

THE JOURNAL OF THE
AMERICAN SOCIETY OF MEDIA PHOTOGRAPHERS

BULLETIN



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DECEMBER 2002

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ASMP was founded in 1944 to promote high professional and artistic standards in photography and to further the professional interests of its membership by disseminating information on a range of subjects and concerns. ASMP has a membership of more than 5,000 of the world's finest photographers.

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Volume 21, Number 10

asmp BULLETIN

EDITOR Peter Skinner
PRODUCTION EDITOR Cilla Skinner

THE PURPOSE OF ASMP

To protect and promote the interests of photographers whose work is for publication
To promote high professional standards and ethics
To cultivate friendship and mutual understanding among photographers

- 5** **FIRST WORDS**
PLANNING AHEAD
- 8** **NEW DIRECTIONS**
FAREWELL AND THANK YOU
- 10** **SOCIETY NEWS**
15 YEARS OF SERVICE
- 11** **LEADERSHIP CONFERENCE**
COMMUNITY
- 16** **BOARD BUSINESS**
ASMP BOARD MINUTES, WWW.ASMP.ORG
- 18** **MONEY MATTERS**
DUES INCREASE
- 20** **ASMP MISCELLANEOUS**
ART WOLFE, MAIN SPEAKER
- 21** **ASMP MISCELLANEOUS**
IN MEMORIAM
- 22** **ASMP MISCELLANEOUS**
NEWSLINES, WHAT'S HOT
- 26** **ASMP MISCELLANEOUS**
CLASSIFIEDS, NEW MEMBERS



OUR COVER

This bright red male cardinal posed for nature specialist Gay Bumgarner. See page 19.

PLANNING AHEAD

Listening to members, forging alliances, and more BY STANLEY ROWIN

Last month all the stars apparently were in alignment to permit the meeting of many groups of ASMP in one metropolitan area at one time. At the PhotoPlus Expo convention in New York City, the ASMP chapter leaders met at the same time the ASMP board of directors convened to meet. Also in town were some members of the ASMP architectural specialty group, the underwater specialty group and regular members. We all met in small and large groups to discuss what our collective problems were and how we could attempt to solve them. The leaders of ASMP were on hand to listen and accept feedback.

I feel that listening to our members in these groups is the best way for us to find out if we are meeting your needs. It also verifies that our direction is where our members want us to go. We have started sending our incoming executive director, Gene Mopsik, to several chapters around the country to survey those members and report back with their business and ASMP concerns.

The results of the New York meeting were quite encouraging. We announced that we want to start a traveling education program in 2003. Our members saw the vast amount of information that we are starting to put up on the Web site. We introduced the restructuring of membership categories and the new branding of the ASMP general member.

In New York, we met with various trade organizations including the Coalition of Visual Artists and Professional Photographers of America, to see if we can carve out some long-term alliances with them to give our members some badly needed market force.

One problem that we brought up at all these meetings was that we have started all these balls rolling, but we don't have the momentum to sustain them without additional income. For instance, let's take the new Web site. We built it so that we could have many new features in the future. As you can see there are galleries of members work all around the site. We can program it so that when you click on an image it goes directly to your *Find a Photographer* listing. We can program it so that when you click on your *Find a Photographer* listing it goes directly to your images. But programming these features requires additional funds that we currently don't have. Continued marketing of the *Find a Photographer* listing to photo buyers will cost money that we currently don't have.

We intend to have a large section on the Web site for business news and analysis of what this news means to our mem-

bers. We foresee having Web site editor gathering all the information available and distilling it into information that our members can use to increase their income, either through learning new marketing, business or technical skills. But, the person to gather this information is not currently on staff and we can't begin to look for a full or part-timer until we raise the money.

We surveyed our members at the meeting to help determine the topics for our traveling educational program and we have begun the process of interviewing potential presenters. While we are looking for outside funding for this program, the cost of building the curriculum and training presenters must be borne by us. If we had the funds now, we could have started this program earlier.

Lobbying, advocacy and keeping track of legislation requires cash that we are taking from other possible programs. Just flying people to a meeting with the other trade organizations costs money. Calls to our office take longer to be answered because we have reduced two staff positions.

