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The NAA is here to help Auctioneers change along with the industry



A topic from this issue of *Auctioneer*, the changing family business, hits close to home for me. As a secondgeneration Auctioneer who is now bringing a third generation into the business, I know we need to think carefully about our future.

By B. Mark Rogers, CAI, AARE, NAA President

Many of you are in the same boat as I am — trying to balance the tradition of our business and looking at

incorporating change for the future. It is hard work. Being in a family business can help, but it can also make change more difficult. The articles in the March and April issues of *Auctioneer*, as well as Dr. Greg McCann's presentation at Conference and Show this year in Orlando, Fla., will help us set the direction in this time of change.

At the National Auctioneers Association, we are working to provide you information, education and tools to grow your business or to make you more efficient. If you aren't in a family business, our goal is still the same.

Future plans

As I write this, the Education Institute Trustees and Board of Directors are preparing for their respective meetings in March and April. During those meetings, we will be discussing the report generated by the Council on Future Practices. This is a group I appointed to identify how societal trends are affecting our auction businesses. We know that there are things happening "out there" that affect us, such as the government, the economy and technology. How can we take what is happening and make sure it has a positive effect on us as small business owners?

As a Board member, we need to determine what things we need to provide the NAA Auctioneer to be successful in this business environment. As an EI Trustee, we need to determine what kind of education can help. These are hard questions for hard times, but I am confident we will develop a plan that will produce favorable outcomes. These outcomes won't happen overnight, but the NAA must address the challenges the Council has identified.

The Council on Future Practices will be delivering a Conference and Show program July 13 about its report,

and we will continue to discuss this in future issues of *Auctioneer*.

In addition to the Council's education program, the EI Trustees have developed an education program this year that is outstanding, again focusing on making you successful. You will find programs on data analytics, family businesses and much more.

Educational resources

In regards to how we find educational programs and speakers, I would like to share a quick story: NAA Chief Executive Officer Hannes Combest, CAE, and NAA Vice President Christie King, CAI, AARE, BAS, attended the Florida Auctioneers Association convention in October. During their stay, they were approached by a young woman who had recently joined the NAA, Emily Dudley (of Dudley's Auction, Inverness, Fla.). Her parents have been in the business and have been members of the association for the past few years.

Emily is working toward her college degree, and she shared information about a professor she has in a course on Family Business. After reviewing this professor's credentials, the NAA's Director of Education, Michael Avery, added him to the conference education program and is working with him, along with Emily, to make sure he understands the auction business. This shows how everyone has a piece of developing a successful conference program. Thank you, Emily!

We have a lot going on at the NAA, which may be why we have four candidates for Vice President and six candidates for two Board of Director vacancies. It's a good feeling to know that not only are we focusing on continuing our family businesses, but we are also focusing on making sure that the NAA continues as well.

Hope to see you all in Orlando!



Young Auctioneers should seek the encouragement of experienced professionals



"You can't be an Auctioneer!"

Those were the first words out of Phyllis' mouth when I told her

By Rachel Gingell

about my plans. This long-time family friend was horrified by the thought that I, a 16-year-old girl, would ever dream of pursuing the auction profession. If your experience has been anything like mine, you can probably remember similar discouraging experiences as you started in the industry. Let's face it: the auction profession has its fair share of challenges, and getting started can certainly be difficult. I believe these difficulties are further compounded for young Auctioneers, and that the encouragement of older, more experienced Auctioneers is the perfect antidote.

It's been the consistent encouragement of the auctioneering community that's enabled me to be successful as a young Auctioneer. Shortly after speaking with Phyllis, I ignored her advice and went off to auction school. Two days into the class, I was already feeling overwhelmed. "Phyllis was right," I told my dad over the phone, "I really can't become an Auctioneer." Dad practiced some tough love and told me I had to stay, but it wasn't long before my employer caught wind of it and gave me a call. "Now, Rachel," he said, after asking how the week

was going, "I'm sure you're doing just fine. In fact, when you get back, I think I'll set you up with a microphone and have you sell at our next auction." What a confidence booster! He was true to his word, too. At the next auction he put me behind the microphone and had me start selling. Without his practical encouragement, I'm not sure if I ever would have worked up the courage to sell at auction.

I'm not the only young Auctioneer who owes my success to the encouragement of others, either. While speaking with other 2010 International Junior Auctioneer Championship competitors, I've come to realize the key place the encouragement of more experienced Auctioneers has had in all of our careers. Through these conversations, I've uncovered key tips from experienced Auctioneers as they seek to provide practical encouragement for their less-seasoned counterparts.

In the next year, I plan to share in *Auctioneer* practical tips to encourage the next generation of Auctioneers. This is important because investing in the life of a young Auctioneer is investing in the future of the industry you've worked so hard to advance. We must be proactive in encouraging younger Auctioneers.

Gingell of She \$old It!, Lapeer, Mich., is a National Auctioneers Association member. □

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board member profile

The **BIG** picture

Military background helps outgoing Board member think strategically

By J.J. De Simone Special to Auctioneer

The decision to transition from public service to the private sector was a relatively easy one for National Auctioneers Association Board member Shawn Terrel, CAI, AARE.

"I wasn't fully satisfied in what I was doing in law enforcement," Terrel of Smithville, Mo., says. "One day, my former neighbor encouraged me to go to auction school in Missouri. He allowed me to work as a set-up person and ringman and eventually a bid caller."

In 1997, Terrel took his leap into the profession full time when Perry Wiggins Jr., CAI, AARE, of Enid, Okla., hired him to work for Wiggins Auctioneers. Wiggins says Terrel's positive demeanor was an advantage for him in his new profession.

"He was an outstanding employee," Wiggins says. "He is a genuine person. I never saw him as an employee, but as a friend." Terrel's yearly training with the U.S. military each July didn't allow him to attend annual Conference and Show events from the NAA; however, he kept up with the training and education provided to him when Wiggins returned from the show each year. After retiring from the Army National Guard, Terrel says he immediately became more active in the NAA, realizing its important benefits.

"The NAA is the only organization and portal of its kind that offers education, training and networking to Auctioneers at the national level," Terrel says. "I still live by the rule that we all have a responsibility to belong to our state and national Auctioneer associations if we are going to operate a business in this industry."

United Country

In 2006, Terrel moved to Kansas City, Mo., after accepting a position as Vice President for United Country Auction Services. His position requires him to deliver strategic auction training, education, technology and marketing to more than 4,000 Auctioneers and real estate professionals across the U.S., Costa Rica, Panama and Mexico.

United Country Auction Services President Mike Jones, CAI, GPPA, says Terrel's work ethic is second to none.

"He came from an exceptional background, and he's always looking for innovations," Jones says. "Because of his previous military background, he's very effective at teaching people. His training experience and attention to detail has paid dividends in his auction career."

Board of Directors

Terrel says that in 2009, he saw the auction profession growing toward uncharted waters. With the knowledge afforded to him by his background and his comfort with his professional situation, Terrel was motivated to run for the Board that July.

"There's a lot of history and heritage in the NAA, which is what I love most about this industry and our association," Terrel says.

"What I bring to the Board is the ability to step back and make strategic decisions that may not be the answer we would have chosen historically, but more importantly, need to be done today."

Terrel's ability to step back and look at the bigger picture has proven to be a benefit for NAA members, Jones says.

"Sometimes, he might ruffle some feathers," Jones says. "He's not on the Board just for the title. He works hard to make sure the NAA members are always represented." □



or www.hudsonandmarshall.com



By Bryan Scribner editor

emand and prices are strong at livestock auctions as another good year could be in store for exports, say National Auctioneers Association members.

cover story

In fact, commodities such as cattle, pork, soybeans, corn and cotton all have performed well in about the past six months, says Doak Lambert of Lambert Auction Co., Coppell, Texas. Lower supplies have increased demand.

The cattle industry has experienced a gradual decline in herd numbers for three to four years, says Lambert, who sells mostly breeding cattle.

"We're at the lowest cow herd numbers since the late 1950s," he says. "And our population has grown, so, obviously there are more people wanting to consume the product."

In early March 2010, auctions for breeding cattle brought \$3,000 to \$3,500, Lambert says, and at about the same time this year, those auctions were in the high \$3,000s to low \$4,000s.

Business is good

Lambert says he has a positive outlook for 2011. The business is good for Auctioneers who work on commission.

"On the commercial side of things, 2010 was the best export year we've ever seen for beef," he says. "We finally exported more than we imported. I don't know if that trend will continue in 2011, but that has a huge impact, as well, on demand."

Lane Varner of Varner Livestock, Delta, Colo., works as an Auctioneer for his father's livestock business. He says his family's sales yard is seeing strong demand for horses, cattle, pigs and sheep.

"This is about the best that the livestock market has been in a long, long time," he says. "Even if you look at sheep and goats right now, they're at an all-time high.

"There are so few of them and the demand's so high for them that it's out of control — people are willing to pay that much to get them."



Cautious optimism

Even if a single cow at his auction doesn't bring the highest price possible, he says sellers are still happy because market prices are strong. Varner has an optimistic outlook for 2011, though he says there's reason for some caution.

"Last year I should've been buying cows and saving them up and selling them now," he says. "The market's always a tough thing to predict. My feeling is it can't stay this high for very long.

"As long as it's good, there are a lot

of people out there, especially farmers and ranchers, that could really use the money right now."

Like Lambert, Varner says many ranchers in his area are selling or even downsizing to take advantage of the strong prices. Farmers and ranchers are retiring or passing away, and younger generations are not filling those roles.

Varner, 22, owns 50 head of cattle, which he says can get expensive, especially for those who wish to enter the livestock business. He says even the

livestock

continued ►

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The Livestock Marketing Association, Kansas City, Mo., launched its "Local Auction Markets" advertisement in early 2011, says Mark Mackey, chief executive officer for the association. "People complain about commission, but in the big scheme of things, commission is just a small investment," he says. Courtesy Livestock Marketing Association loss of smaller producers can hurt the auction industry.

"If you don't have the place to do it (feedlot) and the facilities, it's hard to own cattle," he says. "You lose four or five guys in one year, and before you know it you're out 1,000 head in that county."

Barriers to entry

Lambert says his average customer is in his mid- to late 60s, and farming and ranching jobs are becoming less attractive to younger generations. Like Varner, he says it's difficult for newcomers to put the capital together for equipment and land, and therefore corporate farming continues to increase.

Kyle Shobe of United Country — Shobe Auction & Realty, Lewistown, Mont., agrees that one of the livestock industry's most pressing challenges now is a lack of interest from younger generations. He says; however, that a lot of family-based operations in Montana are successful.

Land is expensive, and that's one of the big reasons young people are having a tough time getting into the business. The silver lining, though, is that larger, corporate farms can provide a start for aspiring ranchers, Shobe says.

"That provides an opportunity for younger people to get into the business and work," says Shobe, 2010 winner of the Livestock Marketing Association's World Livestock Auctioneer Championship.

"Undoubtedly, the recreational (land) buyer has evaporated. That has brought the levels down to a level where at least somebody in production could think about buying. Still, nobody's getting any bargains."

For the Auctioneer, though, it's a great time to be in the livestock industry, Shobe says. The high prices resulting from strong demand have

Livestock prices

Price March 21	Change from 2010
79.98	16.5%
114.24	18.6%
180.94	54.1%
6.545	89.2%
13.295	42.2%
356.4	27.9%
7.655	80.3%
11.525	58%
7.18	52.8%
10.46	84.8%
	79.98 114.24 180.94 6.545 13.295 356.4 7.655 11.525 7.18

Source: USDA Livestock & Grain Market News

reduced some of the pressures associated with auctioneering.

Also with cautious optimism, Shobe says he looks forward to what 2011 might bring.

"As long as there's the demand to support it, and as long as each sector of the industry continues to be able to make money, then it will continue to be sustained," he says. "I think 2011 will be an exciting year."

Marketing

Livestock Auctioneers report they're finding increased success through electronic media.

Lambert says the Internet has boosted sales for his business, as it gets a lot more advertising in front of people at lower costs than traditional promotions. E-mail blasts are proving effective, as well.

One drawback, though, is livestock auctions are often in rural areas with poor or nonexistent Internet connections. Sometimes the only options for Internet sales are expensive satellites, and Lambert says auction owners don't want to endure those costs.

Also, he says it's difficult to find people with skills in the newest technologies who also have a good grasp of the cattle auction industry.

A recent graduate of auction school, Varner says he changed the speaker system in his family's livestock arena to make its auctions more professional. The company also has introduced Internet auctions.

continued ►

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"You may not get too many bidders on there ... but once in awhile, you'll get a guy that calls up, and he can't make it. He needs more cows in the feedlot, or he needs more calves, and he can't get there," Varner says. "It's a real effective tool for some people."

Another marketing advantage Varner says his company takes pride in is its sorting technique, something he says

Better left unsaid



Editor's note: This column first appeared in the March 2011 issue of Gulf Coast Cattleman

Like most people involved in selling livestock, I believe that the faster you sell them the better it is.

