



Auctioneer

December 2018/January 2019

The official publication of the National Auctioneers Association

A SPIRIT OF GIVING: THE 2018 NAA TOY AUCTION



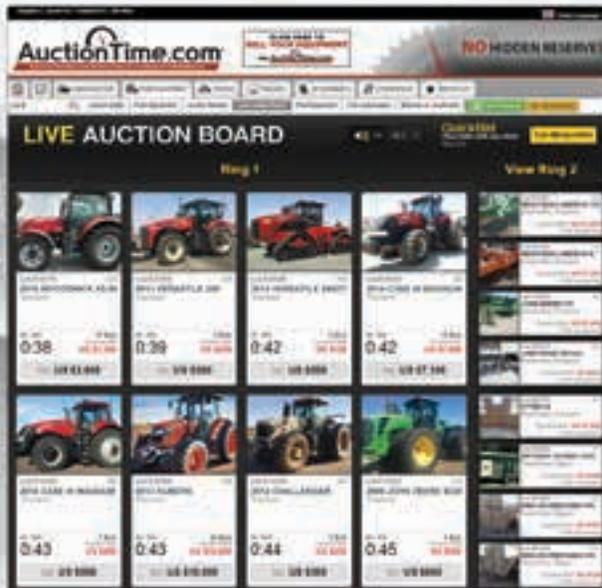
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- | RULES FOR USING DRONES | WHAT IS A DISCLAIMER, ACTUALLY?
- | CAN YOU MAKE MONEY FROM GOVERNMENT RFP'S?

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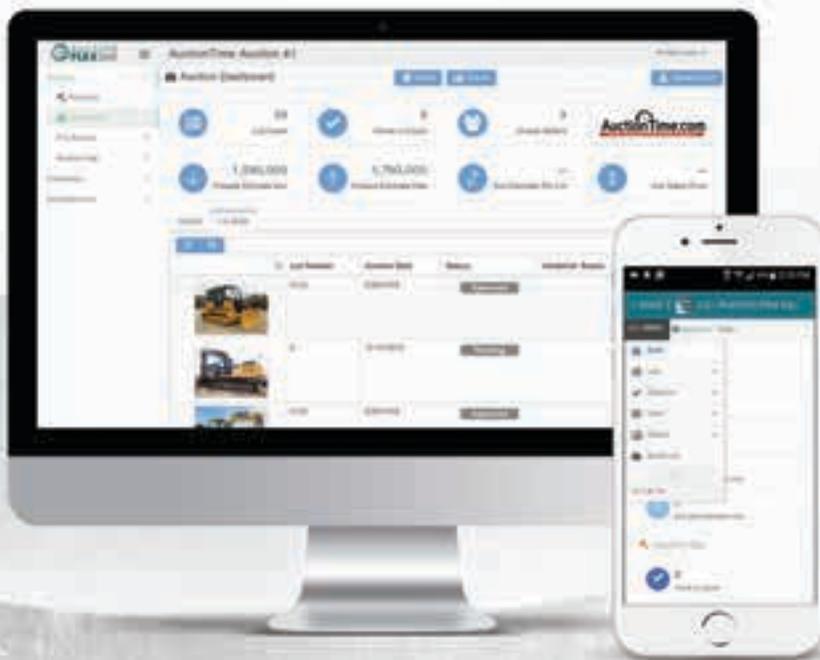
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Your support is literally written on the St. Jude walls

As many of you know, I live in a small town in Western Tennessee, only about 90 minutes from Memphis. As a result, I've been invited to attend NAA's annual St. Jude Children's Research Hospital tour each year I have been on the Board.

This year, it was my privilege and honor to be there and represent our membership as NAA President.

Also attending the NAA/St. Jude Toy Auction and facility tour was Aly (Dower) Miracle. Aly, daughter of NAA past president J. J. Dower and Auxiliary Hall of Fame member and NAA member, Traci Dower, was raised in the auction industry. When she was just two years old, Aly was diagnosed with a form of pediatric cancer. And though Aly was never a patient at St. Jude, she is now alive, married and a mother of a beautiful baby girl because of a protocol developed at St. Jude.

Just as auctions are now reaching a worldwide audience, so is the research developed at St. Jude. Thanks for that research go to generous donors like our NAA members who support Auction for Hope. Additional thanks also should go to members' ongoing support as there is a place for researchers and doctors to collaborate on this research – right on campus – in the newly named NAA Conference Room (see a photo of the sign on page 23).

St. Jude is a miracle waiting to happen. But, their hope – no child shall die in the dawn of life – requires millions of dollars in donations to fund that massive initiative. To date, NAA has played a big role, but we can do better. Please support St. Jude's mission by giving at stjude.org/naa or through the NAA at 8880 Ballentine, Overland Park, KS 66214. (Please make all checks payable to St. Jude).

It has been a blessing to me to be involved in the work at St. Jude, and I am so proud to be a part of an organization with a philanthropic partnership as close as NAA and St. Jude.

And that leads me to my next point ...

In this issue on pages 52 and 53, are applications for members who are interested in serving on the NAA

Education Institute Trustees and the NAA Board of Directors. We are looking for two Trustees to take office in July – their responsibilities are outlined on the application. The due date for applications to be turned in is Thursday, Feb. 28, 2019.

And, of course, we need candidates for the NAA Board of Directors. There are two vacancies that will need to be filled for Directors as well as vacancies for Vice President and Treasurer. The due date for those applications also is Feb. 28. Once they are received, the Candidate Review Committee will interview and endorse up to three candidates per position (six total candidates for the Board – three each for Treasurer and Vice President).

From my perspective, serving in NAA leadership has been one of the most personally and professionally satisfying things I have done in my career. Meeting members from all over the country – all over the world, really – and learning what you are doing and how we can make the auction industry better overall has been incredibly satisfying.

While the application can be found on the page listed above, the complete candidate packet can be found on www.auctioneers.org. Visit the Member Area and then check under Volunteer Information.

Please consider this as you begin to think about what you will be doing in 2019. It does take time, but one thing I have learned is that we all make time for what is important to us. I hope that the future of NAA is important to you. I know it is to me.

Thank you all for your participation this year and for your membership. The Board and I don't take that for granted. And, on behalf of the Board, I want to wish all of you a very happy holiday season – here's to a very productive and successful 2019 for all of us!

Tim W. Mast, CAI, AARE
NAA President

National Auctioneers President Tim W. Mast, CAI, AARE, is executive vice president at Tranzon Asset Advisors. A lifelong resident of southwestern Tennessee, Tim works and resides in Selmer with his wife, Ruth Anne, and their four children. He is a World Wide College of Auctioneering graduate. Tim has served as NAA Ambassador for Tennessee and was elected to the NAA Board in 2014. In 2013, Tim was inducted into the Tennessee Auctioneers Association Hall of Fame – the youngest person ever to receive that honor. In 2008, he was elected president-elect and sworn in as TAA president in 2009. He also previously served on the TAA education committee.

Fluent in three languages, Tim has used his natural skill for negotiating and a commitment to continuing education to become exceptionally successful with large, complicated real estate transactions spanning approximately 30 states and three countries.

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The 2018 NAA Toy Auction at St. Jude

See photos from this year's event, the 23rd in a row, held at St. Jude Children's Research Hospital in Memphis, Tenn.

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The company depends on NAA members in multiple ways.

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State watch

INDIANA

Two NAA members were honored as Indiana's newest Hall of Fame members, and a third member took home the Champion Auctioneer Competition Nov. 14-16 at the Crowne Plaza Indianapolis Airport, in Indianapolis, Indiana, during the Indiana Auctioneers Association's annual conference.

The highest award conveyed to an auction professional in Indiana is an election into the state's Hall of Fame, and NAA members Sam Goebel and Gene Klingaman, CAI, each received the honor.

The packed event also featured a Black-Tie Gala evening with Hall of Fame inductions,

Auction Marketing awards, Presidential Luncheon, and the Indiana Champion Auctioneer Competition, which was won by NAA member Jimmie Dean Coffey, CAI, AARE, AMM, BAS, CES, MPPA. Fellow NAA member Mac Huber earned the nod as Junior First Runner-Up.

Results of the annual election held during the business meeting: President – Jonathan Baker, CAI, CES; Vice President – Jack Christy, Jr., CAI, ATS, BAS, GPPA; Secretary/Treasurer – Mark Bisch, BAS, CES, GPPA; Directors – Marc Huber and Rainelle Shockome, BAS. ❖



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Influencer relationships, owned media top priorities for marketers

Leveraging influencers and user-generated content are areas of focus heading into 2019 for many businesses.

By NAA Staff

Influencer marketing is not a new concept. However, it was still young enough a year ago that many businesses and associations viewed it mostly as a “let’s try it out and see what happens” option instead of a viable anchor in their marketing strategies.

In 2018, however, a shift in priorities began to emerge.

According to “The 2018 State of Influence 2.0,” a report sponsored by influencer management platform Traackr, priorities for influencer programs took on a grownup feel for both B2B and B2C groups. In both cases, brand awareness was the top marketing priority. After that, though, priorities took different paths dependent on the audience.

“While raising brand awareness is the top priority for both (58% B2B and 49% B2C), the second and third top priorities differ,” the report stated. “The second and third B2B priorities are generating leads (55%) and generating brand advocacy (36%). Whereas top B2C priorities include figuring out ROI and attribution (49%) and developing relations with influencers (41%), indicating that consumer-facing brands are deeper into influencer marketing adoption.”

Perhaps not surprisingly, B2C companies – the ones focused more on determining ROI – also ranked high the need for genuine relationships with their influencers. Put plainly, they understand that for there to be a good return on an investment that focuses on using influencers to market the company’s brand and products, the brand must first have a solid relationship with its influencers.

Earning influencers tops paying for them in 2018

But, to get someone to be an influencer, you likely have to pay for them to do that, right? You can, but that’s not the top direction brands were going in 2018.

Instead, owned media was sought after more as the base for influencer relationships. That means brands wanted to use channels they own or control – a company’s blogs, other original

content, podcasts, social, etc. – to help identify and partner with influencers in an earned way. That said, partnering with influencers in a paid relationship was still viewed as important. However, for it to be ranked behind the earned strategy is noteworthy.

“... Respondents count on owned social media strategies first, earned second, and paid third,” the report said. “Notably the marketers surveyed place greater importance on developing partnerships with influencers in an earned capacity (81%) compared to paid partnerships (61%).”

“Also interestingly, outreach and relationship development with influencers takes precedence over customer generated content. It seems brands are increasing their reliance on influencers as a proxy for outreach to communities of customers

“When it comes to paid tactics, advertising is still very important to achieving marketing objectives, but integrated with an owned an earned strategy.”

User-generated content matters

We’ve known (or should have known) for several years now that great content is the key to cutting through online noise and leaving an impact on targeted audiences. That hasn’t changed, and it is probably truer today than ever, in fact.

Inside the influencer concept, this is incredibly important as brands hopefully recognize the power that comes from allowing influencers to be thought leaders and original content creators as opposed to simply passing along a company’s dictated message.

The report shows that a majority of brands don’t understand this concept yet as only 40 percent of respondents said, when asked what social media tactics they would use to become more customer centric, engaging consumers to shape social media conversations through user-generated content (UGC) is highly important. A noticeable 37% said it was either somewhat important or not important.



How to choose your NAA Community of Practice!

In order to plug in fully and reap the benefits of hyper-targeted content and events, NAA members should choose the Community of Practice (or more than one!) that best applies to them. (What's an NAA Community of Practice? See below.)

To select the Community or Communities that fit your need, do the following:

- 1) At auctioneers.org, go to "Member Area" and then select the "Member Profile" link.
- 2) Log in if you are prompted. Otherwise, select the "COP/Specialities" tab.
- 3) Under that tab, select the Community or Communities of Practice that you want.
- 4) Once the box (or boxes) is checked, hit save at the bottom left, and you're done!
- 4) For questions or more information, you can call 913-841-8084 or email support@auctioneers.org to communicate with NAA Staff. Let them know which Community or Communities you would like to join, and they can assist you!

NAA Communities of Practice

In 2017, NAA unveiled its five pillar Communities of Practice: Benefit Auctioneer (BA); Contract (CO); Marketing and Management (MM); Personal and Commercial Assets (PCA); and Real Estate (RE).

Each community has specific, targeted education and a designation program focused within them. All now have content tagged and provided specifically for them as well. Each sector also has, on a rotational basis, a dedicated summit or event such as the upcoming PCA Summit.

"It is NAA's opportunity to help you get the information you most need for your business to be successful," NAA CEO Hannes Combest, CAE, said when the Communities were announced.

Take advantage of the information and event opportunities that matter to your business most. Make sure to log in and choose your Community of Practice today!

"The role of content is increasingly important, yet it seems respondents place less emphasis on user-generated content," said Shonali Burke, President & CEO, Shonali Burke Consulting Inc., in the report. "I think it's important for marketers to realize that UGC can take many forms and, in fact, influencer content is nothing but a very high level of UGC."

Like anything, budgets are important to consider, too.

The report indicated that while "influencer marketing is still underfunded compared to its perceived importance to achieving marketing goals," a large majority of respondents – more than 72 percent – said they plan to spend more in this area in 2019.

This, the report suggests, is because ownership of influencer programs is going up the food chain.

"... The responsibility of IM has gone (as per the executive sponsor) further up the hierarchy ladder," it read, "and budgets are notably increasing." ❖

What are your marketing strategy plans and goals for 2019? Share them in the NAA Auction Professionals Facebook Group! (See page 56 for info!)

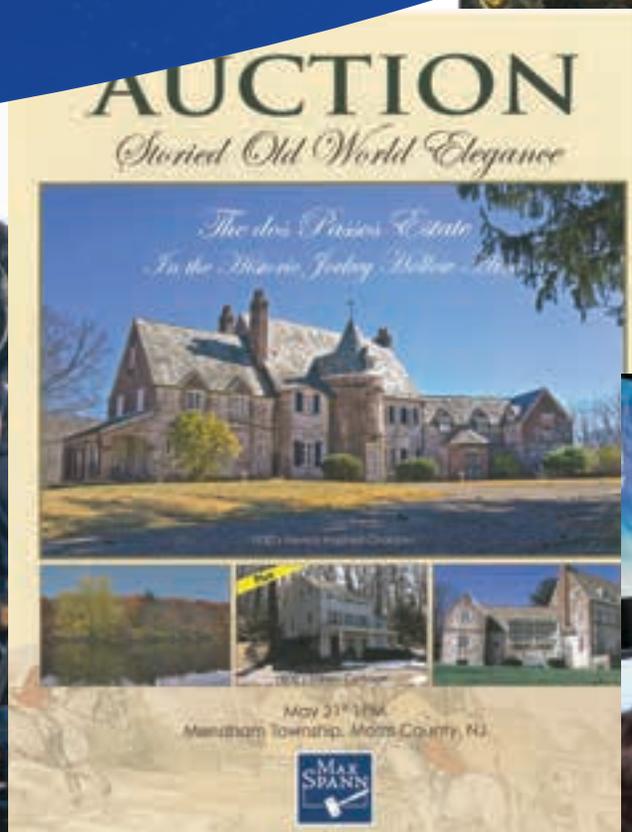
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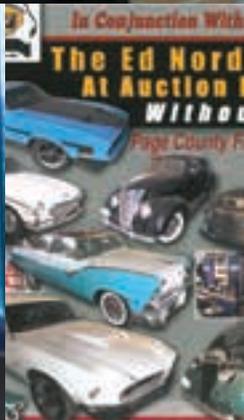
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Save a Dollar, Now Two

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The NAA's "Save a Dollar, Now Two" whitepaper is available at auctioneers.org/iSeries.

