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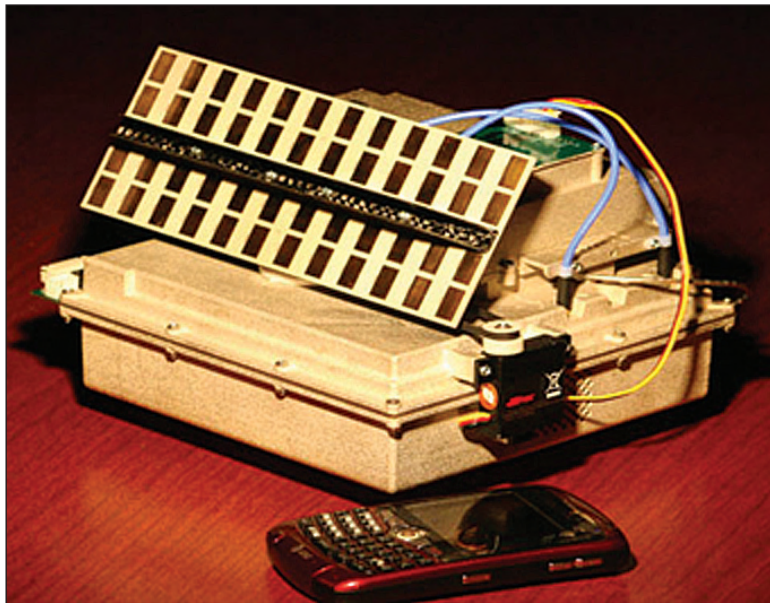
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## Springville firm awarded \$24 million contract by Army



ImSAR bills itself as the manufacturer of the world's smallest synthetic aperture radar. A cell phone next to the device provides scale.

**By Barbara Rattle**  
*The Enterprise*

ImSAR LLC, a Springville-based manufacturer of the world's smallest synthetic aperture radar, has been awarded a \$24 million fixed-price and cost-plus-fixed-free contract by the U.S. Army Contracting Command in Natick, Mass. ImSAR's was the only bid solicited and the only bid received.

The company will build, test

and assess a lightweight, ultra wide band synthetic aperture radar for use on small unmanned aerial vehicles. Completion date is slated for May 2017.

Another of ImSAR's products, dubbed the NanoSAR, has already been tested on Boeing's ScanEagle unmanned aerial vehicle. The U.S. Army doesn't use ScanEagles, but it does have options, such as the RQ-7B

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## Federal grant to aid project that will add 750 jobs in Ogden

The U.S. Department of Commerce's Economic Development Administration has awarded a \$1 million grant to the Ogden City Corp. to help fund the creation of a lab that will train workers and provide space for business startups in the growing field of software applications for mobile devices. The lab is expected to create 750 jobs and generate up to \$4.6 million in private investment over a 10-year period, according to grantee estimates.

"The United States is experiencing an explosion in the use of mobile devices, along with a

growing demand for new applications to run on them. The Obama Administration is committed to helping workers get the education and skills needed for jobs in the growing high-tech industry that support a 21st century workforce," said acting assistant secretary of commerce for economic development Matt Erskine. "This \$1 million EDA grant will help the city of Ogden to enhance an existing information technology cluster in the region and will bring opportunities for new businesses,

see *OGDEN* page 2

## Utah home prices rise for first time in more than four years

April marked the first rise in Utah's median home price in four years, according to a report released today from the Utah Association of Realtors.

In April, the median price for homes sold was \$178,150, up 2.7 percent from \$173,500 in April 2011. This is the first year-over-year gain since April 2008.

"As inventory headed down during the first part of the year, buyers began competing with each other for properties," said Lori Chapman, UAR president. "That competition for tighter supplies led to higher prices in April."

The average sales price, which tends to fluctuate more, also increased 5.2 percent from last April. This year, the average price for all closed sales was \$237,029 compared to \$225,234 a year ago. This is the second month the average sales price has increased.

"While one or two months of data does not yet represent a trend, we are certainly encouraged by these numbers," Chapman said. "If housing supply continues to be quickly absorbed, we can expect more reports like this. The key

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## Distributors, media won't benefit from Trader Joe's



The Trader Joe's store in New York City's Union Square. Photo by David Shankbone.

When iconic grocery retailer Trader Joe's opens its first Utah store in the fourth quarter of this year, two industries that normally benefit from such an event — distributors and the media — don't stand to benefit.

Based in California and owned by German billionaires, Trader Joe's buys directly from manufacturers rather than distributors and does precious little, if any, advertising outside its in-

house newsletter.

Trader Joe's plans to open an approximately 12,700 square foot store at 634 E. 400 S., Salt Lake City. The privately held firm currently has more than 370 stores in 32 states. It has sales of about \$8 billion annually.

Trader Joe's, which has attained near cult-like status since its creation in California in the 1950s, carries an extensive array of

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## PRICES

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factors to watch will be interest rates, delinquencies on mortgages and how fast home builders put new units on the market.”

Since last year, the number of homes available for sale in Utah has dropped about 24 percent. The 20,119 properties for sale at the end of April represented a 6.9-month supply of inventory.

“A market balanced between buyers and sellers is typically in

the six- to seven-month range,” Chapman said.

In some areas, supplies are even tighter, which has pushed up prices. In Uintah County, the median sales price rose from \$131,250 last year to \$182,000 this April — a nearly 39 percent increase. Their supply of inventory was at 4.4 months. In Salt Lake County, a five-month supply of inventory is coinciding with a 3.7 percent increase in the median sales price. Similarly, Washington County had 5.9 months of sup-

ply and a 9.5 percent rise in the median sales price.

With these conditions, sellers are seeing less downward pressure on their asking prices. In April, sellers received an average of 93.1 percent of their original list price. That’s up nearly 4 percent from last year, when they brought in 89.8 percent. This is the highest reading for the indicator since 2008.

The number of transactions is also growing. Utah home sales rose for the 11th consecutive month in April, up 9.5 percent from last year. Utah Realtors sold 3,028 homes, townhomes and condominiums compared to 2,766 sales in 2011.

Among areas with at least 30 sales, the highest percentage increases were found in Iron (up 25.8 percent), Wasatch (up 25.7 percent), Weber (up 18.8 percent), Davis (up 17.2 percent) and Salt Lake (up 16.6 percent) counties.

Although both low- and high-end homes fared well, the price range with the strongest sales was the \$150,000-and-below category, where sales rose nearly 38 percent. The weakest segments were the \$300,001-to-\$500,000 and \$500,001-to-\$750,000 ranges. Homes priced above \$750,000 saw a 2.3 percent increase in sales.

Looking ahead, overall May sales should be strong as well. Contracts signed to buy properties, referred to as pending sales, rose about 19 percent from last year. Because it takes a month or two to close a transaction after a contract is signed, these pending sales predict closed transactions in the coming months.

## JOE'S

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domestic and imported foods and beverages, including fresh baked artisan breads, Arabica bean coffees, international frozen entrées, 100 percent juices, fresh crop nuts, deli items and vitamins and supplements, as well as the basics, like milk and eggs. The bulk of the firm’s revenues come from the sale of more than 2,000 items are offered under the Trader Joe’s private label, including Trader José’s salsas, Trader Ming’s fried rice and Trader Giotto’s marinara sauces, in addition to specially purchased items. The company will buy a brand-name product, take out the preservatives and artificial colors and ingredients, and put it under its Trader Joe’s label.

“The result: Its stores sell an estimated \$1,750 in merchandise per square foot, more than double Whole Foods,” according to CNN Money. “Trader Joe’s is a supplier’s dream account: It pays on time and doesn’t mess with extra charges for advertising, couponing, or slotting fees that traditional supermarkets charge suppliers to get their products onto the shelves.”

According to the *Graziadio Business Review*, a peer-reviewed publication of Pepperdine University, “the growth of the organization has been achieved without debt; TJ expansion is fully self-financed. The operation remains free of union involvement — salaries and benefits are sufficient to ward off labor unrest. Advertising is limited: modest radio exposure and no television or newspaper ads. TJ does not rely on publicity, coupons, or store cards. A newsletter, the *Frequent Flyer*, featuring new products and store locations is mailed to customers three times each year and during holiday periods. They do not rely on e-mail advertising.”

According to CNN Money, “You’d think Trader Joe’s would be eager to trumpet its success, but management is obsessively secretive. There are no signs with the company’s name or logo at headquarters in Monrovia, about 25 miles east of downtown Los Angeles. Few customers realize the chain is owned by Germany’s ultra-private Albrecht family, the people behind the Aldi Nord supermarket empire. ... the company has never participated in a major story about its business operations.”

## OGDEN

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enabling them to flourish and create new jobs.”

The initiative will be operated by a consortium of partners that includes Ogden City, Weber State University, Weber State University Research Foundation and private sector industry leaders. It will include a code shop operated by Weber State University Research Foundation, a training center and office space for high-tech startups.

Last month, the Obama Administration launched a new initiative to accelerate efforts to make new and useful services available to consumers on their mobile devices. The administration is also ramping up its ongoing efforts to make large amounts of government data more easily

accessible to the public to spur entrepreneurs to develop innovative new services and mobile applications that take advantage of this data, thus creating new opportunities, businesses and jobs in the process.

In April, Ogden City Council approved a funding match for the \$1 million grant. The city will contribute \$285,000 toward the purchase and renovation of a building at 2314 Washington Blvd. Another \$145,000 will go into a loan fund that will be used for business loans associated with the program. The city also will be proposing an additional \$70,000 in funding in the fiscal year 2013 budget for the loan program. WSU will also contribute \$50,000 to go toward the building.

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## Online health insurance firm to add 100 people to Utah call center

California-based eHealth Inc., parent company to the nation's leading online source of health insurance, will nearly triple the size of its Utah call center in August when it moves the facility from South Jordan to West Valley City.

Currently employing roughly 100 people in 10,000 square feet at 698 W. 10000 S., eHealth plans to take roughly 26,000 square feet on Decker Lake Drive in the Lake Pointe business area of West Valley City, where it will hire at least 100 more full-time and seasonal employees.

The firm's burgeoning Medicare business is behind the move and expansion.

