

OF NOTE



Mega furniture store now open

Utah-based R.C. Willey Home Furnishings has "soft-opened" its biggest store ever in Draper. The 160,000 square foot edifice will host a grand opening starting next week.

Industry News Briefs

page 6

Business Calendar

page 15

Real Estate Section

pages 17-19



The BYUtv production of "Granite Flats," which has received state incentives, has contributed millions to the local economy. The series stars Richard Gunn as small-town police chief John Sanders and Charlie Plummer as his son Timmy. The shooting of the next season of the show will employ 1,500 Utahns for a month, according to the producer. Photo courtesy of BYU-TV.

State group doing a good job of bringing filmmakers to Utah

Brice Wallace

The Enterprise

The state program to lure movie and TV productions to Utah apparently has produced a blockbuster return on investment.

Since 2005, a total of 132 production projects have received a total of \$46.3 million in state incentives and produced an overall economic impact of \$249.2 million for Utah, according to Marshall Moore, director of the Utah Film Commission.

Those projects have led to 4,533 total days of production in the state and are tied to 9,196 jobs, although Moore noted that often a person involved in one production job will move on to others in any given year.

"It's creating a consistent pipeline for our industry to work, have places to go and productions that are continuous, one right after another, without having those long gaps in-between, which sometimes happens in this industry," Moore said.

Since March 2013, not counting incentives approved this month, 36 productions have been awarded incentives and 24 have advanced to active production in the state — "and that's a really good number," he said. The remainder have been shot elsewhere or never advanced to production.

An example of an incentivized production is "Granite Flats," a TV series shooting eight episodes — four tied to incentives

see FILM pg. 16

see TRIB pg. 7

Tribune again suffers layoffs in its newsroom

In response to a mandate from corporate owner Digital First Media (DFM), *The Salt Lake Tribune* has trimmed another eight people from its newsroom. One part-time and seven full-time employees were laid off Thursday as the company tries to reach a 10 percent reduction in costs that was ordered two weeks ago by DFM.

In addition to the layoffs, the *Tribune* will eliminate key print features starting with its weekly Faith section. Other features of outdoors and business coverage, as well as weather data, comics, TV schedules and puzzles will also likely be dropped according to *Tribune* publisher Terry Orme. Decisions on exactly what content gets trimmed will follow staff discussions and input from the public, said Orme.

The moves in Salt Lake City follow the dismantling by DFM of its Thunderdome centralized newsroom project two weeks ago. Dubbed "Project Catalyst," the changes are aimed at saving money throughout DFM's holdings. The *Park Record* in Park City is also a DFM paper.

DFM consists of more than 100 newspapers across the United States from local titles to the *Denver Post* and claims a reach of 67 million people. The company's CEO, John Paton, is known for his outspoken views on the death of the newspaper industry and the need to pivot toward digital media. Thunderdome represented the company's big ambitions and willingness to invest in an effort to develop a modern media structure that could sustain local reporting.

Pair of incentives to create 210 new Utah jobs

A foodservice/food packaging company and a cell phone signal booster company will expand in Utah, creating nearly 300 jobs.

The Governor's Office of Economic Development (GOED) board last week approved tax credit incentives for Pactiv LLC, which will add 140 jobs in Salt Lake City, and Wilson Electronics, which will grow by 150 in Washington County.

Of the 140 Pactiv jobs, 60 are tied to the state incentive as the company establishes a new manufacturing and distribution facility.

Approved for a \$871,010 tax credit, Pactiv manufactures and distributes plastic, paper and aluminum food packaging products for foodservice companies, food processors, food packers, supermarkets and restaurants. It has 50 manufacturing plants,

mixing centers and distribution centers in seven countries. It has more than 11,000 employees and \$3.8 billion in sales.

The \$52 million capital project is expected to result in new total wages of \$28.9 million over 10 years and state tax revenue of \$5.8 million over that period.

"The expansion project is highly com-

see GOED pg. 4



Build your business with Utah's #1 credit union—America First.

Choose us for the products & services that keep your company on top.

americafirst.com • 1-877-AFCUBIZ • More than 100 branches • f t i

Federally insured by NCUA/Equal Housing & Opportunity Lender



Startup's new Utah operation hires 60, expects 200 by end of 2014

A San Francisco-based startup is expanding into Salt Lake City. Thumbtack Inc. will open an 18,000 square foot customer service and sales center in Sandy on April 21 and expects to hire 200 new employees by the end of the year.

The company, which connects consumers with qualified profes-

sionals through its Internet site, will hire 60 people immediately with the remainder coming as need demands.

"After evaluating more than a dozen other cities, we felt Salt Lake City was the perfect fit for a number of reasons," said Jonathan Swanson, cofounder and president of Thumbtack. "There is

an exceptional talent pool here in Salt Lake City in both sales and support and Utah is an extremely small-business-friendly state. We already have a significant presence in Salt Lake City. Last quarter, we sent \$2.5 million worth of business to 1,900 professionals in the city."

Swanson also cited the support his company has received from the office of Gov. Gary R.

Herbert. A thumbtack company release quoted Herbert as saying, "We are thrilled to officially welcome Thumbtack to Utah as they expand their innovative and fast growing technology service, bringing hundreds of new jobs to our economy. We're pleased they recognize Utah's entrepreneurial spirit, business friendly environment, and highly-skilled work force as they look to scale their business."

Referring to the business his company has done with local consumers, Swanson pointed to specific professionals being connected to Salt Lake consumers in areas such as photography, catering, singing lessons, math tutoring, painting and personal training. He said that Thumbtack's service allows buyers to compare options and hire more confidently than ever before.

The initial 60 positions that Thumbtack will fill will be in the customer care category, including customer support agents, leads and

team managers. These employees will help the company's customers find professionals in both business and personal applications. Employees will receive medical benefits, paid time off and flexible work schedules. The new facility will include a room dedicated to team happiness and inspiration with games, exercise equipment and napping areas. "One of our secrets to creating a great customer experience is to have an incredibly happy team," said Swanson.

Salt Lake will be the company's second location in the United States. In addition to its San Francisco headquarters, the company employs 350 work-from-home agents in the Philippines.

Swanson and partner Marco Zappacosta founded Thumbtack in 2008. Swanson is a graduate of Yale who previously worked in the Obama White House as an aide to the president's economic advisor team.

The exoskeleton of the Arctic Cat® Wildcat™ 4 houses four high-back bucket seats and the wheelbase is 29 inches longer than the 2-seater. Apart from that, it has the same suspension, the same variable assist power steering, the same 951cc engine as the now famous 2-seater. So bring the whole crew in and get the horsepower fun started.

THE EDGE POWERSPORTS
 14301 S Minuteman Drive,
 Draper - UT - 84020 - 801-495-3278
www.UtahKTM.com - email: sale@get2theedge.com

Always wear a seat belt on ROVs. We recommend all ROV operators have a valid driver's license. Never carry a passenger in the cargo box; the passenger must be able to place both feet on the floor while keeping their back against the back of the seat. Arctic Cat recommends that all riders take a training course, and that they read and understand their owner's manual before operation. For safety or training information, see your dealer or visit <http://rohva.org>. ©2013 Arctic Cat Sales Inc., Thief River Falls, MN 56701. LEAVING A GOOD IMPRESSION™

Ogden/Weber Chamber forms new advisory boards

The Ogden/Weber Chamber of Commerce has added a board of governors and an executive board to its management structure. The chamber's officers and board of directors developed and authorized the new structure to accelerate growth and strengthen the chamber's impact to the community.

The executive board provides ongoing support, oversight and direction for chamber operation and the board of governors engages corporate officers, business owners and community leaders in strategic planning and projects that drive Weber County business and economic development. Additionally, the board of governors will grow executive-level relationships.

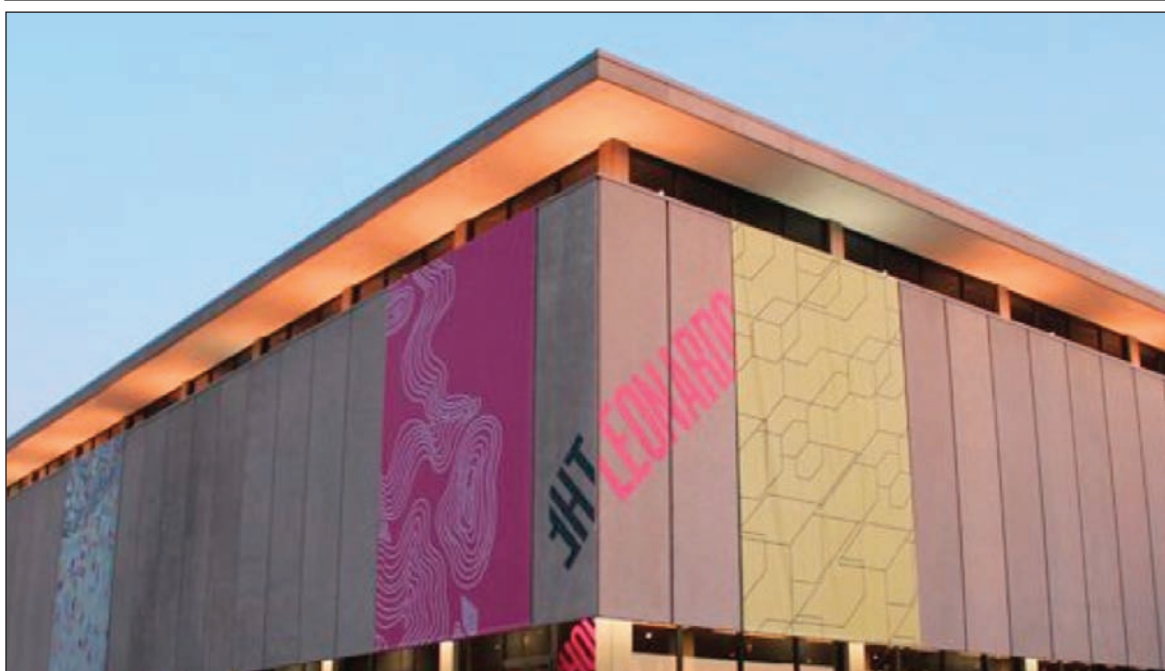
The board of governors currently has 60 members with the potential of growing to 100. The chamber has also formed a Small Business Council designed to provide additional support, resources and engagement for small-business leaders.

"As we look at the history of our community, chamber business leaders have always stepped out with initiatives that have motivated the community for positive change. We see great things happening now in the community but there are more opportunities to

be fulfilled. With the support of chamber leaders on the board of governors, the chamber will make even more things happen," said Dave Hardman, president of the organization.

The first board of governors meeting featured information from local economic development leaders on key development projects already underway in Weber County as well as projects on the drawing board. The Summit Powder Mountain project is underway with a planned investment of over \$1 billion, redevelopment continues in the area surrounding the former Marriot Hotel — soon be Courtyard by Marriott — and work continues at the Ogden River urban redevelopment. Attendees also discussed significant new commercial and industrial development in network marketing and outdoor recreation.

Lt. Gov. Spencer J. Cox, who attended the meeting, was complimentary of the economic growth and job creation in Weber County and mentioned a number of projects and new businesses in the area. He emphasized the collaborative efforts between Weber County and Ogden City in securing new companies and growing existing business. Cox also noted the conclusion of successful Utah state legislative session.



Executive Director Alexandra Hesse says Salt Lake City's Leonardo is much more than just a museum.

Director: Leonardo boosts economy, prepares a 21st century workforce

Brice Wallace
The Enterprise

When is a museum more than a museum? According to its executive director, it's when the museum is The Leonardo.

Alexandra Hesse recently told a state board that the two-and-a-half-year-old Leonardo in downtown Salt Lake City offers several programs that are designed to boost economic growth and prepare the 21st century workforce.

The Leonardo uses integrated and multidisciplinary learning that not only increases young people's performance in those disciplines but also creates more-creative thinkers and problem-solvers "who can then help industry push forward," Hesse said.

"Our mission is to directly fuel creativity and innovation by infusing those disciplines, and, in that, I think we are really prepared to help that 21st century workforce, especially here in Utah," she said.

The Leonardo, in the former home of the Salt Lake City Public Library, is the result of legislative bills that created the Utah Science Center Authority. The bills called for "fostering the development of a science, technology, engineering, arts, tourism, culture and educational facility to further the welfare of the citizens of the state and its economic growth."

"You fast-forward to 2014 and I think, here we are, actually delivering on those mandates," Hesse said.

She added that The Leonardo's mission involves "fusing science, technology and art in experiences that inspire creativity and innovation in people of all ages."

"We need different approaches to education," she said. "We

need people who can think in a more integrated way so they can find new solutions to problems that are facing us, both locally and globally."

Among the programs and activities designed to aid economic development are:

- School field trips featuring trained educators to assist students with hands-on experiences.

- "Leo on Wheels," which offers middle schools throughout the state week-long residences to boost science, technology, engineering and math (STEM) education.