By Lee Pitts

When it comes to auctions, the speechifying should be kept to a bare minimum. For one thing, there's usu-

ally nothing anyone can say that the ranchers on the seats don't already know. Cattlemen these days are very astute, they've had to be to have survived this long, and they've studied all the numbers, EPD's and statistics to know which stock they want and how bad they want them. The only question is the price. The buyers have also studied the animals for hours, so what is an Auctioneer or ring crew, who may have showed up at the sale site an hour ahead of time thanks to United or American Airlines, going to tell them?

When it comes to auctions, you should never give anyone the chance to say anything stupid. I especially believe that consignors should be like kids: seen but not heard. At a horse sale one time, the Auctioneer and the owner were on the block together (never a good idea). The owner kept interrupting to say things like, "If you're worried about that little knot on his leg don't be. We've had the vet look at it, and we guarantee the horse for 60 days." That little speech stopped the bidding cold. The sale pavilion went from sounding like a hog with his snout caught under a gate to being as silent as a church on a Monday.

And it was totally unnecessary because no one had seen the "tiny knot" before the owner mentioned it. For reasons I don't understand, horses are sold very slowly in comparihas contributed to successful auctions. He says the company spends extra time making cattle look as uniform as possible, whether it be by color or weight.

"To me, in the livestock industry, marketing through an auction is always the best thing to do," he says. "If you can have competitive bidders there from sale to sale, you're going to have a great auction all the time." □

son to cattle. But when you sell livestock slowly it gives anyone the opportunity to make a speech. We were selling horses in Utah one time, and the Auctioneer was slower than a turtle with bad knees when a local yokel stood up in the crowd and said, "You're just penalizing this horse because of the way he acted in the preview. He's not that way normally."

Even though the speech maker was a friend of the consignor, I doubt if they were still friends after the sale because the Auctioneer was unable to get another bid because everyone was wondering what the horse had done in the preview that none of them saw.

Jerry McAdams, who publishes a great newspaper in Hico, Texas, and is also a fantastic artist, recently told me about one of the last times he worked ring at a sale. As publisher of *Track Magazine*, he showed up to work a Paint horse sale at the Fort Worth Stock Show. When a class-winning Paint filly was being sold, one ringman told another ringman who liked to hear himself talk, "Jimmy, tell them they're penalizing this horse because of his head."

Of course, there was nothing wrong with the award-winning colt's head.

Jimmy, who didn't have the brains of a dead sheep, interrupted the Auctioneer, got up on the ropes and yelled, "Colonel, they're just penalizing this horse because of his head." The disbelieving Auctioneer replied, "What?" And Jimmy repeated it. The owner leading the horse, and everyone in the stands, were so busy studying the horse's head they forgot to bid.

Having said all that, some rare speeches can be good if made by the right person. I used to work with a really good ringman who was a "fully-functional drunk." Al-

cover story

though he liked to hit the sauce he could always be counted on to make a short, pertinent comment to help sell the stock. His word was respected at ringside because everyone knew he was a stockman.

We were selling purebred cattle in Oregon this day and the wreck was on. The owner had to blame someone, other than himself, so he called the publisher of the magazine the drunk represented and said this:

"The ringman you sent to my sale showed up sober, but by the time my sale was over, he was falling down drunk. His comments at ringside ruined my sale." To which the publisher replied: "I can say with 100 percent confidence that did not happen."

"How can you be so sure, you weren't at my sale," screamed the purebred breeder.

"Because you said he showed up at your sale sober. My dear man, I can guarantee that as long as he has been employed by me he never showed up sober anywhere, anytime."

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Connect with your community One event per week could go a long way toward building a good business reputation

By Nancy Foster Special to Auctioneer

It's a philosophy that might not only apply in love, but also in networking.

"You have to kiss a lot of frogs to find a prince," says Gayle Hallgren-Rezac, co-author of "Work the Pond!," a book that discusses the power of positive networking.

Hallgren-Rezac says that simply means you have to meet a lot of people in order to generate business contacts. Networking is a must, she says, and you must motivate yourself to do it.

But it's an art.

"People may say, 'What can that person do for me?,' and that's really the wrong attitude," she says.

Networking is about discovering what you can do for somebody else, Hallgren-Rezac says, a mindset you should adopt upon entering a room.

"It totally changes the way you think about networking," she says. "And does it work? It absolutely does."

She recommends attending at least one event per week where you can meet seven new people. By connecting with those in your community, you build your reputation and brand, she says.

"Yes, it's important to look for strategic contacts," Hallgren-Rezac says. "But really, the idea is to build your brand in the community, so when people think of Auctioneers, they think of you."

Overcoming nerves

Anxiety about networking is normal, she says. About 80 percent of people experience nervousness — something to which National Auctioneers Association member Eric Vaughn, CAI, of Mcdonough, Ga., can relate.

Vaughn, a licensed Auctioneer for nearly 45 years, still gets nervous when contacting someone for the first time.

"That nervousness never goes away," Vaughn says.

Finding common ground helps, he says. And, like Hallgren-Rezac recommends, the most important thing is to just get out there.

"The main thing is just doing it," Vaughn says. "The more you do it, and the more you get involved with it, the easier it is." □

How to get the most from networking at Conference and Show

- Attend breakfasts and eat a good meal, as conferences are one of the best opportunities to network, and you'll need your energy
- Be a participant not just a seat warmer
- Speak up and engage others
- Attend all social events
- Avoid sitting and mixing only with people you know
- Seize the moment because you could meet one of your most important business contacts at Conference and Show

Source: Shepla Learning Co.

Networking tips for the Auctioneer

- Get business cards, and give them out
- Make others feel comfortable
- Talk to the wallflowers, and include everyone in the conversation
- When you receive an invitation to attend something, go
- As you walk up to someone, decide you are going to like that person – it's a self-fulfilling prophecy
- If you fear going alone to events, take someone with you
- Start conversations
- Read the newspaper, and find three interesting articles to bring up when conversations die

- Ask simple questions, such as, "What brought you to this event?"
- Treat all your contacts like gold
- Keep track of things you promised and information about people you've met, such as spouses' names
- · The best networkers send handwritten notes
- Face to face is the real currency, so get out once a week and build your network
- Join social networking websites

Source: Shepla Learning Co.

Don't miss deadlines for Conference and Show 2011

April 27

National Auctioneers Association and USA **Today Marketing Competition** All entries must be submitted by mail, and the NAA must receive them by 4 p.m. April 27. Late entries are disgualified.

Mav 25

Conference registration Rates increase May 26

Preconference education registration Rates increase May 26

Hotel cutoff

To secure the NAA discounted rate, you must make your reservation by the deadline. After the deadline, reservations will be accepted on a space-and-rate-available basis only.

International Auctioneer Championship (IAC)

Late entries are not allowed. Go to www.conferenceandshow. com for more information.

June 1

Mail-in ballots Active and retired members shall be entitled to vote in person in all meetings of members. Associate, affiliate and National Auctioneers Association Auxiliary members shall not be entitled to vote. Active and retired members may request a mail-in ballot in writing by June 1 or the closest business day before June 1. Ballots will be mailed out by June 1 or the closest business day after June 1. Ballots must be returned, postmarked by July 1; envelopes must contain an individual's name and member number in order to be valid. Members who return a ballot by July 1 cannot vote at the annual meeting. Sealed ballots will be turned in to the Election Committee.

June 21

Fun Auction donations

Donation forms received by the deadline will be promoted on the NAA website and included in the Fun Auction catalogue.

July 12

International Junior Auctioneer Championship (IJAC)

Advance entries must be received by July 1 at the NAA headquarters office. On-site entries must be received by 5 p.m. EST at the NAA Registration Desk located in the Caribe Royale **Convention Center.**

For additional Conference and Show information, go to www.conferenceandshow.com.

The NAA thanks its 2011 Conference and Show sponsors:



Auction Flex Clerking software for the Fun Auction www.auctionflex.com



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"The Shoe" and you Consider long-arm jurisdiction when doing business out of state



Sometimes a small event triggers a big change. Like the time back in the 1940s when a salesman traveled from Missouri to the State of Washington to take an order for shoes. That incidental transaction triggered a dispute between the state and the shoe company. The result was a landmark decision by the U.S. Supreme Court that led to the establishment of new law in every state which applies to

By Steve Proffitt

each of us today, including Auctioneers. All of this happened as a result of the Court's 1945 ruling in the case of International Shoe Co. v. Washington.

International Shoe Co. was incorporated in Delaware and headquartered in St. Louis. The company had several sales agents who worked in Washington. These sales agents traveled around the state and showed the company's products at various locations. The firm had no established location for doing business in Washington and its sales agents merely accepted orders and sent them back to St. Louis for processing. Washington assessed a tax against the company for contribution to the state's unemployment compensation fund. The company challenged the tax in Washington state court arguing that the state had no personal jurisdiction over it to assess or enforce the tax. This challenge was unsuccessful.

The company appealed the adverse ruling to the U.S. Supreme Court. In an opinion delivered by Chief Justice Harlan Fiske Stone, the high court held that the due process clause of the 14th Amendment to the U.S. Constitution requires that a person or entity have "certain minimum contacts (with the subject state) ... such that the maintenance of the suit does not offend 'traditional notions of fair play and substantial justice.'" The ruling further held that International Shoe Co. was subject to Washington's jurisdiction because it engaged in substantial business there, enjoyed the benefits and protections provided by the state to those within its borders and had access to the state's courts to resolve disputes.

"Long-arm statutes"

The ruling in International Shoe was an invitation for all states to enact legislation that became known as "longarm statutes." These acts defined the types of contacts that would satisfy the "minimum contacts" test and allow a state to exercise jurisdiction over nonresident persons and entities. Long-arm statutes commonly stated "a laundry list" of defined points that would represent "minimum contacts" and trigger personal jurisdiction over a defendant. Included were such items as transacting business in the state, contracting to supply goods or services there, causing damage or injury in the state through various acts, omissions, or breaches of warranty, having an interest in real estate located in the state, and contracting to provide insurance to the state's residents.

Over time, these legislative laundry lists have given way to a broader, umbrella approach. Consider Alabama's present rule, which states in pertinent part: "An appropriate basis exists for service of process outside of this state upon a person or entity in any action in this state when the person or entity has such contacts with this state that the prosecution of the action against the person or entity in this state is not inconsistent with the constitution of this state or the Constitution of the United States ..." The tail of this rule is what is called a "catchall" phrase in drafting, and it has the effect of stretching the law to the furthest extent that the courts will allow. This defines the reach of long-arm statutes today.

Crossing state lines

These statutes are applicable to many situations, both business and non-business. The law increasingly has meaning for Auctioneers as they cross state lines in search of new business, accept consignments from residents of other states to sell, and sometimes physically work in these foreign jurisdictions.

Each of these activities is a potential trigger for personal jurisdiction under the other state's long-arm statute. In the event a dispute should arise between an Auctioneer and a resident of the other state, or the state itself, such activities could lead to an "invitation" for the Auctioneer to come into that state to defend a lawsuit in its courts and under its law. This is an extremely important point for Auctioneers to know and remain mindful of in all that they do.

So exactly what can an Auctioneer do before the "long arm" of another state's law might rope her into litigation in that state? The answer will depend upon whether such conduct would satisfy the "minimum contacts" test of International Shoe. That determination would be made in the court in which a lawsuit was filed. One evolving area is of particular concern for Auctioneers who might not imagine that they could be sued in another state. Some Internet sellers have been subjected to the jurisdiction of the state courts where their buyers reside. This could mean that an Auctioneer who sells over the Internet in a Western state might be held to account for that sale in an Eastern state — or one who sells in a Northern state might be hailed into a Southern state's courts.

Contract it away

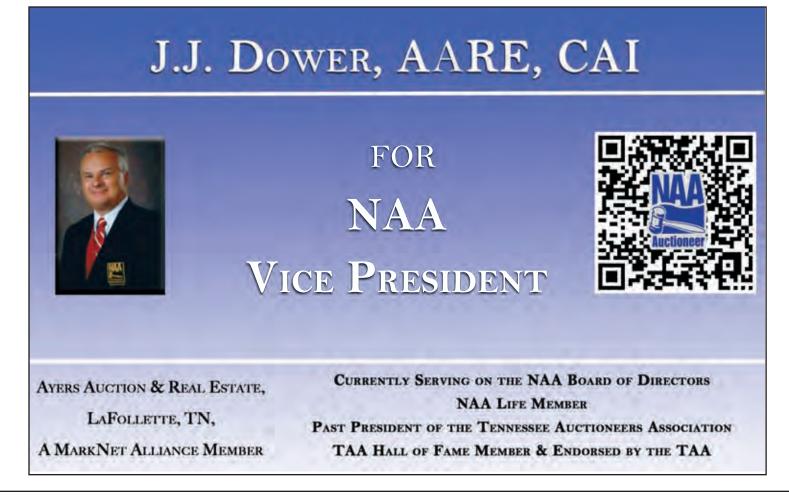
Auctioneers can often minimize the threat of long-arm jurisdiction being exercised over them by having an opposite party contract it away.