Unfortunately, there are many stories in the auction industry of those scenarios occurring and knocking out many well-intentioned, talented businesses that had little or no margin for error, or sick time, or slow markets.

However, say none of those apply. Say auctions have been rolling through the door from the moment your opened shop or started work as a contract Auctioneer. There is a whole other piece to ensuring long-term business success – financial planning.

It's one thing to conduct a lot of successful auctions, but the fact is retirement will be on the horizon someday – for one reason or another. That can't happen without sound financial planning for both you and your business.

Both business planning and financial planning are topics that tend to get left on the sideline for many auction professionals, which is why NAA has invited them back into the game. Take time to read this latest *NAA iSeries – Because it's about YOU!* whitepaper that examines not just those two pieces but also others that all work together to help guide you toward building the strongest plan you can to achieve your goals well into the future.

Your success is NAA's success is the auction industry's success. And, we're rooting for you with the same high level of passion and energy we put into achieving NAA's Education, Promotions, and Advocacy strategic initiatives.

Happy reading and happy planning!

The iSeries Team ❖

“I will conduct auctions on behalf of my sellers and clients.”

For a lot of auction professionals, that is the extent of their company's business planning. It is a worthwhile statement, no question. What is questionable, however, is how well that statement plays into a business' long-term sustainability.

What happens if the auction professional's health declines and he or she must cut back the number of auctions they conduct? What if the market itself slows down?

Suddenly, the simple “plan” anchored to “I'll just keep doing auctions” seems less stable, with the business wobbling as a result.



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krbachman@
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Kurt R. Bachman and Beers Mallers Backs & Salin LLP appreciate the opportunity to review and answer legal questions that will be of interest to Auctioneers. 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 **Auctioneer** shall not be deemed secure or confidential. Please visit one of our offices to ensure complete confidentiality.

What is a disclaimer and how does it actually work?

Question: What are disclaimers? How do they work? Are there any limitations or concerns?

Answer: A disclaimer is any words or actions which tend to negate or limit the existence of a warranty.

What are disclaimers?

A “disclaimer” is any words or actions which tend to negate or limit the existence of a warranty. Auctioneers should consider using disclaimers to reduce their risk of liability. Auctioneers may disclaim the existence of any express or implied warranties.

How do disclaimers work?

Auctioneers may seek to disclaim any warranties by making an announcement before the sale and including a disclaimer in the bidder's registration agreement. The use of the phrases “as is,” “where is,” and “with all faults” are examples of commonly used disclaimers. Use of the expression “as is” implies that the buyer will take the entire risk as to the quality of the property and make his or her own inspection of the lot.

The use of the phrases “as is,” “where is,” and “with all faults” by themselves in the registration agreement (as long as it is clear and made conspicuously) is usually sufficient to disclaim express warranties and implied warranties. UCC § 2-316. The best practice is for Auctioneers to take the extra step, however, and specifically disclaim all implied warranties as well. In some jurisdictions, these implied warranties must be specifically disclaimed. In a few jurisdictions, these implied warranties cannot be disclaimed.

Are there any limitations or concerns?

Yes, there are some limitations and areas of concern. Even with the disclaimer announcement and provisions in the bidder's registration agreement, an Auctioneer can make an express warranty by making specific representations of fact during the auction. A prudent auctioneer is careful not to create a warranty, unless he or she intends to make one. A representation contained in an advertisement may amount to a warranty, unless the representation is disclaimed in the advertisement or at the auction.

In a recent case in Indiana, there were questions about the effectiveness of a disclaimer. The bidder's registration agreement specifically disclaimed any warranties and said that everything was sold “as is.” The goods were sold through a website and there were descriptions of the goods.

Each description included a reference to the terms and conditions of the sale and stated, in bold, that “a bid constitutes the acceptance of these terms.” The terms and conditions section stated, again in bold, that “descriptions have been prepared for guide purposes only and shall not be relied upon by Purchaser for accuracy or completeness. Purchasers shall be deemed to have relied entirely upon their own inspections and investigations.”



The Plaintiff in the case argued that the specific and detailed statements and representations of the goods, including the written descriptions and photos as well as oral representations made at the auction, created express warranties. The Auctioneer filed a motion to dismiss the complaint based on the disclaimer, but the United States District Court denied the motion. The Plaintiff also argued that because the express warranties cannot be read consistently with the disclaimers, the disclaimers were rendered inoperative. In its analysis the District Court said, “[i]f an express warranty and a disclaimer of an express warranty exist in the same sale, an irreconcilable conflict emerges.

If it is unreasonable or impossible to construe the language of a disclaimer as consistent, the disclaimer becomes inoperative.” Disclaimers do provide protection from warranty claims, but the protection is limited. Auctioneers must act consistently with the disclaimer and not do or say anything that would be considered contrary to that disclaimer.

Finally, Auctioneers should make sure that bidders have an adequate opportunity to inspect all lots before the auction starts, if it is possible. Giving bidders the opportunity to inspect the lot will make it more likely that a court of law will enforce the disclaimer – since the bidder had a reasonable opportunity to inspect the lot and failed to take steps to protect him or herself.

If a buyer does not have an opportunity to inspect the lot, he or she cannot take reasonable steps to protect him or herself. In this type of situation, a court will be less likely to enforce the disclaimer and may consider it unreasonable.

In conclusion, Auctioneers should be aware of disclaimers and carefully use them to limit their exposure. Disclaimers, however, do have some limits. Disclaimers are a tool that should be used carefully.❖

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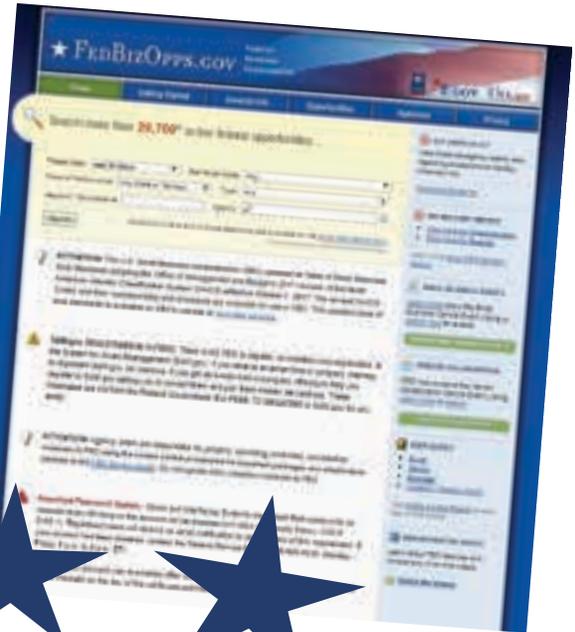
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Can you make money from government RFPs?

In short, yes, there is business to be found in this arena. Here's how.

By Kora Cameron, NAA Content Developer



Because of the nature of the industry, auction professionals usually look for multiple sources of revenue to bring in consistent money.

NAA member Chris Vaughan, CAI, AARE, AMM, says one good, stable revenue source can be government requests for proposals, and he offers advice from his own experiences on finding business through government RFPs.

A government RFP is a request for private companies to submit business proposals when a government agency is in need of a certain product or service, according to FindRFP.com.

Auction professionals can find opportunities in this when government agencies request proposals for the selling of both tangible and intangible assets – tangible assets, meaning government surplus (vehicles, computers, office equipment extra materials and government-owned real estate, etc.) and intangible assets meaning the selling of leases (oil drilling, mineral extraction) and wave spectrum (television, radio, cellular).

Getting started

The first step to success begins before the RFP is issued. Vaughan recommends getting to know the public officials you could be working with ahead of time.

“Be proactive. Get to know the procurement people the staff people so that they know you before the RFPs go out,” Vaughan says. “When the proposals go in, the procurement people look first and qualify them, but the review of the proposals is done by the staff people who you would actually going to be working for.”

Vaughan gives three suggestions for effectively acquainting yourself with public officials:

1. Ask them about their future needs concerning surplus property. Some jurisdictions may or may not have a need for your specific practice as an auction professional.
2. Leave company brochures, collateral materials and business cards at their office.

3. Offer to help write their RFPs. Vaughan says to keep in mind that some agencies will allow you to do this, which will give you an advantage, but others will pay you for your help and disqualify you from bidding on the contract.

How to find government business

Auction professionals can find opportunities for business in each level of the government – federal, state and local.

Federal Government

- Agencies which employ RFPs include the Treasury, Department of Agriculture, Department of Interior HUD, GSA and BLM.
- RFPs can be found at FBO.gov.
- If you want to do business with the federal government, you must register as a vendor under the system for award management.

State government

- Agencies which employ RFPs include the state version of GSA, Department of Natural Resources, Department of Transportation and land trust agencies.

- RFPs can be requested through the state version of GSA, state procurement or purchasing division.
- Register your company as a vendor with the state and include in your registration which categories of business you participate in by selecting the National Institute of Governmental Purchasing codes that apply to you. Once you complete registration, the agency will contact you about contracts you may be interested in.

Local government

- Agencies which employ RFPs include housing authorities, redevelopment authorities, school districts and state colleges or universities.
- RFPs can be found through the purchasing or procurement department.

I found a good RFP. What do I do now?

Once you find an RFP you are interested in, it's time to begin the process of putting the proposal together. Vaughan says this process takes some time, attention and resources, but the work can pay off if done well.



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1. Read the RFP

Download and read the RFP and all included attachments. The contents of the RFP are your key to completing the RFP correctly, so take time to note the specifics of the request.

2. Follow instructions

Each agency requires different conditions for proposals. Paying attention to the details can make or break your chance for success.

3. Heed the deadlines

An RFP may include more than one deadline for different elements of the process, and the deadlines are strict. Don't procrastinate and do give yourself (and the mailing system) extra time.

4. Ask questions

Questions about the RFP must be submitted to the appropriate person in writing before the question deadline. In your questions, cite the specific page, section and paragraph in reference. This makes it easy for the staff person to understand your question.

Once all questions have been collected, the agency will provide the answers to the questions in an addendum prior to the proposal's deadline. Use the answers to make changes to your proposal and ask for clarification if you need it.

RFPs can be another great supplemental source of income for Auctioneers of varying communities of practice. All it takes is some dedication, attention to detail and patience. ❖

This article was an excerpt from a presentation given at the 2018 NAA International Auctioneers Conference and Show. Want even more tips regarding this topic? NAA members can access the full audio of this presentation and many others in the NAA Education Portal at: pathlms.com/naa.

BONDS & INSURANCE

THE COVERAGE YOU NEED:

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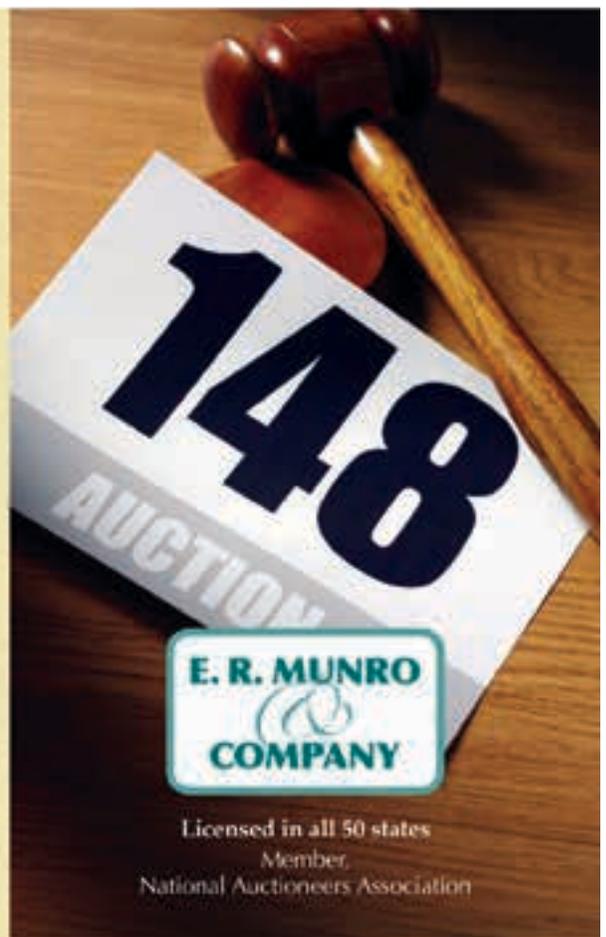
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THE 2018 NAA TOY AUCTION IN PICTURES

Thanks to incredible charity and support from NAA members, the event is now in its 23rd year.

By NAA Staff

Over the past two-plus decades, NAA has partnered with St. Jude Children's Research Hospital in philanthropic spirit. Through different initiatives, including "Auction for Hope," NAA members have donated millions of dollars in support of St. Jude and its mission.

"Since 1995 the National Auctioneers Association has raised more than \$5 million in support of @StJude," said an Oct. 30 tweet from Richard C. Shadyac, Jr., President and CEO of ALSAC, the fundraising and awareness organization for St. Jude. "In addition to these generous funds, they bring bright smiles to our kids every year with the annual toy auction. Thank you to @naaauctioneers for all that you do."

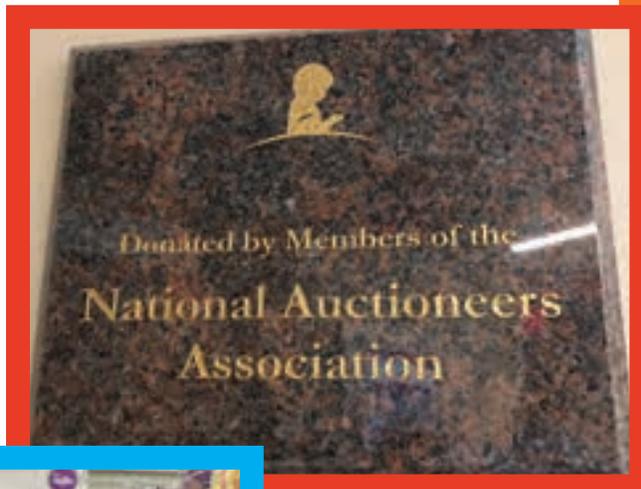
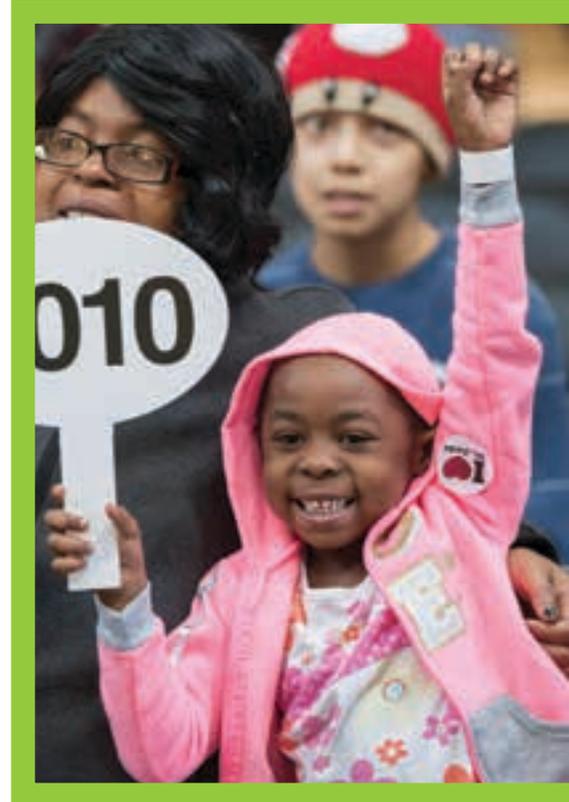
The annual NAA Toy Auction event, now in its 23rd year, continues to be a welcome, warming experience for St. Jude patients and their families as they have an opportunity to have some fun while in the middle of one of the most trying times of their lives.