- The "Leonardo After Hours" program, available also to adults. The Utah Science Technology and Research (USTAR) initiative and the Governor's Office of Economic Development (GOED) have coordinated panel discussions featuring experts in science and research that have come to Utah through the USTAR program. Recent panels have focused on drones, the future of healthcare, air quality and life expectancy.

- "Sessions at The Leonardo," featuring presentations by young entrepreneurs.

- The "Mind Riot," a three-day competition modeled after the reality TV show "Shark Tank." High school students identify problems they want to solve, are paired with industry mentors as they create business plans to solve the identified problems, and use PowerPoints and videos to make pitches to a panel of judges. Top projects get funding from venture capitalists.

"We think that this Mind Riot program is a great way to actually connect what kids learn in school — again, they don't often know how this applies in the real world — to what businesses really

need and making them realize that they are empowered citizens of the world," Hesse said.

Hesse acknowledged that The Leonardo is in its infancy and administrators are learning about how to best serve the community. "But I think we're poised to be a bit of a hub that connects the general public with higher education, informal education and with industry so we can make some of those connections," she said.

Hesse comments came at a meeting of the GOED board. Lorena Riffo-Jenson, a board member, lauded The Leonardo's activities.

"This is critical work in terms of technology and the arts and just bringing everything together. ... It (the Leonardo) really is a jewel in our town, to ensure that we develop and encourage our future generations to focus on some of the industries that we hope to grow here in our state."

Questar renovations begin

Questar Gas has begun construction on the first of three infrastructure improvement projects scheduled to be completed over the next several months in downtown Salt Lake City.

The company plans to replace several thousand feet of aging natural gas pipelines in major surface streets including 1000 East, 900 East, 400 South and Main Street. In most cases, Questar Gas will be replacing older steel pipe with high-strength, non-corrosive plastic pipe. These pipes are part of the company's intermediate high pressure (IHP) system, which operates at pressures below 60 pounds per square inch.

These improvements are expected to enable Questar Gas to keep pace with growing customer demand for natural gas, maintain overall system integrity and con-

tinue providing safe and reliable service.

To provide room for crews and equipment, some temporary lane restrictions, especially at intersections, will be necessary. Questar says crews will make every effort to maintain access to businesses and driveways in construction zones at all times. No interruption to residents' natural gas service is anticipated during this project.

On Main Street, construction will take place on the east side of the street in the northbound traffic lane and will require the street to be closed while work is underway. To minimize traffic impacts, the majority of construction on Main Street will occur at night. On the 1000 East and 400 South projects, two-way traffic will be maintained at all times, but temporary lane restrictions should be expected in work zones. To avoid potential delays, motorists are advised to take alternate routes whenever possible.

These projects are part of a multi-year effort by Questar Gas to maintain system integrity by replacing aging sections of pipe throughout Utah.

Firm moves office to SLC

Real Property Management has moved its headquarters and franchise support center from Layton to Salt Lake City. The new offices are at 1455 W. 2200 S. Real Property Management has doubled in size over the past three years, necessitating the move. It also has more than 250 franchise locations.

"This move is part of our overall strategy to continue our growth as the industry leader in property management," said Doug Oler, co-founder and executive vice president of Real Property Management.

Oler said the move will benefit most current employees and allow the company to attract a larger pool of candidates with the skills the company needs.

EXPERIENCE PAYS



You've worked hard to get where you are.
Now see where you can go from here.

<p>Expand or start your business-to-business services business leveraging your extensive experience and personal successes into a fulfilling source of significant additional income</p>	<ul style="list-style-type: none"> → Rapid Return on Investment → Consistent, Monthly Revenue Stream → Satisfaction Helping Small Business Owners → No Major Investment in Inventory or Equipment → Great Work/Lifestyle Balance
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

FOR INFORMATION CONTACT
801-784-0745
SLCBusiness063@gmail.com

ESTABLISHED BUSINESS
FOR SALE
IN SALT LAKE CITY AREA

Enterprise

UTAH'S BUSINESS JOURNAL

USPS # 891-300

Published weekly by:

Enterprise Newspaper Group

825 North 300 West Ste. 309
Salt Lake City, Utah 84103
801-533-0556 FAX 801-533-0684
www.slenterprise.com

PUBLISHER & EDITOR

R. George Gregersen

PRESIDENT

David G. Gregersen
david@slenterprise.com

VP/GENERAL SALES MANAGER

Dale Dimond
dale@slenterprise.com

MANAGING EDITOR

John M. Rogers
john@slenterprise.com

CONTROLLER

Richard Taylor
richard@slenterprise.com

OFFICE MANAGER

Dionne Halverson
dionne@slenterprise.com

REAL ESTATE SECTION

Rhonda Bachman
rhonda@slenterprise.com

CIRCULATION

Subscription inquiries:
circulation@slenterprise.com

ADVERTISING INQUIRIES

david@slenterprise.com

TO CONTACT NEWSROOM

john@slenterprise.com

ART SUBMISSIONS

graphics@slenterprise.com

Subscription Rates:

Online only, \$55 per year
Print only, \$65 per year
Online and Print, \$75 per year

Any opinions expressed by the columnists are not necessarily the opinions or policy of Enterprise, its owners or managers. Reproduction or use of contents without written consent of the publisher is prohibited. All rights reserved.

© 2013 Enterprise Newspaper Group Inc.
Periodical postage paid at Salt Lake City, Utah
POSTMASTER: Send address corrections to:
P.O. Box 11778, Downtown Station
Salt Lake City, Utah 84147



**BANK
of UTAH**

Equal Housing Lender | Member FDIC

**BUSINESS
LENDING
IS OUR
BUSINESS**

• SBA Loans •

• 504 •

• Commercial
Mortgage •

• LOC •

711 S. State St.
Salt Lake City, UT
84111

(801) 532-7111

Roger Christensen
Team Leader
(801) 388-1979



GOED
from page 1

petitive with other states and we are pleased to select Utah," John McGrath, president and chief executive officer, said in a prepared statement. "Utah is a great place to do business for our company and we thank the state for its support."

Eric Nay, incentives manager at GOED, said Utah faced competition for the project from Bakersfield, Calif., and Mooresville, N.C.

Based in Lake Forest, Ill., Pactiv is wholly owned by Reynolds Group Holdings, a private group of companies based in New Zealand and wholly owned by Graeme Hart. The group's business interests include packaging, consumer products, auto parts and building supplies. It has annual revenues of \$18 million, about 47,000 employees and nearly 300 plants worldwide.

"So it's a very strategic partner for the state of Utah as far as getting Reynolds to not only invest in Utah but to realize Utah's potential and, not only that, the advantages of being here," Nay said.

In a prepared statement, Jeff Edwards, president and CEO of the Economic Development Corp. of Utah (EDCU), described Pactiv as "a world-class company" and said the project "is a great win for Utah."

"It is good to see the collaborative economic development work in our state continue to create an environment where companies feel confident choosing Utah for their expansion," Edwards said.

"Utah's manufacturing sector is an essential part of the state's economy and includes everything from aerospace to nutritional foods manufacturing," said Spencer P. Eccles, GOED's executive director. "This sector continues to grow because internationally respected companies like Pactiv see the business friendly environment Utah has to offer and choose to call this great state home."

Wilson Electronics was approved for a \$266,312 tax credit for an expansion project that involves a \$2.7 million capital expenditure. It will create 150 new jobs over five years. During that time, it is expected to pay new total wages of \$22.4 million and new state tax revenue of nearly \$1.8 million.

The company develops and manufactures cell phone signal boosters for the mobile phone industry that are designed to eliminate dropped calls, increase cell phone reception and range and accelerate data transmission. Its amplifiers, antennas and related components are used in applications addressing mobile, building and machine-to-machine data transfer situations.

Wilson was acquired by Sorenson Capital, based in Lehi, in 2012.

"Wilson Electronics has a long history as a job creator in Washington County," Robert Van Buskirk, president and chief executive officer, said in a prepared statement. "We're very pleased that the company is able to contribute to the local economy by creating additional jobs as we expand into new markets and continue to grow our existing business."

Bank acquires Summit Leasing

Continental Bank of Salt Lake City has entered into an agreement to acquire Summit Leasing LLC of Yakima, Wash. Continental will acquire all of the issued and outstanding stock of Summit after FDIC approval.

Following the acquisition, Summit, with \$34 million in assets and nine employees, will become a wholly owned direct operating subsidiary of Continental. The transaction is expected to close during the second quarter.

Continental said in a release that it is committed to continue the excellent reputation that Summit has built serving the northwest region in providing responsive and professional service to its customers. This acquisition will complement Continental's future growth initiatives, according to bank officials. Continental is an FDIC insured bank specializing in equipment financing, with total assets of \$139 million.

CORPORATE EARNINGS

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

Franklin Covey

Franklin Covey Co., based in Salt Lake City, report net income of nearly \$2 million, or 12 cents per share, for the fiscal 2014 second quarter ended March 1. That compares with \$1.6 million, or 8 cents per share, for the same quarter a year earlier.

Sales totaled \$46.5 million, up from \$40.4 million a year earlier.

Franklin Covey provides training and consulting services.

"We were pleased to see exceptionally strong performance in our key financial metrics for the quarter," Bob Whitman, chairman and chief executive officer, said in announcing the results. "Our broad set of content, training programs and solutions performed well across our multiple delivery

channels. Our investment spending was up for the quarter as we continue to invest in content development and in adding new client partners to our sales force."

Whitman said the company's recently re-created leadership program, "The 7 Habits of Highly Effective People Signature Program," should help drive revenue growth in future quarters.

"As successful as our pre-launch for 'The 7 Habits of Highly Effective People Signature Program' was, it did not detract from the success of our other practices, and our momentum remains strong on a global scale," he said. "Based on our second quarter results, we expect 2014 will be another outstanding year for Franklin Covey."

Flexpoint

Flexpoint Sensor Systems Inc., based in Draper, reported a net loss of \$960,459, or 2 cents per share, for the full year 2013. That compares with a loss of \$1 million, or 3 cents per share, for 2012.

Revenue in 2013 totaled \$100,754, up from \$47,546 in 2012.

The company said 2013 revenue was primarily from design and development engineering, prototype production and fully integrated products. "Management anticipates that revenue will increase significantly as we complete development and begin production on new products," the company said.

Flexpoint develops sensing technology used in the automotive, safety, medical and industrial sectors.

"Overall, the company is pleased by the important milestones achieved since the beginning of the 2013," Clark Mower, chief executive officer, said in announcing the results. "Based upon our current purchase orders and anticipated purchase orders over the next 12 months, our projected revenues during 2014 should be sufficient to cover our projected operations based on our current burn rate."



How is Your Financial Outlook?

Focus on what matters most when you plan for your financial future. A CPA operates on the front line of a business by analyzing finances and developing strategies. Hire a CPA to help you develop wealth-building strategies, set financial goals, and implement saving, investing and estate planning.

The UACPA supports and challenges members through advocacy, professional education, leadership development, networking and community service to help them succeed in a competitive and changing world.

Find a CPA by visiting uacpa.org.

UTAH ASSOCIATION of CERTIFIED PUBLIC ACCOUNTANTS **UACPA**
1240 E. 2100 SOUTH, SUITE 500
SALT LAKE CITY, UT 84106
801.466.8022 | UACPA.ORG

Debt collection, imposter scams lead Utah's consumer complaints list

David Letterman popularized "Top 10" lists as silly entertainment. But the Utah Division of Consumer Protection's recently released lists of top 10 consumer complaints for 2013 are anything but playful.

The division's complaint rankings were topped by telemarketing and the remainder involved coaching services, alarm systems, e-commerce/Internet offers, retail sales, home improvement/repair, deposits/refunds, travel/vacation/timeshares, auto repairs/sales and debt collection.

"Telemarketing complaints are back on top as the most common consumer complaint, which shows con artists are constantly finding new ways to get into victims' wallets," said Daniel O'Bannon, division director.

O'Bannon said Utahns can help eliminate telemarketing issues by being on the National Do Not Call Registry. "It just takes minutes to register, includes cell phone numbers and never expires," he said.

The division also release figures about Utah consumer complaints made to the Federal Trade Commission. Utah consumers reported 10,020 complaints last year, topped by 989 related to debt collection.

"Aggressive fraudsters con-

tinue to follow news headlines and try to trap consumers with offers too good to refuse," said Francine A. Giani, executive director of the Utah Department of Commerce. "Consumers need to be vigilant in protecting their identity, personal information and finances by asking questions and always getting the terms in writing."

The remainder of the FTC list from Utah consumers includes imposter scams, 803; banks and lenders, 773; auto-related complaints, 604; telephone and mobile services, 536; Internet services, 413; television and electronic media, 409; shop-at-home and catalog sales, 400; prizes, sweepstakes and lotteries, 389; and healthcare, 282.