General members' dues have not changed in 13 years. And while those dues continue to staff the organization at our current level, the fact that the dues amount hasn't grown in years is stifling our growth. We are asking the general members for an additional \$25 per year in dues to help get some of these programs moving. If you vote for the dues increase in your ballot statement your dues will not be increased until 2004. Think about how far that \$25 will go to help us help you. If two thirds of all the votes cast are in favor of this increase, we can begin the process of growing ASMP.

On another note we must say good-bye to Richard Weisgrau our outgoing executive director. Dick was the "pit-bull" that protected the ASMP and its members. We will miss him and wish him best of luck in his "retirement." Read more about him later in this issue.

And finally the board and staff of ASMP wish all our members and supporters a Happy and Healthy Holiday and a Prosperous 2003. We'll see you next year! ∞



Stanley Rowin
ASMP president
and chairman of the board

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FAREWELL AND THANK YOU



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The swansong of the black swan BY RICHARD WEISGRAU

By the time that you read this article I will no longer be the executive director of ASMP. I will have started a new career and will be looking forward to new experiences and challenges in the media photography business. If I am lucky, I will get to spend another 15-year cycle in the business arena that has been my focus for the past 30 years.

In 1973, after eight years of working enough to command the credential of general member, I joined ASMP. ASMP had about 800 members then. It had six chapters. Dues were \$100 per year, the equivalent of about \$600 today. ASMP was trying to help its members find a path to survival as the magazine market that had supported so many of us for years was changing dramatically. *LIFE*, *LOOK*, *THE SATURDAY EVENING POST*, and a host of other magazines had closed their doors. Those that remained reconfigured their approach to photography. The magazine photographers' marketplace was a disaster that had happened—and quickly.

Most of us weathered that storm and went on to diversify, finding ways to keep enough cash flow in motion that we could continue to do what we loved—make photographs. The photography business is not usually a dichotomy of “feast or famine.” It is better described as *adequate or famine*. However, we found ourselves in what amounted to boom years in the 1980s, and good times in the mid-'90s.

With 2003 just weeks away, photographers are again fighting for survival in a time of famine. We are being double-teamed and pressed to the mat. Recession has caused our clients to cut back expenditures for our services, bringing on ruthless price competition in the face of reduced demand. On top of that cause and effect,

the rapid infiltration of digital photography and its accompanying expense and learning curve are putting us under even greater pressure at a time when we can least afford it. Business offers its own peculiar type of cruelty. It demands the most when you have the least. Like nature, it is a force with a rule of “survival of the fittest.” Fairness is not a criterion for survival. Only fitness is.

Last November, working with the ASMP board of directors, we developed a new strategic plan for ASMP. It is a plan aimed at making ASMP members more fit for the survival contest, and hopefully, prepared to excel as the economy turns upward, as it always does. The early fruit of that strategic tree is beginning to show. Take a look at ASMP's redesigned Web site. It is the beginning of a new and exciting asset for ASMP members. In months to come, it will be filled with new and helpful content in addition to the core information already there. New educational efforts are in development, and ASMP's greatest strength, its advocacy efforts, will be continued with their usual vigor.

ASMP is fighting for you, and it is fighting alongside you. It needs your support, and you need its. For 58 years, ASMP has been the one constant in the battle to improve conditions for publication photographers. It has been able to do that because members have supported it.

Support it again, in February by voting in the national election for the board of directors, and most importantly, by voting YES for the dues increase. ASMP cannot continually improve its efforts without additional revenues. The last time the dues were increased for general members was 1989. If you vote for the increase, general members dues will become \$300. That is a far cry from the dues equivalent of \$600 that we paid in 1973, and business was really bad then. We knew that a weakened ASMP meant weaker photographers. ASMP is the sum of its parts, and you are part of it. If it is weak, you are weak.

LOOKING AHEAD

Many people have asked me what I will be doing after ASMP. Some seemed to believe that retirement was my preference. Banish that thought. Retirement would kill me, and, if I am anything, suicidal is not it. A full report on my future intentions can't be given here, but I can say that it will be connected with the photography business. After 30 years in the business, it is what I know most about. I can tell you that I will be working on a new enterprise aimed at providing photographers with information to help them cope with and exploit the changing marketplace. If you want to know more about this new enterprise, just send your e-mail address to me at this address: rw@wide-angle.info.