An Auctioneer might accomplish this with a seller by including an appropriate term in the auction contract. Here is an example: The parties agree that any action, arbitration, award, claim, complaint, cost, damage, deficiency, demand, expense, indemnity, injury, judgment, liability, loss, obligation, penalty, and suit of every kind will be exclusively construed and governed in accordance with the laws of the State of (Auctioneer's home state), without regard to its conflict of laws principles. The exclusive jurisdiction and venue for any claim or controversy between the parties is (Auctioneer's home city or county and state).

The same protection might be achieved with bidders and buyers by including a like provision in the terms of auction.

Life is full of surprises. Do not let the law spawned by International Show surprise you. Before doing business with anyone outside of your home state, you should consult your attorney to learn your potential legal exposure and how you can try to keep any subsequent dispute in your "backyard."

Steve Proffitt is general counsel of J. P. King Auction Company, Inc. (www. *jpking.com*). *He is also an Auctioneer* and instructor at Mendenhall School of Auctioneering in High Point, N.C., and Reppert School of Auctioneering in Auburn, Ind. He welcomes questions from readers about auctions and auctioneering. Readers' communications may be edited and revised. Proffitt will answer selected questions, but he cannot provide personal answers. His answers do not represent legal advice or the formation of an attorney-client relationship and readers should seek advice from their own attorneys on all matters. Please submit questions to sproffitt@jpking.com or c/o J. P. King Auction Company, Inc., 108 Fountain Avenue, Gadsden, AL 35901.



Consider control when classifying workers There are several factors the IRS takes into account

Kurt R. Bachman and Beers Mallers Backs & Salin LLP appreciate the opportunity to review and answer legal ques-

Auctioneers.



Bachman is an attorney and licensed Auctioneer from LaGrange, Ind. He can be reached at (260) 463-4949 or krbachman@ beersmallers.com.

The answers to these questions are designed to provide information of general interest to the public and are not intended to offer legal advice about specific situations or problems. Kurt R. Bachman and Beers Mallers Backs & Salin LLP do not intend to create an attorney-client relationship by offering this information, and anyone's review of the information shall not be deemed to create such a relationship. You should consult a lawyer if you have a legal matter requiring attention. Kurt R. Bachman and Beers Mallers Backs & Salin LLP also advise that any information you send to an Auctioneer shall not be deemed secure or confidential. Please visit one of our offices to ensure complete confidentiality.

Is my weekend help considered contract labor?

Q: I often hire friends and temporary workers to help prepare for and conduct weekend auctions. At what point do these workers (contractors) become employees? What kind of paperwork must I have on file for these people, and what are my legal obligations?

A: Many Auctioneers have auctions in which they hire individuals to work as Auctioneers, ringmen, clerks or cashiers. The Internal Revenue Service evaluates multiple factors in order to determine whether an individual is an employee or an independent contractor. The primary factor under the IRS analysis is the amount of control the business exerts over the individual. But, several factors are considered with respect to how a worker is classified.

o determine whether an individual is an employee or independent contractor, the IRS examines three broad categories: (1) behavioral control, (2) financial control and (3) the relationship of the parties. First, under the behavioral control category, the IRS looks at issues such as the type of instruction given by the company to an individual, whether he or she uses his/her own tools and materials and whether the individual is supervised closely by the Auctioneer. Second, with respect to financial control, the IRS inquires about whether the individual was reimbursed for business expenses and the extent of the individual's investment. In addition, the IRS examines the extent an individual's services are available in the marketplace and the type of payment, such as an hourly wage or payment per job. Third, the IRS will evaluate the type of relationship between the business and an individual. At this point in the analysis, the IRS will consider written contracts describing the type of relationship the parties intended to enter, as well as the benefits (insurance, vacation pay, pension plan, etc.) provided, if any, to

the individual and the permanency of the work.

Security guard

The factors mentioned above are evaluated on a spectrum. At one end of the spectrum is an employee and on the other end of the spectrum is an independent contractor. Of course, there are some individuals who fall in the middle of the spectrum and raise questions over their correct classification. For example, Auctioneers may hire a security guard to patrol the auction site and to protect the property from theft or damage. The Auctioneer will probably provide minimal instructions to the security guard and the guard will operate without a great deal of supervision. From a behavioral point of view, the guard would be closer to the independent contractor end of the spectrum. From a financial control standpoint, the security firm will likely charge a flat rate for the guard's services. Also, the method of payment will likely be contained in a written contract between the Auctioneer and the security firm. Under the financial control analysis, the security guard is closer to the in-

the opportunity to review and answer legal questions that will be of interest to legal

NOW HRING

dependent contractor end of the spectrum. If there is a written contract, then it should describe the duties of the security firm's guards and the time period for the security firm's services. The relationship between the Auctioneer and the security guard can be determined by reviewing the contract. The contract probably even states that the security guard is an independent contractor. Again, these factors would indicate that the guard is more likely to be classified as an independent contractor than an employee.

Auction clerk

In contrast, a person employed to clerk an auction sale may be classified as an employee by the IRS. For instance, the clerk will be working at the direct instruction of the Auctioneer, will be using the Auctioneer's tools, possibly wearing a shirt with the Auctioneer's logo and will likely be paid by the hour. The clerk would be under the Auctioneer's supervision and control. The clerk would be closer to the employee end of the spectrum on the three factors. If the same person worked as the clerk at every Saturday auction sale conducted by the Auctioneer, does this make him or her an employee? What if the same person clerks only at one auction sale per month? The permanency, frequency and regularity of the relationship would be considered. If an Auctioneer engages someone with the expectation that the relationship will continue indefinitely, rather than for a specific project or period, it is generally considered evidence of the intent to create an employer-employee relationship. The specific facts in each case will determine whether an

individual is an employee or an independent contractor.

Forms

Auctioneers who employ temporary workers may elect to complete IRS Form SS-8, Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding, and submit it to the IRS. The IRS will review the information provided and give a decision on

whether it considers an individual to be an employee or independent contractor. An individual can also file Form SS-8 with the IRS to have his or her status evaluated. If an Auctioneer classified a worker as an independent contractor and the IRS determines the worker is an employee, the Auctioneer could be responsible for unpaid employment taxes. If an Auctioneer classifies an employee as an independent contractor without a reasonable basis for doing so, the Auctioneer will be liable for employment taxes for the individual. If there is a reasonable basis, the Auctioneer may be relieved from having to pay employment taxes for that individual.

Auctioneers should also be aware that the IRS is taking a closer look at how workers are classified. Consequently, Auctioneers should evaluate their worker's classification to reduce the likelihood of a misclassification. IRS Publication 15-A has additional information that may help Auctioneers make the proper classification. The primary factor is control. The more control an Auctioneer exerts over an individual while performing services at an auction, the more likely he or she should be classified as an employee. \Box

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- Served on NAA Auction Extravaganza
- Seminar Presenter for 1995 Conference & Show 2004 to 2006 in Niagra Falls, NY.
- Served on Nebraska Auctioneers Association Board of Directors
- Endorsed by the Nebraska Auctioneers Association

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Jimmie D. Coffey, CAI, AARE, BAS, CES, GPPA, presents Marietjie Maria Keet, AARE, CES, BAS, of Marietjie Keet Auctioneers, Pretoria, South Africa, with the Pat Massart Award during the opening brunch of CAI 2011 on March 20. The award is for best auction proposal among CAI II students. Photos by Ric Cradick



NDIANA MEMORIAL I

CONFERENCE C

Sara Rose of Rose Auction Group LLC, Fort Myers Beach, Fla., presents the Rose Award to Jodi Reynolds of Aumann Auctions Inc., MarkNet Alliance Member, Nokomis, III. The award is for best auction summary among CAI III students, who are required to complete the summary in order to earn their CAI designations. Joining Rose in the presentation at CAI 2011 on March 20 is Jimmie D. Coffey, CAI, AARE, BAS, CES, GPPA, of United Country — Coffey Realty & Auction, Bloomington, Ind. Rose is the granddaughter of David Rose, for whom the award is named.



David Hart, CAI, AARE, of Rowell Auctions Inc., Moultrie, Ga., teaches CAI I students in his "Ethics" presentation March 21. Photos by Bryan Scribner



CAI I student Trisha King of Top Dollar Benefit Auctions, Roeland Park, Kan., participates in the Casino Night networking event March 20 during CAI 2011. NAA Auctioneers celebrated 35 years of the Certified Auctioneers Institute in late March.



Peter Gehres, CAI, CES, of United Country - Gryphon Realty & Auction Group, Hilliard, Ohio, discusses with CAI students real-world situations applicable to the auction industry in the "Case Studies" presentation during CAI 2011 on March 22.

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CAI WEEK 2011 Course I

Photos by Ric Cradick



Course II



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CAI I

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John Malone Stephen C. Mayers Mark D. Moore Courtney A. Nitz-Mensik **Richard Todd Parks Dustin B. Rogers** Sara Michelle Rose Samantha Elaine Rowell David Runte, GPPA Gayle M. Stallings, BAS Jodi Lynn Sweeney, BAS Brad W. Wooley

CAI III

Bruce Wayne Allison Ross Bandy Mark Beacom Larry W. Benton, Jr., AARE, CFS **Richard G. Branch** Harry N. Burgess, GPPA Julie Carter Chris Colson Luther D. Davis, BAS Rafe Dixon, AARE, CES Bill B. Eberhardt, AARE, CES Scott A. Edberg, ATS, CES Thomas Raymond Giroux, AARE, ATS, BAS, CES, ΜΡΡΔ Jeremy Wesley Gregg Sheila Gregg Waggy Troy L. Hall Travis L. Hamele, AARE, CES, GPPA **Bill Hampton** Si Harbottle Richard Hart, BAS, GPPA **Daniel Hess** Kevin R. Jordan Jeffrey M. Koehler, AARE Rusty Lane Litza L. Lee Joel W. Marreel A. Van Massey David J. Meares **Cleveland Thomas Perry**, AARE, MPPA Russell R. Puchalla Jeffrey D. Raines, AARE Jodi K. Reynolds Deidre B. Rogers Susan D. Rogers-Holder **Dayton Roller** Cynthia Schillig Cindy L. Soltis-Stroud **Rick D. Stroud** Tim Stuart Ruthie B. Taylor Sherry Truhlar Kim G. Ward, BAS, CES Warren A. Ward, AARE Neil Webster, CES Robert S. Weiman, AARE, CES Robert M. Weiman, CES William R. Wells Amanda M. Williams

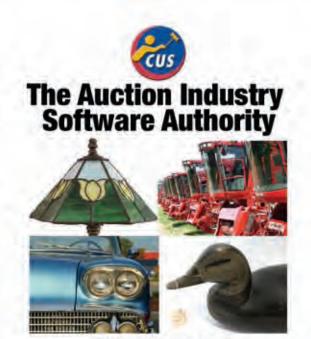


Mike Brandly of The Ohio Auction School, Groveport, Ohio, works with CAI students as they discuss real-world scenarios that can arise in the auction business. The "Case Studies" presentation was for students in CAI II, CAI II and CAI III. Photos by Bryan Scribner



To see John Hamilton in action, scan this QR Code with your smart phone or visit www.youtube.com/naaauctioneers

John Hamilton presents "Negotiation Skills" to CAI II students March 22. The presentation was given to all CAI students during CAI 2011 on March 20-25. Hamilton taught negotiation tactics Auctioneers could use to improve their businesses. He gave the classes real-world examples of successful negotiations and provided best practices for getting more out of deals.



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To see Ann Bastianelli in action, scan this QR Code with your smart phone or visit www.youtube.com/naaauctioneers

Ann Bastianelli, senior lecturer of marketing for Indiana University's Kelley School of Business, asks CAI Next participants to consider the differences in how they perceive themselves and how others might perceive them during her presentation March 21. "If the way that you treat customers is different than the way you say you do, it's a problem," she says. During the CAI 2011 lecture, Bastianelli shared with the CAI Next class the characteristics she feels are common among transformational leaders. These people, she says, are life-long learners, team builders and individuals who value the opinions of others. Photos by Bryan Scribner



To see Sam Richter in action, scan this QR Code with your smart phone or visit www.youtube.com/naaauctioneers

Professional speaker Sam Richter tells CAI Next participants they must do their homework and acquire all of the sales intelligence necessary to build deeper relationships and win more business. Part of his March 22 presentation included lessons on how to effectively use Internet search engines for research purposes. He says it's important to learn what's going on in customers' lives — their goals and how business owners might be able to help them reach those objectives. "When you meet with people, if every single time you meet with them, you can make the other person feel important, do you think you could provide that emotional attachment with that other person that you'll be able to do better business with them?" Richter asked during CAI 2011, which took place March 20-25.