The division's list and commentary about the issues are:

• **Telemarketing.** "Unlicensed telemarketing activity is a threat to consumers. A recent trend involves telemarketers calling consumers and telling them their computer is filled with viruses and requires repair. These callers often get consumers information from Internet pop-up ads made to resemble well-known software companies."

• **Coaching services.** "Coaching services are offered to purchasers of business opportunities. These services tend to cost many thousands of dollars

more than the original business opportunity. Some of the deceptive practices common to this type of complaint are the misrepresentation of potential earnings and the qualifications or experience of the coaches. These companies often obligate consumers for services from which they will receive little if any benefit."

• **Alarm systems.** "Alarm systems are often sold door-to-door with aggressive sales tactics. In many instances, the company sells a new service as if it were an upgrade to an existing service resulting in the consumer being obligated to pay on two separate contracts."

• **E-commerce/Internet offers.** "Deceptive practices conducted over the Internet continue to dominate the types of scams that the division receives. Con artists are able to use the Internet to exploit the consumer's vulnerability. There are several reasons for this. The pitch is made in the privacy of the consumer's home where the consumer is less guarded. Consumers tend to believe what they read. The method of payment is quick and easy. Finally, consumers have little recourse if they find themselves victims of deceptive practices. Some of the more common tactics used are the unauthorized debiting of a con-

sumer's bank account, the automatic billing of a monthly fee until notice of cancellation is received (negative option), and the failure to provide any applicable right of rescission."

• **Retail sales.** "The deceptive practices that are common to this category of complaints include the failure to deliver products during the time frame represented (or if no time frame is represented, within 30 days), providing a product or service that is only similar to the product or service purchased but does not have the same qualities, or is of a different model or type of product or service and to fail to honor warranties the failure to deliver products in the time represented, the failure to make refunds when required, the failure to disclose refund policies, and the failure to honor warranties."

• **Home improvement/repair.** "The deceptive practices include the failure of the contractor to provide the service after receiving the consumer's deposit, the failure of the contractor to honor its warranties, the misrepresentation of the work of another as being the work of the contractor, and the refusal by the contractor to continue working until the consumer agrees to a higher price."

• **Deposits/refunds.** "The deceptive practices that are com-

mon to this category of complaints include the the failure to make refunds when required and the failure to disclose refund policies."

• **Travel/vacation/timeshares.** "Have you received an offer for 'free' airline tickets, cruises, vacations or other travel incentives? Chances are it's an offer that is too good to be true. Failure of travel or vacation clubs to provide what is promised at the price quoted is a deceptive act, and a common cause of consumer complaints."

• **Auto repairs/sales.** "Repairs: Failure to disclose refund policies, failure to obtain consumer's express authorization prior to repair, unnecessary repairs. Sales: Misrepresentations in advertising or sales, aggressive sales practices, contracts with incapacitated or vulnerable purchaser."

• **Debt collection.** "Con artists will send out letters to consumers with similar names and demand payment for debts that do not exist. This scheme is also common among telemarketers who ambush victims over the phone seeking fees for imaginary court actions, past debts, etc."

Complaints can be filed with the division at www.consumer-protection.utah.gov or by calling (801) 530-6601.

THERE IS A MASSIVE OPPORTUNITY TO EARN A MASSIVE INCOME WITHOUT A SECOND JOB



Work with professionals that have been honored by the Congress of the United States and that have received commendations from the governors of 14 states.

Help thousands of people regain their health.

Have fun doing something you really love.

20 TOP LEADERS ARE NEEDED RIGHT NOW!

This is an opportunity to join a team of mega-million dollars earners as they start a new network marketing team.

CALL 801-979-3726 OR 801-414-4853

Industry Briefs

ASSOCIATIONS

• The North American Snowsports Journalists Association (NASJA) has awarded **Raelene Davis** the **Lifetime Achievement Award**. Davis is Ski Utah's vice president of marketing and operations. The award was presented March 27 at Killington Resort in Vermont during NASJA's annual meeting.



Raelene Davis

The award honors a lifetime of snow sports related innovation, competition, design and other endeavors. Davis joined Ski Utah in 1985 and has worked on several successful initiatives to grow snow sports in Utah. She was inducted into the Utah Tourism Hall of Fame in 2010 and was a torch bearer for the 2002 Olympic Winter Games. She on the board of directors for the U.S. Ski and Snowboard Hall of Fame and served on numerous other boards, including president of the Intermountain Professional Photographers Association.

BANKING

• **Celtic Bank**, Salt Lake City, has hired **Angela Machado** as vice president of business development. She will be based in southern California and will renew a previous partnership with Jim Harris, senior vice president of SBA lending at Celtic Bank. Machado has more than 14 years of direct SBA lending experience. She began her career financing small businesses at Greater Bay Bank as a senior marketing officer and most recently was vice president at Pacific Premier Bank.



Angela Machado

projects spanning the firms' entire portfolio, from high-end residential projects like the Boulder Shack and Penrose remodel to state-of-the-art facilities like the recently completed Xactware office building and Salt Lake City Public Safety Building. One of his primary focus areas over the years has been in the industrial sector, managing projects like the LEED Gold-certified Rio Tinto Distribution Center and the Newmont Long Canyon gold mine facilities.



Justin Jacobs

tion law matters. Jeff received dual Bachelor of Science degrees in Political Science and Economics from Utah State University in 2006. He earned his Juris Doctor from the University of Utah's S.J. Quinney College of Law. Houdeshel is a member of Parr Brown's Environmental and Natural Resources Law team. She works with clients to assist them through the environmental permitting process and defends clients in enforcement proceedings before the Utah Department of Environmental Quality and the Environmental Protection Agency. Along with Parr Brown's environmental litigation team, she defends her clients' environmental permits in agency adjudications and on appeal before Utah's appellate courts. Houdeshel earned her Juris Doctor in 2009 from the University of Utah's S.J. Quinney College of Law.



Jeffery Balls



Megan Houdeshel

LAW

• **Parr Brown Gee & Loveless**, Salt Lake City, has promoted **Laura Kennedy**, **Jeffery Balls** and **Megan Houdeshel** to shareholders. Kennedy is a member of the firm's litigation team. She spent 15 years working as a judicial law clerk with the U.S. District Court, Utah Supreme Court and Utah Court of Appeals. She received her Juris Doctor from Brigham Young University's J. Reuben Clark Law School in 1995. Balls is a member of the litigation team with a particular emphasis on helping clients with title, real property and construc-



Laura Kennedy

RETAIL

• **Kneaders Bakery and Café**, Orem, has named **Kelly Conroy** as director of marketing. Conroy has more than 15 years of experience in marketing

and advertising, having worked for agencies and clients, large and small. In his most recent position, he managed the advertising for more than 2,000 Subway restaurants across the country. He also has worked with Bajio Mexican Grill, Wienerschnitzel and Aarons Furniture.

SPORTS

• **Easton Foundations** will open a state-of-the-art archery training center on April 15 at 575 N. John Glenn Road, Salt Lake City. The **Easton Salt Lake Archery Center** has one of the largest dedicated indoor ranges in the world and also has outdoor and 3D ranges. The \$12 million training facility totals over 60,000 square feet and features

see BRIEFS next page

WHEREVER THERE'S MINING, WE'RE THERE.

Wheeler Mining Systems **CAT**

www.wheelercat.com
800-662-8650
MSHA Training Available!

CONSTRUCTION

• **GSBS Architects**, Salt Lake City, has announced that **Justin Jacobs** has become a principal with the firm. Jacobs, licensed in Idaho, has more than 20 years of experience in architecture and construction management. During his 16 years with GSBS Architects, Jacobs has been involved in many

rb RITCHIE BROS.
Auctioneers®

Sell your equipment with the experts.
rbauction.com

The Leader in Design-Build Electrical Construction

CVE
CACHE VALLEY ELECTRIC

875 North 1000 West • Logan, Utah 84321 • (435) 752-6405
2345 South John Henry Dr. • Salt Lake City, Utah 84119 • (801) 908-6666

www.cve.com

Additional offices in Portland, Oregon

IBEW NECA **Federated Electrical Contractors**



Want to talk to them? Talk to us.

Our radio stations and websites reach over one million people each week.

801.908.1388

OLDIES 94.1 **97.1 ZHT** **MY 99.5** **ROCK 106.5** **Talk RADIO 105.7 570 AM** **99.1 THE A It PROJECT**

The Best Of The '90s To Now

BRIEFS

from previous page

shooting venues that accommodate shooting: indoors, indoor/outdoor, covered, outdoor and 3D. Additionally, the facility is equipped with a gym, sports med room and workshop and testing, meeting and classroom space. It will be available for open shooting, leagues, regional and national and international events, specialty camps and clinics, instructor certification courses and opportunities

to train one-on-one with certified instructors and coaches. The company has "sister" centers in Newberry, Fla.; Yankton, S.D.; and Chula Vista, Calif., as well as affiliated centers.

TECHNOLOGY/LIFE SCIENCES

• **Cyberworld Studios Inc.**, a Salt Lake City-based developer and publisher of video games and mobile software applications, has hired **George Metos**. Metos is the former owner and founder of Sculptured Software Inc.

TRIB

from page 1

Orme referenced the Tribune's efforts to fortify its online presence during a meeting with the newsroom staff last week.

The Tribune went through a 20 percent staff reduction in September and laid off nine news staffers last May.

The moves are also not expected to affect the *Deseret News*. The two papers operate under a joint operating agreement for production and advertising but have independent news operations.

Lone Peak to open new clinic

Lone Peak Hospital executives have announced the groundbreaking of a new clinic on the hospital's campus located in Draper. Lone Peak Specialty Centre is designed to be an 80,000-square-foot, Class A medical office building and will have corridors that connect to both Lone Peak Hospital and an existing medical office building.

"The new building will allow us to increase the breadth of services offered on this campus, continuing our tradition of enhancing

care and comfort for our patients," stated Mark Meadows, CEO of Lone Peak Hospital. "The construction of this new medical office building is made possible by the elevated quality of care provided by our physicians."

Lone Peak Hospital opened its doors on July 31, 2013. Centrally located to serve both Salt Lake and Utah counties, the medical campus provides direct access to I-15.

PUBLIC NOTICES

Notice of Auction

Registered Tenant of unit(s): V. Hinoian Multiple Units, Beck Street Self Storage Certified Letter mailed Feb. 26, 2014

Notice of Sale is hereby given that on Monday, April 21, 2014, the listed Storage Units will be sold at public auction at 8:00 a.m. Personal items contained in units and misc. items will be sold at auction. Location of Auction is at Beck Street Self Storage at 920 West Du-luth Ave. Salt Lake City, UT 84116.

Notice of Auction

Registered Tenant of unit(s): V. Hinoian Multiple Units, Beck Street Self Storage Certified Letter mailed Feb. 26, 2014

Notice of Sale is hereby given that on Monday, April 21, 2014, the listed Storage Units will be sold at public auction at 8:00 a.m. Personal items contained in units and misc. items will be sold at auction. Location of Auction is at Beck Street Self Storage at 920 West Du-luth Ave. Salt Lake City, UT 84116.

Notice of Auction

Registered Tenant of unit(s): V. Hinoian Multiple Units, Beck Street Self Storage Certified Letter mailed Feb. 26, 2014

Notice of Sale is hereby given that on Monday, April 21, 2014, the listed Storage Units will be sold at public auction at 8:00 a.m. Personal items contained in units and misc. items will be sold at auction. Location of Auction is at Beck Street Self Storage at 920 West Du-luth Ave. Salt Lake City, UT 84116.

Notice of Auction

Registered Tenant of unit(s): V. Hinoian Multiple Units, Beck Street Self Storage Certified Letter mailed Feb. 26, 2014

Notice of Sale is hereby given that on Monday, April 21, 2014, the listed Storage Units will be sold at public auction at 8:00 a.m. Personal items contained in units and misc. items will be sold at auction. Location of Auction is at Beck Street Self Storage at 920 West Du-luth Ave. Salt Lake City, UT 84116.

Notice of Auction

Registered Tenant of unit(s): V. Hinoian Multiple Units, Beck Street Self Storage Certified Letter mailed Feb. 26, 2014

Notice of Sale is hereby given that on Monday, April 21, 2014, the listed Storage Units will be sold at public auction at 8:00 a.m. Personal items contained in units and misc. items will be sold at auction. Location of Auction is at Beck Street Self Storage at 920 West Du-luth Ave. Salt Lake City, UT 84116.

FIRST UTAH BANK
Where You're Number One

An intricate part of your business plan.

Call our SBA lending experts, Kent DeHart or Scott Snow at 801-478-2300, and let us provide you with the financial piece to compliment your business plan.

First Utah Bank – dedicated to small business.

www.firstutahbank.com/sba
Visit us at www.facebook.com/firstutahbank

Member FDIC

Out of the linez_finish size 8.4 X 10.9

True abundance does not necessarily come with wealth

Money dictates the path most people take in life. You can say anything you want against it. You can say money doesn't make you happy and you can be apathetic to it. But, when all is said and done, people who claim that money does not make them happy are people that have never had it.