This year, the Toy Auction was held Tuesday, Oct. 30, at the St. Jude center in Memphis, Tennessee. Images from the event, as well as some pre-event shopping and other fun activities, are spread across the next several pages.

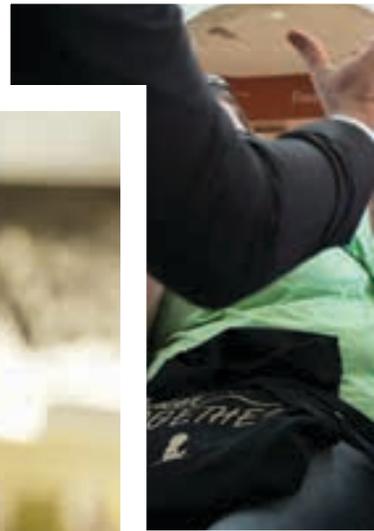
Prior to the Toy Auction, NAA staff made sure to discover the new sign highlighting the fundraising efforts of NAA members. The sign (see below) proudly hangs outside of a St. Jude conference room.

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(Clockwise from bottom left): NAA members J.J. Dower and Lance Walker show off a couple of items to be given to St. Jude children; the new NAA sign that hangs outside a St. Jude conference room; one bidder is very excited; and Lance Walker sports a St. Jude tie during the event.



2018 NAA IAC champions Emily Wears Kroul and Barrett Bray (center photo) helped lead St. Jude children through auction bid-calling exercises after youngsters had the chance to see what toys were up for bid (top right). Wears Kroul and Bray were part of a large NAA contingent (bottom center) welcomed by St. Jude. Also during the two-day trip, NAA President Tim Mast and Foundation Immediate Past President Mike Jones celebrated a large fundraising amount for St. Jude (far right photo; Mast center, Jones far right).







(Clockwise from top left): Emily Wears Kroul looks for the next big toy winner during the NA A Toy Auction; the NAA group shows off its Target shopping trip results after buying toys for the auction; a poster announces the auction inside St. Jude; Wears Kroul talk with a St Jude patient and family during the auction; NAA President Tim Mast welcomes everyone to the event.



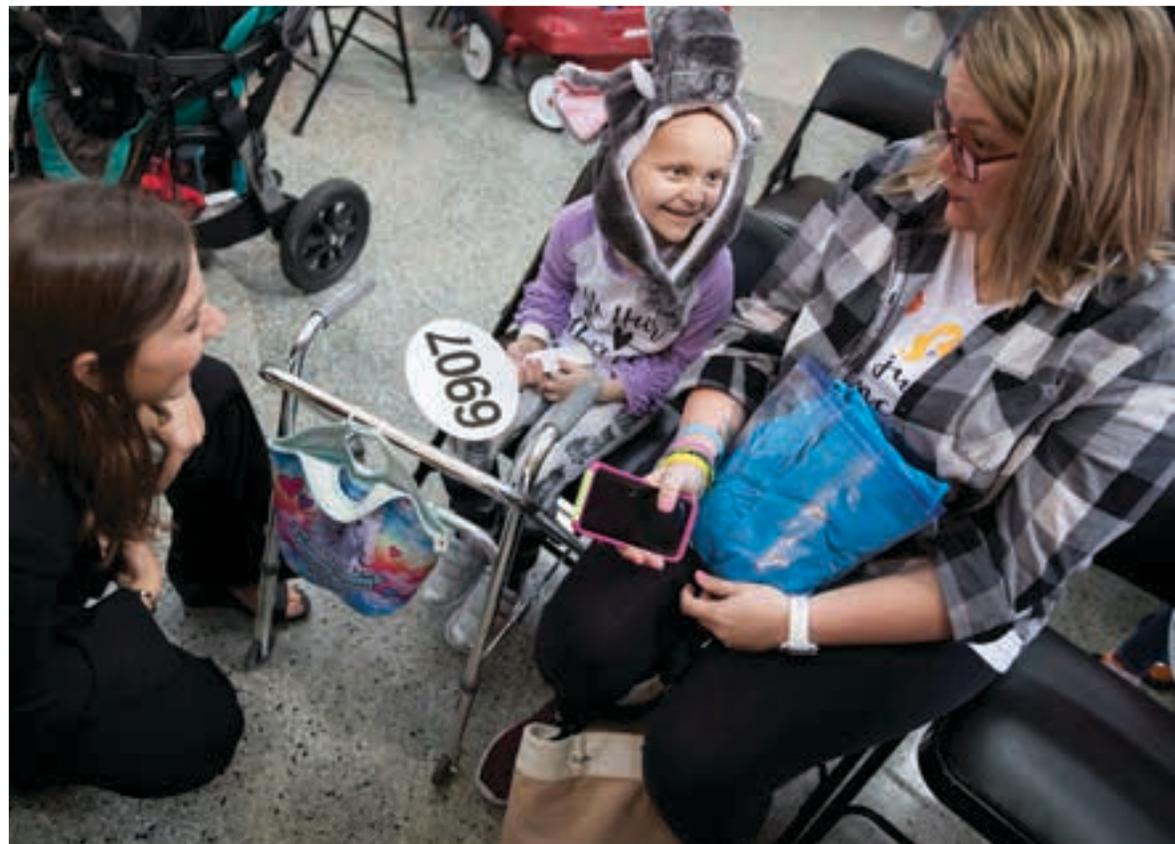
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American snapshot



Retiring U.S. Rep. Rodney Frelinghuysen’s office is filled with his family’s and country’s history. Those pieces, he says, will likely someday use auction to find a deserving new home.

By NAA Staff

While Washington, D.C., is a grand illustration of United States history come to life, U.S. Congressman Rodney Frelinghuysen’s office inside the Rayburn House Office Building has amassed generations of political history all its own.

With the Capitol Dome standing tall outside his office window, Frelinghuysen (R-NJ) has collected a wealth of his family’s political heirlooms in addition to other historically rich political pieces that others have given to him over time.

The opportunity to gather those items – including campaign materials – has been a long, storied one for the Frelinghuysen

family, which has a U.S. government history, including four senators and two representatives, dating back to the Continental Congress.

“The first member of my family was a Federalist,” Frelinghuysen said. “The Federalists then morphed into the Whig party. So, my ancestor and Henry Clay ran as a Whig.”

(Clay, with Theodore Frelinghuysen as his running mate, lost in the 1844 presidential election to James K. Polk.)

Part of his collection is an original Congressional desk designed



Far left: U.S. Rep. Rodney Frelinghuysen (R-NJ) has collected a huge amount of American political history in his office, which he will vacate in December upon leaving office.

Left: Frelinghuysen poses with NAA Hall of Fame member and peer Congressman Billy Long (R-MO).

While my children may inherit some of this, I think it's important for things to go back into the auction marketplace."

— Rep. Rodney Frelinghuysen

by Thomas U. Walter – one of the original architects of the U.S. Capitol building. The desks, according to Frelinghuysen, were first used around 1870.

The desks help frame a room full of pictures of past family members in the legislative branch and other snapshots in political time. Those items, according to Frelinghuysen, are not “his” so much as he has been a caretaker of them over the years.

“I like the notion, too, that we are only trustees of this material,” he said. “I don’t think everything needs to go into museums.

“I believe in an open market. So, while my children may inherit some of this, I think it’s important for things to go back into the auction marketplace.”

Auctions, according to Frelinghuysen, who plans to return to New Jersey after his term ends, are the most prudent way for the items

he has collected to find the right person or people to take next shift in caring for the pieces.

“I believe in auctions. I believe auctions are a way for materials to be distributed, and I think it’s important for people to be collecting our heritage but doing it in a way that’s knowledgeable,” said Frelinghuysen, who also indicated there is no immediate plan or timeline for an auction. “You hold these things in trust for other generations. So, philosophically, I don’t think everything should go to museums.”

And as for the Frelinghuysen name continuing its impressively long lineage in the House and Senate?

“That is sometimes part of the story,” Frelinghuysen said, “but you don’t know what the future brings.” ♦

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EYE IN THE SKY

Drone use is increasingly popular in the auction industry for lots of great reasons. But, if you're using it for business, you need to know the rules.

By James Myers, contributor

Auction professionals with an eye toward utilizing technology to advance their business goals are looking at drones for better promotional material, especially for real estate.

However, there are rules and regulations to consider before you start navigating an unmanned aircraft system (Federal Aviation Administration's [FAA] definition of a drone).

Craig Taylor, international operations manager at Proxibid, has assisted many clients with getting footage for their auctions. He's quick to promote the use of drones for their ability to capture content for marketing purposes, including social media and video promotions, but also for aerial views for real estate auctions, inventory previews and live auction footage. However, he's also quick to caution that there can be big fines, civil and criminal, involved if you're not doing it right.

Commercial use = license required

First and foremost, anyone using a drone that is or could be used for commercial purposes must obtain a remote pilot certificate, which the FAA requires. All information required to become a drone pilot is on the FAA's website. Pilots must be at least 16 years old, speak, read, write and understand English, and pass the initial aeronautical knowledge exam (\$150 fee) at an FAA-approved knowledge testing center.

"The FAA will look at you the second you touch (the drone) for your business and they will say you have to have a license for this – their definition around this is pretty rigid," Taylor said. "You should remember to carry insurance on anything you fly, even if it's a three-pound drone, it's a three-pound rock coming down from the sky."

Anyone flying in a careless and reckless manner potentially faces \$27,500 in civil penalties and up to \$250,000 in criminal penalties. For example, one must know the FAA will not allow someone to fly a drone within a five-mile radius of any airport.

While those fines are scary enough, anyone flying a drone needs to carefully study state and local laws. The FAA's website offers state-level guidelines, and it's a lengthy document – around 34 pages of 12-point font. But, to avoid breaking laws and setting your business back, it's imperative to know these rules.

For example, one of North Carolina's drone laws prohibits flying near a correctional facility. On a local level, the city of Kannapolis has a city ordinance that bans the use of drones in city parks.

"Know your local ordinances and laws," Taylor advised.

Anyone using a drone that is or could be used for commercial purposes must obtain a remote pilot certificate, which the FAA requires.

"Some cities have cracked down on drones usage and they can do it – it's the air space within their city and they're allowed to make rules and regulations."

Focus on quality

Just because you have a drone and are using it legally doesn't mean it's going to automatically bring in a massive number of buyers to your next auction.

The cameras on drones aren't all created equal. For example, drones under \$50 might have a 720p camera, but image quality can be suspect and there are few to no added technological perks to cheap drones.

The price range from the most cost efficient to the most costly is drastic. For example, the Dragon X12 is a \$30,000-plus unit that can carry a 100-pound payload and offers cinema quality video.

However, Taylor said some of the more advanced technology comes standard on \$800-\$1,500 drones. His company uses a Phantom 4, of which there are different models offering various perks. The Phantom 4 Pro, which costs around \$1,250, has a stabilized camera that offers high-quality 4k video and 20-megapixel imaging. It has four directions of obstacle avoidance, which comes in quite handy if you don't have line-of-



Just because you have a drone and are using it legally doesn't mean it's going to automatically bring in a massive number of buyers to your next auction.

This article was an excerpt from a presentation given at the 2018 NAA International Auctioneers Conference and Show. Want even more tips regarding this topic? NAA members can access the full audio of this presentation and many others in the NAA Education Portal at: pathlms.com/naa.

site capabilities and want to avoid running in to anything.

“More advanced systems can stream back to your phone,” Taylor said, which makes navigating the unit much easier than flying by line-of-site only.

Once you're happy with your choice of drone, Taylor said it's time to work on capturing quality footage, which includes remembering various photographic basics, like following the rule of thirds, making sure the lighting is right and that the subject matter is evenly balanced. When you're achieving that, there is much work that can be done in post-production to improve what you show in your marketing materials.

“Drone footage is beautiful,” he said, “but it's only part of it. Adding the graphics, editing the pieces together – if you've got shaky video at one point, cut that out; grab other video and overlay pieces.”

For more information about flying drones, check out knowbeforeyoufly.org. ❖

Before you fly

According to knowbeforeyoufly.org, an education campaign founded by the Association for Unmanned Vehicle Systems International and the Academy of Model Aeronautics in partnership with the Federal Aviation Administration, the following rules apply to business users of drones:

- Remote pilots must pass the applicable Transportation Security Administration vetting.
- Drones must weigh less than 55 pounds.
- Pilots must do a pre-flight check
- Operations in class B, C, D and E airspace are allowed with the required Air Traffic Controller (ATC) permission.
- Operations in class G airspace are allowed with ATC permission.
- Must fly under 400 feet.
- Must fly during daylight hours or civil twilight hours.
- Must fly at or below 100 mph.
- Must yield right of way to manned aircraft.
- Must not fly over people.
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Rules to engaging Asian business culture

Details and timeliness are huge factors in Asian culture, and there are several other customs and terms you should know.

By Nancy Hull Rigdon,
contributor

In any business transaction, you must know your customer. Misunderstand a cultural detail? You may lose the deal.

NAA member Yi "Meggie" Mei, a Chinese American and lead Auctioneer of Mei Auctions in Fort Hood, Texas, has witnessed the vast differences between Western business culture in American and Asian business culture. Because she's seen how the differences turn into challenges, she offers advice to NAA members on how to bridge the gap between the two cultures.

Mei, BAS, emphasizes the importance of educating yourself on details including the age of an Asian business contact as well as where they were born and how long their family has lived in the U.S. – but do your research without asking the individual questions about his or her background. This matters, she says, for a few reasons.

Someone born in the U.S. whose family has lived here for three

generations will not as strictly follow Asian business culture as someone born in Japan, for example. The countries most closely aligned with what's referred to as Asian business culture are China, Japan, Korea and Taiwan. Plus, seniority in age matters.

To successfully navigate Asian business culture, she offers the following six rules.

1. Know the basics

There are a few foundational rules of Asian business culture. If you don't abide by these rules, it can be tough to build strong business relationships.

First, Asian culture prioritizes details and timeliness.

"If you say to meet at 11, you have to be here before 11," Mei says. "And if you tell me you're going to follow through in 2 to 3 weeks and then you can't, you have to send me a note. It's a very

disciplined and professional culture.

“If you cannot keep your word, you’ll be taken off the list.”

Another detail: Use both of your hands to pass a business card to someone. You should do this after shaking hands.

Japan and Korean have intense hierarchy structures, she says. This means it may be more appropriate to bow rather than shake hands, especially if the person is older than you.

“In Korea, if you don’t bow to someone older than you, people can feel hurt,” Mei says. “It’s important to pay attention to these details and get them right.”

2. Understand what face-saving and no-face mean

In Asian culture, to save face means you don’t want to let anyone down. This is a big priority in the culture. If you do go against someone’s wishes, that means you’ve lost face.

“I know a woman whose family wanted her to go to medical school. But she wanted to be a hair stylist. So after she graduated from med school, she ran away and become a hair stylist. Her family won’t talk to her and can’t forgive her – she lost face so this becomes no-face,” Mei says.

3. Go with an indirect approach

Don’t expect to make a concise business pitch one day and get hired the next. Understand that earning respect and a relationship takes time. And realize that you can quickly lose a relationship.

“If you do build rapport over time, but then you do something to offend, you’ll be pushed out, and it will take you a very, very long time to earn the respect back,” Mei says.