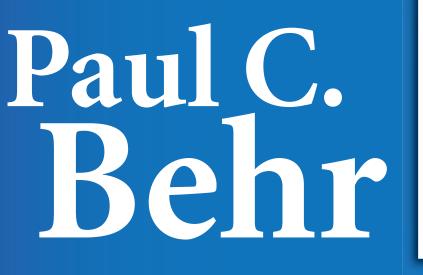


<u>CAI Next</u>

David L. Alley, Jr., CAI Kurt M. Aumann, CAI, ATS Nellie (Johnel) Beland, CAI, CES Barbara Bonnette, CAI, AARE, GPPA Steve Butler, CAI Matt Corso, CAI Bill A. Dollinger, CAI, AARE I.I. Dower, CAL, AARE Mickey I. Duckett, CAI, AARE, CES, MPPA John M. Fowler, CAI, AARE, CES Derek H. Gerstenschlager. CAI. CES William F. Harned, CAI, AARE, CES William L. Head, CAI, AARE, BAS, CES

Martin E. Higgenbotham, CAI, CES Thomas J. Hirchak, Jr., CAI, MPPA Kelly L. Hogue, CAI, AARE, CES Brandon Howe, CAI, AARE Mike Jones, CAL GPPA Christie King, CAI, AARE, BAS J. Craig King, CAI, AARE Chad A. Metzger Hugh B. Miller, CAI, AARE, CES Terry L. Owen, CAI, AARE Brian A. Rigby Thomas W. Rowell, CAI, AARE Richard D. Schur, CAI, BAS Shannon Schur, CAI, BAS Maximillian M. Spann, Jr. William J. Summs, CAI, AARE, BAS, CES, GPPA Jerry Wallace, CAI, AARE, CES Dick Whittington, CAI, MPPA

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International performances showcase entertaining side of profession

Sarah Bahari, *Special to Auctioneer* By

he Auctioneer's voice starts slow and softly, barely audible against the steady hum of the drums. Bright lights and geometric shapes bounce off the ceiling. Gospel singers belt out hymns. Auctioneers chant, passing the bid from one to another.

Created by multimedia artist Doug Aitken, this groundbreaking performance art turns the speedy chant of Auctioneers into a mesmerizing melody. The shows illustrate what many in the industry already know — that auctioneering is an art form — while introducing people to the world of fast-paced auctions.

"It's over the top, and it's fun," says Jill Doherty, the 2002 women's division winner of the International Auctioneers Championship (IAC). "We become performers."

A handful of Auctioneers has traveled around the U.S. and Europe, recently performing at a gala at the Museum of Contemporary Art in Los Angeles. The group has performed in Italy, Switzerland and England, among others. More trips are in the works.

Inspiration from C&S

A visit to the National Auctioneers

Association's annual Conference and Show in the late 1990s sparked Aitken's interest in auctions, says Eli Detweiler Jr., CAI, who has worked with Aitken for a decade.

"Doug became fascinated with auctions," says Detweiler, of Detweilers Auction Service, Ruffin, N.C., who was last year's IAC winner in the men's division. "He immediately saw bid calling as an art."

Aitken, who lives in Los Angeles and New York, recruited several Auctioneers to travel and perform, paying them for their time. Because no two shows are ever identical, the time commitment can be significant, and the practices long, Detweiler says. Auctioneers typically arrive about one week before opening night to begin all-day practices.

"It can be tedious," he says. "We have to get everything just right, and there are a lot of different pieces."

In Basel, Switzerland, Aitken directed a real-time opera using Auctioneers who performed against the backdrop of his Sonic Table. At the Los Angeles show, Aitken added a gospel choir and a cattle roper who cracked his whip in the center of the tent. In New York, his artwork was displayed on an exterior wall of the Museum of Modern Art. Large screens, colorful video and light installments frequently accompany the live performers.

A new light

Audiences have been overwhelmingly

receptive, NAA Auctioneers say. "This has exposed us to a new crowd of people," says Detweiler, who specializes in livestock and automobile auctions. "They tell us they can't believe this is how we make a living."

For people already familiar with auctions, Aitken's shows have helped them see Auctioneers in a new light.

"So many people just think of us standing behind a podium and talking," says Denise Shearin, CAI, CES, who lends her bluesy voice to the performances. "These shows make people understand the benefit we provide to the community."

Shearin, a 2007 IAC winner and real estate Auctioneer from Brandywine, Md., says the shows have also provided her with an artistic outlet, giving her a change of pace from her usual job.

Doherty of Jill Doherty Auctioneers, Bay Shore, N.Y., says the audience has even mistaken them for professional musicians. Once, she fretted to Aitken that people thought they were singers rather than Auctioneers.

"Don't worry," Aitken told her. "Art is whatever people perceive it to be."

Auctioneers say the performances have proven that auctions are about much more than business.

"The No. 1 reason people go to auctions is because they're fun," Doherty says. "These performances take that idea and run with it."



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See You in Sanford

Paul C. Behr



Social media offers inexpensive way to target, earn new clients Auctioneers find marketing methods also can waste time

By Sarah Bahari Special to Auctioneer

When a prospective client asked Auctioneer Jonathan Baker for help selling some real estate, Baker knew he would face a big obstacle — cash.





Randy Ehli of Ehli Auctions, Tacoma, Wash., communicates with his auction customers via social media. Auctioneers say the technology is useful when bad weather forces them to cancel auctions. Photos courtesy Ehli

Traditional newspaper or radio advertisements were out because the client had no money for advertising. So Baker, CAI, CES, turned to Facebook to spread the word.

More than 20 people showed up to the January auction, which scored a higher price for the property than the seller had hoped.

mendously well,"
says Baker of
Baker Auction
& Realty, Evans-

"It worked tre-

ville, Ind. "It was a very cost-effective way of getting the word out."

Auctioneers like Baker are turning increasingly to social media to communicate with buyers, land new clients and network with others in the industry. Through social media avenues such as Facebook and Twitter, Auctioneers are working to reach a younger demographic typically not known for frequenting auctions.

Capitalizing on the trend

As the influence of social media continues to grow, Auctioneers say they must figure out how to capitalize on the trend. At the end of 2010, Facebook saw record growth, reaching 600 million users — approximately 175 million people were on Twitter, according to figures provided by the companies.

"Social media is here, and it is the next big wave of communication," says Michael Barber, who works primarily in real estate auctions for Arkadia Auction, Wilmington, N.C. "Anybody not plugged into this will get left behind."

Barber, CAI, AARE, CES, GPPA, uses Facebook and LinkedIn to stay in touch with buyers and fellow Auctioneers across the country.

Recently, Barber was forced to cancel an auction at the last minute because of legal issues with the property. He quickly posted the news to Facebook, where others posted 106 comments to his status. Only a small handful of people who did not get the news showed up at the cancelled auction.

The challenges

While social media has provided efficient communication, Barber says, Auctioneers are still trying to figure out how to make money from it.

"If you're not careful," Barber says, "it can be a colossal waste of time."

Randy Ehli of Ehli Auctions, Tacoma, Wash., recently began advertising on Facebook. For an online auction of new home appliances, Ehli directed Facebook ads to married homeowners between the ages of 30 and 55. Each time someone clicked on the ad, Ehli paid about a \$1. He set the limit at \$100 a day, which he easily hit. In addition, Facebook and Twitter updates are linked to the company's website, alerting buyers to new sales or special deals. Time constraints, though, have been the biggest challenge in developing the company's social media strategy.

"For now, we're trying this out and seeing where it goes," says Ehli, CAI, GPPA. "It's not a major part of our business yet, but it could be one day."

Ehli and other Auctioneers say they hope to reach younger buyers through Facebook and Twitter. Auction attendees tend to be 50 or older, and Auctioneers says they would like to tap into the 30-something market.

Young blood

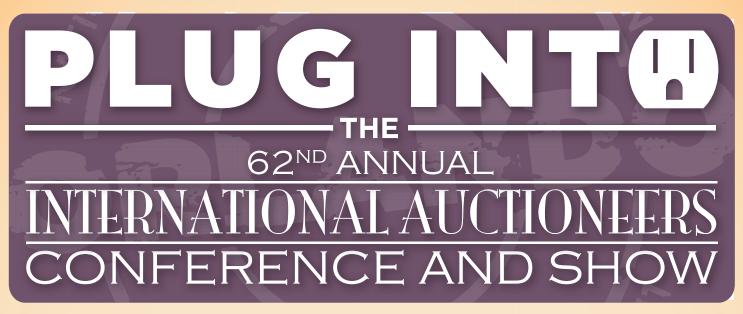
That was what first triggered Baker, the Indiana Auctioneer, to advertise on Facebook and post Twitter updates.

"If we don't get young blood, we'll eventually die off," Baker says. "We have to get the attention of young people, and they're not reading newspapers."

So far, Baker says he is still working to attract younger Facebook fans and Twitter followers, but social media has already helped him reach new clients. People looking to sell their property have contacted Baker after learning of the company through social media.

As Auctioneers continue to experiment with social media, several say they are not quite ready to ditch the more traditional advertising methods.

"The best bang for your buck in this business is still a 'For sale' sign on a building," Barber says. "Nothing gets the word out faster." □



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Located on the trade show floor, experts will be on hand to answer questions about smartphones, computers, social media and other technical devices. This service is available to all conference attendees from 1 p.m. to 4 p.m. Wednesday through Friday.

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Look for more conference information next month!

www.conferenceandshow.com

Online media works for any auction advertising budget



Auctioneers are still relying on newspaper ads and direct mail to promote auctions, but they're hedging their bets by making more use of website portals, social

Carl Carter, APR

media and search-engine advertising.

Those are a few of the findings of a recent survey of Auctioneers conducted by NewMediaRules Communications.

Website portals, which provide listings for real estate and other assets, were especially popular. Out of the 154 who participated in the survey, 85 percent said they "almost always" or "usually" include website portals in their auction marketing budgets. The second most common media choice was e-mail marketing, with 75 percent "almost always" or "usually" using e-mail to promote upcoming auctions.

Because this was the first time this survey has been conducted, no "yearto-year" data is available. However, when asked whether they're using more or less of various media, most respondents said they're increasing use of website portals (69 percent) and social media (60 percent). Exactly half said they're using more searchengine advertising (e.g. Google Adwords).

Only 36 percent said they're "very confident" that their current media mix is "getting the job done in reaching the market" for their auctions." However, 57 percent were "somewhat confident," and only 7 percent were "not very confident at all."

Respondents were recruited primarily through e-mail, Facebook and Twitter, so there could be a pro-technology bias. However, they appear to be largely traditional, with 86 percent saying they "always" or "frequently" conduct public outcry auctions. Thirty-two percent said they "always" or "frequently" use online auctions (either online-only or during simulcast of a live auction). Seventy-eight percent were members of National Auctioneers Association.

In working with multiple auction companies, I find many Auctioneers to be curious about what other companies are doing — especially how big their budgets are and how they're spending their advertising dollars. In most cases, I can't answer directly because it might compromise another client's confidentiality. But the anonymous survey offered some glimpses.

Tight budgets

In looking at media choices, it's important to note how much Auctioneers have to spend. If you have only a few hundred dollars, for example, you're probably priced out of the market for display newspaper advertising. For the entire group, 64 percent reported they "rarely" or "never" have ad budgets of \$10,000 or more. At the other end of the scale, only 14 percent said they "often" have budgets of \$10,000 or more. And apparently, small budgets are more common than big ones: 40 percent said they "often" have budgets of less than \$1,000.

In that context, the attraction of lowcost media, such as web portals, social media and e-mail makes sense. On shoestring budgets, these can play a major role, and even on larger budgets, including these avenues ensures that the Auctioneer covers the bases.

Direct mail has long been a staple, and it doesn't appear to be losing its appeal despite its relatively high cost.

Only 36 percent said they're "very confident" that their current media mix is "getting the job done in reaching the market" for their auctions.

marketing

How is your use of the following media changing vs. a year ago?

	Using it more	Using it less
Print Newspaper Display Advertising	2%	46%
Local Business Journals	4%	8%
Television Advertising	4%	22%
Print Newspaper Classified Advertising	5%	43%
Specialty Publications (e.g. Antiques, Cars)	7%	24%
Radio Advertising	7%	19%
Telemarketing	7%	15%
Press Releases	14%	17%
Direct Mail	19%	24%
Search Engine Advertising	50%	7%
Social Media (e.g. Facebook, Twitter)	60%	6%
Web Site Portals (e.g. Real Estate, Agriculture	e) 69%	4%

Source: NewMediaRules Communications

Among those "almost always" or "usually" using it, direct mail ranked 66 percent — narrowly edging out print classified and display advertising. However, Auctioneers are standing pat, with only 19 percent saying they're using more direct mail compared to a year ago. In fact, 24 percent said they're using direct mail less.

Reduced print

Auctioneers appear to be adapting to the shrinking audience of print newspapers, with 46 percent saying they're using less print display advertising and 43 percent saying they're using less print classified advertising. (Only 2 percent of the respondents said they're buying more print display ads, and only 5 percent said they're buying more print classifieds.)