"Medicare is a growing part of eHealth's business, and enrolling in Medicare can be confusing," company spokesperson Amy Fletcher wrote in an e-mail. "We are adding staff to help consumers choose and enroll in the best Medicare plan for their needs, and we need more space."

Medicare's annual enrollment period, which runs from Oct. 15, 2012, to Dec. 7, 2012.

During its last earnings call, eHealth discussed how its Medicare business performed strongly during the first quarter of 2012. Revenue was \$6.5 million — up more than 180 percent from Q1 last year — and the company expects to deliver high double-digit growth in Medicare revenue for the full year.

Headquartered in Mountain View, Calif., eHealth, Inc. is the

### Celeste Gleave is NAWBO's Owner of the Year

The National Association of Women Business Owners (NAWBO) Salt Lake City chapter has named Celeste Gleave, President/CEO of FYVE STAR Inc., Layton, as Woman Business Owner of The Year for 2012.

FYVE STAR manufactures and distributes a variety of products, specializing in deicing technology, aircraft cleaners and chemicals for the airline industry.

Karin Palle, owner of Advanced Business Consulting, South Jordan, is the recipient of NAWBO's Rising Star Award

parent company of eHealthInsurance, the nation's leading online source of health insurance for individuals, families and small businesses. Through the company's website, www.eHealthInsurance.com, consumers can get quotes from leading health insurance carriers, compare plans side by side and apply for and purchase health insurance. eHealthInsurance offers thousands of individual, family and small business health plans underwritten by more than 180 of the nation's leading health insurance companies. eHealthInsurance is licensed to sell health insurance in all 50 states and the District of Columbia. Through the company's eHealth Technology solution, eHealth is also a leading provider of health insurance exchange technology. eHealth Technology's exchange platform provides a suite of hosted e-commerce solutions that enable health plan providers, resellers and government entities to market and distribute products online. eHealth Inc. also provides online and pharmacy-based tools to help seniors navigate Medicare health insurance options, choose the right plan and enroll in select plans online through its wholly-owned subsidiary, PlanPrescriber.com, and through the eHealthInsurance Medicare website www.eHealthMedicare.com.

eHealthInsurance was founded in 1997 and its technology was responsible for the nation's first Internet-based sale of a health insurance policy.

for 2012. Advanced Business Consulting provides business planning and marketing strategies to new and growing businesses.

The named Woman Business Owner of the Year honorees for 2012 are Julie Jakob, CEO, Jakob Marketing Partners; and Mary Scott, president of Fishbowl. Jakob Marketing Partners is a full-service marketing agency while Fishbowl is a provider of inventory management software and asset tracking solutions for small to midsize businesses.

## OrangeSoda Inc. sold to check-printer

OrangeSoda Inc., an American Fork-based Internet marketing services firm with approximately 175 employees, has been sold to St. Paul-based Deluxe Corp., a leading printer of checks in the United States.

Founded in 2006, the Utah company, which specializes in search, mobile and social media campaign strategies for small businesses, will continue to do business from American Fork.

Deluxe purchased OrangeSoda for \$27.7 million in cash. The acquisition is expected to generate approximately \$15 million in incremental revenue, according to a written statement by Deluxe.

"Deluxe will accelerate reve-

nue growth in marketing solutions and other services by combining our organic capabilities with OrangeSoda's innovative solutions, scalable provisioning platform and tools, and established market presence," said Malcolm McRoberts, senior vice president small business services at Deluxe. "Orange Soda has built compelling services offers and channels targeted at key small business marketing pain points. As a result of this acquisition, Deluxe adds differentiated solutions and capability that help support growth for our small business customers."

Jay Bean, CEO and founder of OrangeSoda, said together, the companies "will have one of the most competitive suites of online

services in the marketplace. We are also excited about the expanded services we can offer our combined channel partners, and the revenue potential of these relationships."

Four million small business customers access Deluxe's range of products and services, including customized checks and forms as well as website development and hosting, search engine marketing, logo design and business networking. For financial institutions, Deluxe offers programs in checks, customer acquisition, regulatory compliance, fraud prevention and profitability. Deluxe is also a leading printer of checks and accessories sold directly to consumers.

### Wagner Packaging Solutions celebrating 100 years

Wagner Packaging Solutions, a South Salt Lake firm that began as a tiny company selling produce bags to vegetable farmers, is celebrating its 100th birthday.

The firm was founded by I.J. "Izzi" Wagner, the second of three children of Jewish immigrants Harry and Rose Wagner. When his father died in the Great Depression, Wagner gave up his college education at the University of Utah to take his father's place buying and selling everything from bottles to batteries. Commerce in used bags grew faster than the trade in other items, and Wagner Bag Co. was born, supplying used — but cleaned and repaired — bags to potato farmers and onion growers. With his mother's help Wagner

built the business into one of the most successful companies of its kind in the country.

Wagner joined the Marine Corps in World War II. After the war, he returned to Utah and became a "mover and shaker," amassing a fortune in the process. He was a long-time member of the Salt Lake Planning and Zoning Commission, was on the Salt Palace Advisory Board when the convention center was built, bought Trolley Square when it was just dilapidated bus barns and developed Wagner Industrial Park in South Salt Lake, among other real estate projects. The family later sold Wagner Bag to St. Regis Paper Co., and Wagner served on the St. Regis board of directors for many years.

In 1993, Wagner Bag was sold to Ernest Packaging Solutions, a company located in California that also was founded by Jewish immigrants with ties to Salt Lake City. Ernest now has nine facilities in five states.

Wagner died in 2005. His generosity made possible the Rose Wagner Performing Arts Center, built on the site of the adobe house where he was born, and the I. J. and Jeanne Wagner Jewish Community Center near the University of Utah. He was a long-time board member of Zions Bancorporation and a member of the Salt Lake Rotary Club, the Utah Manufacturers Association and other business and civic organizations.

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## RADAR

from page 1

Shadow, that could benefit from a small radar that is light enough to add along with the existing surveillance turret for missions such as convoy overwatch and land-mine detection.

Formed in 2004, ImSAR has 40 employees. Most of its products are used in military applications, said vice president Adam Robertson.

"The military uses a lot of these unmanned planes for various things," he said, "a lot of surveillance, intelligence, reconnaissance-type missions."

A synthetic aperture is required to minimize the size and weight of the radar, according to Robertson.

"In a camera, the bigger the lens you have, in general the better photos you can take," he said. "We use a different wavelength of the electromagnetic spectrum. We use much longer wavelengths for the radar frequencies. For us to have a big lens it would need to be literally tens or even hundreds of feet long. You can't carry

that even on a big airplane. The way we do a synthetic aperture, we take little snapshots in time and space and record very precisely where we were, then use advanced mathematics to reconstruct an image or synthesize the image as if we had a huge lens. Traditionally, military radars have been on the order of hundreds of pounds, so we are orders of magnitude smaller in size and also in weight and power."

ImSAR's first product, a two-pound synthetic aperture radar called the NanoSAR A, was released in 2009. The firm continues to develop higher performance radar and supporting technologies, including the NanoSAR B, Leonardo, Lisa and Viper. ImSAR is focused not only the development of systems, but being able to produce in high volume with short lead time.

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## Utah's film production industry on upswing

By Brice Wallace

The Enterprise

Utah's film production industry is on the upswing, evidenced by the number of film and TV projects receiving state incentives during the past year.

Since April of last year, 29 productions received incentives to shoot in the state. While six were canceled or postponed, 11 have been completed and 12 are in production or post-production stages, Marshall Moore, director of the Utah Film Commission, told the Governor's Office of Economic Development Board at its May meeting.

That has meant busy times for film crews in the state, a turnaround from a year ago. A board member queried Moore about whether Utah's film professionals have enough in-state work to make a living.

"A year ago, in the summer, I would've said it was difficult," Moore said. "I would say last year was a struggle. We were producing a lot of people out of our local film schools, and they were



Filmed partly in Utah, "The Lone Ranger" will be in theaters next year, starring Johnny Depp (left) as Tonto. Photo by Peter Mountain and copyrighted by Disney and Jerry Bruckheimer Inc.

looking for places to go and they were not only looking at Utah but they were looking outside of the state."

But recent visits to production sets have yielded positive feedback, he said. "And one of the things a crew member said to me is, 'I haven't had a day off since January and I'm exhausted.' Now, that's something I want to hear as

a film commissioner. He's dying for a vacation. But a year ago they said, 'I haven't worked in three months, [or] I haven't worked in four months.' So there's definitely been a swing and a turnaround in terms of our industry."

The production pipeline includes two studio features, two

see MOVIES next page

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# • Industry Briefs •

## ARTS/ENTERTAINMENT

• **Thanksgiving Point**, Lehi, and **National Geographic Cinema Ventures** announced an agreement making Thanksgiving Point's Mammoth Screen Theatre, hosted at the Museum of Ancient Life, Utah's first National Geographic Experience Theater. The new multi-year agreement makes the Mammoth Screen Theatre the first theater in Utah, and one of the first of many in the United States, with the National Geographic Theater branding distinction. As part of the agreement, National Geographic will supply multiple films each year for viewing at the Mammoth Screen Theatre, as well as provide marketing support for the theater. National Geographic films currently screening at Thanksgiving Point

include "Flying Monsters 3D" and "Meerkats 3D." Upcoming titles include "Invisible Worlds," a film that will showcase the new technologies — such as nano-technology — that actually make the invisible visible in the world around us, and James Cameron's "Deepsea Challenge," a chronicle of the filmmaker's ocean exploration adventures that culminated in his historic and record-breaking dive to the bottom of the Mariana Trench.

## BANKING

• **Mountain America Credit Union** has been honored with **two Excellence Awards** from the Credit Union National Association HR/TD Council, which recognizes outstanding human resource/

training and development achievements in the credit union industry. Mountain America won in the council's Employee Engagement category for its "8 Pillars Personal Finance" program, which fosters employees' confidence in their ability to handle personal financial

matters. This confidence positively affects how they serve and advise members who come to them for financial assistance. Mountain America also won the HR/TD Management Practices award for its "Online Branch Member Training Tutorials," which provide

training for members and employees concerning the credit union's new online banking system. These tools are a resource for employees as they teach new and existing members about Online Branch.