You either measure money against your wants or you gauge it against your needs.

People who measure money relative to their wants will never be as happy as those people that gauge it against their needs.

Time, money and hard work will resolve most of your problems. So, appreciate and manage your time more meaningfully and work hard to make more money and then use it for the right reasons.

Your journey of success begins when you can admit that money is the very heart of your survival and a primary motivating factor in your life. I'm not asking you to love or worship money or to become obsessed with it. In this day and age, money is the center of our existence because of what money can do for you.

Yes, money pays for the food on the table; it pays the rent and the utility bills; it buys you an education, a new car and gas to put in it as well as the clothes on your back. Without money, is there a "real" life for you? Money may be the center of your survival, especially if you don't have enough to pay your bills or feed and clothe your family, but it should not be the center of significance in your life.

I have never started a business yet where I knew exactly what the end result would be. Starting and building a business is an adventure, a quest and a journey of discovery that affords you rewards far greater than money. Money only becomes what you allow it to become. It's your relationship with money that has the greatest impact on your life.

People who measure wealth through their desire for something valuable will always want more and more to the point that money can become an obsession, especially when it runs low. I have heard so many people say that money is not the key to joy and happiness but I think the more money you have the larger the key you can make. Success is not the end result of making a lot of money; making a lot of money is the result of success.

When you focus on successful

accomplishments and helping others, it's amazing how the money naturally follows. Money, to the most successful, is only a symbol of accomplishment. Money doesn't create success. The freedom to have a business and friends to help you earn it does. If you want an idea of how wealthy you are, count your friends instead of your money. A true measure of wealth is not your financial statement; it's how many friends you have that love, trust and respect you.

Having money is certainly rewarding — popularity is exciting and being right and prideful may be self-satisfying but none of these will guarantee you real success. Real success comes from doing what you love, loving what you do, serving those you love and loving those you serve.

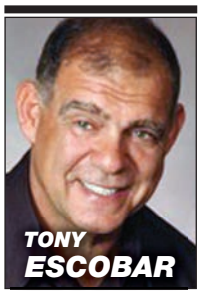
Successful people know how to make money. However, they

rarely pursue money and opportunity. They have the capacity and ability to attract these things to them. The only difference between a truly rich man and a poor man is that the rich man wanted it more and was able to attract abundance to him.

I have always said and I say this from personal experience, "If you want to enjoy your life with money, you must first have enjoyed your life without money." Cars, boats and toys cost lots of money and their value depreciates over time. Dreams are free and as long as you can dream, your value appreciates beyond your wildest dreams.

If you really want to discover abundance, ponder and look at all the things you have that no amount of money can buy.

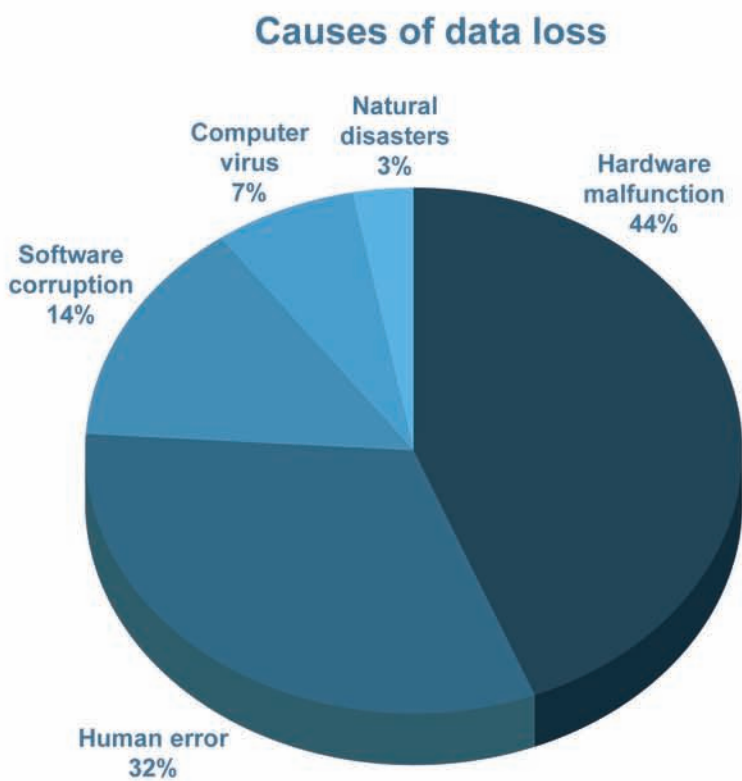
Copyright 2014 by Tony Escobar



TONY ESCOBAR

Your data is always at risk.

Can you afford the loss?



* Ontrack survey in 2002

Companies without a proactive **backup and recovery plan** are likely to be **OUT OF BUSINESS** within 2 years after the loss of their business data*

*National Archives and Records Administration

Protect your data with **blue cactus backups**

Secure, automated, offsite data storage



Free Trial - sign up
www.bluecactusbackups.com

Legal Matters

Can prior art be manufactured after a patent application has been filed?

The changes to what constitutes prior art by the Leahy-Smith America Invents Act (AIA) may allow a patent applicant's competitors to manufacture prior art after the filing of a patent application. Under pre-AIA law, a later filed competitor's application could be prior art if it claimed priority to an earlier application. However, to do so, the earlier application had to demonstrate that the earlier inventors possessed the invention (the written description requirement) and the earlier application had to describe how to make the invention without undue experimentation (the enablement requirement). If either requirement was not satisfied, the later filed application would not be entitled to the earlier date and would not be prior art.

An often overlooked provision of the AIA may have eliminated the enablement requirement when determining whether a prior art reference should receive the benefit of an earlier filed provisional. 35 U.S.C. § 102(d)(2) as amended by the AIA states, "the patent or application . . . is entitled to claim a right of priority . . .

based upon one or more prior filed applications for patent, as of the filing date of the earliest such application that describes the subject matter." No court has interpreted this law yet, but some commentators have suggested that by requiring only that the subject matter be described, the AIA has eliminated the enablement requirement. If true, companies would be able to disrupt or block their competitors' patent applications.

How might this play out? Suppose Company A makes a sudden breakthrough that is patentable and potentially very profitable. Company A files a patent application and publicly announces its discovery. Company B makes competing products that would lose market share if Company A receives its patent and begins selling its product. Company B files a patent application for the same invention as Company A and Company B makes a priority claim to one or more of its pending patent applications that are most closely related to the subject matter of the filed application. Although Company B may not get a patent due to

a lack of enablement in the earlier pending patent applications, Company B can argue that its patent application is prior art to Company A's patent application. Company B may be able to block Company A from receiving a patent, increase the time and expense to do so or invalidate an issued patent.

The AIA includes provisions to protect Company A, but they will be surmountable by Company B in some cases. One impediment to Company B's strategy for disrupting Company A is the requirement that the earlier application describe the subject matter. Company A will surely argue that the earlier pending patent applications do not describe the subject matter. If Company B has been filing more provisional applications and filing them earlier, as recommended by many commentators in response to the AIA, it is more likely that Company B will find usable applications to which priority can be claimed. In addition, if Company B was planning ahead and behaving strategically before Company A's announcement, it may have filed unenabled applications related to the subject matter in advance.

For example, Company B may

realize that a product with certain properties will likely be very profitable but may still need to pursue months or years of research and development ("R&D") before the product can be commercialized. Company B can file patent applications that describe the product in as much detail as possible and cover as many permutations of the product as possible even with the knowledge that the undue experimentation needed to develop the product may cause Company B to fail the enablement requirement. Company B can also file additional applications as R&D progresses to provide several potential priority applications with various dates and levels of detail. Company B will have those applications ready if it needs to make a priority claim. Company B would most likely use this strategy if it knows that it is in an R&D race.

The AIA also protects Company A if it can prove that Company B obtained the invention from Company A. The AIA excepts patent applications from being prior art to an inventor if they are obtained from that inventor or they are filed after a public disclosure of the invention by the inventor. Company A will not be able

to take advantage of the public disclosure provision, because the definition of filed is the same one that allows priority claims to unenabled applications. As a result, Company A can only rely on the exception requiring that it prove the subject matter was obtained directly or indirectly from the inventor. At the very least, this allows Company B to increase the time and cost for Company A to obtain or enforce a patent. If Company B has been documenting its R&D in the area (e.g., through lab notebooks), Company A may not be able to satisfy its burden of proof. Company B's manufactured prior art can be used as another weapon for extracting a favorable settlement during litigation.

Fortunately, the precautions you can take to protect yourself from being ambushed by later manufactured prior art are things you should already be doing since the AIA went into effect. You should file applications early and often to make it harder for a competitor to find applications that can be used to predate you. You should file early in the R&D process and file additional applica-

see WOODWORTH page 16



JEFFREY WOODWORTH

What does winning look like to you?

In business, sometimes it's a knockout punch; sometimes it's a handshake that seals the deal.

Gloves on? Gloves off? It's your choice.

We listen to your needs and tailor our advice to your goals.

Because our goal is to add value to your business.

In-house counsel rated Stoel Rives among the nation's 30 best law firms for "exceptional" client service in 2010 and 2011

—BTI Consulting Group



STOEL RIVES LLP

ATTORNEYS AT LAW

The customer is 'still thinking about it' - What do I say now?

"Jeffrey, when a client says he or she is 'still reviewing his or her options,' I know you say that's the result of their inability to see the value in my product or service. But how should I respond to this objection without pushing the customer away? Thanks, Gladys."



JEFFREY GITOMER

You are correct that the customer has not seen enough value to select you. And, in fact, I don't believe you are in first position. Otherwise they would have given you more words of encouragement.

When this or any other stall occurs, you have to be prepared to communicate on a more direct level to the customer with something that might evoke more truth and more respect.

Before I get down to the specifics, I want to make sure you understand the big picture — the strategy of what to do from 30,000 feet — so you can eventually get

down on the ground and get to battle. Battle for the order, battle against your competition, and battle to gain the customer.

Start your thinking here:

- **Ask as much as you dare.** Asking questions allows you to gain information that might lead to a sale much quicker than you giving a sales pitch about why you're the greatest.

- **Blame yourself for their indecision.** To the prospective customer, you have fallen short of communicating value, even though you're certain that you're the best choice. Be prepared with a list of your best value offerings, and ask to meet in person to go over it.

- **Get clarity and clarification of the customer's present status.** When the customer says they're still considering other options, obviously you need more information in order to determine

exactly where you are, and exactly what to do next. The only way to get this information is to ask them directly.

- **Be certain you're in the top three choices.** If you are not number one, number two or number three on the present list of potential vendors, there is no way to even win this business.

- **What are the options beyond price that are part of the consideration?** If price is the only option, you need to know that. If there are other elements that are being factored in the sale (terms, split order, speed of delivery, quality of product, reliable service), you need to know that, too.

Now for the nitty-gritty. And keep in mind that the nitty-gritty questions can only be helpful to you if you understand the big picture.

ASK: How will the decision be made?

ASK: Who else are you considering?

ASK: What are the deciding factors?

ASK: What are you hoping for as an outcome?

ASK: What happened the last time you purchased?

ASK: What has the discussion included thus far?

And to further clarify the situation, and give you some real reasons behind this stall, it may be that:

- They don't have the money.
- They believe they can get it cheaper someplace else.
- They are looking for convenience and you may be too far away.
- They do not perceive enough value in your product or service.
- They have a bad past history with you or an existing vendor.
- They are unsettled as they weigh the risk factors.
- They do not have the comfort to move forward.
- They do not like you, have confidence in you, believe in you

or trust you enough to buy from you.

- They have some other unspoken objection.
- They have some other unspoken risk.
- They are unwilling to decide based on their lack of certainty.

"Still shopping around" or "still reviewing options" is not an objection; it's a stall that means the prospects have not found someone who gives them enough peace of mind, enough value perception and enough confidence to move forward.

And you thought it was all about price. Shame on you!

Jeffrey Gitomer is the author of 12 best-selling books including *The Sales Bible*, *The Little Red Book of Selling*, and *21.5 Unbreakable Laws of Selling*. His books are now available as online courses at www.GitomerVT.com.

©2014 All Rights Reserved.

MEIER'S CATERING MENU

BAR-B-QUE CHICKEN & RIB MENU

- | | |
|----------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| Bar-B-Que Chicken
<i>Smothered in our special bar-b-que sauce</i> | Country Style Spare Ribs |
| Fresh Cut Fruit | Baked Chuckwagon Beans |
| Pasta Shrimp Salad | Meier's Homemade Potato Salad |
| Utah Corn on the Cob
<i>(seasonal)</i>
<i>Cooked on site</i> | Glazed Orange Rolls |
| Ice Cold Lemonade | Brownie Sundae
<i>Brownie, vanilla ice cream, covered with deep rich chocolate sauce</i> |
| Bar-B-Que Boneless | |



Complete Catering
Service for 40-10,000
Western Chuckwagon Bar-B-Ques
Company Picnics • Family Reunions
Business Luncheons
Open Houses • Dutch Oven Cookouts
801-278-4653 or 1-800-431-4655
www.meierscatering.com

WE DO PIG ROASTS!