Remember that in Asian culture, people prefer material that those in Western culture may categorize as too complicated. Mei says this means proposals shouldn’t be heavy on straightforward blocks of text. Use charts, graphics, color and other visuals.

“If you’re thinking, ‘this is too busy and complicated,’ that means it’s probably spot-on,” Mei says.

4. The words “yes” and no” mean something different

In Asian business culture, “yes” doesn’t mean something is happening. Think of “yes” as meaning a range of things that aren’t negative. It can mean everything from the Western

definitions of “maybe” to “I don’t know” to “yes.”

“People get very confused,” Mei says. “They’ll say, ‘Well, we had a drink and the guy said, ‘Yes, let’s do business.’ And then, the next day, he acts confused when I present a proposal.’ That’s how it is. It takes a while. Keep going. You are getting closer.”

5. Understand hierarchy

In America, business culture stresses teams. In Asian culture, decisions are made based on a hierarchy. There’s always one person at the top that is the decision-maker.

“If you’re a sales manager, in America that means you have some decision-making power. In Asia, that means you report to the highest person. You don’t make decisions. If you do try to make decisions, you’ll lose face,” Mei says.

If you’re trying to win over the decision-maker, you should still work to build a relationship with the sales manager, she says. That sales manager’s job is to work with you and report findings up the chain. The top person delegates a lot of duties – they want to make decisions but don’t want to do the legwork behind them.

Titles and where they fall in the chain are also very important.

6. It takes a long time to build a relationship

Gaining trust takes significant time in Asian business culture.

Also, if another family member – a spouse, perhaps – has influence over the person you’re pursuing, work to make them happy as well, regardless of whether they’re involved in the business.

“If you want to win someone’s business, take them and their family out for drinks often over many months, maybe years,” Mei says. ❖

This article was an excerpt from a presentation given at the 2018 NAA International Auctioneers Conference and Show. Want even more tips regarding this topic? NAA members can access the full audio of this presentation and many others in the NAA Education Portal at: pathlms.com/naa

webinars and whitepapers, Learning from the Legends videos and more.

At the top of the screen, users can use the search bar to search for key words or communities of practice and quickly find resources relevant to their needs.

Unlike the previous system, the new education portal tracks members' activity so they can pick up where they left off with a program (member activity can be found on the home page) or find out how many CE's they've earned by participating in activities in the portal. (Auction professionals are required to earn at least 24 CE's per year to maintain their designation status.)

Members can check their CE status by logging on to Auctioneers.org and clicking on "Check Your CEs – Members Only" under the Education tab.

New to the lineup is a Graduate Personal Property pre-course. This course will be mandatory for registrants to complete before

attending GPPA, but it will lessen the amount of days in class to complete the GPPA designation.

Traditionally, the designation consists of five days of GPPA classes in addition to two days of Uniform Standards of Professional Appraisal Practice classes. Ensminger said GPPA and USPAP go hand-in-hand for an Auctioneer wanting to add appraising to his or her skill set, and participants usually take these back-to-back.

"Appraising is skill set that overlaps with selling at auction. That said, it's a different skill set. Appraising is not selling, and selling is not appraising," Ensminger said. "With our GPPA designation, we make sure that people are USPAP compliant, so they can legally present any USPAP compliant appraisal to represent a client in court or with the IRS."

The goal of the pre-course is to make the designation more accessible and shorten the length of time participants would sit in class without taking away the benefits of in-class discussion topics and activities.

The new NAA Learning Management System (LMS) makes it easier for NAA members to enjoy their benefits, including free access to past Conference & Show sessions, iSeries archives, microlearning, and more.

NAA National Auctioneers Association

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For this reason, the pre-course will cover static topics, including vocabulary, safety and basic USPAP principles.

This new learning module opens up the door for new ways of delivering education, thus improving the NAA member experience.

Ensminger says he encourages all NAA members to take advantage of the resources the NAA Education Portal has to offer, even if they have already completed their CE requirement for the year.

“There is always something new to learn that can help our members be more successful. With this new education portal, you are no more than four clicks of a mouse or four taps of your screen away from getting something new anytime, anywhere.” ❖

The NAA GPPA designation makes sure that people are USPAP compliant, so they can legally present any USPAP compliant appraisal to represent a client in court or with the IRS.

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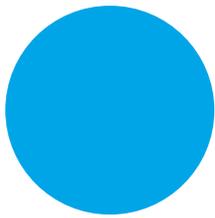
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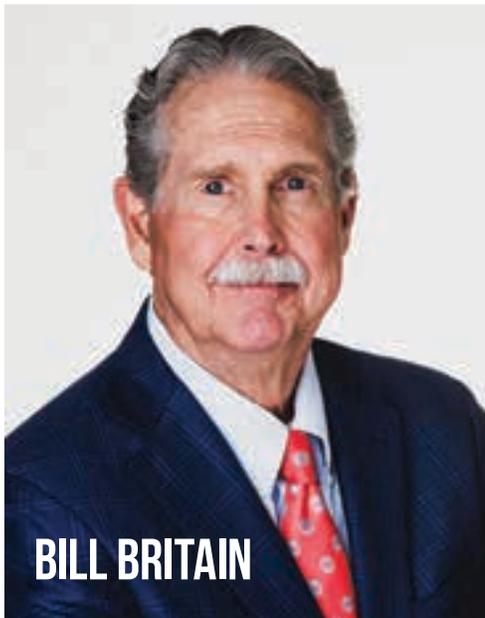
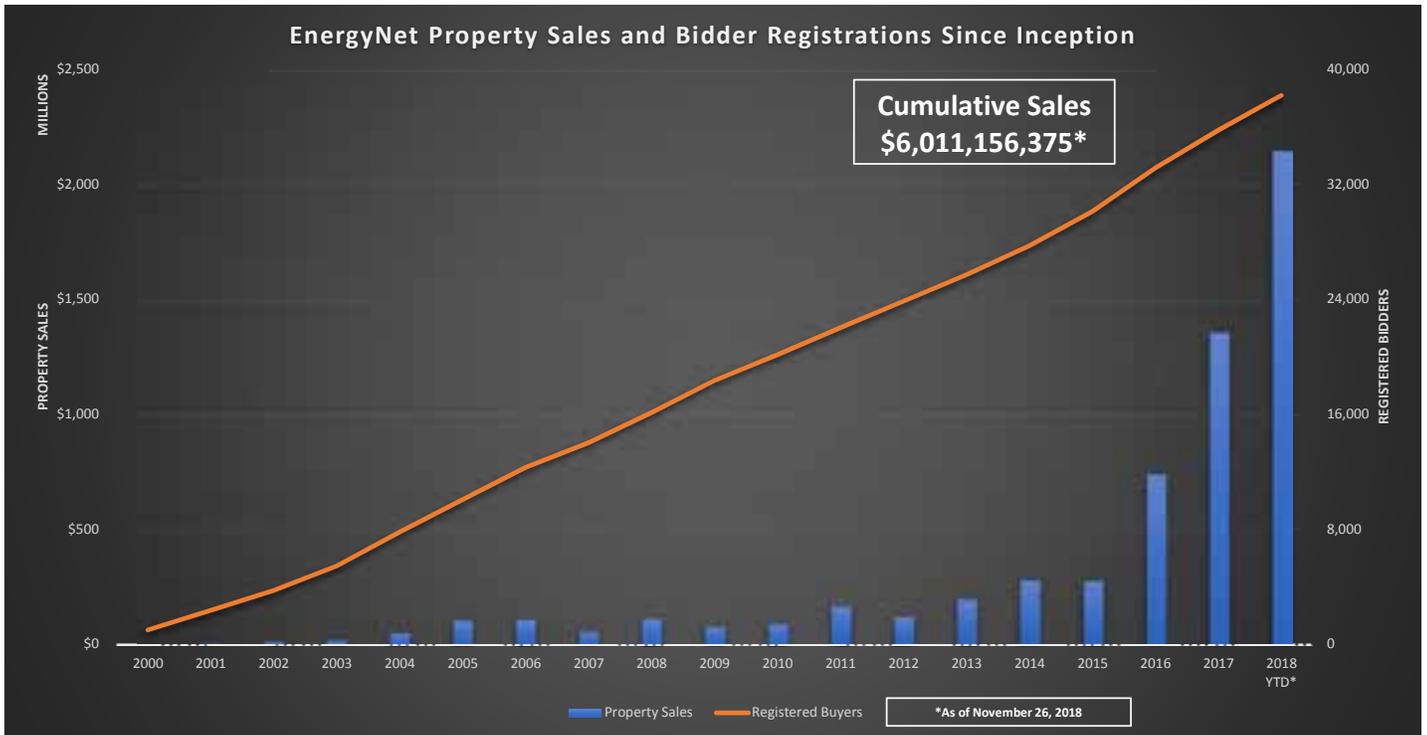
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Sources: 2012 Mendelsohn Affluent Survey, adults 18 or older, HHI \$100,000 or more; September 2012 ABC Publisher's Statement (print copies only)

Show up, and don't give up



NAA member and EnergyNet CEO Bill Britain offers those elements for advice to other auction professionals.

By Nancy Hull Rigdon, contributor

The company Bill Britain co-founded 20 years ago lays claim to numerous firsts in the world of oil & gas property auctions. And the company's sales numbers and client lists are the envy of many.

So what led to EnergyNet's industry-leading success?

"There were a lot of years at first where we had a very difficult time meeting payroll and paying our expenses. I thought, 'Are we ever going to make a profit?'" Britain says. "We also felt good about our product and felt like we were doing the right thing. So, we pushed forward and focused on hiring good people who want to give platinum service and believe in what we're selling."

In 2000, when EnergyNet was very young, it achieved a first when it sold an oil & gas property in an online platform. The company hit another first in 2016 by selling a federal oil & gas lease that involved 4 million acres for the Bureau of Land Management.

The company's cumulative sales and bidder registration numbers define success. Since 1999, EnergyNet has sold more than \$6 billion worth of property, and it is nearing 40,000 registered bidders. Clients include the big oil & gas names: Chevron, Conoco, Phillips, Shell, and BP. EnergyNet now also sells for several government agencies.

"I am proud of everything we have accomplished," Britain says.

A prior career in oil & gas led Britain to the auctioneering path.

He graduated from West Point in 1972, then was in the Infantry for five years. After that, he spent about 20 years in oil & gas exploration and production, real estate development and ranch management before co-founding EnergyNet, which is based in Amarillo, Texas. He now serves as Chairman and President of ENET Holdings.

It is an eye-opening trajectory – one that provides more than enough gravitas to the advice Britain offers other auction professionals early in their own careers.

"It's important to not give up. Hire great people and have faith in your business model," he says. "Half the battle is showing up and not giving up."

Reflecting on his career, he says, "I work with the greatest people on Earth. It really is a joy to go to work."

He's seen first-hand the difference the NAA makes in auction professionals' careers. He's watched EnergyNet colleagues Brandon Savage and Ethan House benefit from the NAA, for example.

Plus, the NAA reminds him that auctioneering is fulfilling career.

"Through the magazine and other ways, the NAA brings out the fact that the life of an Auctioneer is genuinely an exciting life," he says. "It's exciting to be a part of that history."

The industry and his company are fulfilling to him in other ways as well as Britain stresses the company's charitable activities. For example, in addition to EnergyNet auctioneers' involvement in benefit auctions, a portion of sales from the government-owned properties go to schools.

Outside of work, life for Britain revolves around his wife, daughter, son and three grandchildren. He loves to hunt and fish. His hobbies and family time merge during regular trips to Africa.

"These trips are a great way to build our family relationships," he says. "Traveling to Africa is such an amazing experience for our grandkids – I love to watch them learn and explore."

He's grateful for his family's career support all these years.

"When your family believes in what you are doing, that makes a huge difference, and I've been fortunate to have that support," he says. ❖



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The Million Dollar Elm

Much of today's oil market landscape once had literal roots via auctions under an elm tree in Oklahoma.

By NAA Staff



If trees talked in a way you and I could understand, there once was one in Oklahoma that could have told one of the United States' most intriguing stories.

A large Elm once stood in Pawhuska, Oklahoma, on the Osage reservation and served as the meeting place for oil men and members of the Osage tribal council. Beginning with the first leases sold by sealed bid in April of 1912 and then the first public auctions a few months after, the "Million Dollar Elm" watched and listened as men won and lost fortunes daily.

"Because of the vast fortunes paid for the leases, the tree became

known as the 'Million Dollar Elm,'" wrote Michael Wallis, in his book, *Oil Man: The Story of Frank Phillips and the Birth of Phillips Petroleum*. "It was a fitting name."

On Nov. 11, 1912, says the American Oil & Gas Historical Society's website, the tree lived up to its name when it witnessed 18 tracts bringing bonuses of \$1 million on that day alone.

Almost all by auction

In March 1916, a previous blanket lease expired and was cancelled, which meant all oil leases in the Osage had to be



COL. ELLSWORTH WALTERS DID MILLION-DOLLAR AUCTIONS FOR \$10 UNDER THE "MILLION DOLLAR ELM."

purchased at public auction.

This opened the door to widespread enthusiasm, interest and opportunity, and top oil company executives – names such as Phillips, Sinclair, Skelly, Getty and Marland all were regular attendees to the auctions – made their way to the Oklahoma prairie with the intent of expanding their rapidly growing oil company footprints.

At the center of the entire auction spectacle was Colonel Ellsworth E. Walters, an Auctioneer from Skeegee, Oklahoma, “a tall white man with thinning hair and a booming voice,” according to David Grann in his book, *Killers of the Flower Moon*.

Though he was responsible for millions of dollars trading hands, Walters conducted each auction for a \$10 fee, which didn’t change until the Osage tribe raised his fee for him to \$100 and gave him \$50 to cover travel costs.

“Walters was a showman and used humor, dramatic gestures, and a modulating voice to keep these affairs exciting and bidding lively,” Wallis wrote. “He was smooth as corn silk and could charm a crowd of anxious oil tycoons better than a show girl.”

With such big names all together, intensity around the block could get high at times. At one auction, “the Phillipses, Skelly, and Sinclair were all vying for the same tract,” Wallis wrote. “After several minutes, the bidders became so agitated that Frank (Phillips) and big Bill Skelly started a shoving match with each other which quickly ended up with the two of them wrestling on the lawn.

“While they were battling, Sinclair gave Walters a nod and wink and secured the lease.”

Another less combative story involved Frank and L.E. Phillips as they sat beneath the elm and watched as Walters looked to increase a bid by \$100,000. Just as the Walters looked to hammer the sale, L.E., who was famous for using subtle bid signals, flicked his fingers across his nose to swat a fly.

Walters took it as a bid and hammered the sale.

Later, according to Wallis’ tale, Frank Phillips laughed and said, “L.E. cost the company \$100,000 because he couldn’t stand the flies.”

Through those and other many more less eventful auctions, it was estimated that more than \$300 million was paid to the Osage tribe during three-quarters of a century of oil development in that area, according to Wallis.

As for the wise, old elm, the original died in the 1980s, according to aoghs.org.

Another is in its place now after it was dedicated in September 2006. And, elsewhere in the surrounding areas, there are now six Osage Nation “Million Dollar Elm” casinos – a direct naming tribute to how many in the area came into their money under a single large tree nearly 100 years ago.

For more information, check out aoghs.org/petroleum-pioneers/million-dollar-elm. ❖



Employment: Contractor vs. employee

States and the Department of Labor have been taking a hard look at how businesses can classify their workers.

By James Myers, contributor

The auction industry can be particularly vulnerable to a problem that can lead not only to bankruptcy, but also jail time.