Local business journals are used only by 20 percent of the Auctioneers, and they're getting even less popular, with only 4 percent advertising in them more and 28 percent using them less.

Those who "usually" or "sometimes" include display advertising were asked how much of their total auction media budget is devoted to print newspaper advertising. Of those, 28 percent said more than half the budget is spent on newspaper print ads, and 36 percent said that 30 percent to 49 percent is being spent on print newspapers.

And how are these budgets being funded? We asked this question of those who "often" or "occasionally" have budgets of \$10,000 or more. Of those, 58 percent said the budget is "always" or "usually" funded in advance by the seller. Another 29 percent said the budget is "sometimes" funded in advance by the seller. □

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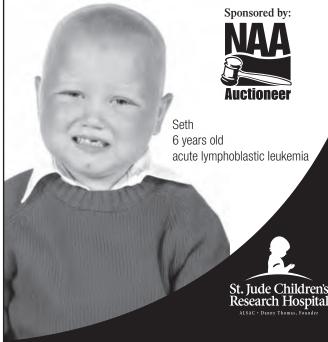
Seth was an energetic child who was always on the go. But just before Christmas 2008, his parents noticed their little boy was sleeping more and didn't want to eat or play. When his skin took on a yellowish cast, his parents took him to the local children's hospital. Blood work revealed the crushing news: Seth suffered from acute lymphoblastic leukemia, the most common form of childhood cancer. "I kept saying 'no, no, no.' It was devastating," Seth's mom remembered. His family was referred to St. Jude Children's Research Hospital[®] for his treatment and care.

At St. Jude, Seth immediately began chemotherapy. He visits St. Jude once a week for intravenous chemotherapy, and he takes oral chemotherapy at home.

Seth's parents are grateful for people who support St. Jude. "I hope the people who donate know they're saving strangers' lives, kids' lives, every day," said his mom. "That's a selfless act. Words can't express how much thanks we have."

Seth is outgoing and likes to play games. When he's at the hospital, he likes to visit the fish tanks.

For more information, visit www.stjude.org/naa.



Social media, business training important for associations, auction schools

By NAA staff

The National Auctioneers Association's State Leadership Conference is something all state associations should consider adding to their budgets for next year, says Indiana Auctioneers Association President Sara Minor, CAI, GPPA, of Minor Auction Service Inc., Madison, Ind.

Along with other Auctioneer association leaders, Minor says she was pleased with the quality of information the NAA presented at this year's late-February event in Kansas City, Mo. The strongest part of the conference, she says, was the networking it provided with other state leaders.

Representatives from more than half of the country's state Auctioneer associations attended the event, which preceded the Auction School Summit on Feb. 24-25.

"I appreciate the NAA for putting on such a conference, and I am going to strongly suggest that our entire Board be there next year," says President of the Arkansas Auctioneers Association Gaylen McGee of I-40 Auto Auction, Lonoke, Ark.

McGee says he brought back to his state a better understanding of social media and how it can affect auction businesses. He also says he learned how important it is to incorporate new technologies with traditional auctioneering practices.

"If NAA has something to do with it, I've never left without knowing and learning something new," he says. "Everything that I've always attended that NAA had to do with — it's always paid for itself. I've never left not satisfied."

Staci Hernandez of Prime Time Auctions Inc., Pocatello, Idaho, says she will bring back to the Idaho Association of Professional Auctioneers, for which she is President, a bet-



Florida Auctioneers Association President Stan Crooks of Auction America Inc., West Palm Beach, Fla., participates in the State Leadership Conference in late February. Photo by Bryan Scribner

ter understanding of how Auctioneer associations should operate — more like businesses.

Also, Hernandez says she was happy to have received information on "Auction Industry 2010: Industry profiles, trends and success keys," a survey conducted by Michigan State University's Broad College of Business.

The survey found the typical Auctioneer is a male 51 to 65 years old, and it revealed that many Auctioneers are finding success when they incorporate online auctions into their businesses. Results of the survey are available at www.auctioneers.org in the "Downloads" section of the "Member Resources" tab.

"That survey was awesome," Hernandez says. "Just being able to bring that back to our association ... it just shows that you have to get on with the online auctions or you're not going to go anywhere.

"I just think everybody should look at those numbers and see where you fit in to that."

Auction summit

Auction school principals who attended the Auction School Summit, such as Larry Meares, CAI, GPPA, of Southeastern School Of Auctioneering, Pelzer, S.C., say the ability to share ideas with other auction school owners was the most important benefit of the event.

Meares says although individual states approve the curriculum taught at auction schools, some sort of standardization among learning institutions might serve the industry well. For example, some schools focus more on bid calling, while others focus more on how to run an auction business.

"Some of the states sell more cattle than we do, some of them sell more land than we do," Meares says. "Of course, their emphasis probably should be on those particular products. But, to get a well-rounded education, I think business should be taught — contracts, advertising, promotions."

Meares says the most successful Auctioneers are those who have marketing savvy.

"It's all self-selling," he says.

The founder of the Kentucky Auction Academy, Steve Cherry, CAI, CES, of Progressive Auction Group, Bowling Green, Ky., says his school, one of the newest in the nation, focuses some of its curriculum on teaching students how to conduct auctions with online bidding.

His school also encourages students to learn all they can about the industry to identify their strengths and weaknesses. He says after graduation from auction school, continuing education is a critical concern, and webinars, such as the NAA's Industry Insights, might be important tools to help fill knowledge gaps.

"The truth of the matter is, the auction schools in this country can't teach in 80 hours all there is to know about this business," he says.

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Making it work Good planning key to longevity for family businesses

By Bryan Scribner *editor*

A lack of preparation and honest communication can often keep a family business from moving forward from one generation to the next, says Greg McCann, founder of McCann & Associates, Deland, Fla.

Although it might seem daunting, the planning required to properly transition a business doesn't take much time, he says.

"Thirty years of hard work on our business, and for the lack of 10 hours of planning it all goes south," says McCann, referring to a dire scenario family businesses can experience.

"People tend not to equate the payoff for a little bit of planning."

But when small business owners are faced with the potential consequences of poor planning, they realize the importance of estate plans, wills and well-communicated transition procedures.

"No one I've ever worked with has said, 'I want to do no planning, and when I die let them fight it out," McCann says. "So, as you talk through what a lack of planning means and the consequences, almost everyone agrees they should plan."

How to plan

For a smooth transition of a family business, McCann offers this advice:

 Families should consider using transition professionals who, unlike estate planners and attorneys, take into account the effect succession could have on every family member.
 "A lot of family businesses plan, but their advisers don't see the 'family business' as a 'family business,' they merely see it as a business," he says.



Rick Brock (front), CAI, CES, has worked with Lonny McCurdy, AARE, of McCurdy Auction LLC, Wichita, Kan., for 25 years. This picture was taken in the late 1980s. Photos courtesy McCurdy Auction

2) Business founders or principals should understand that the processes they put in place during a transition are paramount, especially when it comes to potential family **conflicts.** "Most families will accept most decisions if the process is fair," he says. "But if dad or mom researches something, thinks they have the perfect answer and just sort of slides it under the door so to speak ... (family members) are left to speculate, they'll make assumptions." Family members who don't feel they have received what they deserve from the family business might believe their parents are disappointed with their personal decisions or opinions, when in fact this could be far from the truth.

3) Family members should view a founder's or principal's transition out of the business as difficult, as in some cases the company is part of that person's identity. Therefore, they should consider ways the founder can maintain a role within the company, even if that means coming into the office on a limited basis.

Are you ready for a transition?

- Only about a third of family businesses have a working strategic plan
- About a third of family businesses have any estate planning beyond a simple will
- About 10 percent of family businesses have a written, agreed upon succession plan
- Eighty percent of family businesses are more successful if they have a succession plan

Source: Greg McCann, McCann & Associates

4) In today's day and age, it might be a good idea to handle business decisions more professionally. Sometimes, McCann says, families do things over the dinner table; however, as families and companies grow, "You can't keep doing everything informally," he says.

future of industry

Strategic advantage

One of the best things about family businesses, McCann says, is they automatically have a strategic advantage in the marketplace.

"Families know this, they just haven't been told it," he says. "Things like long-term thinking, trust, shared values are really things that businesses work incredibly hard to create that family businesses have without even acknowledging it."

That, in part, is what seems to be making for a slow, smooth succession at McCurdy Auction LLC, Wichita, Kan., says one of the company's second-generation Auctioneers, Megan McCurdy, CAI, BAS.

"Dad, daily, steps more and more out of his daily tasks," McCurdy said in early March. "In fact, he's been at the lake for a week, and before that, he was at the lake again. It's just kind of slowly transitioning into the three of us the three of us seem to have different skill sets."

The three National Auctioneers Association members include McCurdy; her brother, Braden McCurdy, CAI; and Rick Brock, CAI, CES, who has been with the company for 25 years.

While Megan and Braden McCurdy's father, Lonny Mc-Curdy, AARE, steps back a little from the business, Megan says her brother is handling management and marketing, Brock is handling sales and she is doing more of the auctioneering.

Megan McCurdy's dad isn't really retiring, she says.

"That's an Auctioneer thing," McCurdy says. "They're so used to being busy all the time that they can't."

A difficult transition

Although many family auction businesses might find the transition from one generation to the next will be difficult, it doesn't seem like it will be much of a challenge for Mc-Curdy Auction — and that could possibly be a result of the strategic advantage McCann says is inherent of most family businesses.

"We work together pretty well, we stay on the same page," McCurdy says. "Most likely, Braden will be the most apparent figurehead in the office. I probably will be a little bit more in the public.

"It strangely works, and it wouldn't for a lot of people, and it wouldn't for a lot of groups, it wouldn't for a lot of families. I think we all bring a different asset to the table.

"The biggest thing that has made our company successful is just the love and passion behind it. I'm glad that we're able to, as kids, come in and continue it because it truly is something that was dad's life, and it means the world to him to see it become Braden's and my life, as well."

What will it take?

On the other end of the succession equation is Hugh Miller, CAI, AARE, CES, of Curran Miller Auction & Realty Inc., Evansville, Ind.

He says he is struggling with the thought of his business' transition.

"It's a hard thing to know how to do," he says. "As you become more chronologically gifted, you begin to wonder,

continued \blacktriangleright



A smooth leadership transition is underway at McCurdy Auction LLC, Wichita, Kan., says Megan McCurdy (right), CAI, BAS. The company won three awards in the NAA's 2007 auction marketing competition. From left to right are Lonny McCurdy, AARE; Rick Brock, CAI, CES; Annette McCurdy; and Braden McCurdy, CAI.

at least I have, how much money it's going to take to get out of this old world."

Miller's two daughters, including Wendy Miller, BAS, work with him in the business. Although he says he is pleased with his daughters' contributions to the company, he says he's concerned the challenges and sacrifices that come with running an auction business today might be too burdensome on two daughters who are deeply committed to their own families.

He says one of the most difficult challenges when he considers a transition is figuring out how he and his family's auction business, now in its third generation, will decide on details such as leadership and compensation. To help with those concerns, Miller has hired a former business executive as an adviser.

The consultant, who has had experience in orchestrating transitions of major companies, comes into the office for brief periods of time to provide advice on succession planning and general business operations. □

Family matters

I found myself

talking with

the leader of

a successful

family business

about the estate

planning work

he had been en-

gaged in as part

of his efforts to

Adviser must understand values to help administer transitions



By Greg McCann

transition the ownership of his family's business.

It had been a significant investment of time, talent and financial resources, and he was feeling frustrated and uncomfortable with the process. He asked me if I would join him in his next meeting with the corporate attorney and estate planner. By the end of the meeting with these professionals, everyone agreed to put the estate work on hold.

Both attorneys commented to me after the meeting how grateful they were that there was a consultant involved. Why? Both of these attorneys, as other professional advisers do, play more of the role of an expert. The client asks questions, and they provide answers.

Consultants, on the other hand, avoid giving answers or advice and instead serve as a neutral third party.

In addition, their client was more narrowly defined than ours (for the corporate attorney it was the company, for the estate lawyer it was the one family member). Since we, as the consulting team, defined the client as the entire family business, we could interview each key stakeholder (including the family, management and even these two expert advisers) in confidential one-on-one interviews, again as a neutral party not as an advocate for any one person.

Neutral party

This afforded the team a far more comprehensive understanding of how this estate planning, and really the broader issue of ownership transition, was perceived. This perception included any unverified assumptions or unaddressed problems of family members that were blocking them from the rational problem solving needed to get the most out of the estate planning.

As a neutral party, not an advocate, who avoids giving advice, we can garner trust to help people to rethink their opinions, assumptions and perceptions. This often means helping them get "unstuck" from the underlying family issues that initially seem to be business issues.