*continued on next page*

## MOVIES

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international features, 14 independent features, five TV series, two cable TV series and one international TV series.

"You can see where our sweet spot is, which is the independent feature. For one, we host the largest independent film festival, really, in the world, the Sundance Film Festival, so it only makes sense that we would do a lot of independent features in the state of Utah," Moore said.

He noted that the productions have different vehicles for release. Some are designed to be in theaters, while others come out on DVD or webisodes online. "We love getting the work. We love getting the job creation and the promotional opportunities. The promotional opportunities don't really mean much unless it's being seen by somebody," he said.

Among prominent productions are "Mistle-Tones," a holiday TV movie for ABC Family; "Nitro Circus 3-D," set for theatrical release in October; "12 Dogs of Christmas 2" a DVD release scheduled for November; "American Ride" airing on PBS; "Lone Ranger," a Walt Disney Pictures production starring Johnny Depp to be released in theaters in 2013; and "After Earth," a Sony Pictures film starring Will Smith premiering in 2013.

Moore's list of productions getting state incentives included three approved by the GOED board at its April meeting:

• **Godfrey Entertainment Inc.** for the reality TV series "Thrillbillies: Season 4," which was approved for a tax credit between \$260,000 and \$325,000. Airing on Fuel TV, the production is estimated to spent \$1.3 million over 225 days in Utah.

• **Cosmic Pictures Inc.** for the

TV series "Turning Point: Season 3," which will receive a tax credit between \$230,000 and \$287,000. Airing on PBS, the production is expected to spend \$1.15 million in Utah.

• **One Class LLC** for its independent feature film "The Gettysburg Project." It is expected to spend nearly \$1.5 million in Utah and its incentive is a credit between \$297,000 and \$371,000.

Moore said Utah crews typically can handle three full-sized feature films at any given time, but added that some larger productions bring in outsiders and hire some locals to round out their crew.

The past few years have seen many Utah film professionals leave the state to work on productions elsewhere. "I would say, for the most part, many of our crew members that are working out of state still live here. And this consistency that we've had over the past year has helped bring back some of the crew members that had been working out of state but trying to live here," he said.

During dire times in recent years, some folks left the industry altogether. But Moore said that Broadview University, Salt Lake Community College and Utah Valley University "are all turning out film students that are getting practical experience and what we're trying to do out of our office is make sure there's a pipeline for those students to actually go to work on these movies."

As for the future, Moore said there is more optimism for funding independent films than there was during the past few years. And audiences still flock to blockbusters. "In terms of people going to the movies, I think you've seen 'The Hunger Games' and now the 'Avengers' on top of that, to say that people are still going to the movies, which in turn helps people make more movies," he said.

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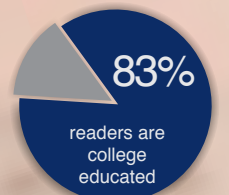
- 71% in Top Management
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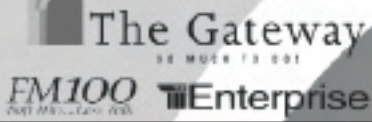
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Turn in your completed form to The Gateway Concierge, located across from Urban Outfitters or to any participating retailer to be eligible for monthly drawings.

## At Work Perk

from previous page

### COMMUNICATIONS

• TriTel Networks president **Jay Brown** has been invited by **Technology Assurance Group**, an international organization representing nearly \$350 million in products and services in the industry, to share his vision on the future of unified communications with some of the industry's top manufacturers, vendors, suppliers and resellers at TAG's national convention. The 12th Annual TAG Convention will be held in New Orleans Sept. 9-12. TriTel Networks, located in Murray, is a telephone and data communications firm.

### COMPUTERS/ SOFTWARE

• Grow America Springboard Competition Winner **knowonder!**, a publisher of children's literature and learning resources, has launched a **new app aimed at improving child literacy** by providing new, daily content to parents' smartphones for free. Knowonder! received the third place award in the start-up category of Grow America's Springboard business competition on May 21. The app and website offer original fiction stories, non-fiction articles, puzzles and more. The app is available for download through the Apple App Store, <http://itunes.apple.com/us/app/knowonder!/id329348255?mt=8>.

• After analyzing online transactions such as credit applications and e-commerce purchases, Portland, Ore.-based **iovation**, whose goal is to protect online businesses from fraud and abuse, found the University of California at San Francisco to be the university where the lowest percentage of fraudulent transactions originated. The **University of Utah ranked No. 9**. Iovation examined transactions from about a billion devices, from computers to tablet computers to mobile phones, to determine if a transaction was originating from a university and if so, whether or not it was fraudulent. Out of universities in the top ten, iovation found 0.18 percent of all transactions were fraudulent compared to an overall rate of 0.8 percent amongst schools worldwide.

• **i.t.NOW**, a Sandy-based provider of managed information technology services, recently **donated computer hardware and technical assistance** to the **American Red Cross** with its Time for Techs program. The value of the donated time and hardware was \$6,000. i.t.NOW's staff migrated the Red Cross' Utah offices to hosted exchange. The firm also deployed 35 new workstations to the Red Cross' locations in Provo, Salt Lake and Ogden, and handled all support calls and other I.T. issues.

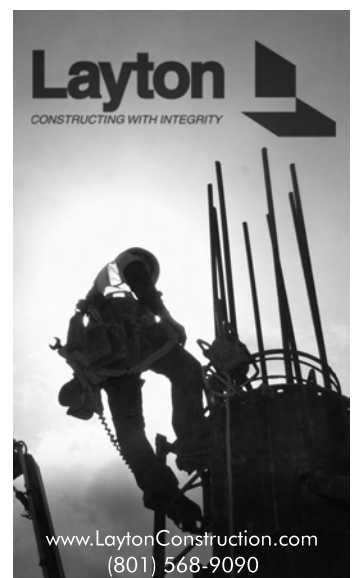
• American Fork-based **Domo** has introduced **CEO.com**, a free service designed to help busy executives stay up to date with what's happening at the leadership level across top industries, as well as stay armed with the latest business strategies and best practices from the world's most interesting CEOs. CEO.com was founded by Josh James, founder of Omniture, before he launched Domo. CEO.com will showcase dozens of interviews by James of fellow CEOs. Content also includes infographics, CEO lists and original features. In addition, CEO.com's editorial team scours hundreds of publications each day to find content for and about the world's most interesting CEOs and deliver it to qualified subscribers in an easy-to-consume newsletter. CEO.com plans to add new services and features for its community over time, including customizable alerts, which readers will be able to set to help them stay on top of breaking news related to topics and leaders they care about.

• **Allegiance**, a South Jordan-based provider of "voice of customer intelligence" technology and services, has hired **Mike Chasteen** as executive vice president of sales and client services. Chasteen brings more than 25 years of high-technology sales and executive management experience to Allegiance. Before joining Allegiance, Chasteen was vice president of North American and regional sales at GXS Worldwide Inc., the world's largest provider of business-to-business integration in the cloud, where he helped more than 40,000 companies exchange electronic transactions with trading partners. Prior to GXS, he held executive sales leadership roles at Click Commerce, i2, Logility, EXE and Peak Technologies.

### CONSTRUCTION

• **Patrick James** has joined **BHB Consulting Engineers**, Salt Lake City, as a project engineer. James received both his M.S. and B.S. in civil engineering from Utah State University, completing

continued on page 10



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# What keeps me up at night? Parents, Alzheimer's and money

## None of your business!

Salespeople (not you, of course) are known for asking poor questions — questions that are not only embarrassing, questions that are also rude. And I would be remiss if I didn't add: questions that make them appear desperate and pressing for a sale.

The dumbest question in sales is "What will it take to get your business?" It's by far the *worst* question you can ask a customer. It makes you a price seller rather than a value provider, and it makes you look like you "need" the sale rather than want to earn and grow a relationship.

REALITY: There is a close second to the dumbest question, and it's the subject of this article. "What keeps you up at night?" Are you kidding me? NONE OF YOUR BUSINESS, that's what!

You're at the beginning of a sales call, trying to build positive rapport and earn some level of "like" and "trust," and you're asking me that kind of question? It's almost as dumb as trying to "find the pain." Please don't get me started on 1972 sales manipulation and insincerity.

Why not ask the prospect a question that relates to their real life, and their present situation, that's potentially more revealing than a Miss America question?

MAJOR AHA! QUESTION: *What wakes you up in the morning?*

It's a positive question that, when asked with a smile, will get you real answers, real facts, and reveal real truths. It's lighthearted but powerful, and when followed up with "what else?" or "then what?" will create a dialog that is totally customer focused, thereby achieving the purpose of the interaction.

Below are possible answers. Here's what to do: Think of all these answers IN TERMS OF YOURSELF, FIRST. What wakes YOU up? It reveals your top-of-mind thoughts, issues, concerns, goals, problems and attitude toward them. Got it? Now direct them at the customer or prospect and listen to the eye-popping, ear-de-waxing and self-qualifying answers.

You ask, "What wakes you up in the morning?" They answer:

- **Light of day.** Easy answer. Leads to, "Then what?"

- **Alarm clock.** Another easy answer. Still leads to, "Then what?"

- **Kids.** Great answer! Leads to all kinds of mutual discussion points and common interests if you also have them.

- **Relationships.** A bit touchy. Let the prospect lead.

- **Coffee – shower – exercise – the news.** These subjects will provide more superficial answers that might reveal things in common.

- **The day and things to be done.** People will make their day more important than your day. And you'll feel it when they chatter and complain about "having so much to do."

Now let's take it deeper. Asking the "then what?" question will get them to the next phase of their reality. It started out light, now it gets to some real issues. You might ask, "What else wakes you up?" or the more powerful, "Then what?" They might say:

- **Money, or the lack of it.** Think of this one in terms of yourself. Go lightly, but it's very revealing.

- **Health issues.** If they have a physical ailment or some medical condition, it may impact their attention span or decision-making

capability.

- **Pain.** If they're in pain, then the pain will affect concentration and span of attention.

- **Energy/positive anticipation.** This is GREAT. An enthusiastic person can connect with your compelling presentation and catch your positive feelings.