- | | | |
|---------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| Bar-B-Que Beef
<i>Shredded bar-b-que beef on a bun</i> | Hamburger/Hot Dog
<i>Meier's own quarter pound
Hamburger w/all condiments
Jumbo all Beef Franks
Grilled on site</i> | Hamburger/Grilled Chicken
<i>Meier's own quarter pound
Hamburger w/all the condiments
Marinated Chicken Breasts
Grilled on site</i> |
| Dutch Oven Bar-B-Que
Chicken/Ribs
<i>Potatoes Au Gratin
Peach Cobbler
Cooked in Dutch Ovens</i> | Tri Tip Roast/Marinated
<i>Grilled Chicken Breast
Grilled on site</i> | Chuckwagon-K-Bobs
<i>Beef & Chicken-K-Bobs
w/fresh vegetables
Grilled on site</i> |
| Top Sirloin
<i>10 oz. USDA Choice
Top Sirloin Steak
Baked Idaho Potato
Grilled on site</i> | Pork Back Ribs
<i>Smoked with Applewood
Marinated Grilled Chicken Breast</i> | Boneless Ribeye Steak
<i>10 oz. USDA Choice Boneless
Boneless Ribeye Steak
Baked Idaho Potato
Grilled on site</i> |

Call for complete menus and pricing: 278-4653



YOU CAN'T COMPETE TODAY

WITH TECHNOLOGY FROM YESTERDAY.

Just as old ideas don't fly for small businesses, neither does old technology. That's why Comcast Business is built for business, offering the high-performance connectivity small businesses need to flourish.

- Up to 5x faster than DSL.
- Backed by 24/7/365 service.
- A single-source provider for all your voice and data services.

COMCAST
BUSINESS
B4B
BUILT FOR BUSINESS™

COMCASTBUSINESS.COM
800-501-6000

I4E INNOVATIONS FOR
ENTREPRENEURS™

SHOW US WHAT YOU'VE GOT AND
WIN UP TO \$25,000 AND A TRIP TO NYC.

How does your business use technology? Enter the Comcast Business Innovations 4 Entrepreneurs Contest by April 30 to qualify. business.comcast.com/i4e

Opinion

It's April and the taxman cometh, but he mostly taketh

If you're even close to being as old as me and a part of the Boomer generation, you'll remember this ditty from the 1966 Beatles hit "Taxman":

"If you drive a car, I'll tax the street;
"If you try to sit, I'll tax your seat;

"If you get too cold, I'll tax the heat;

"If you take a walk, I'll tax your feet.

"Cause I'm the taxman, yeah, I'm the taxman."

Yep, tomorrow's the day — tax deadline, April 15. If you're really on top of things, that won't

bother you much. If you're like more than a quarter of Americans (according to IRS statistics), you've waited until the last minute. My daughter, the lovely accountant who does my taxes, told me years ago that if I wait too long then I'm on my own. She has too many paying customers that are still getting their act together in April.

Having received good advice over the years, I think I'm getting the bulk of the credit I have coming from legitimate deductions. But, maybe there are still some bucks out there to add to my tax refund check each spring. If you think you are getting all the deductions possible and paying the lowest possible tax, get yourself a copy of the tax code and study it thoroughly. When you're

done, I'll bet my annual tax prep fee you'll be scratching your head and thinking of a few dozen expenses that you should have claimed. After all, the IRS code has 10 times the words and verses than the Bible. Only trouble is, it doesn't have any "good news."



JOHN M. ROGERS

What follows are a few of the more unusual tax deduction claims — both allowed and disallowed — that folks have made over the years.

My generation may recall the much-publicized case of TV personality Dinah Shore back in the 1960s. She claimed the cost of

some formal dresses on her tax return and, as you might suspect, the IRS immediately cried foul. Dinah explained that the frocks were business expenses; she only wore them on her television show and couldn't possibly wear them for personal reasons because they were so tight she couldn't actually sit down in them. The IRS had the last laugh, though. Although they agreed to let her deduct the dresses, legend has it they sent a representative to judge which dresses really were too tight to sit down in.

If a woman gets a breast enhancement just to improve her appearance, the IRS will disallow the expense. But, as with most tax-related rules, there are exceptions. A noted stripper deducted the cost of her breast en-

largement in order to "improve her skills" for business. She fought for her deduction up to tax court level where it was disallowed as a medical expense, but was allowed as an ordinary and necessary business expense.

Intent is a primary factor in determining whether or not an expense is deductible — especially when deducting business expenses. For example, a professional bodybuilder was allowed a deduction for body oil but denied a deduction for health supplements.

In another famous case, a gas station owner was allowed a deduction for giving his customers free beer. The IRS considered it a promotional expense. But beer supplied at a Super Bowl party by another business owner was disallowed. The reason is likely that the party setting did not provide a venue for a substantial business discussion.

I love this one. The cost of a wedding gift purchased for the boss's daughter was disallowed as a business expense. The taxpayer fought it all the way to tax court, but it was still found to be a personal expense despite his argument that he would never have even attended the wedding except to make a good impression on his boss. I wonder if he still works there.

A guy that ran a salvage yard successfully deducted the cost of feeding wild cats running around his acres of junk cars because they kept the mouse and snake popu-

lations down on his property. Yet, a business owner who was protecting his home office by using his dog as a burglar alarm was disallowed the deduction. I would imagine if the dog were trained as a vicious beast and were guarding a junk yard at night, the deduction would have been allowed. Dogs are also deductible as herding animals and as therapy or service dogs.

We all know that charitable contributions are a great write-off and help you feel all warm and fuzzy inside. Did you know that only in Utah do extraordinary deductions to a church not raise the red flag at the IRS auditing department? In most states, if your charitable deductions are disproportionately large compared with your income (10 percent?), it raises that flag. Just be careful not to over-estimate your noncash contributions — like the junk you haul from the garage to the D.I. That could put the audit target squarely on your back.

So, I hope you have allotted enough time to get your return finished and down to the post office by midnight tomorrow. As for myself, like the comedian Dick Gregory used to say, "I wouldn't mind paying taxes if I knew they were going to a friendly country."

John Rogers is the managing editor of *The Enterprise*. He would like to hear from you at john@slenterprise.com.

Left hates it when courts say free speech is for everyone

The recent Supreme Court decision overruling some Federal Election Commission restrictions on political campaign contributions has provoked angry reactions on the left. That is what often happens whenever the high court rules that the First Amendment means what it says — free speech for everybody.

When the Supreme Court declared in 2010 that both unions and corporations had a right to buy political ads, that was considered outrageous by the left. Pres. Obama called the decision "devastating" and said it "will open the floodgates for special interests."



THOMAS SOWELL

Those unfamiliar with political rhetoric may not know that "special interests" mean people who support your opponents. One's own organized supporters — such as labor unions supporting Obama — are never called "special interests."

All politicians are against "special interests," by definition. They all want their own supporters to have the right to free speech, but not those individuals and groups so benighted as to support their opponents.

Even in an age of polarization and gridlock, the one area in which it is easy to get bipartisan support in Congress is in passing campaign finance laws, restricting how much money can be spent publicizing political candidates. What Congressional Democrats and Republicans have in common is that they are all incumbents — and they all want to keep their jobs.

Publicity is necessary to win elections and incumbents get millions of dollars' worth of free publicity from the media. Incumbents can all pontificate in Congress

and be covered by C-SPAN. They can get interviewed on network television, have their pictures in the newspapers and send out mail to their constituents back home — and none of this costs them a dime.

Congressional staffs, paid by the taxpayers, are supposed to help members of Congress with the burdens of their office but a major part of their staff's work is to help get them re-elected. That's not just during campaign years. Everything members of Congress do is done with an eye toward re-election.

Any outsider who wants to challenge an incumbent at the next Congressional election has to pay hard cash to buy ads and arrange other forms of publicity in order just to get some comparable amount of name recognition, so as to have any serious chance of winning an election against an incumbent. Few people have the kind of money it takes for such a campaign, so they have to raise money — in the millions of dollars — to pay for what incumbents get free of charge.

Campaign finance laws that restrict who can contribute how much money, who can run political ads, etc., are all restrictions on political challengers who have to buy their own publicity. If truth-in-packaging laws applied to Congress, a campaign finance law would have to be labeled an "Incumbents Protection Act."

The very high rate of incumbent re-elections, even while polls show the public disgusted with Congress in general, shows how well incumbents are protected. The media are accessories to this scam. So long as the information and opinions that reach the

public are selected by mainstream media people, whom polls show to be overwhelmingly on the left, the left's view of the world prevails.

Hence the great alarm in the media, and in equally one-sided academia, over the emergence of conservative talk radio programs and the Fox News Channel on television. No longer can the three big broadcast television networks determine what the public will and will not see, nor two or three leading newspapers determine what is and is not news. Nobody wants to give up that kind of power.

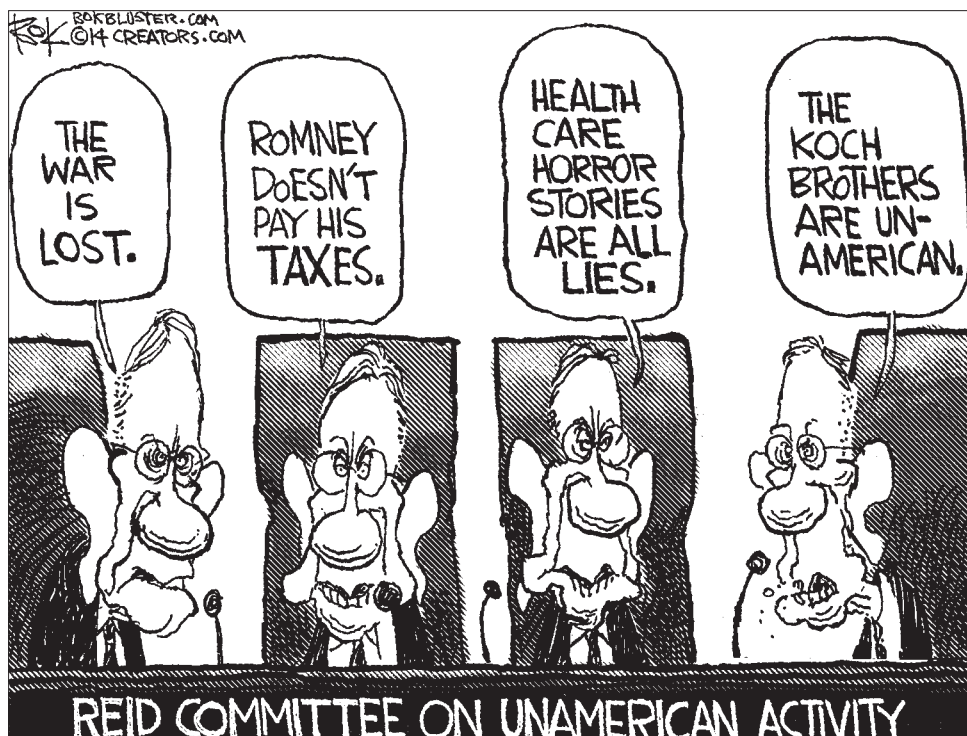
When businesses that are demonized in the mainstream media, and in those aca-

demia can buy ads to present their side of the story, that is regarded in both the media and academia as distortion. At the very least, it can cost the left their self-awarded halo.

It is fascinating to see how some people — in both politics and the media — can depict their own narrow self-interest as a holy crusade for the greater good of society. The ability of the human mind to rationalize is one of the wonders of the world.

Thomas Sowell is a senior fellow at the Hoover Institution, Stanford University. His website is www.tsowell.com.

COPYRIGHT 2014 CREATORS.COM



Opinion

Note how type of income can affect your retirement comfort

As you look back over your career, I'm guessing you can identify key turning points. You know, those places in the road where you discovered a new principle or strategy — something you hadn't known before (and likely hadn't even known you didn't know it) — and things changed. Opened you to new opportunities. Encouraged you to take a better path. These are the important moments — the ones to take note of, listen to, and act on.



**DOUG
ANDREW**

I've certainly experienced those times. Throughout my 40-plus years in financial planning and coaching, I've seen it thousands of times with my clients. And while these "a-ha" moments can happen in our professional and personal lives, they can — and should — happen in our financial lives, especially when it comes to retirement.

One of the biggest turning points for my clients has come when they understood the impact of taxes on their retirement income. Most people look ahead and think in terms of what they'd like in monthly income during retirement. That's a good first step. But most don't realize that they will likely be in as high or higher tax bracket when they retire. Yes, I just said as high or higher. How?