Our consulting team then facilitated a series of family meetings between the generations culminating in an action plan detailing who in the family would do what and by when. Old family disputes that were clouding all the estate, ownership and business decisions were addressed directly,

Tips for the family business owner

If you are in a family business and are considering bringing in a family business consultant who uses the process approach, consider the following:

- Committing from the outset to involve your current expert advisers
- Considering which of these experts, relative to the issues and goals of the engagement, would be good candidates to be interviewed as part of the first stage
- The family must also define what constitutes success in the engagement
- Remember that if the family gets clear on what they want and how they define success, then the experts can better serve the client

honesty and respectfully.

This is where the deeply embedded commitment to family helps people commit to having the difficult conversations and creates the willingness to compromise on the issue at hand for the sake of the family relationship. This commitment is a major advantage family businesses have, and professionals should help them capitalize on it.

Again, in no small part, the goal of this work is to keep the family

available for rational problem solving that is so necessary for governance, management and long-term planning involved in any family business. But to try to force a family to rationally solve a business problem before it has addressed the underlying family issue is usually a set up for frustration and failure.

Our approach proved to be a very effective way for the family to get focused on what they wanted — to see much more clearly how their values, their desire for the next generation, and hopes for the business needed to be drivers in the estate planning, not merely minimizing estate taxes. This, in turn, let the experts, the estate attorney in particular, far more effectively serve her client. The experts often say to us that, within the bounds of ethics and the law, we can give the client almost anything they want — we just need to know what it is they really want. Our two roles complimented one another and worked to effectively serve this family business.

Dangerous assumptions

Experience has shown that in cases like this — and not just estate planning and the related ownership transitions, but transitions of any sort, there is a very dangerous assumption that seems to inevitably arise. The assumption that the family often makes is that the expert will understand what the family wants. If the family doesn't know what they want, it is far from fair to expect the expert adviser to answer this fundamental question. In fact, relative to estate planning, if the family values aren't well defined, then the expert adviser most often will (understandably) focus on minimizing taxes.

As an example, one client we worked with who had done a great deal of estate planning realized during our work that he had effectively minimized taxes. Yet with that focus as his sole driver, he had also planned to leave his grieving widow in charge of a business she had no experience, desire or skills to run. Furthermore, the widow would be forced into playing the role of referee and judge in deciding which of the adult members of the next generation would become president. After some family meetings, he very quickly revised his plans.

Resolving issues

In the case at hand we were able to help the family have some frank discussions about underlying family issues that were influencing business and ownership decisions. This included a clarification of their core values as well as resolving some family conflicts that had gone unaddressed for a very long time. We also worked with the next generation to assess their interest and to help the senior generation clarify an employment and ownership policy.

The family was able, with the expert's help, to clearly look at and discuss the implications of any future decisions on the business and the family. After resolving the family's deep-seated is-

sues, the estate work could, and in fact did, proceed far more effectively and efficiently.

If your family business is approaching a transition, be it transferring ownership, transitioning management, bringing in the next generation, or any other transition, consider a family business (process) consultant who can complement your existing professional advisers.

Consider this option especially if your family seems stuck — having the same disagreements, unable to make progress on ever more pending issues, or when rational problem-solving seems to be eroding. Then, realize that the expert consultants should be involved, informed and an integral part of the overall engagement.

The clearer the family gets

on who they are, what they want and how they define success, the more effectively the experts can help the family and the business achieve success as they define it.

Greg McCann is founder of McCann & Associates, Deland, Fla., and former family-business executive and current owner in his family's business. Additionally, he is the founder and principal of McCann & Associates, a family business consulting group (www.mccannfbconsulting.com). He was the founder and director (1998-2006) of Stetson University's Family Enterprise Center, where he still heads the Family Business major. He also writes about and speaks with family businesses. He is the author of "When Your Parents Sign the Paychecks" (www.familybusinesshelp.com). Mc-Cann plans to help Auctioneers answer some of the toughest questions they face when confronted with "transitions" in his presentation, "Running the Family Business: The 8 Biggest Challenges," during Conference and Show in July. □

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"Dedicated to the elevation of the auction profession"

National Auctioneers Foundation 2010-2011 Annual Giving Society update

By NAF staff

This year, in combination with the annual year-end appeal, the National Auctioneers Foundation launched an annual giving campaign, "A Dozen Dollars for a Dozen Months."

The campaign encourages participation from NAF supporters using technology that makes giving as easy as possible. Every National Auctioneers Association member is asked to make a monthly donation of \$12 for 12 months, for an annual commitment of \$144. A recurring gift, of any amount and for any length of time, can quickly, easily and securely be arranged using a credit/debit card via

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If you are uncomfortable using a credit card to make a contribution, consider that credit/debit cards, when used responsibly, are a convenient tool of modern life. How many times have you received a solicitation from an organization that you want and intend to support, but you lay the notice aside with the intention of sending a check later? Sometimes, later ends up being never.

Then, toward the end of the year, you are bombarded with gift appeals from many worthy organizations, and you must choose which to support with limited resources — and sometimes

Advocate level

Keith W. Babb, CAI, AARE, GPPA Robert H. Baker, CAI, AARE, CES, MPPA Daniel M. Billig, CAI Thomas C. Blackmon Jr. Tom C. Blackmon Sr. Chuck Bohn, CAI, GPPA Frank E. Bolton, CAI, CES, GPPA Myron Bowling, CAI Larry E. Brenner Tyler J. Brown Scott Caldwell Julie Carter Ronald B. Coale, GPPA Richard E. Cobb, CAI, AARE, CES Jimmie D. Coffey, CAI, AARE, BAS, CES, **GPPA** Alan Cohen **Cornell England Collins** Kent W. Corbett Robert Dann, AARE Luther D. Davis, BAS Eli Detweiler Jr., CAI

the immediate needs of your community outweigh the needs of a professional organization. Last year, the NAF began promoting its capability to accept online donations.

Many people might find this type of giving more comfortable, as gifts do not interrupt or change lifestyles. It can make end-of-the-year and seasonal giving easier. Plus, if you use a credit card, there's the opportunity to receive reward points.

Many NAA members have already joined the NAF's 2010-2011 Annual Giving Society with an annual gift. It is with sincere appreciation that the NAF recognizes these individuals:

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national auctioneers foundation

Christie King, CAI, AARE, BAS Vern E. Koch. CES Dennis K. Kruse, CAI William B. Kurtz. CAI **Doak Lambert** Harvey C. Lambright, CAI, AARE, CES, MPPA Lori Lemons-Campbell, CAI Claud E. Mabe, CES, GPPA Larry Makowski, CAI, AARE, CES Robert Mayo, CAI, AARE, ATS, GPPA Lonny R. McCurdy, AARE Darron J. Meares, CAI, BAS, MPPA Mark T. Motley, CAI, AARE Harold R. Musser, CAI Scott Musser, CAI, BAS Homer L. Nicholson, AARE, CES Clifford Orr

Frank T. Pietrzak **Dewain Ritchason** B. Mark Rogers, CAI, AARE R. Bracky Rogers, CAI, CES **Barbara Ruhter Randy Ruhter** Francis D. Santos, GPPA David S. Schnaidt, CES Samuel T. Schnaidt, CES Bruce M. Schneider Donald L. Shearer, CAI, BAS, CES, GPPA Scott H. Shuman **Rav Sims** Ira Y. Smith Cindy L. Soltis-Stroud, BAS Max E. Spann Sr., CAI, AARE **George Spooner** Jerry L. Stichter, CAI, CES

Rick D. Stroud, BAS Charles A. Sutton Mark T. Switzer, CAI, GPPA T. Joseph Tarpley, CAI Gerard Thibodeaux Ray Tosch John H. Turner, CES, GPPA Samuel K. Updike, CAI Steve Van Gordon, CAI, AARE, GPPA Neil Webster, CES R. C. Wiley, CAI Terry G. Wilkey, CAI, AARE Joel T. Wilson, AARE

Other level Chad J. Grahek Chad Johnson, BAS Robin Marshall

The NAF Board of Trustees recognizes that members have a choice of where they spend their charitable dollars and that donors want to know how their contributions are making a difference. Voluntary gifts from our members have enabled the NAF, in the past 10 years alone, to fund NAA projects, programs and services in excess of \$1.4 million dollars. Contributions have gone to the restoration of the NAA Headquarters office building, keynote-speaker sponsorships and services such as industry research, public relations and member benefits.

The NAF played a vital role in the financial recovery of the NAA and your Board of Trustees is more committed than ever to ensuring that resources are available to aid, assist and support the NAA in its long-term mission and goals. Each of us, as members, continues to benefit from our involvement in the NAA, and it is up to us to give back to our industry. Through the NAF, each of us has the opportunity to provide a gift to ourselves, one that will have an effect on our careers and our profession. A gift has the potential to help create a professional legacy for our children, grandchildren and other future Auctioneers. It also provides the added benefit of a tax deduction. In a minute or less, you can arrange a recurring monthly contribution and turn a good intention into a great reality. Then, rest easy knowing that you've done your part.

To set up a recurring donation, please visit this website:

https://naf.ejoinme.org/MyPages/NAFDonationPage/ tabid/164118/Default.aspx 🗆



www.kieferauctionsupply.com

Casket gets a quarter million

Adam A. Weschler & Son Inc., Washington, D.C., brought in more than \$950,000 at a Feb. 12 auction of European and American Furniture and Decorations, according to a news release. Asian art also was part of the sale.

A Russian silver gilt cloisonné and en-plein enamel casket, 1896-1908, soared past its estimate of \$30,000 to \$50,000 and sold to an overseas phone bidder for \$256,750.

The auction also featured a selection of furnishings, decorations and fine art from a historic landmark in the U.S. Capitol — St. John's Episcopal Church. Among the offerings was a pair of 19th Century Venetian architectural works in the manner of Francesco Guardi, which achieved \$16,450.

In addition, an American gilt and patinated metal eight-light chandelier, attributed to Cornelius and Baker, Philadelphia, circa 1860, fetched \$22,325. A pair of Federal crossbanded mahogany fold-top card tables, attributed to the workshop of Duncan Phyfe, New York, circa 1810, sold for \$7,050.

Silver continued its strong run with a Tiffany & Co. sterling six-piece coffee and tea service with tray, New York, 1907-1938, selling for \$10,575.

Prices include buyer's premiums. □



\$256,750

1000000

"Maximizer" process helps bring record price for farmland

Despite national headlines about falling real estate prices, a new record price for Custer County, Neb., irrigated farmland was set at a recent auction, according to a news release.

More than 120 farmers and ranchers gathered at the Callaway Community Center to bid on the 2,055-acre Isaacs Cattle Company ranch.

The ranch has irrigated farmland, native range land, barns, houses and outbuildings. Believing these elements would appeal to different buyers, Musser Bros. Inc., Cody, Wyo., and Ruhter Auction & Realty Inc., Hastings, Neb., divided the ranch into six tracts.

Participating in an Auction Maximizer process, bidders could bid on individual tracts, tract combinations or the

property as a whole. At the end of two hours of bidding, the property sold in four pieces — two single tracts and two combinations, bringing a sale price of \$2,280,000.

The record was set in the first round, when a bid of \$800,000 was placed on a 177-acre tract of irrigated pasture. With a per-acre price of \$4,519, the Auctioneers and the buyers were in unprecedented territory. In subsequent rounds of bidding, the record-setting tract was eventually combined with an improved tract.

"It's difficult to determine how much that tract's per-acre price achieved beyond the record-setting opening bid, as it sold in combination with another tract, says Musser Bros. President Harold Musser, CAI, "but the final price was markedly higher."



Auction supports Texas Rangers

A live auction and special appeal for the Texas Rangers Association Foundation brought \$276,000 in mid-February.

The "Back On The Trail - Stand Up For The Good Guy" gala in Grape-



gala in Grapevine, Texas, attracted more than 600 people, according to a news release.

Wendy Lambert of Lambert Auction Co. Inc., Coppell, Texas, served as the

Auctioneer. The high bid of \$40,000

Lambert

came for a weapons set that included an engraved army revolver with matching custom spurs and dualedged knife.

Actor Robert Duvall was the event's keynote speaker. He discussed his role in the movie "Lonesome Dove," saying he considers it his greatest work, according to the release.

The foundation supports active and retired Texas Rangers of the Texas Department of Public Safety, as well as their families. In addition, the group preserves and perpetuates the history and heritage of the Texas Rangers, and the money raised at the gala assists in those efforts. □



Actor Robert Duvall serves as keynote speaker for the "Back On The Trail -Stand Up For The Good Guy" gala benefiting the Texas Rangers Association Foundation in mid-February. Submitted photo

Auto service signs bring good prices

A Richlube Motor Oil double-sided porcelain sign soared to \$7,425 at the Spring Petroliana & Advertising Auction on March 4 from Matthews Auctions LLC, Nokomis, Ill., according to a news release.



A D-X 3-D identification

porcelain sign, which real-

ized \$3,300

The Richlube sign was the top achiever of the more than 475 lots in an auction that attracted more than 150 people and had more than 400 registered online bidders. About half of the lots sold to the room, 48 percent went to online bidders and 1 percent sold to telephone and absentee bidders, respectively.