- **All the stuff he or she is excited about.** These are golden issues that need to be embellished and compared to what it will be like when your stuff gets its chance.

- **Big issues.** IRS, business failure, damaged reputation, lawsuits. A pending merger or pending big order could be a positive light.

- **Business issues.** The day-to-day often gets in the way of the month-to-month and the year-to-year. Stay away from the mundane, and be aware of the complainer.

- **Personal issues.** Family and relationship issues can have a real impact (either way) on your meeting outcome — pending marriage or pending divorce?

- **Career issues.** Work, boss, sales, people and events can have huge implications on your need to do something today.

- **Nagging issues (worries).** These are elements that slow down the actions a business is willing to take. If you know what they are, you'll be less likely to be impatient, and more likely to create a winning plan to make the sale.

- **Unfinished issues. Stuff undone.** "Wait until after ..." are defeating words to the ears of salespeople. But if you know what they are, you can get a better sense of "when."

- **Projects under way.** Most people are limited in the amount of work and projects they can take on. When your customer dwells on "present situation" and "major project" you can expect postponement. Make sure you nail down expected completion date.

- **Deadlines.** If it's close, you're toast. And the best thing you can do is offer assistance.

- **If the prospect or customer answers:** *The reality of: get my butt in gear.* This doesn't address any issues, and is really skirting the question. You might ask "for what?"

MAJOR CLUE: Don't overdo the process. Ask a few questions, gain a few answers, and then move on.

As a result, you have some new information, maybe some common interests, a few smiles, and certainly a thinking prospect.

I made you think, didn't I? You can do the same with your prospect. Stay away from the defensive questions and your responses will lead you down the right path — the business relationship and mutual respect path.

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

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Every eighth American aged 65 and older has Alzheimer's disease, and 43 percent of Americans aged 85 and older have it, according to the Alzheimer's Association.

Consider those percentages in light of the Social Security Administration's estimate that about 25 percent of today's 65-year-olds will live past age 90. These shocking statistics have serious implications for family wealth.

Your choices. What are your options when it comes to helping a parent out with money management? Informally, you can "lend a helping hand" and check in with mom and dad to make sure that bills and premiums are paid, and deadlines are met. But if you elect to formally take the financial reins, you are looking at a two-phase process:

- You can get a power of attorney and assume some of the financial responsibilities. A power of attorney is a detailed and strictly constructed legal document that gives you explicitly stated measures of financial authority. If you try to handle financial matters for your parent(s) without a valid power of attorney, the financial institution involved may reject your efforts.

A durable power of attorney lets you handle the financial matters of another person immediately. The alternative — a springing power of attorney — only takes effect when a medical diagnosis confirms that person's mental incompetence. Copies of the power of attorney should be sent to any financial institution at which your parents have accounts or policies. It may be wise to get a durable power of attorney before your parent is unable to make financial decisions; many investment firms require the original account owner to sign a form to allow another party access to an account owner's invested assets.

You are going to have to hunt for information, such as:

- Where mom or dad's income comes from (SSI, pensions, investments, etc.)

- Where the wills, deeds and trust documents are located.

- Who the designated beneficiaries are on insurance policies, IRAs, etc.

- Who the members of mom or dad's financial team or circle are. You need to talk with them; they need to talk with you.

The crucial numbers: checking and savings accounts, investment accounts, insurance policies, PIN numbers and of course Social Security numbers.

It will also help to learn about their medical history and prescriptions.

If the disease progresses to the point where your mom or dad can't make competent financial decisions, then you are looking at a conservatorship. In that case ...

- You can act to become your mom or dad's conservator. This means going to probate court. You or your parent can initiate a request for conservatorship

with a family law attorney; if the need is more immediate, you or your family's attorney may petition the court.

In either case, you will need to show documentation that your parent is no longer financially competent. You must provide medical documentation of his or her dementia to the court as well. The court will interview the involved parties, look at the documentation and perform a background check on the proposed conservator. This is all pursuant to a hearing at which the court presents its decision. If conservatorship is granted, the conservator assumes control of some or all of the protected party's income and assets.

How do conservatorships differ from guardianships? A guardianship gives a guardian control over many aspects of a protected person's life. A conservatorship limits control to the management of the protected person's assets and financial affairs.

What if you don't want to assume this kind of responsibility? Some wealth management firms offer daily money management as an option in a "family office" suite of services. The firms make home visits to help with bill paying, filing medical claims and other recurring tasks; carefully scrutinize anyone offering this service. (Visit [aadmm.com](http://aadmm.com) for the American Association of Daily Money Managers.)

The other choice is to give a relative, a financial services professional or a family lawyer durable or springing power of attorney or limited or full conservatorship. Such a decision must not be made lightly.

Keep your parents away from unprincipled people. These steps may prove essential, yet they will not shield your family from scam artists. Be on the lookout for new friends and acquaintances. If your instincts tell you something is wrong, investigate.

Mark Lund is a portfolio management specialist, investor coach, speaker and author of *The Effective Investor*. To get a free whitepaper, "8 Myths Killing Portfolio Performance" go to [www.StonecreekWealthAdvisors.com](http://www.StonecreekWealthAdvisors.com). Lund offers investment management services through Stonecreek Wealth Advisors Inc., an independent fee-only Registered Investment Advisor Firm in Utah. He can be reached at 11650 S. State St., Suite 360, Draper Utah 84020, (801) 545-0696.



Jeffrey Gitomer



Mark Lund



# Give 'The Hopper' the lopper

By Jim Ackerman

Forgive me for being a little PO'd right now.

What's got me irked? The Hopper, that's what. It's the new contraption from DISH that allows you to skip all commercials in real time on programming from the big four networks. And if they're able to kill commercials on the big four, can the rest of all TV be far behind?

Wait a minute. Maybe you're excited about The Hopper. Maybe you're thinking it'll be nice to miss all those commercials. Well let me tell you why you're wrong, and why as a fellow businessperson, you should be quaking in your boots at this development.

The world of marketing has already undergone an unprecedented assault over the last couple of decades. Television, in particular, the most powerful advertising medium ever invented, has been thwarted by the plethora of channels that has watered down its effectiveness simply because it's nigh on to impossible to assemble an audience. That's whether you're chasing a small, local market or a big national one. They just can't be pulled together in one place anymore.

Now they're going to further dilute the audience by allowing the audience itself to tune out the commercials. What's a business to do?

If you're in business yourself, you may be able to appreciate this dilemma. If you're a normal, everyday consumer, you may think it's not your problem.

But it is. It's causing prices to go up.

Yeah, you heard me right. The reduction in advertising effectiveness — not just

in television, but in all media, largely due to the dramatic increase in media options brought on by the Internet, in addition to all the new TV and cable channels — is driving up the cost of generating a sale. And the cost increase MUST be passed on to the consumer, just as surely as tax increases get passed on and higher gas prices get passed on.

You cannot escape it.

Advertising — successful, efficient, sales-generating advertising, that is — drives costs down. When a business can generate substantially higher sales, they can take advantage of economies of scale in buying inventory and/or raw materials. They can pass those savings on to you, the consumer.

Even, and maybe especially, in the case of buying product from China, if you buy one container of product you're going to get one price. If you buy five containers, the price will come down. And when the price comes down, profits go up, in spite of the fact that the end seller can lower his prices.

That's not all. When profits go up, already employed workers get raises and the company also may need to hire additional workers to keep up with demand and growth. That's good for the economy.

Get this and get it good: The ONLY place jobs and raises come from are PROFITS. I can't give you a job if I don't have enough profits. Nobody can. I can't give you a raise if I don't have enough profits. Nobody can.

So ANYTHING that hurts profits hurts the economy!

That's something that our current fed-

eral government doesn't seem to understand. But from the government, I can at least see it. It's a body largely consisting of power-hungry attorneys in essentially middle-management roles, currently led by a clueless community organizer who never had to make a payroll, never had to turn a profit and hardly showed up in the job he had before this one, with no fear of retribution from his employer. These people are up in the night and we all know it.

But what about DISH? What is the matter with these guys? They're in business. They should know better!

"Oh Jim, they're just trying to compete with cable. They're looking for any edge they can get."

Really. Well what happens when cable comes out with something to match this so-called advantage? What happens to the advertiser then?

Take retailers for example. They're reeling from the explosion of TV and cable stations, the satellites and the Internet. It appears to them all the rules have changed. They don't know where to turn to advertise, and it's killing them.

I believe the revolution in media has been as detrimental to the prosperity of small business as has been the recession itself, and may be as responsible for small-business failures as anything in the current economic malaise.

As it was, most businesses acquired their new customers at a loss anyway. If it cost a jeweler \$120 in marketing expenses to bring in a new customer — and it does — and that jeweler's average sale is \$240 — and that's probably high — it is a losing

proposition for the jeweler. Why? Because although he generated twice the revenue for his marketing expense, his cost of goods and cost of operation probably put him at a net profit margin of 7 to 10 percent. He's losing money on that first transaction.

Add to the problem an increase in what it costs to bring that new customer in the door and those skinny profit margins get skinnier still, if not disappear altogether.

No raises for his employees, no matter how deserving they are. And certainly nobody is going to get a new job in this scenario.

The "acquire at a loss" phenomenon has been a way of life for most businesses for decades, perhaps forever. Businesses typically make their money down the line, when happy buyers come back and do business with them again and again. But if you're in a business where repeat purchases are infrequent, you're often walking a tight-rope to get to that next buy. Any increase in original cost of acquisition can topple you.

My advice to all of us? Avoid The Hopper and start responding to ads. The good ones, anyway.

Jim Ackerman is a Salt Lake City-based marketing speaker, marketing coach, author and ad writer. For his speaking services go to [www.marketingspeakerjimackerman.com](http://www.marketingspeakerjimackerman.com). Subscribe to his VLOGS at [www.YouTube.com/MarketingSpeakerJimA](http://www.YouTube.com/MarketingSpeakerJimA), where you get a video marketing tip of the day, and at [www.YouTube.com/GoodBadnUglyAds](http://www.YouTube.com/GoodBadnUglyAds), where Ackerman does a weekly ad critique and lets you do the same.

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his M.S. in May 2012.