It's largely due to what I call the deduction reduction. You're likely going to lose many of the deductions you once enjoyed, such as home mortgage interest, dependents and retirement plan contributions. And if you're a business owner, you'll be losing even more deductions. Although you may have less income during retirement, your taxable income may be just as high or higher.

If you don't take action to avoid paying excess tax, you'll likely be in for a rather unwelcome surprise during your retirement years which could result in living a lower lifestyle or outliving your money.

To illustrate, let's say you had a \$1 million nest egg and that nest egg were generating an average of 7.2 percent (which is the lowest rate of return I've achieved — even during the worst 10-year period, 1999 to 2009, since the Great Depression). Theoretically, you should be able to pull out \$72,000 a year without depleting your principal. You're probably thinking, "I could live on \$72,000 during retirement. That's \$6,000 a month!"

The problem with this is that's going to be subject to tax on the back end, during the harvest years of your life. Most people, between federal income tax, state income tax, and then also your FICA (Social Security), Medicare — oh, and don't forget your gasoline tax, property tax, sales tax and on and on — will pay one-third to one-half of that monthly income in tax. That equates to about \$24,000 that will go out the

window in taxes, leaving you a net of only about \$48,000 a year to live on. Now you'll be down to \$4,000 a month to try and cover gas, groceries, prescriptions, and maybe a few extras like golf green fees. So much for your big travel-the-world and pamper-the-grandkids plans.

How do you avoid losing precious retirement income to unnecessary taxes? Let's first look at the basics. Ever since the 1986 tax reform under Pres. Reagan, there have only been three types of income that are subject to income tax on a 1040 tax return: earned, passive or portfolio. Earned income includes salaries and wages you are paid for your job. Passive income would include income you receive from rents or leases if you own real estate or equipment you're leasing. Portfolio income includes interest or dividends.

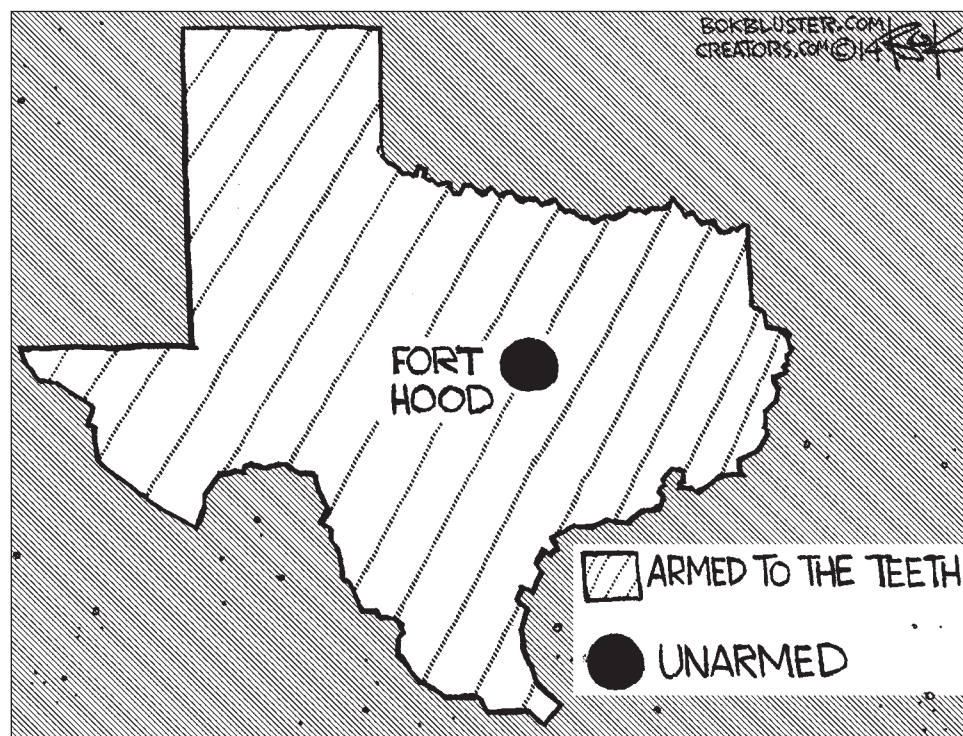
Most people plan for retirement with IRAs, 401(k)s and other types of qualified retirement plans which are tax-deferred. The downside to these plans? When people go to retire, their tax-deferred IRA or 401(k) now becomes taxable.

But you can also have tax-free income. This has been the "a-ha" moment for my students. You can have income that is not classified as earned, passive or portfolio income. Think of what that would mean. Going back to that \$1 million nest egg, compare \$72,000 a year that's tax-free to the after-tax net of \$48,000. You'd be earning an income that is 50 percent greater! Wouldn't you rather live on \$6,000 a month than \$4,000?

The best part is it's not a loophole. It's through retirement vehicles like properly structured maximum-funded, tax-advantaged indexed insurance contracts that you can plan for a retirement with tax-free income. You could have realized an average of 9.2 percent during the last 34 years, netting a tax-free return of 8.2 percent cash-on-cash using MFTA insurance contracts. How about the last horrible 10 years? You could have doubled or even tripled your nest egg tax-free rather than what most people experienced — a "lost decade" without any growth — because MFTA indexed insurance contracts can perform even better during volatile markets.

So, if you have a few light bulbs going off right now, go ahead, let the light in. Because when we learn new concepts, it can open the door to better possibilities. And when we continue to explore, we can take smarter paths that lead to a brighter future — a future that you deserve, filled with abundance and opportunities to pass that abundance on to your posterity.

Douglas R. Andrew is a best-selling author, radio talk show host and abundant living coach.



Special needs trust is a good way to provide for loved one

If you have a child with special needs or care for an adult relative who is mentally or physically challenged, you face long-run financial demands. In all probability, federal and state assistance won't help you meet all of them.

Enter the special needs trust, an irrevocable trust designed to provide for an individual or family member's supplemental needs, assorted care and lifestyle needs that cannot be met using government assistance. A trustee uses such a trust to make various purchases of goods and services on behalf of a "permanently and totally disabled" person.

Even wealthy families have these trusts in place — for good reason. Just to offer one example, the Autism Society estimates that 60 percent of autistic children will require adult services, with the average lifetime cost of care currently around \$3.2 million per individual. So a special needs trust may be a wise move.

These trusts were officially recognized by Congress in 1993. Before that, they were established based on case law. They give families a smart alternative to other, potentially flawed arrangements to provide for these individuals over a lifetime.

It is still common for a sister or brother of a newly disabled person to hold assets that once belonged to their sibling. Too often, these assets became "easy pickings" in a bankruptcy, litigation or divorce. Other families set up pooled trusts for distributing funds to their children, naming all their kids as beneficiaries. This move keeps disabled children eligible for federal and state benefits, but it also invites other siblings to fight over or lay claim to the pooled assets.

Monies in a special needs trust are not exposed to creditors and are still non-countable assets so that the beneficiary can continue to qualify for social services programs and medical benefits.

How do these trusts function? Trust assets are typically invested in securities, with the resulting income stream being used to paying for the beneficiary's needs. Conceptually, they work according to a sliding needs scale. For example, should government services somehow be able to provide for 100 percent of the beneficiary's needs, the trust will provide zero percent and vice versa.

The core principle is that the trust assets supplement the government benefits. This holds true if the beneficiary falls into Medicare's "doughnut hole"; it also holds true if the trust buys goods and services to improve and enhance the lifestyle of the beneficiary. The trust does not exist simply to pay for the beneficiary's basic living expenses; it may do more.

Many of these trusts are funded with life insurance, others with assets from parents or grandparents. Still others are funded using a disabled individual's own assets, or money received from a settlement. (Intended beneficiaries of special needs trusts may not create or revoke them, even if they are mentally competent and pour their personal assets into them.)

Sometimes parents will establish a special needs trust, yet not fund it until they pass away. A will transfers an inheritance that would go to a disabled child into the trust. The special needs trust can also be designated as a beneficiary of this or that asset, be it a life insurance policy or something else.

Which requirements must be kept in mind? Here are some basics. The beneficiary of a special needs trust cannot have more than \$2,000 in assets in his or her own name (this limit does vary by state). He or she must also be younger than 65 when the trust is established.

In a self-settled trust created with funds



**MARK
LUND**

Are your sales people
performing as well as
you'd like them to?

Our clients grew their sales
20% to 400% last year!

To meet with us is FREE! Not
having us train your sales team
is where the real expense lies!

Break Through Your Sales Barriers!

You Have Nothing to Lose & Everything to Gain!

COMPLIMENTARY
SALES
PERFORMANCE
EVALUATIONS

801.495.1919



Sales Training • Consulting • Advertising



Mark Maxon

- 34 Years Sales Training and Management
- Radio Talk Show Host
- Author

www.themaxongroup.com

We are limited to the number of clients we can serve each year. Contact us today!

Calendar

April 16, 8:30 a.m.-4:30 p.m.

“10 Things CEOs Need to Know About Business Technology,” presented by CEObuilder and Bank of American Fork. Craig Adams, chief information officer for Continuo, will address some of the decisions and questions about technology investments that make many business leaders uncomfortable. Location is Bank of American Fork, Riverton Branch Conference Room, 2691 W. 12600 S. RSVPs can be completed by April 14 by contacting Heidi Carmack Pfaffroth at heidi.carmack@bankaf.com or (801) 642-3139. Anyone is welcome to attend, but the afternoon discussion may be closed for members only if sensitive matters are discussed.

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

CCIM April Chapter Meeting, with the theme “Zoning Issues: How to Protect Tenants and Buyers in a Contract.” Location is Zions Bank, 1 S. Main St., 18th floor Founders Room, Salt Lake City. Cost is \$25 for chapter members, \$35 for guests, with lunch provided. Registration and details are available by contacting Holly Little, executive administrator, at admin@utahccimchapter.com or (801) 545-0246.

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

“Engaged or Disengaged: Managing Employees To Get Their Maximum Performance,” a Sandy Area Chamber of Commerce event. Richard Bell, owner and CEO of Six Star Solutions, will discuss generational differences in the workplace, how to identify those employees who are engaged and those who are disengaged, ways to build a better team, what to look for when hiring employees and how to identify those candidates who will be more engaged with customers. Location is Salt Lake Community College’s Miller Campus, Miller Free Enterprise Center Building, Room 223, 9750 S. 300 W., Sandy. Free. Details are at sandychamber.com.

April 17, 8-10 a.m.

“Why and How to Begin, Expand or Locate Your Business in Europe,” with a regional spotlight on France. Presented by the Utah European Chamber of Commerce. Location is the Salt Lake Chamber, 175 E. 400 S., No. 600, Salt Lake City. RSVPs can be completed by email at us@uechamber.com.

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

MountainWest Capital Network (MWCN) Business Forum. Keynote presenter Lew Cramer, chief executive officer and president of Coldwell

Banker Commercial, will discuss “International Opportunities Make Good Business Sense AND Lots of Business Dollars.” Networking begins at 11:30 a.m., with lunch and program at noon. Cost is \$20 for members, \$40 for nonmembers. Details and registration are at <http://www.mwcn.org/event-registration/>.

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

Murray Area Chamber of Commerce’s “Eggs n’ Issues” Breakfast. Gil Gonzales, chief building official at Murray City, will discuss the Building Occupancy Resumption Program, building code issues and dealing with building inspectors and contractors. Location is Mimi’s Café, 5223 S. State St., Murray. Free unless ordering off the menu. Chamber membership is not required. Details are at (801) 263-2632 or murraychamber.org.

April 18, 8 a.m.-3 p.m.

Third Annual Mining and Manufacturing Safety Conference, with the theme “Implementing a Culture of Safety,” presented by the Utah Mining Association and the Utah Manufacturers Association. Keynote speaker Meg Johnson will discuss “When Life Gets Too Hard to Stand Just Keep On Rollin’.” Luncheon speaker Dan Clark will discuss “Building a Winning Safety Culture.” Breakout sessions will focus on employee involvement, industrial hygiene basics, severe injury and fatality prevention, and incorporating safety in process changes. Location is the Little America Hotel, 500 S. Main St., Salt Lake City. Cost is \$125. Details are available at umaweb.org/i/6885_2014SafetyConferencePacket.pdf.

April 22, noon-1:30 p.m.

Utah Technology Council (UTC) Annual Members’ Meeting. Event will feature a keynote presentation by Noelle Pikus-Pace, 2014 Olympic silver medalist; the election of UTC board members and trustees for the coming year; and awards for CEO, CFO, CTO, Emerging Exec, HR Exec, Marketing Exec and Sales Exec of the Year and Volunteer of the Year. Location is Little America Hotel, 500 S. Main St., Salt Lake City. Cost is \$55 for UTC members, \$90 for nonmembers. Details are at www.utahtech.org.

April 22, 7-9:30 p.m.