It occurs when an independent contractor is found by state and federal agencies to be misclassified and actually fits under the description of an employee. The issue is only magnified by the fact that the guidelines what defines an independent contractor can differ per investigator.

NAA member Rich Schur, CAI, BAS, MPPA, has discussed this topic at places including the NAA Certified Auctioneers Institute.

“Of the many regulatory things Auctioneers can get caught up in,” Schur said, “this is one of the most disastrous.”

The Department of Labor, just one of four organizations that can come after parties that may run afoul of the classification, said in 2015 that it recovered \$246 million in back wages. That number is in stark contrast to the previous year’s \$79 million recovered, which could mean the Department has started cracking down on the issue.

The Bureau of Statistics estimates that roughly 10 percent of the workforce (14.4 million people) is classified as independent contractors. However, the Department of Labor has an estimate of its own – roughly 3.4 million of them are misclassified and should actually be considered employees.

(This has become extremely relevant in states such as California, where the state’s Supreme Court reclassified contract laborers, including Auctioneers. You can read more about that change in the October 2018 issue of *Auctioneer*.)

Value of “contractor”

The value of classifying someone as an independent contractor is that the employer is not paying taxes on those wages. Instead, the company that hires the independent contractor only has to pay the fee, wage or commission. There is no responsibility for paying overtime, vacation, payroll taxes, FICA, Social Security – that’s the responsibility of the independent contractor.

Another perk for the independent contractor is that the person can deduct mileage, expenses, etc. – anything that falls under the cost of doing business. That makes it an enticing proposition.

Enthusiasm should be quickly tempered, though, when considering the fact that if you wrongly bring someone in as an independent contractor, there are four government agencies that are going to potentially take notice, perform audits, and levy fines and penalties that can devastate your business.

“If they find that the misclassification was intentional,” Schur said, “that may qualify as a criminal offense and result in a prison term, plus tens, if not hundreds, of thousands of dollars in penalties and fines.”

The Internal Revenue Service is one agency that will get involved and hand down its monetary punishment. The Department of Labor can also step in, and the independent contractor who actually qualified as an employee is now owed back wages and overtime. Also, the state's Department of Revenue can come in and collect back taxes. The state's Department of Labor can also get involved and hand down its own fines and penalties.

"An independent contractor who is misclassified and should be an employee creates a huge liability to both the company and the contractor," Schur said. "Huge liability."

It's a problem in the auction industry, Schur said, because so many contract bid callers work as independent contractors. Some will consider themselves independent contractors because they work for multiple auction houses. They may be legitimate contractors, but working for more than one company is just one of many indicators that they're not an employee.

One of the most important aspects of this issue involves control. The company that hires contractors cannot control them like they would an employee. Schur said Auctioneers can demonstrate they may qualify as an independent contractor if they establish themselves as an LLC or other business entity – there has to be some business structure there, not just an individual.

Having insurance is recommended, and you must demonstrate that you are providing a skilled service to multiple clients. You should have the control to accept or reject assignments as you see fit. There should also be a contract between the contractor and the employer that specifically spells out that you are a contractor and not controlled by the company.

A true independent contractor will bring their own tools to the job, set their own schedule, and will bill the client instead of submitting a time sheet. Schur points to the IRS's independent contractors 20-factor test to determine if you qualify as a contractor or an employee. However, he cautions that this is not a fool-proof method of making that determination.

"It's guiding principles and nothing more," Schur warns. "You're always at the mercy of the investigator."

In the 20-factor guidelines, the IRS says that if a worker performs services in the order or sequence set by the person for whom the services are performed, that shows the worker is not free to follow his or her own pattern of work, which indicates they are employees rather than contractors. However, investment in facilities, such as tools used on the job, would indicate that the worker classified as an independent contractor.

IRS Topic 762: Independent Contractor vs. Employee

The IRS weighs in on the issue with "Topic 762 – Independent

Contractor vs. Employee," saying that, "you should consider all evidence of the degree of control and independence in this relationship. The facts that provide this evidence fall into three categories – Behavioral Control, Financial Control, and the Relationship of the Parties."

- Behavioral: Does the company control or at least have the right to control what the job is and how the worker does their job?
- Financial: Are expenses reimbursed? Are tools provided or does the contractor bring in their own? Are the business aspects of the job controlled by the payer?
- Relationship to parties: Has a contract been written describing the relationship? How permanent is the relationship? Does the business offer employee-type benefits?

For 30-plus years, Schur's company hired an independent contractor to sell cars at an impound auction. The contractor came in with his own truck, microphone, experience, etc. The seller set the auction time, so Schur's company was, in theory, in the clear on that account, too. However, he's in no hurry to bring in outside help as a contractor if there is even the slightest doubt.

"Don't gamble if you're an employer," Schur advises. "If you're in doubt, make them an employee. It's a heck of a lot cheaper than going out of business. When in doubt, contact your attorney or tax professional." ♦

**Ed. note – Prior to working in the auction industry, Schur earned his senior professional in human resources (SPHR) designation, and ran an HR consulting company.*

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Proxibid has employees that will get out in the field and help clients in multiple ways.

Friend request: accepted

Proxibid has had a long relationship with NAA members and depends on them in multiple ways.

By James Myers, contributor

There must be something about Omaha that keeps it successful residents from moving off to the East or West Coast.

It's true of Warren "Oracle of Omaha" Buffett, who still resides in the home he bought there in 1958, and it's true of Proxibid's founders who have branched out to 32 states and several countries but keep their headquarters in Omaha.

Ryan Downs, president and CEO of Proxibid, got his undergraduate degree at the University of Nebraska – Lincoln before earning his law degree from Harvard. He then filled a

number of roles with PayPal and eBay before joining Proxibid in 2010. Nebraska is home, but its other tangible advantages include being centrally located in the United States, having high-quality labor, great education resources and as Downs puts it, Omaha has "good technical infrastructure."

Founded in 2001, Proxibid was initially an "add-on" for auction companies, serving as a live auction simulcast tool. But as the marketplace developed, the company evolved into what it is now – offering timed auctions, which is a huge piece of the company's portfolio, but also offers "fixed price" and "make offer" formats.

“Pretty much everything has changed in that period,” said Downs of how the company and marketplace have evolved since he joined in 2010. “It’s a much larger, much more dynamic platform.”

Proxibid started with just a couple of industrial and collectible categories, but has branched out aggressively and has an international footprint. And while that’s great for buyers, the services that Auctioneers get through the company are aimed at helping them adopt new technologies, add tools to assist in online auctions and market themselves in an effective manner.

Personalized service

Proxibid has dedicated account managers, which means auction professionals who sign on with the company have a direct contact for help on the go.

“The moment they sign up to be part of our platform,” Downs began, “we assign them a dedicated account manager. That person is available to them all the time to help them with any challenges they have, and they’re great at bringing Auctioneers online for the first time.”

Account managers are able to offer the appropriate training that Auctioneers unfamiliar with the online world of auctioneering require. It’s not uncommon for account managers to hand out their mobile number so their clients can reach out in times of need.

“That’s really important because many of our clients don’t have a huge staff,” Downs said. “We tell them to lean on us and help them do what they need to do.”

Proxibid also has employees that will get out in the field and help clients photograph assets, present the assets for sale, offer audio and visual assistance and much more.

“All these things that can be kind of scary to somebody who’s not familiar with cyber security,” he said. “These are services that help bring that live auction experience online, but more importantly, get a new seller more comfortable with the all these dynamics.”

Reducing risk

Getting online can be scary for Auctioneers who are accustomed to live-only auctions, and that’s due mostly to crafty cyber criminals who snake their way into systems. Downs said he knows clients are concerned about security, and for good reason.

“There is a lot of nefarious activity happening out in the world,” he said. “We have a complete suite of tools to attack that.”

Downs said Proxibid’s system is hosted by world-class partners with “more layers of security and protection than I could possibly describe.” The company has people and tools that constantly monitor traffic to make sure there are no attacks on client accounts. They’re also careful about vetting buyers to make sure they’re legitimate. Phone verification, email and text verification tools are also in place to reduce cyber security risks.

“We vet both sides to enhance security and keep bad actors out,” Downs said. “We don’t have problems in our system because of the actions that we take. However, we don’t rest on that because it’s a bit of an arms race in the fraud prevention world.”

“Everybody is trying new attacks but we’re very focused on risk management and have a number of layers of protections in place to ensure the safest online platform.”

NAA connections

Proxibid representatives haven’t missed the NAA’s Conference & Show since the first year the company was formed, and it gives everyone at Proxibid a chance to put a face to a name. Proxibid representatives are frequent contributors to education sessions at the event, speaking about everything from drones to risk management.

“We get a lot out of it because the NAA members were early adopters of our system,” Downs noted. “From the very beginning, they’ve been our eyes and ears in the industry and sort of our feedback loop on how stuff’s working, what’s going on and who is trying what.”

“We come back with an amazing amount of information and our team comes back energized to build new things to serve the industry. It’s a pretty important piece of our world here.” ❖

proxibid.



RYAN DOWNS

BOARD OF DIRECTORS

DIRECTOR/OFFICER REQUIREMENTS

An NAA member who wishes to be elected as an Officer or Director of the association at the 71st International Auctioneers Conference and Show in New Orleans, Louisiana, must announce his or her candidacy by 5 p.m., Central time, on Thursday, Feb. 28, 2019.

NAA POSITIONS AVAILABLE

Vice President: One-year term. Will ascend to the presidency the next year. Must have served a full term on the Board of Directors, Education Institute Trustees, AMI Board of Governors or National Auctioneers Foundation Trustees.

Treasurer: Two-year term. Must have served a full term on the Board of Directors, Education Institute Trustees, AMI Board of Governors or National Auctioneers Foundation Trustees.

Directors: Candidate must: be a member of the NAA in good standing for at least three consecutive years; must have served on an NAA committee/task force; must have completed CAI or taken the NAA Leadership Development course. Directors may serve two, three-year terms that are not consecutive. Two Directors are elected each year.

Board responsibilities: Expected to attend four scheduled face-to-face meetings, quarterly conference calls and serve on committees as requested by the President. Board members may be requested to attend and speak at various state association conventions as NAA representatives and attend social and other functions sponsored by the organization when schedules allow. In addition, it is expected that the Board communicates the work of the organization and shows support for the NAA.

APPLICATION PROCESS

Complete position descriptions for Vice President or Director can be obtained by emailing NAA CEO Hannes Combest, CAE, at hcombest@auctioneers.org or going to www.auctioneers.org where the entire process is outlined.

The application process is outlined at www.auctioneers.org. It also can be obtained by sending an email to Hannes Combest.

Once an NAA member has reviewed the aforementioned information, he or she may run for election by first submitting a **letter of intent** answering these questions:

- Why are you interested in serving?

- How many years have you been a member of the NAA?

- What have you learned from serving on a volunteer board, if applicable?

- What state Auctioneer association(s) do you belong to?

- What committees and/or offices have you served on or held in your state association or in NAA?

Candidates must then submit **two to three sentences indicating how they demonstrate the characteristics of each of the competencies of the "Characteristics and Attributes of an Ideal NAA Board Member,"** which can be obtained in the information packet provided by Ms.

Combest. They also must provide the Committee three references and a **professional photo** of themselves.

An interview will be held during the first two weeks of March.

Candidates will be notified if they are being endorsed by March 17.

Candidates who are not endorsed by the Committee but still choose to run must notify the Committee of their intentions by 5 p.m. central time on March 29 in order to appear on the ballot.

Contact hcombest@auctioneers.org for questions.

2019 Candidate Review Committee

- Chairman of the Board Scott H. Shuman, CAI – Chair
- President Tim Mast, CAI, AARE
- Chair, EI Trustees Tom Jordan, CAI, AARE, AMM, CES, MPPA
- National Auctioneers Foundation representative Jay Nitz, CAI, MPPA
- State Representative: Sue Doyle

NAA EDUCATION INSTITUTE

TRUSTEE CANDIDATE REQUIREMENTS

NAA members and designation holders who wish to be considered for a position of Trustee for the NAA Education Institute must submit information declaring their interest by Feb. 28, 2019.

Two (2) new Trustees will join the Education Institute as of the 2019 Conference and Show in New Orleans. Terms are for three (3) years, and Trustees are expected to take a very active role in the planning and implementation of education efforts of the NAA. EI Trustees plan the educational activities of the NAA, including designation programs such as CAI, AARE, AMM, BAS, CES, GPPA and MPPA, summits and educational offerings at Conference and Show.

TRUSTEES MUST MEET THE FOLLOWING REQUIREMENTS:

- Must have been a member of NAA for 3 years
- Have an NAA designation (CAI, AARE, AMM, BAS, CES, GPPA or MPPA)
- Submit a letter confirming a commitment to serve
- Attend the International Auctioneers Conference and Show

TRUSTEE CANDIDATES SHOULD BE AWARE THAT:

- Trustees are required to participate in monthly conference calls and attend four (4) face-to-face meetings each year (one of which takes place at Conference and Show).
- EI Trustees recommend candidates for appointment to the NAA Vice President
- The NAA Vice President makes the final recommendation of candidates to the NAA Board for approval
- Only two (2) Trustees will be appointed
- Terms are three (3) years
- Trustees may not serve two consecutive terms and may not serve concurrently on the NAA Board, other than the NAA Vice President and the Chair of the Trustees
- Leadership positions of Chair and Vice Chair are elected by the Trustees
- Trustees may not teach in seminar or designation programs during their tenure.

CANDIDATES MUST SUBMIT ALL OF THE FOLLOWING BY 4 P.M. CENTRAL TIME ON FEB. 28, 2019:

1. A signed letter of intent to seek a trustee position
2. A brief response (75 words) for each of eight questions listed below
3. A color photograph of yourself

4. The following profile information:

- Number of years in the auction profession
- Number of years as an NAA member
- Work history
- Education
- Prior NAA volunteer activities

Candidate profiles will be reviewed by the Education Institute Trustees. The profile is intended to help Trustees and Board members learn more about the candidate and their respective goals and views.

PLEASE ANSWER EACH OF THE FOLLOWING QUESTIONS WITH 75 WORDS OR FEWER:

1. Why do you wish to serve on the NAA Education Institute Trustees?
2. What specific talents and skills would you bring to the Education Institute?
3. Should you be appointed, what would you like to accomplish during your term with the Trustees?
4. What is your vision for the education of an auction professional?
5. How has advanced education affected your success in the auction industry?
6. What changes do you foresee in the auction profession in the next five to 10 years, and how can the Education Institute make sure the NAA is positioned to address those changes?
7. In your opinion, how can auction education through the NAA enhance the auction professional's image, skills, success and satisfaction?

Please remember that we need all information by 4 p.m. Central time on Feb. 28, 2019. Please email the requested information to: education@auctioneers.org.

CONGRATULATIONS!