After 15 years of membership followed by 15 years on staff, ASMP has become a soft spot for me. It helped me grow as a photographer and succeed in business, and, finally, it offered me the very satisfying work of trying to make things a bit better for photographers. Some of ASMP's efforts during my tenure were successful and others failed. We did finally make ASMP a property owner, ending the every five-year dilemma of renewing a lease or finding a new home. We also established the financial stability that it needed by introducing good fiscal management and systems. Over the past decade, ASMP prevailed in a series of the most important legal cases in the history of photography. We captured the flag in the battle for electronic rights, but we lost it in the battle to improve fees. More rights, but without more compensation, isn't much help in running your day-to-day business. Now that the rights are won, ASMP can focus on creating more realizable value for them.

The benefits that flow from ASMP are a product of the efforts of volunteers, staff

and professional service providers. No individual in ASMP makes anything happen. While the membership is ASMP's greatest asset, mine has been the ASMP staff. A leader is only as good as his followers, and I have been supported by the best. They worked for me, but in reality they were and are working for you. I thank them for all.

In my years with ASMP I learned and grew. I was taught and challenged in ways that always helped me to be better. There are some special people whom I want to recognize. While fate has taken them from ASMP, I thank ASMP presidents Larry Fried and Reagan Bradshaw who were great examples for me. They were among the finest leaders of ASMP in times of great need and demand. Still on board at ASMP, and deserving of my thanks for helping me be better are Bernie Cleff, Matt Herron, Lou Jacobs, Jr., Harvey Lloyd, Helen Marcus, Michal Heron, Jay Maisel, Arnold Newman, Marvin Newman, and Vince Streano. Finally, with the exception of my wife and children who have supported me

the most, I owe four individuals more than I can say. Each of them has served as general counsel to ASMP in my years as volunteer director/officer or staff officer. In their role, and as a friend too, each has taught me, counseled me, fought side by side with me, lost and won with me. I have come to deeply admire, respect and treasure those who have been in the front line trenches with me. They are Bob Cavallo, Chuck Ossola, Mike Remer, and Vic Perlman. Any success that I have had was assisted by their guidance.

I wish all of them the best of fortune in the future. ∞

"The benefits that flow from ASMP are a product of the efforts of volunteers, staff and professional service providers"

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15 YEARS OF SERVICE

A tribute to Dick Weisgrau BY EUGENE MOPSIK

The institutional memory is short. Few members now remember or were ever aware of the true condition of ASMP prior to the leadership of Dick Weisgrau. The ASMP of 1988 was on a very shaky foundation and without a clear vision for the future. In his 15 years as executive director, Dick has given ASMP financial stability, implemented sound accounting procedures, instituted strategic planning, created equity in our national headquarters, increased the membership by 25 percent and established ASMP as the world's leading association for publication photographers. Dick Weisgrau is acknowledged as an authority on intellectual property and has done more for working publication photographers than any other leader in our trade. He has been an outspoken champion of photographer's rights, and has literally written the book on professional business practices through his contributions to the publication, *ASMP Professional Business Practices in Photography*. Dick has also been an active contributor to the ASMP



Above, from left, Linda Maisel, Dick Weisgrau and Jay Maisel sharing memories. Below, clockwise from top left: Weisgrau is presented a photograph made by past president Matt Herron by Gene Mopsik; director Scott Highton reminded Weisgrau that while the late Reagan Bradshaw had a saying "you can't push a rope" Highton added a proviso, "unless you're Dick Weisgrau" and presented him a "pushable rope" that Highton engineered; first vice-president Robert Wiley gave Weisgrau one of his images; the board presented Weisgrau with Arnold Newman's famous 1946 portrait of Igor Stravinsky.

ALL PHOTOS © 2002 MICHAEL CARDACINO

Bulletin, authoring numerous articles and white papers on rights management, copyright, negotiating, marketing, and strategic planning.

As the incoming executive director, I have the luxury of building and expanding upon the ample foundation established by Richard Weisgrau. His legacy will long be remembered and he will surely remain as an asset to the Society in the years to come. I am proud to call him my friend and mentor. On behalf of a grateful board of directors and membership, I wish to express my appreciation for all that he has done for ASMP and the world of professional photography.