• **Staker Parson Companies**, local provider of construction materials and services, is in the process of **consolidating five offices** to a new, leased office space located at 89 W. 13490 S. in Draper, where 85 people will be employed. The move is designed to streamline the business. Staker Parson's

ready mix dispatch and customer service center has been relocated to the company's Beck Street office. In Draper, Staker Parson is leasing 29,000 square feet of a 34,000 square-foot building owned by developer Rockworks LLC. The other tenant in the building will be Farmers Insurance. An open house will be held later this summer once the move has been completed. Staker Parson is celebrating its 60th anniversary this year.

• **Utah OSHA Consultation Program** representatives will be **visiting residential construction sites statewide** through Sept. 30, providing information to employers and promoting injury prevention by helping identify and eliminate the four major causes of injuries in construction sites, which are falls from elevations such as floors, platforms, roofs; getting struck by falling objects, vehicles or equipment; getting caught in/between excavation/trench cave-ins; unguarded machinery and equipment; and safety regarding electrical overhead power lines, power tools, cords, outlets and temporary wiring. The Utah OSHA Consultation Program provides no-cost, on-site safety and health services that are 100

percent confidential, available by request and at no charge to small employers in the construction industry. For more information, visit <http://laborcommission.utah.gov> or call Kate McNeill, (801) 530-6855.

• **Lochner**, a Salt Lake City firm that provides planning environmental, design, and construction management services for roadway and rail transportation facilities nationwide, has promoted three vice presidents. **Laynee Jones**, P.E. joined Lochner in 2007 and serves in a senior project management role on planning and environmental Utah Transit Authority Utah Department of Transportation and various municipality projects. She also oversees the Salt Lake City office's planning, environmental and public involvement disciplines. **H.G. Kunzler**, P.E. joined Lochner in 1991 and currently serves in the role of senior project manager and St. George office manager. He also leads the Career Development Program for both the Salt Lake City and St. George offices. **Jason Phillips**, P.E. joined Lochner in 1994 and serves as a senior project manager. Over the past 10 years, he has held leadership roles on several high profile alternative delivery projects, including

UDOT's recent Mountain View Corridor CM/GC Design.

• **Big-D Construction**, Salt Lake City, has been selected as the contractor for the University of Utah **S.J. Quinney College of Law's** new 155,000 gross square foot building. The new College of Law building is tentatively scheduled to break ground in the summer of 2013, and is currently scheduled to open during the 2014-2015 academic year.

## EDUCATION/TRAINING

• The **John B. Goddard School of Business & Economics** at Weber State University, Ogden, now has a **strategic plan to build five programs** capable of attracting national attention. To identify the programs, the school turned to its faculty and asked them where they thought the Goddard School had a competitive advantage, and where they wanted to focus to better prepare students for careers in business. Faculty identified five areas or programs of emphasis: supply chain management, entrepreneurship, the Master of Taxation, international business and sustainability.

## FINANCE

• The **Utah Educational Savings Plan (UESP)**, Utah's official nonprofit 529 college savings program, receives a **"5-Cap Rating"** for both Utah and non-Utah resident college savers by **Savingforcollege.com**, an independent website informing families and financial advisers about 529 plans. Savingforcollege.com's 5-Cap Rating system — one cap being least attractive and five caps being most attractive — evaluates more than 100 of the nation's 529 plans. Programs awarded five caps are recognized as offering outstanding flexibility, attractive investments and economic benefits that provide a substantial boost to an account owner's savings. Plans are given two ratings: one for how they treat in-state participants and one for how they treat participants from outside their state. Besides UESP, only seven other plans received a 5-Cap Rating for both.

## HUMAN RESOURCES

• The U.S. Department of Labor has announced that the **latest duration rate for Utahns receiving unemployment insurance** for the fiscal year ended March 31 was **14.4 weeks, which is the 49th lowest in the nation**. The Department of Workforce Services reports that Utah will pay out less than \$4 million in regular unemployment insurance benefits the week ended June 2, 2012. The last time the department paid less than \$4 million in unemployment benefits was November 2008. The Unemployment Insurance Trust Fund, which Utah employers contribute to fund the payment of UI benefits, is recovering to a healthy level, making it possible for Gov. Herbert to initiate a UI tax rate reduction for 2012 for all Utah employers. The Utah UI trust fund currently stands at over \$430 million.

• Despite the uncertainty in the country's current employment situation, **many American workers who identify themselves as top performers are thinking about changing jobs**. In line with research showing the recent uptick of voluntary quits in the workplace, the 2012 Aflac WorkForces Report revealed nearly half of U.S. workers (49 percent) are at least somewhat likely to look for a job this year. More troubling for employers, a majority of

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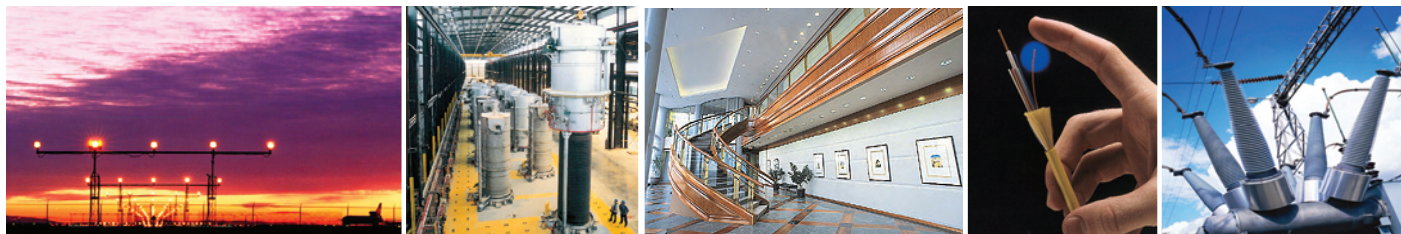


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those who say they are extremely or very likely to leave their jobs describe themselves as the kind of workers companies need to retain to remain competitive in a tight economy.

**INSURANCE**

• Michigan-based **Burns & Wilcox**, the largest privately held independent wholesale insurance broker and underwriting manager, has **purchased W.C. Mills Insurance Inc.**, Riverton. W.C. Mills provides a broad range of transportation and inland marine products. It specializes in trucking and non-trucking auto liability, physical damage, motor truck cargo, and general liability and excess/umbrella. Bill Mills, who founded W.C. Mills in 2001, and his entire team, will join the Burns & Wilcox office in Sandy. Mills will serve as director of transportation.

• The **Workers Compensation Fund** has honored several employers for **exceptional safety efforts**. Recipients of the 2012 WCF Charles A. Caine Workplace Safety Awards are **Advanced Health Care Corp., Devoe Electric, DP Curtis, Graymont Western, Interstate Rock Products, Langford Roofing, Palmer Christiansen Co., Petersen Inc., Reid Ashman Manufacturing, Roofers Supply, Structural Steel & Plate Fabrication, Tooele County, Triple T Heating & Cooling and Wasatch Distributing.**

• Chicago-based **Atlas Financial Holdings Inc.** has begun **selling its core commercial automobile insurance products in Utah.** Atlas' insurance subsidiaries American Country Insurance Co. and American Service Insurance Co. Inc. distribute their specialty insurance products focused on "light" commercial auto industries (taxi cabs, non-emergency paratransit, limousine/livery and business auto) through a network of retail independent agents. Together, American Country and American Service are licensed to write property and casualty insurance in 47 states.

• **Wells Fargo Insurance Services'** managing director **Stuart Young**, CPCU, CIC, has been chosen the president of the **Utah chapter of the CPCU Society.** Young is a third generation insurance professional. Young was previously the managing director of the Utah offices of Wells Fargo Insurance Services since 1994. Replacing Young at Wells Fargo is **David Headden.** He is an insurance professional with more than 25 years of experience. For the past seven years Headden has been the regional business development officer for the Southwest and West regions. Young will remain with the Wells Fargo team as a sales

executive.

**LAW**

• Retiring **United States Magistrate Judge Samuel Alba** will join **Snow, Christensen & Martineau** in July. He will be a shareholder with the firm and co-chair the White Collar Defense practice group, along with Max Wheeler. Alba has presided over many complex criminal and civil matters for 20 years. Before taking the bench, he was a trial lawyer. Alba has been a United States Magistrate Judge since August 1992, and was Chief Magistrate Judge from 2003 to 2008. From 1987 to 1992 he was a shareholder at another local firm, and focused on commercial litigation and white collar criminal defense. From 1980 to 1987 he was an Assistant United States Attorney. He started his career trying cases in the Federal Public Defenders' office in Phoenix. As a Magistrate Judge, Alba handled high-profile cases including the pretrial matters in the Elizabeth Smart kidnapping case, the Four Corners Artifacts Trafficking case, and the 2010 Bugman Pest and Lawn matter.

• **Parr Brown Gee & Loveless** has hired **Michael Anderson** as an associate lawyer in the firm. Anderson joins Parr Brown full-time after completing two terms as a summer associate with the firm and receiving his juris doctor from Columbia University. While at Columbia, he was a Harlan Fiske Stone Scholar, articles editor for the *Columbia Journal of Transnational Law* and a member and director of Columbia's national American Constitutional Society Moot Court Team. Anderson joins the commercial litigation group at Parr Brown with an emphasis in media and First Amendment and international law.

**MANUFACTURING**

• In celebration of 75 years as a part of the Salt Lake City community, **Cache Valley Dairy** is hitting the open road this summer and taking its cheese and butter to the people in the form of a grilled cheese sandwich. On June 7 the firm unveiled its new food truck, dubbed the **"Melt Mobile."** It will serve grilled cheese samples throughout Salt Lake City and surrounding communities. The truck will make scheduled stops throughout select summer weekends at community and sporting events, local attractions and grocery stores, as well as some lunch-time visits to area business districts. For a schedule, visit [facebook.com/cachevalley-dairy.com](http://facebook.com/cachevalley-dairy.com).

• Lehi-based **Millennia** has entered a **manufacturing and license agreement with RITEK**

**Sustainable Building**



**Parking Lot and Road Repair Using Thin Lay Asphalt**

By Randy Anderson

Have you tried patching the cracks in your parking lot only to be left with streaked tar and an ugly, uneven surface? Do you want to cover or repair potholes in your asphalt? While you can seal or patch the cracks in your asphalt pavement, if you have multiple cracks and potholes and desire to make your pavement look like new without the expense of tearing it out and starting over, consider using thin lay asphalt for parking lot repair.