Third Annual Governor’s State of Sports Awards Dinner, hosted by the Utah Sports Commission. Jack Nicklaus, golf legend, course designer, ambassador and philanthropist, will be

the special guest. Joining Nicklaus for a question-and-answer period will be Johnny Miller and Billy Casper, who will receive the Governor’s State of Sport Lifetime Achievement Award for their outstanding contributions to golf and sports in Utah. The event also will pay tribute to several Team USA Olympians, many who live and train in Utah, for their accomplishments at the 2014 Sochi Winter Olympic Games. Location is EnergySolutions Arena. Ticket and sponsorship information is available at (801) 328-2372.

April 22, 11:30 a.m.-1 p.m.

Sandy Area Chamber of Commerce Women in Business Luncheon. Speaker will be Mearle Marsh. Location is Asian Star, 7588 Union Park Ave., Midvale. Cost is \$20 for chamber members, \$25 for guests. Details are at <http://sandychamber.com/>.

April 23, 7:30-9 a.m.

Sandy Area Chamber of Commerce Breakfast of Champions. Speaker will be James A. Wood, director of the University of Utah’s Bureau of Economic and Business Research. Location is Jordan Commons Office Tower, ninth floor, 9350 S. 150 East, Sandy. Free. Details are at <http://sandychamber.com/>.

April 23, 8-9:30 a.m.

Tort & Insurance Law Breakfast, presented by Snow, Christensen & Martineau. Focus will be on “Avoiding an ESI Explosion in your Claim or Case and Trends in Data Security.” Location is Snow, Christensen & Martineau, 10 Exchange Place, eighth floor, Salt Lake City. Details are available at scmlaw.com/news/seminars or by calling (801) 521-9000.

April 23, noon-1:30 p.m.

Association for Corporate Growth (AGC) Utah Executive Roundtable, for corporate executives and business owners. Fred Lampropoulos, founder, president and CEO of Merit Medical Systems Inc., will discuss “How a Global Strategy Will Help You Grow Your Business Today.” Location is Chase Bank, 201 S. Main St., Suite 300, Salt Lake City. Free for ABC corporate members, \$10 for corporate guests. RSVPs can be completed by contacting Linda Blake at Linda@acgutah.org or (801) 359-8613.

April 25-26

Utah Investment & Business Expo. Event is designed to showcase Utah businesses and investment opportunities in the public equity and real estate markets and to introduce businesses and finan-

cial services and career and business opportunities to the public to help people plan their financial futures, build their careers or start their own businesses. Keynote speaker will be Bill Child, chairman of RC Willey. Location is South Towne Expo Center, 9575 S. State St., Sandy. More information is available by calling (385) 888-6888 or (801) 688-8929 or visiting www.utahibexpo.com.

April 30, 8-9:30 a.m.

“PR Strategies and Tools,” a Utah Technology Council (UTC) event. Todd Wolfenbarger, president of the Summit Group and a UTC trustee, will discuss case studies about how to use strategy and tools to leverage content. Location is Nelson Laboratories, 6280 S. Redwood Road, Salt Lake City. Free for UTC members, \$30 for nonmembers. Details are at www.utahtech.org/events.

April 30, 8:30-10 a.m.

“Covering the Steps of Strategic International Marketing,” a seminar presented by the World Trade Center Utah and U.S. Commercial Services. Presenters include Dave Fiscus, director of the Utah Export Assistance Center, and Hector Morazan, international sales manager at Savant Systems. Location is World Trade Center at City Creek, 60 E. South Temple, third floor, Salt Lake City. Free. RSVPs can be completed at agiama@wtcut.com.

May 1, 11 a.m.

Utah Innovation Awards Luncheon, presented by Stoel Rives LLP and the Utah Technology Council (UTC). Winners, finalists and honorable mention recipients in the 12th annual Utah Innovation Awards will be recognized and honored. Innovation Showcase begins at 11 a.m., with awards presentation noon-1:15 p.m. Location is Hilton City Center, 255 S. West Temple, Salt Lake City. Free for UTC members, \$80 for nonmembers, \$550 for table of 10. Details and registration are available at eventbrite.com.

May 6, 7:45 a.m.-1:30 p.m.

26th Annual Employment Law Seminar, presented by Parsons Behle & Latimer. Designed for corporate counsel, business owners and human resource professionals. Location is Little America Hotel, 500 S. Main St., Salt Lake City. Cost is \$125. Details are at <http://www.parsonsbehle.com/emp-seminar>.

May 13, 9 a.m.-4 p.m.

EntreLeadership One Day, presented by Dave Ramsey, nationally syndicated radio talk show host and *New York Times* best-

selling author, and other speakers. Event is designed to bring proven and practical lessons to Salt Lake City area business leaders looking to build and grow their businesses and improve leadership skills. Location is Abravanel Hall, 123 W. South Temple, Salt Lake City. Cost is \$149, with discounted admission prices available for a limited time, with VIP seating and group discounts also available. Details and registration are available at (888) 227-3223 or www.daveramsey.com.

May 13, noon-2 p.m.

Employment Law “Lunch and Learn” Seminar, presented by the Employment Law Practice Group of Snow, Christensen & Martineau. Event features information about employer liability for the actions of its supervisors, employment contracts, the distinction between independent contractors and employees, benefits for non-traditional families, and an Affordable Care Act/HIPPA update. Location is Snow, Christensen & Martineau, 10 Exchange Place, 11th floor, Salt Lake City. Details are available at scmlaw.com/news/seminars or by calling (801) 521-9000.

May 13-14

Great Salt Lake Business Expo. Location is South Towne Expo Center, 9575 S. State St., Sandy. Details are at http://www.uvexpo.com/salt_lake_biz_expo/.

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

MountainWest Capital Network (MWCN) Deal Flow Lunch and Book Presentation. Event features the 19th year of publishing the Deal Flow Report about Utah’s capital deals. Location is Little America Hotel, 500 S. Main St., Salt Lake City. Cost is \$55 for members, \$75 for nonmembers. Details and registration are at <http://www.mwcn.org/event-registration/>.

May 21, 8:30 a.m.-1:30 p.m.

13th annual Trade and Business Conference, hosted by Zions Bank. Keynote speakers include Felipe Calderón, who served as president of Mexico from 2006–2012, and Joe Lieberman, U.S. senator from 1988–2012 and Democratic candidate for vice president in 2000. Event will also include honoring the recipient of the 2014 Global Pacesetter Award, a distinction given annually to a Utah company demonstrating international success. Location is the Salt Lake Marriott Downtown at City Creek. Cost is \$35 and includes lunch. Registration can be completed at www.zionsbank.com/conference or by calling (801) 844-8573.

WOODWORTH from page 9

tions whenever you make changes or improvements to the invention. In particular, you should avoid filing right before going public with your invention. You should also keep documentation of the R&D process and lab notebooks to help prove derivation. These steps should prevent you from encountering later manufactured prior art

and reduce the cost of overcoming it when it is encountered. Coincidentally, these steps are the same ones that might allow you to impede your competitors with later manufactured prior art of your own.

Jeffrey C. Woodworth is a patent attorney with Stoel Rives LLP. He counsels clients on domestic and international patent preparation and prosecution strategies.

LUND from page 13

owned by the disabled individual, leftover trust assets are wholly or partly paid back to Medicaid after the beneficiary dies to cover its costs for caring for the beneficiary during his or her lifetime. There is no such requirement for third-party special needs trusts funded by parents or grandparents. Assets within these trusts may be transferred to anyone after the death of the first beneficiary.

The trust document's language must express a purpose to provide "supplemental and extra care" beyond what government and social services agencies of-

fer to the trust beneficiary (not basic financial support). The trust must also be without a Crummey clause, a proviso allowing future interest gifts to be treated as present interest gifts, thereby making them eligible for the annual gift tax exclusion.

If you wish for your loved one to have a good quality of life for years to come, a special needs trust may prove instrumental in allowing you to provide it.

Mark Lund provides 401(k) consulting for small businesses and investment advisory services for select individuals at Stonecreek Wealth Advisors Inc. in Salt Lake City.

FILM from page 1

— that will employ about 1,500 people over 30 days, according to producer Jeff Miller, who also produces the series "American Ride."

Among productions underway or soon to begin in the state are "Mythica," "Rosemont," "American Ride" seasons seven and eight, "Man on Carrion Road," "Truth Be Told" and "The West."

Recently completed productions include "The Aquabats! Super Show!" season three, "The Giver," "H8RZ," "The Mentor," "Nowhere Safe" and "Your Right Mind."

Recently released productions include "Need for Speed," "Dear Dumb Diary," "The Freemason" and "Cloud 9," which attracted 5 million viewers when it debuted Jan. 17 on the Disney Channel.

But Moore acknowledged that not every production approved for an incentive ends up shooting in Utah.

"With every win, there's also an opportunity that we don't capture. And there's a variety of reasons we're not able to capture some of these. Most of them are based in the structure and avail-

ability of the incentive and some of them are based on location," he said.

Four productions Utah missed out on had total budgets of \$244 million. They include "Leverage," a TNT series that has spent \$165 million over six seasons shooting in Oregon; the movie "True Grit," which spent \$38 million in New Mexico; "Longmire," an A&E series that has spent \$34.5 million in New Mexico while shooting 23 episodes over two years; and "When Calls the Heart," a Hallmark Channel series that is expected to spend \$7.2 million for its first season shooting in Vancouver, British Columbia.

Utah also was unable to land "Army Wives," a Lifetime series in which 97 episodes have been shot in South Carolina; "HR," another Lifetime program, shot in Georgia; "Dear Eleanor," an independent movie shot in Colorado; and the film "Inception," shot in Canada.

Over the history of Utah's film incentive program, Utah has lost productions primarily to New Mexico, Georgia, Canada and California, Moore said. Forty states offer production incentives of different types, as do several other countries.

"Fortunately, there's a move-

ment in Hollywood really to keep production in the United States," he said.

"As many projects as we land and conversations that we have, we get some but we don't get them all. And I think it's important to note that as we're talking to one single production company about coming to Utah, they're talking to multiple other places, too. So the competition is very fierce to land these productions," he told the Governor's Office of Economic Development (GOED) board at a recent meeting.

Mel Lavitt, the board's chairman, understood. "We're in the game," Lavitt said. "We're not going to win them all because you can't. But we're in the game, and that's what's really important."

Stan Ellsworth, host of BYUtv's "American Ride," in which he rides his motorcycle in different parts of the world to tell about history, said the state has benefitted the show.

"Because of your generosity, we've been able to spread the story of Utah — 1847 to the present — across the nation and around the world," Ellsworth told the board. "We've broken down stereotypes. We've opened doors. We've made people rethink their attitudes about Utah and the people who live here."

Utah Investment & Business Expo

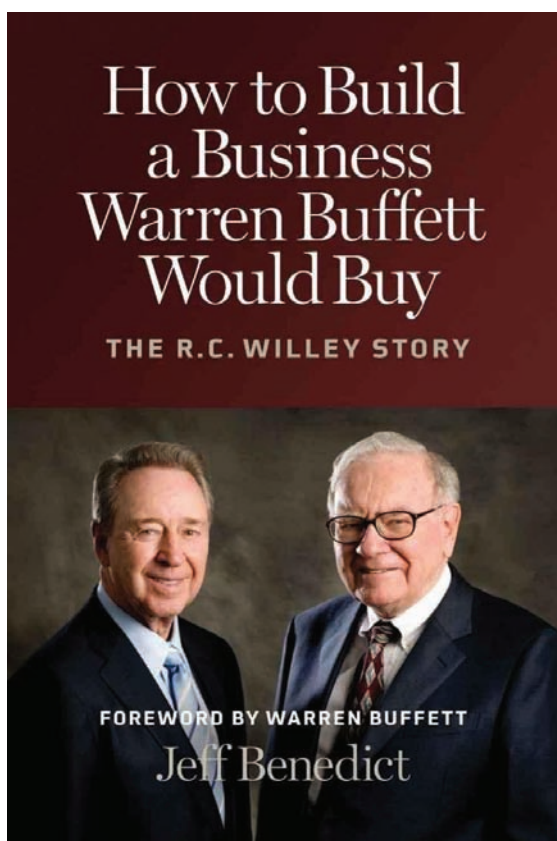
South Towne Exposition Center
9575 S State St. Sandy, UT 84070

April 25-26, 2014

Keynote Speaker:

Bill Child

Chairman of RC Willey



Utah Investment & Business Expo Agenda

	April 25, 2014, Friday	April 26, 2014, Saturday
9:00 AM - 10:30 AM	Utah Business Forum The Outlook of Utah Economy & Business - Governor's Office of Economic Development (GOED)	Stock Investment Seminars: "Stock Market Quarterly Update" (Fidelity) "Trading Exchange Traded Fund (ETF)" (Fidelity) "Technical Trading Strategy" (Charles Schwab)
10:45 AM - 12:00 PM	Keynote Speech "How to Build a Business Warren Buffett Would Buy" Bill Child, Chairman of RC Willey	"The Revolution of Bitcoin" - <u>Janathan Johnson III</u> , Executive Vice Chairman Overstock.com
12:00 PM - 1:00 PM	Lunch Break	Lunch Break
1:00 PM - 2:30 PM	Crowd Funding Seminar - <u>Berny Dohrmann</u> , Chairman of CEO Space Venture Capital Forum - <u>Brad Bertoch</u> , President of Wayne Brown Institute Commercial Lending Forum - <u>Terry Grant</u> , Senior Vice President of Wells Fargo	Real Estate Investment Seminars "How to Invest in Real Estate without Cash/Credit" "Turn-key Investment on Income Properties" "Hard Money for Quick Flip"
3:00 PM - 4:30 PM	Commercial Real Estate Forum - <u>Brandon Fugal</u> , Chairman, Coldwell Banker Commercial Franchise / Business Opportunity Forum	Real Estate / Mining Project Presentation Land & Farm Investment Opportunities
5:00 PM - 7:00 PM	VIP Reception Party	Real Estate Auction



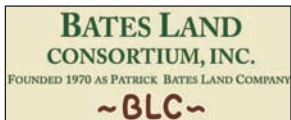
Exhibition & Registration:

Fortune Expo, Inc.