On the evening of November 3, 2002, the ASMP board along with Jay Maisel and his wife Linda hosted a roast/appreciation for Dick. Gifts were exchanged, stories were remembered, and dignity was forgotten. It was a great time for all!

Anyone who knows or has ever met Dick can be sure that he is one "old soldier" who is not going to fade away. ∞



COMMUNITY

2002 BLC and Members Convention BY THOMAS WERNER



ASMP leaders, members and staff, photographed against the backdrop of the Manhattan skyline.

© 2002 RON GOULD

The institutional ASMP chapter leaders, specialty group leaders and the national board and staff met in Jersey City, New Jersey, October 31—November 2 to discuss issues facing our members on individual, chapter and national levels. With over 70 attendees, the Bradshaw Leadership Conference brought together photographers representing every aspect of our industry nation wide. The goal of the conference was two fold. First, to develop healthy methods of problem solving where each opinion is respected and disagreements are discussed in a professional manner. The goal was to apply these methods not only during at the con-

ference, but on the national, chapter and individual level after the meeting adjourned. The second goal was to find workable, credible solutions to the problems facing us as an organization and an industry. Prior to the meeting each person attending was asked to send in a problem facing ASMP or individual photographers and a solution for that problem. These responses were then used to help create the agenda for the conference. A full summary of the conference including schedules, summaries and solutions is available on CD from your chapter leaders.

Over 250 members from around the world attended the ASMP Members Convention at White Space in Manhattan.

THE GOALS FOR THE CONVENTION WERE:

1. to begin to create a larger sense of community within ASMP;
2. to open the lines of communication and facilitate the exchange of information;
3. to offer members the chance to enhance their businesses by studying a variety of topics from experts in their fields.

From a meeting with the national board to seminars ranging from branding, marketing and copyright to digital, fine art and Photoshop, the convention offered ASMP members a full schedule all free of charge.

cont. on p. 14

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THANKS the following sponsors who made the annual Bradshaw Leadership Conference a success. Without their generous support, this important program would not be possible. On behalf of all the national and chapter leaders of ASMP who rely on this conference for education and the exchange of information that is necessary to fulfill ASMP's mission, **THANK YOU.**

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COMMUNITY *cont. from p. 11*

The Bradshaw Leadership Conference and Members Convention are made possible by the efforts of volunteers to whom we would like to give our thanks. The Leadership Conference and Members Convention were chaired by Thomas Werner and vice chaired by Michel Leroy. Zim, Scott Indermaur, David Kouyoumjian and Jorge Parra, all helped find sponsors interested in supporting the

conference. National board members Lon Atkinson and Robert Wiley lent time, knowledge, support and advice. Special thanks to the New York steering committee and the New Jersey chapter members who helped staff and run the convention, without their time and effort the conference and convention would not have been possible. ∞

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LEADERSHIP EVENT WAS RIGHT ON TARGET FROM START TO FINISH

By Ed Tilley

Every element of the 2002 Bradshaw Leadership and first Annual Members Convention seemed right on target! The meticulous attention to detail speaks volumes on the amount of work that had to go into the planning of this conference as well as the new “look” for ASMP. From arrival to departure the entire event was a seamless project and I applaud each of you for your dedication, leadership and input.

Last year I wrote: “The difficulty of getting to Aspen negated the benefit of that great location.” What could be better than the arrangements of this year’s conference? Everyone at the Hyatt was on the same page and our meeting rooms were perfect for the work at hand.

An “Information Buffet” is my take on the members’ convention. I wanted to attend multiple programs all happening at the same time. You put together a great lineup of programs and talent!

Realize that many who beat that drum will not come forward and address the issues with solutions. Realize you will never make everyone happy! This year you heard the drums beating at the chapter level and you created an outline for the BLC to address those issues. Continue forward. I’ll continue to wave my ASMP banner each chance I get. ∞

Ed Tilley is president of Ohio North Coast chapter.