New NAA Designations earned:

AMM

Ronalea Allen

Kyle Geurkink

Amanda Helmer Jacobs

Nathaniel (Matt) Scalf

Samantha Smock

BAS

Curtis Cade

Naomi Lewis

Rainelle Shockome

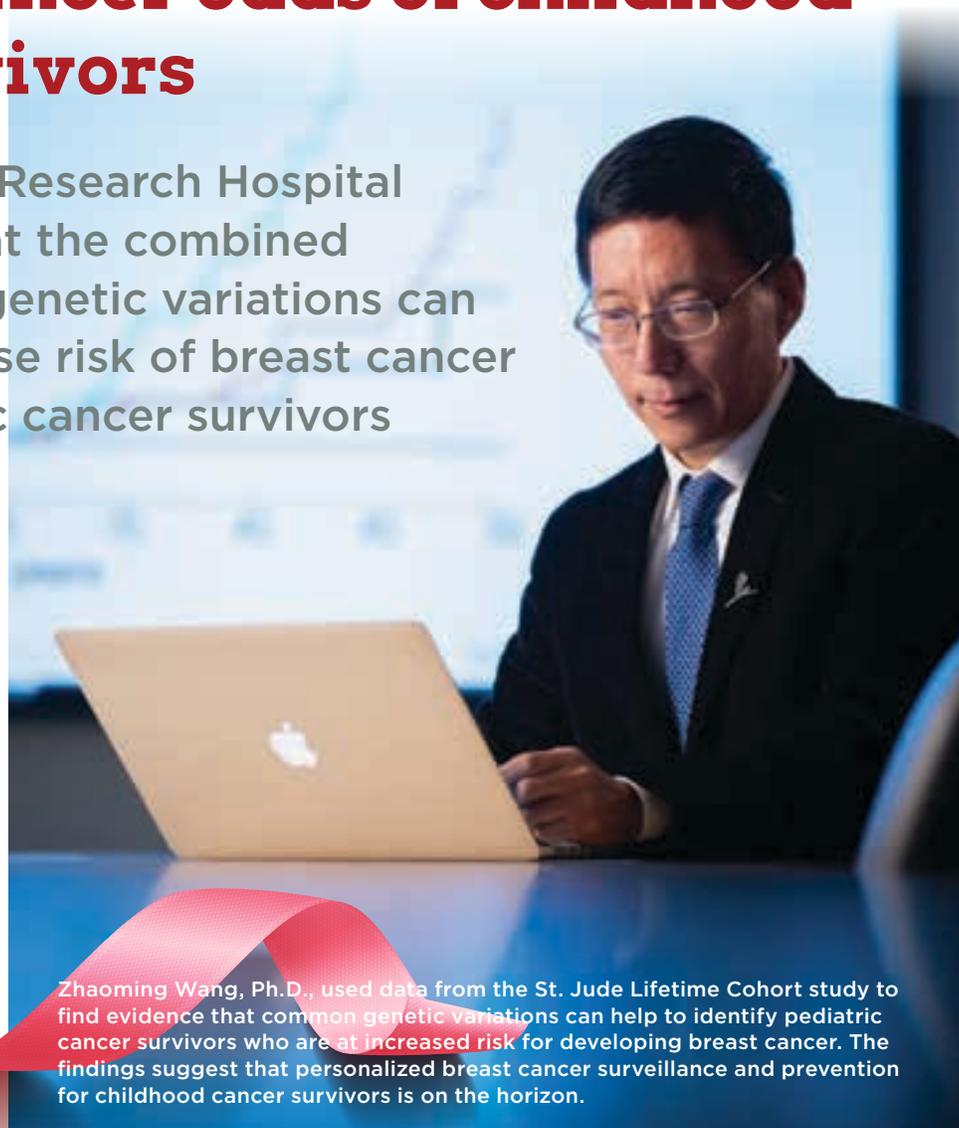
EARN YOUR DESIGNATION!

Check out the Education Calendar for upcoming NAA education opportunities. You can also visit the full education calendar on the NAA website at www.auctioneers.org/education-calendar.



Small risks may have big impact on breast cancer odds of childhood cancer survivors

St. Jude Children's Research Hospital scientists found that the combined effect of common genetic variations can dramatically increase risk of breast cancer for female pediatric cancer survivors



Zhaoming Wang, Ph.D., used data from the St. Jude Lifetime Cohort study to find evidence that common genetic variations can help to identify pediatric cancer survivors who are at increased risk for developing breast cancer. The findings suggest that personalized breast cancer surveillance and prevention for childhood cancer survivors is on the horizon.

MEMPHIS, Tenn. (Oct. 26, 2018) – St. Jude Children's Research Hospital researchers have evidence that common genetic variations can help to identify pediatric cancer survivors who are at increased risk for developing breast cancer while relatively young. The findings appear today in the journal *Clinical Cancer Research*.

The research focused on the combined effect of 170 common genetic variations that individually confer a modest increased risk of breast cancer. The research showed for the first time that, together, they can leave female pediatric cancer survivors at as much as a two-fold increased risk of breast cancer compared to

average survivors. The risk is greatest for survivors less than 45 years old.

"Female survivors of childhood cancer have among the highest rates of breast cancer of any group," said lead author Zhaoming Wang, Ph.D., an associate member of the St. Jude Department of Epidemiology and Cancer Control and the Department of Computational Biology. That risk has mainly been attributed to the late effects of pediatric cancer treatment, particularly chest irradiation, certain chemotherapy exposures, or the presence of rare mutations in breast cancer susceptibility genes.



FB Advice of the month: Join us!

The NAA Auction Professionals Facebook Group is a wonderful place to watch, listen, and engage in real conversations about the topics you care about most on a day-to-day basis.

Other NAA members are going through the same issues you are, and they're celebrating the same successes. It's your peer group!

NAA keeps the page's topics and threads clean of spam, baseless promotions, intolerant behaviors, and any of that other junk you find in the public sphere or on other pages.

Respect and rewarding conversation.

NAA has it for you at [facebook.com/groups/naaauctioneers](https://www.facebook.com/groups/naaauctioneers).

NAA Auction Professionals Facebook Group Guidelines

1. The NAA Members Group is for active voting NAA Members only. NAA Staff will remove members of the group as their membership lapses. No Company/Organization pages will be approved.
2. NAA Staff maintains the right to remove any posts that do not meet guideline standards.
3. The NAA Members Group is an inclusive group that encourages respectful discussion and debate. No offensive, bullying, discriminatory or hateful language, images, videos, etc. will be allowed.
4. Be mindful of federal antitrust laws. Discussion regarding specific commissions, rates and fees is strictly prohibited.
5. The NAA Members Group will not allow advertising or spam of any sort.
6. While we will be monitoring the group, it is in no way the best means to communicate problems, payments or inquiries to NAA Staff. For best results, please contact NAA Staff at (913) 541-8084 Monday to Friday, 8:30 am to 4:30 pm Central time. ❖

For survivors at some of the highest risk, the collective effect of the common genetic variants is comparable to having a high-risk mutation in a breast cancer predisposition gene like BRCA1 or BRCA2, Wang said. The mutations are associated with a 2- to 100-fold increased breast cancer risk.

"This study provides a more complete picture of genetic breast cancer susceptibility among childhood cancer survivors," Wang said. "When combined with screening for rare mutations in breast cancer predisposition genes, these findings are expected to help identify high-risk pediatric cancer survivors who currently go unrecognized.

"The findings also suggest that personalized breast cancer surveillance and prevention for childhood cancer survivors is on the horizon," he said.

The research

This study involved 1,133 female St. Jude cancer survivors of European ancestry enrolled in the St. Jude Lifetime Cohort study (St. Jude LIFE). St. Jude LIFE brings survivors back to the hospital where they were treated as children for several days of assessments and screenings. The goal is to better understand and address challenges facing the nation's rapidly increasing population of pediatric cancer survivors. There were not enough eligible survivors of other racial and ethnic backgrounds to be included in the analysis.

The average age of survivors in this study was about 36 years old. All had undergone whole genome sequencing of their blood DNA. Among the survivors, 47 had been diagnosed with breast cancer at least once and four carried high-risk mutations in one of 11 breast cancer susceptibility genes.

The common genetic variants that were the focus of this analysis individually confer a modest 3 and 30 percent increased risk of breast cancer. A weighted risk score, known as the polygenic risk score, was calculated for each survivor. Previous research by Wang and others discovered these many common genetic variants and showed that the risk score identifies women in the general population at increased risk for breast cancer.

The results

The score proved similarly predictive for survivors' breast cancer risk. The risk was independent of established risk factors like chest radiation, chemotherapy exposures, or mutations in breast cancer predisposition genes.

"These findings suggest that including a risk score in screening would help identify more than 50 survivors in this study at high risk for breast cancer in addition to 34 carriers of

Support the kids of St. Jude by participating in Auction for Hope.

“You never think you’re going to be a cancer mom, but it happens in an instant,” said June’s mother. “It can happen to anybody.”

Not even little children are safe from cancer. Four-year-old June will undergo two-and-a-half years of chemotherapy for her acute lymphoblastic leukemia. But fortunately, St. Jude Children’s Research Hospital® is there for her. Thanks to St. Jude supporters, families never receive a bill from St. Jude for treatment, travel, housing or food.

June is “full of fun, happy all the time,” said her mom. “She pushes a doll stroller around the inpatient floor, just happy.”



June
4 years old
acute lymphoblastic leukemia

predisposing mutations,” Wang said. “These women would be candidates for more intensive breast cancer screening and follow-up.”

The analysis showed that survivors with some of the highest scores, those in the top 1 percent, are about four times as likely to develop breast cancer as survivors with average risk scores.

Survivors with risk scores in the top 20 percent have about a three-fold increased risk for developing breast cancer compared to survivors with risk scores in the lowest 20 percent.

What’s next

The results must be validated in additional pediatric cancer survivors before common genetic variations are used clinically to help guide their follow-up care.

The senior author is Leslie Robison, Ph.D., chair of the St. Jude Department of Epidemiology and Cancer Control. The other authors are Qi Liu, of the University of Alberta, Canada; Carmen Wilson, John Easton, Heather Mulder, Ti-Cheng Chang, Michael Rusch, Michael Edmonson, Stephen Rice, Matthew Ehrhardt, Chimene Kesserwan, Gang Wu, Kim Nichols, James R. Downing, Melissa Hudson, Jinghui Zhang and Yutaka Yasui, all of St. Jude; and Rebecca Howell, University of Texas, MD Anderson Cancer Center, Houston.

The research was funded in part by grants (CA021765, CA216354, CA195547) from the National Institutes of Health and ALSAC, the fundraising and awareness organization of St. Jude.

St. Jude Children’s Research Hospital

St. Jude Children’s Research Hospital is leading the way the world understands, treats and cures childhood cancer and other life-threatening diseases. It is the only National Cancer Institute-designated Comprehensive Cancer Center devoted solely to children. Treatments developed at St. Jude have helped push the overall childhood cancer survival rate from 20 percent to 80 percent since the hospital opened more than 50 years ago. St. Jude freely shares the breakthroughs it makes, and every child saved at St. Jude means doctors and scientists worldwide can use that knowledge to save thousands more children. Families never receive a bill from St. Jude for treatment, travel, housing and food — because all a family should worry about is helping their child live. To learn more, visit stjude.org or follow St. Jude on social media at @stjude research. ❖



stjude.org/naa



©2018 ALSAC/St. Jude Children’s Research Hospital (38462)



Online brand management: What happens when Google finds you?

The public can search Google and find your social media posts. Is that good thing for you or your online brand?

Curtis Kitchen, NAA Director of Communications

One of the biggest hurdles for businesses that struggle with online brand management is the concept of “personal vs. professional” social media posts.

Despite knowing or acknowledging the oft-mentioned dangers that surround posting personal views on a dual-interest (business and personal) page, the idea of having to relinquish some level of speech freedom – even if to better protect business interests – proves too much for some to take. So, instead, they vaguely and passive-aggressively rant against a competitor “because I’m right, darn it!” Or, they post a risqué meme “because I won’t let someone tell me what’s funny or not.” Or, they pile on a polarizing political conversation “because it’s my right.”

If those practices weren’t touchy before, they certainly are these days as consumers become even savvier in using Google to search social media posts.

Consider it this way: Let’s say you’ve done a wonderful job with your SEO strategy so that when a consumer in your area Google searches “auction,” your name and company appear. Now that Google indexes Facebook, Twitter, and the rest, your social media posts also may appear. So, as the consumer searches and connects you with “auction,” they now have a great opportunity to view your personal rants, jokes, or smarmy one-liners as well. If that’s your objective, you’re in good shape. If not, it’s something to consider.

So, while some may discount that having any real impact on their business, the fact is daily facts, tips, and articles appear and detail the mistakes businesses make with their online brand management (including mixing personal views with business brand). From those mistakes are three key takeaways that can lead to better online brand management.

Google yourself, set a Google Alert

Before you can manage your brand, you need to know what others are saying about you. A simple Google alert for your company – and for you, personally – is a great way to keep tabs on your brand's temperature in the environment.

How to set up an alert:

- 1) Visit www.google.com/alerts.
- 2) In the "Create an alert about" box, enter the words you want to get email notifications for.
- 3) Click Show options to say how often you get alerts, what types of results you want to get, and more.
- 4) Click Create Alert.
- 5) Once your alert is set up, you'll start getting emails any time Google finds new search results for your keywords.
- 6) You can also create an alert by clicking the + next to any of the suggested topics on the Google Alerts page.

Remember the online image you're (always) building

At some point, the online branding game probably seemed pretty simple. You took your company's logo and a tagline, perhaps, and threw out on your social media accounts in order to show everyone who you represent. You were excited to show everyone just how good of a person they would be dealing with if they chose to work with you.

But then, a family member started a fight and you were dragged into it publicly. Or, an unhappy customer ranted at you on your feed, and you responded publicly in a way that may have alienated onlookers, even though you were right. Or, maybe a media outlet covered one of your events in a way that you didn't find flattering, so you called them out on social media.

No matter how much brand equity (goodwill) you may have accumulated through years of hard work, it can all dissolve instantly if you aren't careful. You have to always remember that every single post is part of your brand.

"How much should I post?"

Despite there being so many different ways to engage your target audiences, it is important to note that less really is more. Why?

If you post less, two things happen. 1) Your posts earn more gravitas; meaning, you begin to build the aura that when you speak it's important. 2) You lessen the chance that you'll make a branding mistake because there is less opportunity to do so.

Of course, this raises the question: "How much should I post?" There is no set number, but a general rule developed from years of analytics is that top brands average one post on Facebook per day. Data also indicates engagement plummets if posts average more than 5-10 per week.

So, if you're using your account to post both personal and professional messages, every time you post a personal message, your ability to be effective with your business brand takes a hit. It doesn't make much sense to waste time and space with personal messages when looked at from that angle.