Here are additional highlights (including a 10 percent buyer's premium):

 The second top lot was a United Motors Authorized Service double-sided porcelain die-cut sign that garnered \$4,400



• A 'Standard' Motor Gasoline Polarine Oil double-sided porcelain sign that coasted to \$3,190

\$3.300

• A Mobo Auto Body Polish cardboard stand-up (circa 1925-1935), which earned \$2,640 □

Auction a heart sale

During a fund-raiser auction Feb. 18 for The Vanguard School, Lake Wales, Fla., Randy Kincaid, CAI, GPPA, of Randy Kincaid Auction Co., Lakeland, Fla., sold a viewing of an openheart surgery for \$1,500.

The winning bidder planned to scrub in with the attending nurses and watch the procedure at Winter Haven Hospital in Winter Haven, Fla. Dr. David Evans donated the viewing, according to a news release.

Furniture, arts sale makes nearly \$2 million

Bonhams and Butterfields' Fine European and American Furniture and Decorative Arts sale March 7 brought more than \$1.9 million, according to a news release.

Items of note included the following:

- A fourth-quarter 19th century Louis XVI-style gilt bronze mounted monumental marble urn by Robert Frères that sold for \$51,240
- A fourth-quarter 19th century Louis XV-style gilt bronze mounted kingwood bureau plat, after a model by Gaudreaus, which brought \$48,800
- A Consulat mahogany table a milieu, attributed to Jacob Frères, circa 1800, that realized \$15,860
- A pair of late 18th century Directoire fruitwood and walnut marquises, which brought \$14,640
- A Napoleon III gilt bronze and KPM porcelain plaque mounted cabinet, 19th century, which brought \$30,500

Auctioneers expand businesses

Peter Gehres, CAI, CES, of United

Peyton Manning fund-raiser brings more than \$1 million



Steve Lewis of C. Roger Lewis Agency Inc., Morehead, Ky., helped raise \$270,000 in a live auction for Peyton Manning Children's Hospital at St. Vincent, according to a news release. Nearly 2,000 people attended the March 4 "Celebration of Caring" gala, according to *The Indianapolis Star.* Lewis has served as its Auctioneer for four years. Colts quarterback Peyton Manning sang a song with country music singer Kenny Chesney during the event, which brought in a total of \$1.2 million for the hospital. Live auction items included a private dinner or brunch hosted by Manning and his wife, a children's party with Manning as a guest and a night in New Orleans, according to the newspaper. Photo courtesy SwanLuxury.com

Country — Gryphon Realty & Auction Group, Hilliard, Ohio, is participating in the joint expansion of Columbus, Ohio-based Belhorn Auctions and Gryphon USA Ltd., according to a news release.

Gehres has worked with Belhorn for the past five years, and in January 2010 he joined Gryphon's auction practice.

The Gryphon organization primarily administers commercial distressed assets in insolvency situations, while Belhorn has a more consumer focus, specializing in auctions and appraisals of American Art Pottery, antiques and executive estates.

- "Peter approached us to ask advice on expanding his role in Belhorn's," says Richard Kruse of United Country — Gryphon Realty & Auction Group, Lewis Center, Ohio.
- "During those discussions, we realized that a formal affiliation of the two business models would be beneficial. Essentially, we are catering to the same executive-level client base. Gryphon on their business or professional side, and Belhorn's on the consumer or personal side."

The Belhorn office will relocate to the Gryphon USA space in the Polaris Area at 9387 S. Old State Rd., Columbus, Ohio, 43035.

Kansas association helps raise money for injured Marine

A Kansas benefit auction for a U.S. Marine who was critically injured while serving in the war in Afghanistan raised \$100,000.

More than a dozen Auctioneers from the Kansas Auctioneers Association volunteered at the Jan. 16 auction for Sgt. Jonathon Blank, 23, of Augusta, Kan.

About 1,000 people from the community attended the auction at Augusta High School.

A high school teacher approached Jack Newcom, President of the Kansas Auctioneers Association, about helping the young soldier, who lost both legs and suffered extensive internal injuries when a roadside bomb detonated in southwest Afghanistan. Blank is recovering at a hospital in San Antonio, Texas. People from south central Kansas donated spa packages, bicycles, golf and hunting trips, restaurant gift certificates and even an antique doll collection to the silent and live auctions, says Andy Conser, Past President of the KAA, who volunteered.

The American Legion Riders attended, and Blank thanked the crowd through Skype.

"The support from the Auctioneers Association and the community was unbelievable," Newcom says.

Conser of United Country — Heart Of America Real Estate & Auction, Valley Falls, Kan., says "This event is testimony to how Auctioneers give back to their community."

Joint conference to feature bilingual auctioneering contest

Three state Auctioneer associations plan a joint education and networking conference for June 14-15, according to a news release.

The Michigan State Auctioneers Association, Indiana Auctioneers Association and Ohio Auctioneers Association plan to play host to the Midwest Auctioneers Roundup in Shipshewana, Ind.

This marks the second year for the early summer event, which features several social and educational opportunities.

The Roundup begins with a day of fellowship and friendly contests for Auctioneers and vendors. A golf

tournament and trap-shooting contest will highlight the morning and early afternoon.

The evening will feature the inaugural Pennsylvania Dutch Auctioneers Championship. Each contestant will be required to sell one item in Pennsylvania Dutch or Low German and one item in English. Judges will evaluate contestants on poise, style and mastery of this bilingual selling method.

Following the event, everyone is invited to the Tri-State Auctioneers Corn Hole Tournament. A vendor's area featuring more than 24 vendors will be open throughout the evening and into the following day. The second day of the Roundup will see two-time world champion Auctioneer John Nicholls of Nicholls Auction Marketing Group, Fredericksburg, Va., present his seminar on bid calling and auctioneering.

Also, Dennis Kruse, CAI, of Kruse & Associates, Auburn, Ind., plans to provide rare insights into one of America's most famous auction families, and Brian Rigby, CAI, of BA Rigby & Associates, Rogersville, Mo., plans to offer tips on auction communication.

The Professional Ringman's Institute is scheduled to follow the Roundup June 16-18. It requires additional registration. □

member news

Contract Auctioneer joins auction company



Kevin Borger of Shawnee, Kan., the 2009 men's division winner of the International Auctioneer Championship, has joined Webb & Associates, Stilwell, Kan., according to a news release. Borger is now an Auctioneer and sales associate for the company, of which Dave Webb, BAS, GPPA, is principal.

MidAmerica Nazarene University in Olathe, Kan., named Borger as Assistant to the President for Church Relations in November. A pastor and 1991 graduate of the university, Borger also has more than 30 years of experience as a contract Auctioneer.



Fred Dietrich III (left) of H. Fred Dietrich III & Associates, Orlando, Fla., receives an award during the National Santa Gertrudis Cattle Show in mid-February. Submitted photo

Cattle show dedicated to NAA Auctioneer

In mid-February, the 2011 National Santa Gertrudis Cattle Show was dedicated to National Auctioneers Association member Fred Dietrich III of H. Fred Dietrich III & Associates, Orlando, Fla.

The show was in conjunction with the Dixie National Livestock Show in Jackson, Miss., according to a news release.

Dietrich has shown Santa Gertrudis cattle for more than 50 years. His lifelong profession started at age 12, as a member of 4-H.

He has been a purebred cattle Auctioneer and ringman for more than 40 years. He was involved in agriculture education for 30 years.

Dietrich Flying D Ranch has bred Polled Santa Gertrudis cattle for performance, conformation and pedigree since 1957, according to the release.



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Former NAA President was active in church

Former National Auctioneers Asso-
ciation President Carman Potter, of
Jacksonville, Ill., died March 4. He was
86, according to a news release.of Reppert Auction School in Deca
tur, Ind. He was the NAA's Presider
in 1960-61, and he also is a former
President of the Illinois State Auction

Potter was a longtime farmer and breeder of Duroc Swine. He also was an Auctioneer for nearly 20 years, specializing in purebred cattle and swine auctions.

He was a 1948 graduate of the University of Illinois and also a graduate

of Reppert Auction School in Decatur, Ind. He was the NAA's President in 1960-61, and he also is a former President of the Illinois State Auctioneers Association and the Illinois Duroc Swine Breeders Association. He also served as an instructor for the Missouri Auction School.

In addition, Potter served in the U.S. Army during World War II. He was a longtime member of First Christian Church in Jacksonville, where he taught the adult Sunday school class. He also was a member of the choir, and he served as song leader and soloist at the church.

Potter married Carolyn Craver on June 26, 1949. She survives.

He also is survived by four children, John, Janet, James and Joseph; two grandchildren, Adam and Sarah; one great-grandson, A.J.; and two sisters, Melba Palmer and Mary Horton.

Governor appoints Georgia association's Chairman to commission

Larry "Bo" Benton Jr., AARE, CES, of L.W. Benton Co. Inc., Macon, Ga., in February was appointed by Georgia Gov. Nathan Deal to the state Auctioneers Commission, according to Georgia newspaper The Telegraph.

Benton has served two terms as President of the Georgia Auctioneers Association, and he is now Chairman of its Board of Directors. His service on the Commission will last for five years.

Former member was K-9 trainer

A National Auctioneers Association member for nearly 20 years, James Tracy Bowling, CAI, of Auction Marketing Inc., Scotland Neck, N.C., died Feb. 27. He was 64.

Bowling was a former deputy for the Wake County Sheriff's Office and K-9 training director for the Sheriff's office K-9 program, according to a news release.

He was also the K-9 training director for the North Carolina Wildlife Enforcement K-9 program. He developed the The six-member commission regulates enforcement of auction laws and licensing, and it handles complaints charged against Auctioneers, according to the newspaper.

L.W. Benton Co. auctions automobiles, real estate, government surplus and several additional auction specialties.

Explosive and Tunnel Detection Canine training program for the U.S. Department of Defense.

Bowling is survived by his wife, Tennessee Denton Bowling; his daughter, Micah Rogier; his son, Eric; his brother, Warren; and three grandchildren.

Internet condolences may be made at www.letchworthfuneralhome.com.

Horticulture group honors NAA Auctioneer for achievements

In late January, the Georgia Green Industry Association presented its Lifetime Achievement Award to Wilbur Mull, CAI, AARE, CES, of Classic Auction Co. Inc., Athens, Ga., according to a news release.

Mull owns Classic Groundcovers Inc., which is a 100-acre wholesale nursery. In addition to the National Auctioneers

Association, Mull is a member of the Georgia Auctioneers Association.

He became involved in the auction industry at age 12 and has since been involved in about 450 sales. His fund-raising auctions have brought about \$2 million to many causes.

Education Institute Calendar 2011 Auctioneer

July

Preconference Education

Graduate Personal Property Appraiser (GPPA) July 6-10

Accredited Auctioneer Real Estate 100 (AARE) July 7-8

The Appraiser as Expert Witness in the Courts July 8

Benefit Auctioneer Specialist (BAS)

July 7-9

Certified Estate Specialist

July 7-9

Accredited Auctioneer Real Estate 200 (AARE)

July 9-10

Auction Technology Specialist (ATS) July 10-12

Accredited Auctioneer Real Estate 300 (AARE) July 11-12

Uniform Standards of Professional Appraisal Practices (USPAP) July 11-12

www.auctioneers.org

1 (913) 541-8084

education@auctioneers.org

Online classifieds bring potential buyers

By NAA staff

VE

RAFFIC

Auctioneers should use Craigslist to drive traffic to their websites - not as a platform for direct sales, says Robert Mayo, AARE, ATS, CAI, GPPA, of Mayo Auction & Realty, Kansas City, Mo.

Also, it's important that listings on the classifieds website are not commercial in nature, he says.

"People are looking for what you're selling, they're not looking for an auction," Mayo says in "Craigslist For The Auctioneer," an Industry Insights webinar available only to National Auctioneers Association members at www.auctioneers.org.

Therefore, listings should not use the term "auction" or "auctioning." Craigslist users are likely to flag those items they believe are from eBay or another online auction, Mayo says.

That's why, for Mayo Auction & Realty, Craigslist is a marketing tool.

"One of the reasons we like Craigslist for driving traffic to our website is because what we're doing is we're seeing a buyer who is typically looking for the items that we're selling," says Mayo, who points out in the webinar that Craigslist is one of the top referrers to his company's website.

NAA member benefits

Also from the webinar, Mayo provides advice on the following:

How to create a Craigslist account

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- Tips on how to properly post an advertisement
- The potential pitfalls of online classifieds
- Effective categories under which to post items
- Why some postings get "flagged"
- How to create aesthetically appeal-• ing listings

"Craigslist works," Mayo says. "It brings people who are looking for the items that you're selling, and it may bring people that have no experience with auctions."

NAA Auctioneers who are interested in "Craigslist For The Auctioneer," as well as many other educational webinars, can find Industry Insights under the "Education" tab at www. auctioneers.org.

