on the case pending before the Supreme Court, President Obama said that he wanted to remind "conservative commentators" that they have complained about "judicial activism" — which he redefines as the idea that "an unelected group of people would somehow overturn a

duly constituted and passed law."

First of all, every law that the Supreme Court has overturned for the past 209 years since Marbury v. Madison was "a duly constituted and passed law."

Second, the "judicial activism" that conservatives have complained about was judges making rulings based on how they felt personally about the issue at hand, rather than about what the Constitution of the United States said.

In recent years, great efforts have been made to redefine "judicial activism" in terms of judges declaring laws unconstitutional, instead of "deferring" to Congress or other government institutions.

But what is the Constitution's Bill of Rights supposed to protect the ordinary citizen from? Government institutions! If judges are to defer to the very institutions that the Bill of Rights tries to protect the citizen from, what is the point of having a Bill of Rights?

As for Supreme Court justices

being unelected, that has been true since the Constitution was created. That was done deliberately, so that they could render their judgments without fear of political repercussions. If unelected Supreme Court justices are to automatically defer to elected officials, that again raises the question of why they are there at all.

Why are the taxpayers paying their salaries and housing them in an expensive marble building — just so that they can go along to get along?

It would be hard to become nostalgic about Richard Nixon, who was forced to resign in disgrace. But at least you could tell when he was lying. Obama's lies are just as big but not as visible, and the media that exposed Nixon is covering for Obama.

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