In any case, follow some or all of these keys and they will help you better manage and protect your online brand. ❖

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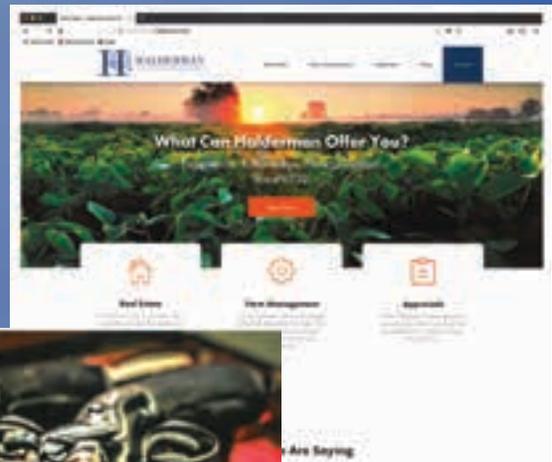
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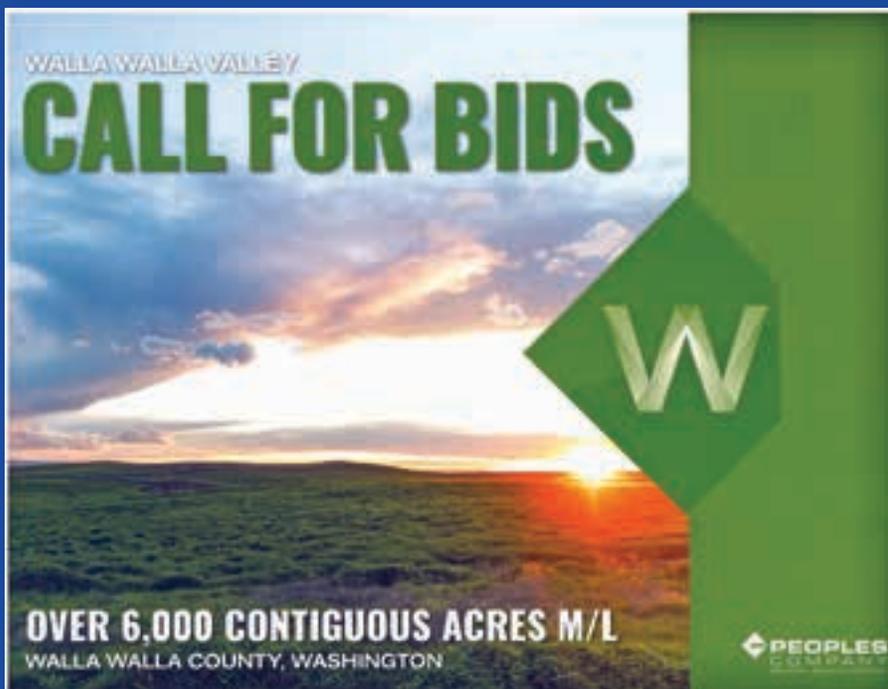
NAA Marketing Competition

Make sure you're collecting your best marketing materials for the 2019 NAA Marketing Competition Presented in Partnership with USA Today.

Competition opens in March 2019



Get voted Best in Show or Campaign of the Year and you and your company will be recognized on stage at the NAA Conference and Show in New Orleans!



2018 Campaign of the Year

50
years
later:

January 1969: Senator Byrd – Auctions are addictive

It's always a bit of a treasure hunt to look back 50 years, and the January issue of *Auctioneer* provided a particularly unique entry from a well-known, if unexpected, source.

In a January 1969 piece titled, "Auctions Are Addictive", U.S. Senator Robert C. Byrd – who had the distinction as the longest tenured U.S. Senator in history, serving nine full terms – penned his thoughts on auctions and his reasons for why the auction method is so alluring.

If it wasn't the "finds" one could come across – including, according to Byrd, wagon wheels, cider presses, fine cutlery, confederate money, and Chinese vases – it was the Auctioneer himself.

"Even if nothing is purchased, listening to the auctioneer sing his siren song to the skeptical throng of buyers is as enjoyable as listening to the over woo his lady fair at the opera," Byrd wrote. "Auctioneers are folksy and domineering, charming and brassy – depending on their mood, their audience, and what they have to sell.

"Some bellow out, disdain an amplifier, to reach the back rows. Others are barely audible even from ten feet away."

Byrd went on to pay tribute to all callers, regardless of their style.

"No matter what their technique, all are persuasive," he wrote.

The piece strikes a tone at a time when the NAA and auction industry at large is spending a great amount of effort in developing relationships with elected officials – both at the state and federal level. It serves as a confidence-builder of sorts in that it shows the very people auction professionals and industry leaders are working to connect more deeply with can and do have an appreciation for the auction industry.

Knowing that can bring a great deal of peace of mind when walking into potentially intimidating meetings.

As for the Senator, Byrd died on June 28, 2010, at the age of 92. During his tenure, Byrd was elected to more leadership positions than any other Senator in history. At the time of his death, he was the highest-ranking Senator in the majority party, known as the President pro tempore. He served as the senior member of the Senate Appropriations Committee, was the Chairman of the Senate Appropriations Subcommittee on Homeland Security, and a member of the Senate Budget, Armed Services, and Rules and Administration Committees.

He had cast more than 18,689 roll call votes—more votes than any other Senator in U.S. history—and held a 97 percent attendance record in his more than 50 years in the Senate. (Bio information from biography.com) ❖



GETTING Jazzed FOR 2019



70TH INTERNATIONAL AUCTIONEERS
CONFERENCE AND SHOW
JULY 9-13, 2019
HILTON NEW ORLEANS RIVERSIDE

NATIONAL AUCTIONEERS ASSOCIATION

EDUCATION CALENDAR

INTERNET ONLY AUCTION SUMMIT

FEBRUARY 25-26, 2019

HOLIDAY INN – RIVERWALK | SAN ANTONIO, TX

CERTIFIED AUCTIONEERS INSTITUTE (CAI)

MARCH 17-21, 2019

INDIANA UNIVERSITY | BLOOMINGTON, IN

PRE-CONFERENCE EDUCATION

JULY 7-9, 2019

HILTON NEW ORLEANS RIVERSIDE | NEW ORLEANS, LA

NAA CONFERENCE AND SHOW

JULY 9-13, 2019

HILTON NEW ORLEANS RIVERSIDE | NEW ORLEANS, LA

BENEFIT AUCTION SUMMIT

AUGUST 25-27, 2019

LOCATION: TBA

Please note the information above is subject to change as events approach. The calendar will be updated as information becomes available.

www.auctioneers.org





SOUTHEASTERN SCHOOL OF AUCTIONEERING

Fifteen new Auctioneers made up the Southeastern School of Auctioneering's October 2018 class. The class was made up of students from: Georgia, Mississippi, North Carolina, and South Carolina. This year marks the 35th year for the Southeastern Auctioneers school.



WESTERN COLLEGE OF AUCTIONEERING

The November 2018 graduating class from the Western College of Auctioneering boasted a stellar class of 16 students from all parts of the United States and Canada. States and provinces represented: Alabama, California, Idaho, Illinois, Maryland, Missouri, Montana, North Dakota, South Dakota, Utah, Washington, and Alberta (Canada).



MENDENHALL SCHOOL OF AUCTIONEERING

The Mendenhall School of Auctioneering put forth a robust class of 12 new auction school graduates from five states on Oct. 28, 2018. Among states represented: Mississippi, North Carolina, South Carolina, Virginia, and West Virginia.

NAA member's research turns believed art copy into six-figure original



FRANKLIN, Mass. – Diligent research by NAA member Bruce Wood, of Woodshed Art Auctions, propelled what was initially believed to be an ordinary copy of a painting to a six-figure finish at the firm's Nov.1 fine art auction titled Gainsborough, Monet, Warhol & Friends.

The painting was an oil portrait study by Thomas Gainsborough (1727-1788) titled "The Honourable Mrs. Graham."

Wood's examination of the under-drawing and comparison with Gainsborough's drawing style led to the conclusion that the painting was a precursor to the finished work, which hangs in the Scottish National Galleries in Edinburgh. Still, to be safe, Wood called it an attribution for the sale, but savvy bidders were convinced. The final price was \$103,125.

The painting, in a 40.25x55in frame, was in fine condition,



though it did show signs of age, furthering the notion it was a study. The cracking was consistent with portraits of the period, including ones in Edinburgh's National Gallery. Wood's infra-red photography revealed a complex and energetic drawing hidden beneath the surface of the paint, a convincing revelation.

The selling price outperformed the pre-sale estimate of \$75,000-

\$100,000, cementing the notion that the painting, perhaps Gainsborough's most intricate and recognizable compositions and one of the finest examples of 18th-century portraiture, was indeed by the famed British artist.

Wood's discovery led to an examination of another Gainsborough in the Museum of Fine Arts in Boston.

But, his investigation wasn't limited to stateside research. Wood hopped a flight to Edinburgh to view *The Honourable Mrs. Graham* up close and personal and perform infra-red photography there in the gallery. What he learned led to a deeper understanding of Gainsborough's working methods. The artist was very precise when rendering fine fabrics, jewels, hair and accoutrements.

The hair in the painting was of particular interest to Wood. The infra-red technology led to his discovery of how he rendered the sitter's coiffures in such a dynamic manner – an underlying sketch in black chalk. When highlighted with paint, the quick, vertical strokes of black chalk added to the dynamism of the sitter's fashionable up-do and added depth to the static portrait.

clientele. An infra-red photo revealed quickly sketched hands in the under-drawing.

The variation on backgrounds is probably the clearest indication that the work sold was a preparation sketch. The background of the exhibited version in Scotland is a quintessential Gainsborough Rococo landscape, with an undulating, verdant hill and exquisitely rendered trees that would lay the groundwork for British Romanticism in the subsequent decades to come.

The study, however, displays a more somber (but equally striking) tone. The bucolic hillscape is replaced with a seemingly opaque mass of darkness, capped by an eerie sunset, providing a stark contrast to the delicate, pale white Mrs. Graham. It is reminiscent to the background in a 1759 Gainsborough *Self-Portrait*, and adds a dynamic to the rigid rules of 18th century portraiture.

Interestingly, the subject in the painting was born Mary Cathcart, the daughter of the Scottish ambassador to Russia. She spent her early years at the Court of Catherine the Great before her marriage to Thomas Graham in 1774. She was one of the most beautiful women of her time and Gainsborough, smitten with her himself, painted her multiple times, most often from memory.

Other paintings in Gainsborough, Monet, Warhol & Friends also performed well. They included:

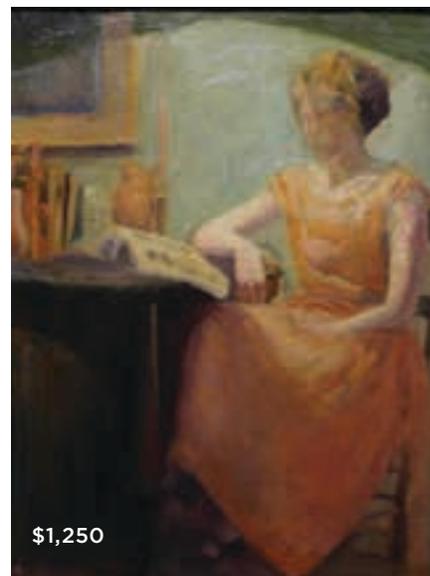
- An oil on canvas painting by a follower of Edward Hopper (American, 1882-1967), titled *Office at Night*, artist signed and nicely housed in a 28x34.25in frame (\$7,500).
- A tempera on paper work attributed to Claude Monet (French, 1840-1926), titled *Winter Landscape*, artist signed and verso stamped Collection Simon in Paris, France (\$3,900).
- An oil on canvas landscape painting attributed to Jean-Baptiste-Camille Corot (French, 1796-1875), likely in the original frame measuring 23.75x26.75 inches (\$3,750).

- An oil on canvas painting attributed to John Whorf (American, 1903-1959), titled *Woman Reading*, artist signed and with an auction label on upper stretcher bar (\$1,250).



The technique prompted further investigation by Wood, who found similar under-drawing technique not just on the painting in Scotland but also Gainsborough's works titled *Haymaker* and *Sleeping Girl*, both done in the 1780s and now housed in Boston's Museum of Fine Arts.

Gainsborough was also adept at drawing elegant hands. In *The Honourable Mrs. Graham*, the hands extend from an already elongated wrist and end seamlessly into her gown. The elongated, clutching fingers enhance the elegance of the sitter and pronounce the dainty features of his elite, sophisticated



Inaugural “Women in Art” auction finds strong foothold with collectors



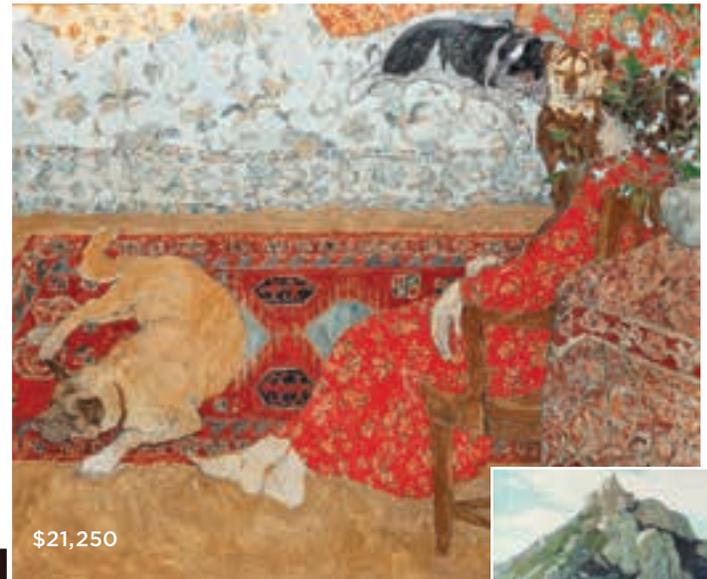
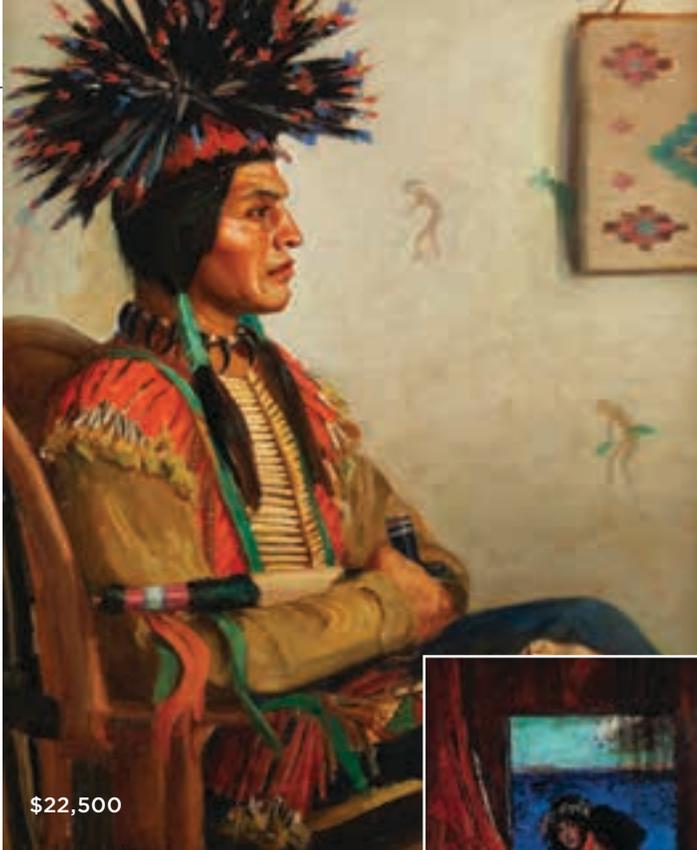
MONROVIA, Calif. – This summer, John Moran Auctioneers was excited to announce they had begun to consign property for their inaugural Women in Art Auction.

The resulting catalogue featured works by 93 women artists, many California-based. Dating from the 19th century through to the contemporary, the works, media, and styles represented were diverse and appealed to a wide swath of collectors.

At the sale's start, the auction floor was very nearly full with

attendee bidders, who had come out to preview and bid on the 124 lots. By the end of the auction, records had been set for three artists: Susan Hertel, Ethel V. Ashton and Dora Gamble.

The top lot for the evening was a dark horse entry by French/Mexican poet and artist Alice Rahon (1904-1987). She became involved in Surrealism when she lived in Paris, and her 1945 composition "Boîte à Musique III" is an excellent example of her surrealist work. Offered for a conservative \$6000 to \$9000, the work brought \$23,750. Directly following the Rahon, a surrealist composition depicting an elephant-esque tightrope walker titled



"I Looked into a Dream" by Illinois artist Julia Tecla (1896-1973) also inspired a healthy amount of bidding, selling for \$7500 (est. \$1,000-\$2,000).