Phone: (385) 888-6888

(801) 688-8929

Web: www.UtahIBExpo.com



Big Piney Mountain Ranch

Park City – Summit County – Utah



Rarely does an opportunity surface to own 7,460 acres of beautiful high country in Northern Utah. Very large holdings are scarce as only 17% of Utah's land is deeded.

The Big Piney Mountain Ranch is an historic and authentic ranch located just 15 miles from Park City's world-renown aura – 34 miles from

Salt Lake City – 47 miles to the International Airport – and only 30 minutes from a fine FBO at Heber City.

The Ranch's close proximity to Park City affords unlimited fine dining, sophisticated shopping, cultural amenities, great art galleries, at least 72 holes of championship golf, and every outdoor activity imaginable capped off by the Sundance Film Festival. A brand new hospital is just 12 miles from the Ranch's west gate.

The Ranch is a 12 square-mile private reserve encompassing marvelous mountain terrain and open grassy parks harboring strong numbers of mule deer, elk and moose. Wildlife of many species flourish in this abundant habitat. Good interior roads provide ready access to all parts of this kingdom. Elevations range from 6,140' up to 8,818' above sea level. Besides the Ranch's recreational attributes, it offers the historicity of cattle ranching in a simple summer grazing operation. It will carry about 250 head of yearlings for five months – readily leasable to capable neighbors. The next owner doesn't need to get in the "cow bidness" other than saddling up to help move cattle between pastures on nice days of Summer and enjoy sparkling Fall roundup rides – but only if desired!

The Big Piney Mountain Ranch is by every measure a true legacy investment for generations – pulling family and friends inside its private gates and affording memorable experiences far from the madding crowds.

The Ranch could provide a great escape for gentlemen who have thoughtfully ensconced their ladies in multi-million dollar yet pinchy-feeling condominiums or cabins at Park City or Deer Valley. Here's a big place to let 'er rip – hunting, horses, four-wheeling, snow-mobiling, friendly poker, and so forth – all based on a wise and enjoyable land investment in the Nation's soundest state. Maybe it's time to go hard with some of the portfolio!

This all-deeded, and contiguous block of high country is zoned for about 80 homesites – a plum for the conservationist – the tax advantages haven't been skinned off of this remarkable trophy!

Offered at \$20,142,000 – a careful survey of large land offerings in the Rocky Mountain West not possessing extraordinary proximity to a major city and world class amenities plus unsullied natural attributes will confirm the investment opportunity embodied in the Big Piney Mountain Ranch.

Please Call Patrick Bates at 801-560-4259 or Download Complete Brochure from Website.



**BATES LAND
CONSORTIUM, INC.**

FOUNDED 1970 AS PATRICK BATES LAND COMPANY

~BLC~

SALT LAKE CITY

800-819-9920

801-521-4259

www.bateslandco.com

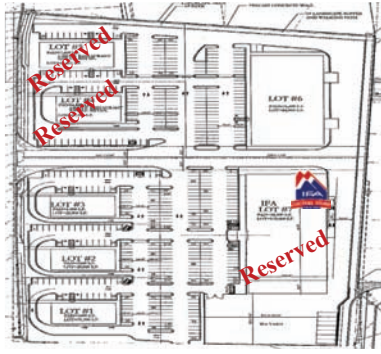




COMMERCIAL DIVISION

1414 E. Murray Holladay Road
801-278-4414

Commercial Lots-Taking Reservations 600 North 900 West-American Fork



Pad Prices:
\$20-\$27/
SqFt

For More
Info
Contact:
Errol
Childs:
801-560-0034

Free Standing Office Building-For Lease 4991 S. Commerce Dr (300 West)



Lease Rate:
\$1,150/Month

- 1,340 Square Feet, Lower Level Storage
- Plenty of Parking Available, M2 Zoning
- 3 Year Lease With Option To Extend

TERRY CONONELOS 801-205-7019

Restaurant Space In Heart Of Holladay 2340 E. Murray Holladay Rd (4685 S)

For Lease: \$2,165/Month Modified Gross



- * Kitty Corner From New Holladay Village. Formerly Gepetto's Restaurant.
- * 2,700 Sqft
- * Additional Space Possibly Available In July

Ray Morrison 801-541-0323

OFFICE BUILDING FOR SALE-GREAT LOCATION



1366 E. Murray Holladay Rd (4670 S)

For Sale: \$1,400,000

Rare Free Standing Office Building In Holladay.

- Approx. 8,930 SqFt
- 0.69 Acres
- Currently Used As Law/CPA Office



George Richards 801-631-9963



FIRST MONTH FREE RENT!!!

1459 East 3900 South



- Lease Rate: \$12.50 NNN
- 2,000 Square Feet
 - Private Atrium Entrance
 - Main Floor Loading Dock
 - Plenty of Off Street Parking

Barry Brinton
801-694-0243

Crystal Richardson
801-641-5687

Exclusive Office Space 2091 E 4800 S (Murray Holladay Rd)



For Sale: \$975,000
10,800 SqFt

- Beautifully Remodeled
 - Highly Visible Location
 - Free Surface Parking
- Kym McClelland • 801-573-2828

NEW 9 LOT SUBDIVISION-LANCER COURT

3270 W. 3650 S. West Valley City For Sale: \$585,000

- West Valley has given final approval
- Across from Granger High School
- Paper Lot Price= \$65,000/Lot



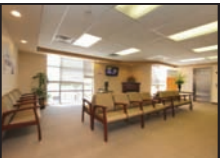
George Richards 801-631-9963



Office Building For Sale Or Lease 470 East 3900 South-Murray



For Sale: \$2,095,000
16,584 Square Feet
Updated In 2008-Multi Tenant Building, Top Floor Medical Office



For Lease: \$13.50/Full Service
#105-2,700 SqFt
#101-1,000 SqFt
Café/Coffe-1,050 Sqft

Bijan Fakrieh 801-918-9000

Office Condo For Sale 2118 East 3900 South-Salt Lake City



For Sale: \$269,000
- 2,048 Square Feet (1,024 on main & 2,048 garden level)
-Perfect For Owner/User

Great Millcreek Location, South Building-Very Private and Quiet, Main Floor Has Tennant

GEORGE RICHARDS, CCIM 801-631-9963

Medical Office Condo For Lease 5292 S. College Dr. #202 (500 W)

Lease Rate: \$15.50 - NNN

- 2,654 SqFt
- 2nd Floor Office
- 3-4 Exam Rooms
- 3 Private Offices
- Waiting & Reception Area
- Break room



GEORGE RICHARDS, CCIM 801-631-9963

One Small Office Space Left 3895 W. 7800 S.-West Jordan



For Sale: \$185/Sq Ft
For Lease: \$13/NNN
- 1,207 RSF/1,030 USF
- High End Finishes, Light & Open
- Across From Jordan Landing
- Close to Bangerter Highway
- Sure To Impress Any Client

GEORGE RICHARDS, CCIM 801-631-9963

Luxury Office Suite-Realtor Building 230 W. Town Ridge Pwky (9670 S)



LEASE RATE \$14.00 NNN
•2nd Floor Office Suite
•2,063 USF-2,427 RSF
George Richards, CCIM
801-631-9963

Office Condo in Heart of Holladay 2160 E. 4500 S. #4



Lease Rate: \$12.00/NNN
For Sale: \$229,500
- 1,326 Sqft, Remodeled
- Plenty of Parking
- Some Furniture & Cabinets Included



GEORGE RICHARDS, CCIM 801-631-9963



3.04 Acres -
\$1,200,000
106 W. Fireclay Ave.
(4295 So.)
-3 Buildings
-Approx. 27,000 SF
Bijan Fakhrieh
801-918-9000



Lake Creek Retreat

Heber City– Wasatch County – Utah



The Lake Creek Retreat encompasses 76 acres of attractive mountain land located approximately nine miles east of Heber City on a paved and county-maintained road.

Less than an hour from most of the Wasatch Front, this holding is a perfect mountain getaway – only 37 miles from Provo and 44 miles from Salt Lake City. Park City's

recreational entertainment cornucopia is a quick 30-minute drive.

The Retreat, situated above the pastoral Heber Valley, is a true recreation destination. Secluded groves of quaking aspen, Gambel oak, spruce, red canyon maple, and juniper provide privacy and seclusion. The Lake Creek Retreat is large enough for hiking, biking, horseback and ATV riding without ever leaving its boundaries. Wildlife is abundant in the thickets and coves.

The Provo River offers some of the best fly fishing in Utah and the Rocky Mountain West. Trophy-sized German browns, cutthroats and rainbows are caught in good abundance. The Retreat is just 14 miles from the River's productive Middle Stretch. Five public golf courses are situated in the Heber Valley, providing great variety and challenge. The premier Red Ledges – a private Jack Nicklaus Signature Championship Course – is just seven miles down the road offering golf and tennis schools plus a swim and fitness center.

Zoning allows development of three homesites adding an attractive investment aspect in this high-demand recreational area.

Competitively Offered at \$525,000 Cash – \$6,908 per Acre.

Please Call David Packer at
801-419-9932
or Download Brochure
from Website.

**BATES LAND
CONSORTIUM, INC.**

FOUNDED 1970 AS PATRICK BATES LAND COMPANY

~BLC~
SALT LAKE CITY

800-819-9920
801-521-4259

www.bateslandco.com



Amazing canyon-like setting in Gilmer Park



1264 Yale Avenue

\$1,480,000

- .58 acres, stream, bridge, privacy & trees
- Tastefully rebuilt, 6 bedrooms, 5 baths, 2-car garage
- Indonesian hardwood floors, high quality wood windows
- Functional floor plan for daily living and entertaining
- Separate guest or au pair suite



Coldwell Banker Residential Brokerage

Sandra Sweetland
801-550-7544

Neil Glover
801-580-7118



**BECKSTRAND
& ASSOCIATES**

Old Mill Corporate Center

6322 South 3000 East, Cottonwood Heights, UT



- **20,500 SF Now Available**
- Open Bay Depths
- Premier Class A Office
- Newly Remodeled Common Area
- Immediate Freeway Access
- Ample Covered Parking
- Full Building Generator Backup
- Fiber Optic Hub
- Expansive Mountain Views
- On-site Deli

Salt Lake City's most prestigious office development. This iconic campus boasts four premier Class A professional office buildings at the foot of the Wasatch Mountains

This landmark location offers immediate freeway access to I-215, ample covered parking, state-of-the-art technology and full building generator backup. The campus was designed to take advantage of the most impressive views of the surrounding Wasatch Mountains, the Old Mill Golf Course and the Salt Lake City Skyline.



Stephanie Dalton

stephanie.dalton@beckstrand.com

Misti Milner

misti.milner@beckstrand.com

801-944-7722

info@oldmillcorp.com



We packed plenty of energy savings into Utah Paperbox.

Utah Paperbox likes efficiency. So they were more than happy to receive cash incentives through our wattsmart® Business program to help upgrade their lighting and compressed air, and add evaporative cooling to make their operation more energy efficient. Those savings help keep costs down for their customers. Your business can benefit too. To learn more call 1-800-222-4335, contact a participating vendor or visit wattsmart.com.



Let's turn the answers on.



UTAH PAPERBOX IN SALT LAKE CITY:

- Saves \$88,460 and 1.2 million kwh annually
- Received \$107,000 in incentives
- Payback before incentives: 1.6 years; payback after incentives: 0.4 year

© 2014 Rocky Mountain Power wattsmart is registered in U.S. Patent and Trademark Office.

Pictured from left: Dave Spalding, customer and community manager, Rocky Mountain Power; Stephen Keyser, president, Utah Paperbox and Paul Keyser, board chair, Utah Paperbox