Thin lay asphalt is a cosmetic application that can update your parking lot, driveway or street when it needs refreshing. Thin lay asphalt differs from regular asphalt because it can be laid directly on an existing asphalt surface — no grading, excavation or sub grade preparation is necessary. Comprised mostly of chips, thin lay asphalt is placed three-quarters of an inch thick on a surface that has been cleaned and prime coated with light oil to help the new asphalt adhere to the old surface.

**Why Use Thin Lay Asphalt?**

Thin lay asphalt is a cost-friendly pavement alternative. Thin lay asphalt is placed three-quarters of an inch thick as opposed to traditional asphalt, which is placed at least one-and-a-half inches thick, saving you money because the amount of asphalt used is cut in half.

Thin lay asphalt also reduces cost compared to traditional asphalt because there is no need for extensive sub grade preparation, saving time and money on labor.

Your parking lot will look like new. Simply sealing the cracks in your parking lot can leave you with stripes or streaks from crack sealer. Thin lay asphalt creates a smooth, consistent surface without any discoloration or residue.

Road repair with thin lay asphalt tends to create a smoother surface and more even ride quality as opposed to patching or sealing.

**Ideal Applications for Thin Lay Asphalt**

- Parking lots
- Subdivision roads
- Driveways

Any surface that is still stable but requires cosmetic surface improvement.

If your current asphalt surface is in need of a new look, consider thin lay asphalt as a sustainable, convenient and cost-friendly cosmetic application.

Randy Anderson is vice president of materials and north construction for Staker Parson Companies.

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*continued on next page*





## How to Unplug a Plugged Bunker Lie

**Step 1:** Create the most secure stance possible so that you don't slip on the uneven terrain. You can see from the photo that, for me, this means setting my left foot outside the bunker.

**Step 2:** As you set up, close the face of your sand wedge (or other wedge, depending on the distance to the pin and the lip height) well past square to a very shut angle. Set your stance parallel to your target line.

**Step 3:** Cock your wrists fully in your backswing, and then power your wedge into the sand just behind the ball with as much force and clubhead speed as you can muster. Don't hold back on this one!

Because you start off with a closed clubface, the toe of your wedge will enter the sand first and then square up (as pressure from the sand increases). This causes the clubhead to "flip" into the ball and produce an upward trajectory and a lot of splash (check how much sand I take in the photo). As a result, the ball will carry onto the green with some "knuckleball" roll. Practice this technique first, then bring it out on the course to save a few strokes from

a seemingly bad situation — while also impressing your friends. And next time, use one more club to get over those front bunkers!

Dave Pelz is an American golf coach, known for his expertise and published writing on the art of the short game, particularly putting. Pelz's *Short Game Bible* was a *New York Times* "national best-seller" in 1999. Pelz was named by *Golf Digest* magazine as one of the 25 most influential instructors of the 20th Century. Pelz continues his research at the Pelz Golf Institute in Spicewood, Texas.



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from previous page

**Corp.**, a leading manufacturer of optical storage media, to manufacture M-DISC optical discs. RITEK, based in Taiwan, will begin manufacturing M-DISCs utilizing the technology and specifications of Millenniata. The RITEK manufactured M-DISCs will be available through Millenniata's global sales and distribution channels. M-DISC, according to Millenniata, provides permanent storage by literally etching data into a rock-like material. The M-DISC will not degrade over time and is usable on a daily basis. The disc's technology is patented.

## REAL ESTATE

• **Coldwell Banker Residential Brokerage** has launched a new **design for its marketing and listing materials**. The goal of the new look is to enhance the marketing of its clients' homes with more simplistic, unique and contemporary design elements. Clients will notice a more progressive design in the marketing of their home with the use of large, custom photography, minimal copy and an overall cleaner look to their property flyers, postcards and online marketing pieces. Their agent will be working with newly redesigned listing presentations, custom iPad/Tablet presentations, business cards, stationery and other key marketing tools. The current redesign will be followed by a new look and several enhancements for the firm's Coldwell Banker Previews International luxury home marketing system.

## RESTAURANTS

• The **Firehouse Subs Public Safety Foundation** awarded more than \$7,400 in much-needed equipment to the **City of Orem** and more than \$14,800 in equipment to the **Cottonwood Heights Police Department** June 5. Since 2005, Firehouse Subs Public Safety Foundation has donated more than \$52,000 to public safety entities in Utah.

• The fourth annual **Brewfest** is returning to **Snowbird Ski and Summer Resort** this year with a new **Brewer Dinner**, where representatives from local breweries will assist with food and beer pairings. Snowbird chefs will create brew-inspired food for the Brewer Dinner, paired with beer from Ruby River, Hoppers, Uinta, Epic, Wasatch, Squatters and Bohemian breweries. Each attendee will receive a Snowbird Aerial Tram foot passenger ticket and a Brewfest mug. The Brewer Dinner will be served buffet-style on the Atrium patio at The Cliff Lodge on June 16 from 6 to 10 p.m. Dinner and beer will cost \$49 per person; both dinner and a night at The Cliff Lodge go for \$99 per person.

## RETAIL

• The **Second Annual Edible Wasatch Treasure Hunt for Local Food**, a bicycle-based event dedicated to celebrating locally and sustainability produced food and the businesses that bring it to market, will take place from 11 a.m. to 5 p.m. on **June 16** beginning at Reservoir Park, 42 S. University S., Salt Lake City. The event is presented by *Edible Wasatch* magazine and sponsored by Utah's Own and the City of Salt Lake. The treasure hunt will benefit USEE-The Utah Society for Environmental Education. The event is also made possible by the support of Harmons Grocery, Whole Foods Market Sugar House, Uinta Brewing and dozens of other local businesses. Registered participants will receive a "clue card" to begin their hunt throughout Salt Lake City. Riders pre-register for one of three routes. Space is limited and registration closes on June 12. Details at are at [edibleWasatch.com](http://edibleWasatch.com).

• The **Second Annual Urban Flea Market** will be held the **second Sunday of every month through October 2012** in downtown Salt Lake City. There will be 10'x17' booth spaces for up to 70 vendors to rent. The event will be held from 9 a.m. to 3 p.m. The Urban Flea Market has a larger new location this year at 400 South and State Street in the northeast corner parking lot. Sponsors include Salt Lake City, Downtown Alliance, Now & Again, *Catalyst* magazine, *City Weekly*, *Edible Wasatch* magazine, Metro Display, Molding Box, Our Store, Q Salt Lake and *SLUG* magazine. Event information is available at [www.fleamarketslc.com](http://www.fleamarketslc.com).

## SERVICES

• Florida-based **European Wax Center**, a body waxing franchise, will **open its first Utah location** in Draper by late June. To be located at 213 E. 12300 S., the franchise will be owned and operated by locals Treena and Shane Jones and Jared McDougal. The group will be celebrating the grand opening by offering first-time visitors a free body wax of their choice with no purchase necessary. Visitors can also receive \$5 off their next visit by referring a friend, even if they just come in for the free wax offer. European Wax Center is known for its exclusive four-step Comfort Wax system which features wax made from 100 percent natural beeswax formulated in Paris. The group has plans to open a location in Midvale by the end of the year. European Wax Center was named No. 1 fastest-growing franchise and No. 82 fastest-growing private company in *Inc.* magazine's annual Inc. 500 ranking.





# Legal Matters

## Have you met Charlie? Spot the four red flags to protect your money from Ponzi schemes

Charlie is friendly, smart and confident. He might be a friend of a friend, someone you met at an exclusive event, or a stranger about whom you've heard good things. You have to admit, you like the guy. He is never one to talk business right away. Instead, it starts off as something else — a joke, friends, family, politics or religion (of course, he always agrees with you). Only then — when he feels like he can really trust you — does he let you in on a deal. You see, he is making tons of money. He stumbled upon a foreign-domestic exchange that doubles your money. Because he likes you so much he wants you in on it too. And the best part, it's a sure thing. You'd better move quickly though, otherwise someone else will take it.

For over 90 years, Charlie and people like him have used the same premise to make billions of dollars. But not for you. Charlie is better known as Charles Ponzi, the man whose surname is the infamous trademark for fraudulent investment schemes. Such schemes operate by diverting money from new investors to pay purported returns to existing investors. The prevalence of these

schemes is outdone only by the millions of duped investors.

These investors, although eager, are not simple-minded. Rather, as statistics reveal, the most common victim of a Ponzi scheme turns out to be a financially literate person with above-average intelligence. Does this sound like you? You know the difference between a genuine investment opportunity and a Ponzi scheme. Right? In spite of however savvy you may be, you can protect your money by spotting these four red flags.



Joseph Loosle

**Red Flag No. 1: High Return, Little Risk.** The first red flag is what every investor recognizes but may suppress because of eagerness. Investments are intended to deliver a return, but with every investment comes risk. Yet when the investment promises a high return with little to no risk, a red flag should come up. When is it too good? The market dictates the answer. Compare the investment's promised rate of return with the market-driven rate of return. Likewise, compare the degree of risk associated with other similar investments.

The extremes are easy to spot. Perhaps today few would trust Ponzi's promise of a

100 percent return in 90 days with little risk. Still, some "investments" continue to promise interest rates as high as 36 percent!

More difficult are returns that appear reasonable. Bernie Madoff lured thousands of victims into his Ponzi scheme with a 12 percent interest rate. At the time, this may have appeared reasonable, but had victims investigated they would have discovered a constant rate immune to market conditions. If those investors had followed the advice of the Utah Division of Securities, they may not have become victims: "When the interest rates paid by banks are 5 percent or less, any investment offering 10 percent or more is probably fraudulent."

**Red Flag No. 2: Everyone Else Is Doing It, or It's Only for You.** Beware the herd-like mentality, but be cautious at the appearance of exclusivity. A Ponzi scheme feeds on numbers. For example, Ponzi drew into his scheme three-quarters of the Boston Police Department. Numbers are essential because the fraudster diverts the new investments to pay existing investors. Without new investors the scheme simply cannot generate enough money, and the fraud dies.