A texturally dense composition by California and New Mexico artist Susan Hertel (1930-1992), achieved an exceptional \$21,250 selling price, a new record for the artist. The work hailed from the estate of well-known California watercolorist Millard Sheets, and is one of the best examples by the artist to have come up at auction.

The cover lot for the auction catalogue, Kathryn Leighton's (1875-1952) "The Young Chief" is a stunning example of the artist's Native American portraiture. She began painting Native American portraits after her 1910 move to Los Angeles, and generally brought her subjects in to her studio to paint them. Arguably one of the strongest works by the artists ever to come up at auction and estimated to earn \$18,000 to \$22,000, "The Young Chief" did not disappoint, realizing \$22,500 in all.

A handful of selections by well-known Southern California plein air painter Nell Walker Warner (1891-1970 Carmel, Calif.) were featured in Moran's Women in Art catalogue, including the artist's large-scale view of freshly ploughed fields and a distant home in a mountain landscape. The sweeping canvas achieved a \$5,312 price realized (est. \$3,000-\$5,000).

A number of wonderful Modernist works were also included in Moran's Women in Art catalogue, including Virginia Berresford's (1902-1995 Martha's Vineyard, Massachusetts) "Fort at Antibes", dating to 1929 (price realized: \$5,625; est.

\$1,000-\$2,000). Mabel Alvarez's citrus-hued still life with fruit, houseplants and a bottle of wine went to the block with a \$3,000-\$5,000 estimate. Featuring heavy impasto, the work caught the eye of several collectors, ultimately bringing \$5,000 at the block.

Additional still life works by American painters include a charming watercolor "Fall Leaves and Acorns," by Lanesboro, Mass. artist Ellen Bowditch Thayer Fisher. Dating to 1885, the work earned \$2,000 (est. \$800-\$1,200). Local Whittier artist Dora Gamble's (1851-1933) oil painting of oranges and blossoms on the branch achieved \$2,812, well over the conservative \$600-\$900 estimate, setting a new auction record for the artist's work.

Three jewel-toned, heavily shadowed figural compositions by New York-based artist Indiana Gyberson were offered at the Women in Art auction. The first of the three, depicting a Polynesian beauty framed against a seascape, proved most popular, selling for \$2,250 (est. \$1,000-\$1,500).

A trio of modern site-specific works were offered later in the sale, and excited collectors both with the quality of their execution and locales. Santa Barbara artist Hellen Rosseau's (1896-1992) "View of Laguna Beach and Hotel," dating to 1930, brought \$5,000, squarely within the \$4,000-\$6,000 estimate. Los Angeles local Dorothy Sklar (1906-1996) was represented with a charming depiction of "Barry Alley, Chavez Ravine,"

dating to 1949. Filled with figures of women and children on a sunny day in Los Angeles, the street scene brought \$1,750 (est. \$1,000-\$1,500). Achieving an exceptional \$8,125, Ethel V. Ashton's (1896-1974) view of sailors, women, and a family in a

lush Philadelphia park was initially expected to bring between \$2,000-\$4,000. The price paid for the park scene set the third auction record of the evening. ❖

Family ranch in Colorado sold for first time, by auction, in more than 60 years

KANSAS CITY, Mo. (Oct. 24, 2018) – More than 920 acres of ranch land, commonly known as Hurd Creek Ranch, recently sold at auction for \$8.9 million in Winter Park, Colorado.

Conducted by Brett Ginger, broker of United Country Real Estate | Gingery and Associates, and Shawn Terrel, Auctioneer & President of United Country Auction Services, the live auction brought in more than 200 in attendance with buyers from multiple states. The property was offered in 13 individual tracts that ranged between \$8,000 and \$15,000 per acre at auction.

“It was an honor to work for the Paulk Family and thrilling to watch the auction process lead to a wildly successful event and sale,” said Gingery. “Land like this does not come up for sale very often and putting a set price on the stunning views and senior water rights was not an option.”

“Selling the land at auction allowed the market to set the price. People in the county will be talking about this auction for a long time coming.”

“We combined our efforts together with our talented network of brokers, auctioneers and marketing team to hit a home run with this auction,” said Terrel. “When you have a property that offers important elements like water rights a good location and a lot of acreage, you have a prime candidate for a multi-parcel land auction.”

“We took a legacy ranch and converted it into desirable and affordable tracts, which changed the product and maximized the value of the ranch.”

The 13 tracts sold ranged from 36 to 215 acres and were purchased by buyers from Colorado, Florida and Texas. Three of the tracts were placed under contract prior to the auction due to the high demand in the days leading up to the auction event. The land included scenic mountain build sites, ranch/hay land and senior water rights with live water on multiple tracts.

Terrel said both the buyers and the sellers of the land were all very happy with the auction’s outcome.

“We have some of the most experienced real estate Auctioneers in the nation. When we put an event like this together, it takes a lot of elements that I think most people may not realize.”

“From basic logistics of event set up, the product knowledge, and how to present the multi-parcel bidding concept to the public, United Country has a long-standing reputation with large land sales. This is another great example of the network and power that we have as a company.” ❖

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Eagles porcelain soars in online auction



WATERLOO, Iowa (Dec. 3, 2018) – The Nov. 2-4 Rich Penn Auctions drew record bidders from across the globe. With nearly 40 countries represented, prices were strong across all categories.

The three-day auction, selling over 300 non-cataloged lots kicked off at noon on Friday, Nov 2. Friday morning auction goers could preview starting at 8:00 AM. Those 300 lots sold at a very brisk pace of 90 lots/hour.

Saturday and Sunday were a bit different. 700 lots sold on Saturday and over 600 on Sunday, with a Case Eagle porcelain sign that soared to the top lot!

The Saturday highlights were Soda Fountain items and toys. Among them were strong Coca-Cola items, with an original condition Vendo 44 Gas Station Coke machine popping the high bid of \$3,960. A Vendo 81D in great condition brought \$1,980. All prices include the buyer's premium. A double-sided porcelain Coca-Cola "Fountain Service" sign pulled a top bid of \$3,600, while another Coca-Cola porcelain sign hit \$2,700. A

mint Coca-Cola flange sign quickly coaxed up bidding to \$1,925.

Other soda signs appealed to bidders as well. Several rare Whistle signs brought strong bidding from house and internet bidders. A 1948 self-framed Whistle sign quickly snapped up a \$2,475 top bid, while a larger example not in quite the same great condition still chirped out a \$2,088 high bid. A near mint 7up "Fresh Up..." self-framed and embossed metal sign did indeed live up to its slogan... "It Likes You."

In fact, it liked bidders so well, they stepped up the bidding to a winning \$2,227! Root Beer brought frothy interest as well! After a frenzy of internet bidding, a near mint Hires self-framed metal sign with large bottle graphics brought \$2,400.

Throughout the auction, toys were strong too.

A Rare Gendron "Spirit of St. Louis" pressed steel pedal airplane



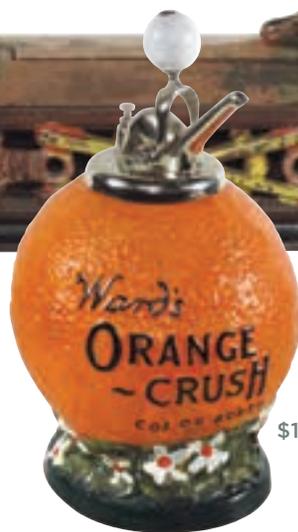
\$2,040



\$1,920



\$2,750



\$1,680



\$1,320

flew away in clear skies with a \$2,750 bid in the cargo hold! An early (c.1930s) battery-operated Bing Sedan rolled away with a \$3,190 bid in tow. A Dark Town Battery mechanical bank hit a line drive bid to bring it home for \$1,920. The Buddy L collection, one of the largest collections to come to market in recent years, did well throughout.

A Buddy "L" Road Roller, Model 290 in restored condition rolled up a bid of \$1,650. A trencher on treads in original condition brought \$2,200. A Model 208 Coach packed in a \$2,320 bid. The T-Reproduction Buddy L toys did great as well. A Tugboat No. 3000 chugged away pulling a \$2,200 bid and a second one earned a \$2,160 bid.

As in all Rich Penn Auctions, there's always a broad selection of Soda Fountain and related pieces. Always doing well, this auction was up to standard.

An unusual cast iron Ice Cream table, with swing out seats settled on \$3,000. The Eskimo Pie "Magic Cooler" with graphics and cast Eskimo feet attracted a top bid of \$1,920. Syrup dispensers now seem to be making a good comeback from lower prices in recent years.

A nice original Ward's Orange-Crush syrup dispenser, the color added version, sold at \$1,680. The Ward's was followed by a Fowler's Cherry Smash dispenser, with some roughness on the bottom, it still pumped out a \$1,650 bid.

From the Drug Store to the Gas Station, more great pieces kept coming across the block.

A porcelain single-sided Ford Authorized Service Station sign in VG cond pumped up a bid of \$2,090. A beautiful double-sided metal flange Racine Tires sign, by Chas W. Shonk Co. and in new-old-stock cond, rolled up a top bid of \$2,784.

One of the petroliana pieces with the greatest graphics was a display cabinet for The Tire Saver Alligator Boot, the "Alligator" lithography was by "The American Art Works, Coshocton, OH". The alligator snapped up a big bid of \$3,740. Another tire related piece with strong interest was a Firestone Tires reverse-paint-on-glass light-up sign in metal can. It brought \$1,740.

There were several Case Implement pieces that brought bidder interest from across the country. A porcelain single-sided diecut Eagle on the globe, 81" H, soared to \$7,450. Flying close behind was a rare carved wooden example of the same Eagle. This 27"H example brought \$3,025.

Coin-Op collectors always have a range of machines to put their money in. The two top selling pieces were both Wurlitzer jukeboxes. A beautiful model 800, c.1941, in original working condition played for a high bid of \$3,575. A newer model

1700, c.1954, also in great original working cond went to a new home for \$3,190. An early Seeburg model 8200, with an older restoration and also in working cond sold at \$1,920.

A working condition figural carved Indian with a Mills slot machine rounded up a bid of \$1,980, while a Rockola Sweepstakes trade stimulator sold at \$1,680. An excellent Pulver Too Choos gum machine with the Yellow Kid figure dispensed a bid of \$1,320.

There were several examples of more unusual pieces selling on both days. Saturday's example was the Van Berkel's Original, c.1912, meat slicer. It appeared to be complete, but untested. It still sliced up a nice thick bid of \$2,040. Sunday offered up a Vintage movie camera, from the Fearless Camera Co.-Hollywood, CA. Likely a movie prop, It captured a bid of \$4,500.

"This was such a fun auction, with huge variety of great Buddy L toys," said NAA member Rich Penn. "It made me think of all the kids that must have been wild with excitement on Christmas morning!

"Collections like this one really make our business fun. And we're very happy with the results. That's all we can ask for." ❖



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3 days, 667 cars hammered sold for \$25.2 million in Las Vegas



\$1,012,000

WALWORTH, Wis. (Nov. 20, 2018) – Mecum Auctions’ second annual collector-car auction in Las Vegas was deemed a success with \$25.2 million in overall sales achieved as 667 vehicles hammered sold for a 75 percent sell-through rate. The results represent a 7-percent increase over last year’s totals.

The auction-headlining Academy of Art University collection saw 31 vehicles hammer sold for an overall total of \$4 million,

and four cars from the collection landed among the auction’s top sellers.

The University’s 1930 Bugatti Type 46 Faux Cabriolet (Lot S98) boasting coachwork by Veth & Zoon came in as the auction’s top sale at just more than \$1 million, and the 1930 Duesenberg Model J Dual Cowl Phaeton (Lot S130.1) brought \$770,000, landing it the No. 2 slot. A 1934 Packard 1104 Super 8 Dual Cowl Sport Phaeton (Lot S125.1) from the collection claimed



the third spot in top sales, and a 1935 Pierce-Arrow Model 1245 Silver Arrow (Lot S93.1) came in as No. 6.

Other top sales included a 1970 Plymouth Hemi Cuda (Lot S145) that brought \$220,000 and Ardell Brown's 1930 Cord L-29 Cabriolet (Lot S72), which sold for \$203,500. In total, the complete Ardell Brown Estate Collection of vehicles and Road Art sold for well in excess of \$5 million.

The complete top 10 collector-car sales at the Mecum Las Vegas 2018 auction include:

1. 1930 Bugatti Type 46 Faux Cabriolet (Lot S98) at \$1,012,000
2. 1930 Duesenberg Model J Dual Cowl Phaeton (Lot S130.1) at \$770,000
3. 1934 Packard 1104 Super 8 Dual Cowl Sport Phaeton (Lot S125.1) at \$258,500
4. 1959 Mercedes-Benz 300D Cabriolet (Lot S180) at \$244,750
5. 1970 Plymouth Hemi Cuda (Lot S145) at \$220,000
6. 1935 Pierce-Arrow Model 1245 Silver Arrow (Lot S93.1) at \$214,500
7. 1930 Cord L-29 Cabriolet (Lot S72) at \$203,500
8. 2012 Terradyne Gurkha RPV Armored Vehicle (Lot F196) at \$198,000
9. 1999 Lamborghini Diablo VT Roadster (Lot S183.1) at \$187,000
10. 1959 Volkswagen Deluxe 23-Window Bus (Lot F163) at \$181,500 ❖



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IN THE RING

PAGE *"I believe in an open market. So, while my children may inherit some of this, I think it's important for things to go back into the auction marketplace."*

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U.S. Congressman Rodney Frelinghuysen (R-NJ)

*On the future of historical pieces in his office on Capitol Hill
Washington, D.C.*

PAGE *"The FAA will look at you the second you touch (the drone) for your business and they will say you have to have a license for this - their definition around this is pretty rigid."*

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Craig Taylor

*International Operations Manager, Proxibid
Omaha, Nebraska*

PAGE *"Through the magazine and other ways, the NAA brings out the fact that the life of an auctioneer is genuinely an exciting life."*

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Bill Britain, CEO

*EnergyNet.com, Inc.
Amarillo, Texas*

AROUND the **BLOCK**



- Mexico's energy secretary Rocio Nahle said in December that President Andres Manuel Lopez Obrador's newly installed administration would cancel two bidding rounds for oil and gas areas scheduled for February. They were slated to include auctions for 37 onshore blocks and 9 unconventional and conventional areas, including shale resources,
- The *Baltimore Post Examiner* recently published a list of **three factors for the public when someone is deciding which auction to attend**. Among those factors: type of auction (live, silent, sealed, etc.), items being sold at the auction, and reputation (doing research on the auction company).
- Sotheby's in New York sold pieces belonging to Frank Sinatra and his wife, Barbara at a December auction. Memorabilia, art, jewelry, books and other items sold for \$9.2 million – about 2x presale estimates.

MEMBERS' CORNER

It's time. Sign up for your NAA Community of Practice!



Over the past 18 months or so, NAA staff have asked members in various ways to sign up for a Community of Practice (or more than one!). This is so you receive more of the content that's most relevant to you and your auction business. We're doing it because we want the best member experience for you!

As part of those ongoing efforts, staff recently posted in the NAA Auction Professionals Facebook group that it is time to update your member information. Why? New Community of Practice newsletters launched at the end of November, and we want you

to receive the ones you want! It's an opt-in thing, so if you don't update your info and opt in, you won't receive the info!

Go to auctioneers.org and log in. Click on "Member Area" and then "Your Member Profile." Make sure your Community of Practice (COP), specialties, and contact information are all correct.

That's all you have to do! Thank you for helping us help make your NAA experience the best it can be! ❖

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thank you

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