Other webinars recently added to Industry Insights include these:

- "Being in the Auction Business: Business Structure and Liability Protection" from Mike Brandly, CAI, AARE, of The Ohio Auction School Groveport, Ohio
- "Blogging Bootcamp" from Ryan George of Biplane Productions, Lynchburg, Va.

In the Knowledge Center

In addition to Industry Insights, the Education section of the website features the NAA Knowledge Center, which is a compilation of Conference and Show seminars and other NAA educational events dating back to the mid-2000s. It also plays host to video from past International Auctioneer Championship competitions.

What do you know?

Educational content from past Conference and Show events is available at www. softconference.com/naa, which plays host to the NAA Knowledge Center. NAA members can purchase content from entire conferences or educational sessions that fit their individual needs. The online, on-demand educational content includes these sessions:

- "Bid Calling with the Champs"
- "Real Estate Auctions for Beginners"
- "How to be an Effective Ring Person"
- "The Aging of N. America New & Emerging Opportunities"
- "Introduction to Livestock Auctions"
- "Marketing Your Auction Company in 3D"
- "Facebook for Auctioneers"

NAA members can view one free seminar per month at www.auctioneers. org. A link to this webinar is provided in Auction Enews, the association's electronic newsletter.

To access the Knowledge Center, Auctioneers should click on the "Education" tab and then the "Knowledge Center" link. Here, the "create an account online" link provides access to the Knowledge Center website.

On this site, members can purchase full access to recordings from the 61st annual Conference and Show in 2010 for \$395. Other event recordings, including individual educational sessions, are available for purchase under the "NAA Meetings" tab.

International Auctioneer Championship footage is available under the "IAC Content" tab. \Box



~HOW TO VOLUNTEER~

You can find descriptions of each committee under **Member Resources** at {*www.auctioneers.org*}

Complete all sections and submit directly to

Hannes Combest, CAE hcombest@auctioneers.org

or by mail to the NAA at 8880 Ballentine, Overland Park, KS 66214



1. Please print:

NAA Member Number:	Name:		 	
Mailing Address:			 	
City/state/zip/country [if not U.S.]:			 	
Phone:		E-mail:		

2. NAA Committee	3. Leadership Experience		4. Why you want to volunteer?	
Please CHECK committees of interest	Please list all experience			
□ Election	Position	From	То	
□ Membership				
□ Charitable Organizations				
□ Young Professionals				
□ Technology				
□ Education Summits/Symposium *				
Designation Committees * (must hold appropriate designation)				
□ CAI *				
□ AARE *				
□ ATS *				
□ BAS *				
□ CES *				
□ GPPA *				
□ Conference & Show Oversight				
□ Conference Education				
□ Fun Auction				
□ IAC (must be past champion)				
□ Partnership Committee				
□ Check if active state association	member Which	association?		

* Committee for NAA Education Institute



NAA Hall of Fame Nomination Form 2011

Name of Nominee		
Residence Address		
City State		
Phone		
State Association of Nominee		
Business Information		
Name of Firm		
Position in Firm Number of A	Associates of	r Partners in Business
Business Address		
City State		
Phone		
Personal and Family Information		
Spouse's Name		
Does spouse participate in the auction profession? \Box Yes \Box No		
If yes, explain:		
Children (include names and ages)		
Name	_ Age	
Name	_ Age	
Name	_ Age	
Does spouse participate in the NAA Auxiliary? Yes No		
Does spouse participate in the State Auxiliary? Yes No		
General Professional Information		
How long has the nominee been associated with auction business?		years.
What percentage of the nominee's time is actively spent in the auction	business?	%
How long has the nominee been a member of NAA? ye	ars.	
Has the nominee specialized in any particular field of auctioneering?	Yes	No

If yes, what field?:

NAA Hall of Fame Nomination Form (page 2)

List educational background of the nominee, including offices held current and past:

List regular auctions conducted, if any, and/or any special individual auctions conducted that brought attention and credit to the auction profession:

List at least three individuals, who have worked with the nominee or who have knowledge of the nominee's worthiness in being considered for this award, whom the Hall of Fame Award Committee may contact:

Name	Address	
Name	Address	
Name	Address	

Previous recipients of the NAA Hall of Fame Award have established general qualifications which they think each nominee should possess or have shown. Please reflect your personal assessment of the nominee with respect to: Honesty; High Ethical Standards; Willingness to Share with Others; Standing in his or her Community; State and National Association; and Contributions to NAA and the Auction Profession

Nominations 1	must be postmarked no later than June 3,2011 Mail nomination form to: NAA Hall of Fame Awards Committee c/o National Auctioneers Association 8880 Ballentine Overland Park, KS 66214
ubmitted by (please print	.)
Residence Address	
City	State Zip

Nomination recommended by (state association)

Sample Press Release



FOR IMMEDIATE RELEASE

Contact: Chris Longly National Auctioneers Association (913) 541-8084 <u>clongly@auctioneers.org</u>

Auctioneers 'Sold' on National Auctioneers Day Saturday, April 16, 2011

Overland Park, Kan., January 25, 2011 – The third Saturday in April marks a special in the lives of auctioneers every year as 'National Auctioneers Day' is celebrated. This special day is recognized by auctioneers as a day to reflect back on one of history's oldest professions and celebrate the industry's future.

Auctioneers celebrate 'National Auctioneers Day' by offer their 'voices' to a range of charities and philanthropies as a way of giving back and giving thanks to the communities and customers they serve.

The last bastion of the competitive free enterprise system, auctions and the age-old profession of auctioneering continues to grow every year. It is estimated that approximately a quarter-trillion dollars in goods and services are sold by live auction every year in the United States. Online or on the lawn, auctions continue to grow in popularity with consumers. Bidders enjoy the thrill of competition with an auction and the rush that comes with the chase for treasures. Auctions are one of the most effective and efficient means of turning assets into cash quickly. Most importantly, consumers come back to auctions time and time again because of the fun and entertainment.

The <u>National Auctioneers Association</u> (NAA) and its members, encourage the public to enjoy Saturday, April 16 by attending an auction. To learn more about auctions, find an auction or auctioneer near you, visit <u>NAAauction.com</u>.

###

About the National Auctioneers Association (NAA)

Headquartered in Overland Park, Kansas, the National Auctioneers Association (NAA) represents the interests of thousands of auctioneers in the United States, Canada and across the world. Founded in 1949, the mission of the NAA is to promote the auction method of marketing and enhance the professionalism of its members through education and technology. To learn more visit Auctioneers.org or NAAauction.com.

National Auctioneers Day Proclamation

National Auctioneers Day April 16, 2011

A PROCLAMATION

WHEREAS, auctioneering is one of history's oldest professions,

WHEREAS, auctions are the last bastion of the competitive free enterprise system;

WHEREAS, auctions continue to be the most effective means of establishing fair market value. No more. No less;

WHEREAS, the auction industry today contributes approximately a quarter-trillion dollars in sales each year to the United States economy;

WHEREAS, auctioneers create a competitive marketplace and connect buyers with sellers wishing to sell their assets for the highest dollar value;

WHEREAS, the National Auctioneers Association and its members strive to advance the auction method of marketing and uphold the highest standards of professionalism in serving the American public;

WHEREAS, auctioneers are proud business owners who support their communities;

WHEREAS, a National Auctioneers Day has been observed for more than 20 years by State and local governments and private organizations;

WHEREAS, the designation of National Auctioneers Day by the [CITY/STATE] will heighten the awareness of the public of the contributions made by auctions and auctioneers to the history of our Nation and its economy;

NOW, THEREFORE, I, [OFFICIAL'S NAME and TITLE) do hereby proclaim Saturday April 16, 2011 as "National Auctioneers Day" and call upon the community and partner organizations to celebrate with appropriate ceremonies to acknowledge these efforts.

Date:

Signature:



MEMBERSHIP APPLICATION

Please complete all four sections of this form.

To apply for membership in the NAA, choose one of these application methods:

Complete this form with credit card information and fax to (913) 894-5281

□ Complete this form and return with payment to: NAA Membership, 8880 Ballentine, Overland Park, KS 66214

PLEASE CHECK ONE. Membership in NAA is open to individuals, not companies.

MEMBERSHIP TYPES		
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continued ►

"Why I joined the NAA"



Rodrigue

"I joined the NAA to gain new knowledge and a better understanding for auctions through workshops, seminars and networking. I am currently an auctions coordinator with Moecker Auctions Inc. I greatly enjoy the vibe of live auctions, the different types of buyers that attend and the experience I have gained. I believe joining the NAA will make it an easier and fulfilling

transition from coordinator to Auctioneer, which I plan to become in the near future."

Eulalia Rodriguez Moecker Auctions Inc. Hollywood, Fla.



"I am a new apprentice Auctioneer in Tennessee. I have worked as a real estate agent and as the marketing coordinator and clerk for Keller Williams Realty & Auction in Knoxville, Tenn., for the past two years. I love the auction business. It is fun, flexible and ever changing. You can never get bored with what you do. I feel being a part of the NAA brings a respect to your business.

Henderson

Having a code of ethics is important in any business, and I am very happy to be a part of the NAA and everything the organization represents."

Missy Henderson Keller Williams Realty & Auction Knoxville, Tenn.



"As a full-time public school principal, charity auctions have been a fascinating and exciting side job for me. Finding NAA was the perfect next step in my education. I am especially enjoying the NAA Discussion Boards/Forums, and the access to experienced and highly skilled Auctioneers from which to learn. I also cannot wait to take some of the seminars and classes offered via NAA.

If you need a charity Auctioneer in the San Francisco Bay area, or a hard-working flagman, please give me a call."

Chad Carvey San Francisco Charity Auctioneer Mill Valley, Calif.



Dotson

networking, education and promotion, that would further my profession."

Wes Dotson Lippard Auctioneers Enid, Okla.



"I have wanted to join the NAA for some time now. I got involved with the industry roughly two years ago and fell in love with auctions. As I got more involved with the process, I realized how boundless auctions truly are. By that I mean how many aspects of the human experience they affect, and when done right, stimulate. What also became obvious to me was that the

"While attending the recent Okla-

homa State Auctioneers Association an-

nual meeting, I was privileged to hear

a presentation for the NAA by Christie

Benefit Auction, LLC, Gadsden, Ala.).

That presentation convinced me that I

was missing many of the opportunities available through the NAA, including

King (CAI, AARE, BAS, of C. King

Shost

people I admire and respect in the business have at least one thing in common: they are all NAA Members. I have been blessed that right from the start my mentors and colleagues not only have a love for industry but also a desire to bring it to the next level, to make auctions more effective, more interesting and more fun. It has been in the combining of auctions and technology that I found my niche. I have leveraged my degrees and experience in software engineering and IT management to position myself on the leading edge of what I consider to be the most interesting field in the world. It is my hope that the relationships I create as an NAA member will allow me to further my understanding, broaden my perspective, add a new dimension to something I already love doing."

Michael Shost Sierra Auction Management Inc. Phoenix

> New members section compiled Brandi McGrath

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 - Your home page includes your contact information, and interactive Quick Poll, etc.
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Nineteen students graduated from Continental Auctioneers School in February. Photo courtesy Continental Auctioneers School



Twenty-four students graduated from the Auction School of Real Estate in February. Photo courtesy Continental Auctioneers School



Twelve students from three states graduated from Southeastern School of Auctioneering in February. Photo courtesy Southeastern School of Auctioneering

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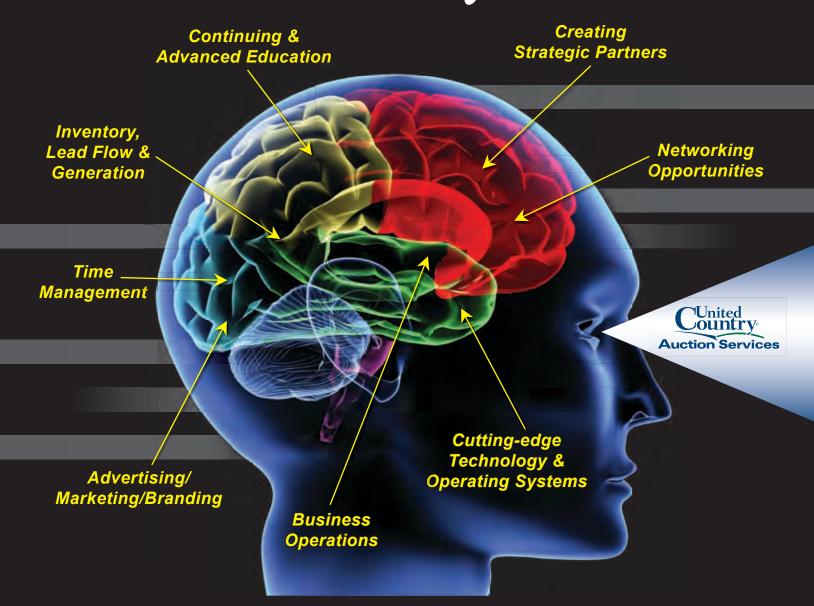
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