While numbers are the lifeblood of a Ponzi scheme, the appearance of exclusivity may entice new investors. The majority of

Madoff's victims came from feeder funds, yet some were individual investors. Madoff, however, did not accept every potential investor. Rather, he hand-selected certain investors and rejected the lucky ones.

**Red Flag No. 3: License and Registration?** Federal and state laws require the seller of a security to be licensed and a security to be registered or exempt from registration. The law defines "security" broadly. If you give a person money and he gives you something other than a promise to repay the money, that person may have sold you a security. When it comes to Ponzi schemes, the broad definition is good for investors.

Hence, you should always ask two questions. First, ask if the seller is licensed, and then verify the answer with the state securities regulator (in Utah call the Utah Division of Securities at 801-530-6600 or visit its website at [www.securities.utah.gov](http://www.securities.utah.gov)), the Financial Industry Regulatory Authority ([www.finra.org/investor](http://www.finra.org/investor)), or the SEC's Investment Adviser Public Disclosure ([www.adviserinfo.sec.gov](http://www.adviserinfo.sec.gov)). Second, ask whether the security is registered or exempt. To do so, inquire at the state securities regu-

see *PONZI* next page

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## PONZI

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lator or visit the SEC's EDGAR database ([www.sec.gov/edgar.shtml](http://www.sec.gov/edgar.shtml)). If you're still unsure of whom to contact, call the SEC's toll-free investor assistance line at 1-800-732-0330. Make the effort to find answers to these two questions. Although an affirmative answer to both questions does not mean the investment is impervious to fraud, it does demonstrate some reliability. And, if the answer to either question is "no," be wary of the red flag.

**Red Flag No. 4: Information Unavailable, Sparse or Too Complicated.** Most importantly, be informed. Information on legitimate investments is available. If not provided with a prospectus or a disclosure statement, ask to see one. Be cautious of investments cloaked in anonymity and confidentiality. Get the names of the persons and companies involved in the investment. Beware of supposed promoters, agents or brokers who tell you the investment is "too complicated or technical." Demand the specifics of how the investment works. If the investment is complex, information will exist. If you need help understand-

ing the investment, seek sound financial advice. If the information is unavailable, sparse or too complicated, chances are the investment is fraudulent.

Remember, when it comes to investing your money, it's your money. If you can't spot the red flags there is little that can be done to recoup all your lost money. With the above information and a little effort (or restraint, as the case may be), you can protect yourself from joining the legion of duped investors or, at a minimum, can make an informed investment decision.

Joseph Loosle is an associate in the Litigation practice group at Stoel Rives LLP. He counsels clients on general commercial litigation matters. Loosle most recently clerked for Chief Justice Christine M. Durham of the Utah State Supreme Court in 2009. He was a summer associate at Stoel Rives LLP in Salt Lake City in 2007 and 2008. He also served as a judicial extern for the Hon. Denise P. Lindberg, as well as the Hon. B. Ted Stewart, in 2007. He was a clerk intern for the Utah Attorney General's Office, Criminal Appeals Division, in Salt Lake City in 2006; he was also deputy court clerk for the Hon. Denise P. Lindberg of the Utah State Court, Third District, in Salt Lake City from 2004-2005.

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## • Calendar •

• June 12, 7:45 a.m.-9 a.m.: **Association for Corporate Growth June Breakfast Meeting.** Guest speaker will be Ryan Smith, CEO of Qualtrics Inc., who has led the company from a basement startup in 2002 to one of the fastest-growing technology companies. The firm, which has experienced triple-digit growth in the past four years, recently received \$70 million in funding from two venture capital firms. Qualtrics' goal is making sophisticated research simple. Location is the Little America Hotel, 500 S. Main St., Salt Lake City. Free for ACG members, nonmembers pay \$30. Register at [www.acg.org/utah](http://www.acg.org/utah) or by calling Linda Blake at (801) 359-8613.

• June 12, 10 a.m.-1 p.m.: **2012 Utah Diversity Awards,** presented by the Salt Lake Society

for Human Resource Management and Utah Diversity Connections. Every year, the two organizations recognize employers whose programs, activities and efforts are designed to promote and support differences in people and society. These employers have developed programs or activities that promote diversity within the organization and foster a more inclusive and equitable work environment. Awards will be presented in each of the three categories of company size: small (under 100 employees), mid-size (101- 500 employees) and large (500 or more employees). Speakers will be Kilo Zamora, executive director of the Inclusion Center for Community and Justice, who will present the workshop "Inclusive Insight: How to Develop New Capabilities in Leaders"; and Bill

Guillory, president of Innovations International, who will present the seminar "Making Inclusion a Reality: A Necessity for Leveraging the Potential of the Emerging Workforce." Location is the Radisson Salt Lake City Downtown 215 W. South Temple. Free to SHRM members, nonmembers pay \$30. Register at <http://www.slshrm.org>.

• June 13, 3:30-5:30 p.m.: **"How to Raise Money,"** presented by the Wayne Brown Institute. Investors, serial entrepreneurs and attorneys will talk about their experiences with raising capital along with the do's and don'ts. Speakers will include Larry Rigby of Salt Lake Life Science Angel Investors, Ronald White of SLC Angels Investor Group, and Brad Bertoch of WBI Angels. Location

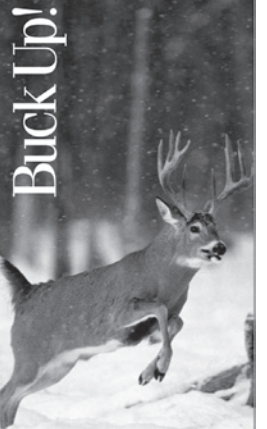
is the offices of Holland & Hart, 222 S. Main St., Suite 2200, Salt Lake City. For more information visit [www.venturecapital.org](http://www.venturecapital.org).

• June 15, 9 a.m.-1 p.m.: **Spring 2012 Small Business Expo,** hosted by BizNet. Small-business owners and business professionals will exhibit their products and services and network with others. The event will feature more than 90 exhibitor tables that can be reserved for \$75. Location is the Karen Gail Miller Conference Center on the Miller Campus of Salt Lake Community College, 9750 S. 300 W., Sandy. Admission and parking for the event is free and open to the public. For more information visit: <http://www.mbrsclcc.com/mbic> or call (801) 957-5200.

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**\$1,295,000**

Approx Sq Ft:	2898	Den:	0
Bed Rooms:	3	Living Room:	0
Bath Rooms:	2.5	Laundry:	1
Family Rooms:	1	Fireplace:	1

Exclusive opportunity to preview this amazing Old Town home. This home boasts a 5 star rating by vacationers from around the world. It is over 90% booked for the season and for that reason, difficult at times to show. Please take advantage of this rare Open House opportunity. Open from 11 AM to 5 PM on January 3rd and 4th. Priced to SELL, this beautiful remodeled home features new fireplaces, bathrooms and all new master suite. Nearly ski in ski out! Only 150 Yards to Park City Town Lift providing ski access to Park City Mountain Resort. Empire #1 located across the street from the Quittin' Time run allowing you to ski back to the home after a day on the slopes. This 3 bedroom, 2-1/2 bathroom, boasts a 5 star rating from rental guests who have stayed in the home! It is nicely situated in a quiet section of historic Park City within walking distance of Main Street (1/4 mile). This old town home has the RARE 2 car garage and sits on a lot and a half! Additional features include high vaulted ceilings, wood beams, slate, granite, travertine, new carpet, well appointed furnishings and art. For buyers looking to rent the home, this home has EXCELLENT rental income and bookings. Furniture negotiable.



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**\$1,500,000**

Approx Sq Ft:	5563	Den:	2
Bed Rooms:	5	Living Room:	1
Bath Rooms:	5.5	Laundry:	2
Family Rooms:	2	Fireplace:	4

Price reduced over 400K! One of Salt Lake City's finest contemporaries sits on a premium lot backing to Bonneville Golf Course with downtown views. This stunning Richard Assenberg design was rebuilt and expanded in 2008, showcasing the finest of finish treatments. Beautiful Massaranduba Brazilian hardwood floors run through most of the main while exquisite schist stone interleaved with quartz and feldspar punctuates the great room fireplace and wet bar. The roomy chef's kitchen features a large center island, limestone countertops, 6-burner Viking range, 42" Sub Zero refrigerator, 2 undercabinet refrigerated drawers, plus an undercabinet beverage cooler. The sleek elegance of Euro showers grace the bathrooms along with the finest stone and tile work. Natural light floods the walk-out garden level from virtual walls of glass. All this along with gorgeous sunsets, too!



969 S. Carterville Rd. Orem

**\$960,000**

Approx Sq Ft:	5850	Den:	0
Bed Rooms:	6	Living Room:	0
Bath Rooms:	5	Laundry:	1
Family Rooms:	3	Fireplace:	3

Eco friendly, master craftsmanship. One of a kind, theater room, low maintenance. A masonry marvel with every imaginable modern day amenity. Main floor master suite, radiant heated floors. 3 Car deep attached garage! There is simply not another home in the world that is like this one. A marvel you simply must see to believe.



4490 E. Wyndom Ct. SLC

**\$2,399,000**

Approx Sq Ft:	8818	Den:	1
Bed Rooms:	7	Living Room:	1
Bath Rooms:	6	Laundry:	1
Family Rooms:	3	Fireplace:	4

Private Mountain Sanctuary. Stunning presence in a natural backdrop close to the city but worlds away without the long commute. Bring the outdoors to you with this wrap around deck complete with kitchen wolf grill, outdoor gas fireplace, natural stage and more. Outdoor oasis includes gazebo, salt water pool, log shed, vegetable gardens and more. Inside boasts gourmet kitchen, wine cellar, sauna, 2 master suites, theatre room, and more. Company coming? Don't forget the apartment with matching finishes of the home complete with private entrance. This is truly a place to enjoy and relax no matter the season. Home warranty incl.





## The burgeoning Wisconsin scandal that major media ignored

If the Wisconsin recall is truly second in importance only to the presidential race, as many media outlets have trumpeted lately, then why have those same outlets so badly neglected one of that election's most salient aspects?

As millions of dollars in dark right-wing money pour into the state to preserve Gov. Scott Walker from his progressive opposition, it seems relevant that he and many top aides are under investigation in a campaign finance and corruption scandal that has been growing for two years.

Yet the national media have largely ignored the fascinating details of that probe — which has already resulted in indictments, convictions and cooperation agreements implicating more than a dozen Walker aides and donors. Only readers of the local newspapers in Madison or Milwaukee would know, for instance, law enforcement documents have emerged in court during the past few days suggesting that Walker stonewalled the investigation in its initial phase.

The typical reference to the

scandal in the national media notes that Tom Barrett, Walker's Democratic opponent, is seeking to "stoke suspicions" regarding the investigation, "in which former Walker aides stand accused of allegedly misappropriating campaign funds."

But the suspicions have been stoked by actual events, not campaign propaganda, including guilty pleas, immunity deals and home raids by law enforcement officials. (Last September, a team of sheriff's deputies and FBI agents raided the Madison home of Cindy Archer, a former top county official who served as the governor's deputy administration secretary until going on extended "sick leave" in 2011.) And Walker's associates stand accused of felonies that go well beyond the mere misuse of campaign funds.

Without close attention to the Wisconsin media, you might not know that a top Walker associate is currently facing charges of embezzling funds from a veteran's charity — or that Walker's former spokeswoman just became the 13th figure in the scandal to

accept an immunity deal from prosecutors.

Indeed, nearly all of Walker's highest-ranking aides and associates from his years as county executive appear to be either facing prosecution or cutting immunity deals to save themselves.

What is easy to learn about the controversial governor is his confrontational attitude toward the state's workers and perhaps his fealty to extremist billionaires like the Koch brothers. From the perspective of Fox News — whose TV personalities resent the idea that a public school teacher who imparts facts might receive a tiny fraction of what they are paid for broadcasting lies — these are great virtues that they praise loudly. But in the mainstream media, there has been a curious reticence in exploring the sort of scandal that ought to excite reporters, editors and producers.

Of course, Walker has benefited greatly from the secrecy surrounding the investigation, which began in May 2010 under the "John Doe" rubric at the request of Milwaukee County prosecutors. According to documents that surfaced in court only during the

past week, that original decision was due, ironically, to the prosecutors' belief that Walker, then running for governor, might cooperate with them if he didn't have to worry about damage to his own career.

On May 5, 2010, an assistant district attorney filed a court petition asking to initiate a secret probe into the disappearance of thousands of dollars in donations to "Operation Freedom," an annual event for local veterans partially underwritten by county officials. Walker was then the county executive and a Republican candidate for governor who would narrowly win the following November.

If the prosecutors could open the case under the cover of secrecy provided by the state's "John Doe" statute, they hoped to obtain greater cooperation from Walker's office in providing information and documents — which had not been made available.

"It may be the County Executive's Office is reluctant to provide information to investigators due to a fear of political embarrassment," wrote Assistant District Attorney Bruce Landgraf in the secrecy petition, as report-

ed by the Milwaukee Journal-Sentinel.

The irony of this revelation was double — not only because Walker has used the investigation's secrecy to avoid answering questions or providing records to the local media, but because he has brushed aside the convictions and immunity deals by claiming that he "initiated" the investigation and cooperated all along.

Not so incidentally, the governor has established his own legal defense fund, into which he has so far transferred at least \$160,000 in campaign money. It seems increasingly likely that his biggest problems may still lie ahead.

Meanwhile, however, he has escaped the echo effect that serious national media coverage of the Wisconsin scandal would have inflicted on his immediate fortunes — and for that he should be grateful to the editors and producers who failed to tell the real story.

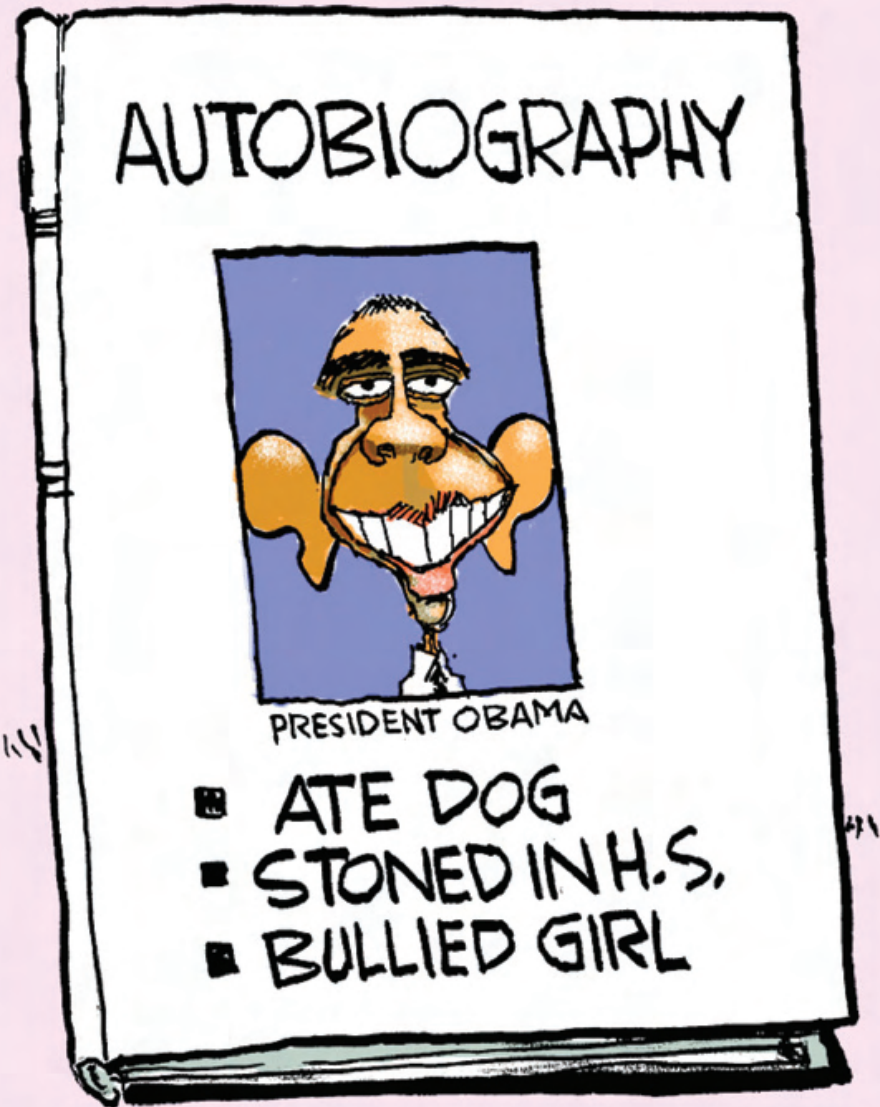
Joe Conason is the editor in chief of NationalMemo.com.

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## DEAD HEAT

### Holder's chutzpah

Attorney General Eric Holder recently told a group of black clergymen that the right to vote was being threatened by people who are seeking to block access to the ballot box by blacks and other minorities.

This is truly world-class chutzpah, by an Attorney General who stopped attorneys in his own Department of Justice from completing the prosecution of black thugs who stationed themselves outside a Philadelphia voting site to harass and intimidate white voters.

This may have seemed like a small episode to some at the time, but it was only the proverbial tip of the iceberg. The U.S. Attorney who was prosecuting that case — J. Christian Adams — resigned from the Department of Justice in protest, and wrote a book about a whole array of similar race-based decisions on voting rights by Eric Holder and his subordinates at the

Department of Justice.

The book is titled *Injustice: Exposing the Racial Agenda of the Obama Justice Department*. It names names, dates and plac-

es around the country where the Department of Justice stopped its own attorneys from pursuing cases of voter fraud and intimidation, when it was blacks who were accused of these crimes.

If Mr. Adams is lying, he has taken a huge risk in citing individuals by name and quoting them directly. Yet, despite the fact that most of those he accuses are lawyers, apparently no one has sued him. Moreover, Adams has also testified under oath before the U.S. Commission on Civil Rights, on the racial double standard at the Department of Justice, when it comes to voting rights.

What Attorney General Holder has been complaining loudly about, and launching fed-

eral lawsuits about, are states that require photo identification to vote. Holder calls this blocking minority “access” to the voting booths.

Since millions of black Americans — like millions of white Americans — are confronted with demands for photo identification at airports, banks and innumerable other institutions, it is a little much to claim that requiring the same thing to vote is denying the right to vote. But Holder’s chutzpah is up to the task.

Attorney General Holder claims that the states’ requirement of photo identification for voting, in order to prevent voter fraud, is just a pretext for discriminating against blacks and other minorities. He apparently sees no voter fraud, hears no voter fraud and speaks no voter fraud.

Despite Holder’s claim, a little experiment in his own home voting district showed how easy it is to commit voter fraud. An actor — a white actor, at that — went to

a voting place where Eric Holder is registered to vote, and told them that he was Eric Holder.

The actor had no identification at all with him, either with or without a photo. He told the voting official that he had forgotten and left his identification in his car. Instead of telling him to go back to the car and get some identification, the official said that that was all right, and offered him the ballot.

The actor had the good sense not to actually take the ballot, which would have made him guilty of voter fraud — and, being white, he would undoubtedly have been prosecuted by Eric Holder’s Department of Justice.

But the actor had made his point. When a white man with no identification can go to a voting site, impersonate a black man who lives in that district, and get his ballot offered to him, then it is far too easy to commit voter fraud.

Does not Attorney General Eric Holder understand that? Of

course he understands it! The man is not stupid, despite his other failings.

Holder’s pooh-poohing of voter fraud dangers, and hyping the “threat” of denying minorities “access” to the voting booth, are completely consistent with his drive to (1) maximize the number of votes by black Democrats and (2) spread as much fear as possible among minorities that they are under siege, and that the Democrats are their only protection and salvation.

It is a political protection racket, with payoffs in votes.

Nor can Holder’s boss, Barack Obama, be unaware of voter fraud. After all, he comes from Chicago, where voting officials refuse to discriminate against dead people.

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

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Thomas Sowell



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