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ASMP Board Minutes

ASMP Board Meeting
Sunday, November 3, 2002
Jersey City, New Jersey

Session began at 1.30 PM
Roll Call

Present: Lon Atkinson, Morton Beebe, Michael Cardacino, Susan Carr, John Giammatteo, Dave Harp, Ken Hawkins, Judy Herrmann, Scott Highton, Bruce Kluckhohn, Mary Beth McAuley, Stan Rowin, John Slem, Clem Spalding, Robert Wiley.

Others Present: Elena Goertz, Eugene Mopsik, Victor Perlman, Peter Skinner, Cilla Skinner, and Richard Weisgrau.

President Stanley Rowin chaired the meeting.

Opening remarks

President Stanley Rowin welcomed the board to Jersey City with a special welcome to new director Bruce Kluckhohn. Rowin said the Bradshaw Leadership Conference held prior to the board meeting had been a successful event.

Motion: That the board of directors thank Thomas Werner and his committee for organizing and staging a very successful Bradshaw Leadership Conference. (Kluckhohn/McAuley) Passed unanimously.

Comments by executive director designate, Eugene Mopsik

Eugene Mopsik said that he was on the threshold of a new experience going from photography to being executive director. He said he would be working on a solid foundation laid by executive director Richard Weisgrau and other members of the national staff. He thanked Weisgrau for his great contribution and tireless efforts on behalf of ASMP and publication photographers. Mopsik emphasized that through his 15 years as executive director, Weisgrau had made ASMP a stable organization widely respected within the photo industry and of great benefit to its

members. Mopsik said his initial goals would be to establish priorities and set realistic goals, and added that he is honored to be undertaking the role of executive director.

Financial Status Report

Executive director, Richard Weisgrau spoke to the board on the financial report and budget submitted and answered questions.

At this time the following joined the meeting: David Seide (Architecture SG), Cris Burkhalter (Michigan chapter) and Matt Erulkar (Philadelphia chapter).

Motion: That the budget as presented to the board be approved. (Spalding/Hawkins) Passed unanimously.

President Stanley Rowin expressed his appreciation for the work done by executive director, Richard Weisgrau.

Communications Committee

The report submitted by chair Judy Herrmann was discussed and accepted by the board. The main topic was the ASMP Identity and Web Site Redesign projects and the need for moving forward on the content of the Web site.

Communications Department

The report submitted by communications director, Peter Skinner was discussed and accepted by the board. Topics included: ASMP Bulletin, advertising, Web site redesign, and PhotoPlus Expo 2002.

Education Committee

The education committee report submitted by chair, Susan Carr was discussed and accepted by the board. Topics included: ASMP seminar, speaker lists, and ASMP Business Practices Book.

ASMP Foundation

The board discussed an activity report submitted by the ASMP Foundation.

Chapter Relations Study Group

Chair, Lon Atkinson submitted a report, which was accepted by the board.

Bradshaw Leadership Conference

Oversight committee chair, Robert Wiley, gave an oral report to the board on the success of the Bradshaw Leadership Conference and the logistics of future leadership conferences.

Nominating Committee

A report submitted by chair Dave Harp was discussed and accepted by the board.

Special Interest Groups within ASMP

John Giammatteo submitted an oral report which was accepted by the board. He then answered questions on the special interest groups within ASMP.

Membership Committee Report

Chair, John Slem gave an oral report, which was discussed and accepted by the board.

Forum Communications Study Group

Chair, Ken Hawkins answered questions regarding the various alternatives for communicating with members via the Internet and developing systems, which would best serve the membership.

Dues Increase Status Report

Discussion on this topic was led by treasurer, Clem Spalding. The board discussed at length the proposed referendum to seek a dues increase.

Legal Action Fund Auction

Director Morton Beebe told the board that it was possible a prestigious auction to benefit the Legal Action Fund could be held with members donating their work. He will investigate this and report back to the board.

New Business

A discussion was held on the upcoming 60th anniversary of ASMP in 2004.

Session ended. 5:20 PM.

ASMP Board Meeting
Monday, November 4, 2002
Jersey City, New Jersey

Session began at 8.30 AM
Roll Call

Present: Lon Atkinson, Morton Beebe, Michael Cardacino, Susan Carr, John Giammatteo, Dave Harp, Ken Hawkins, Judy Herrmann, Scott Highton, Bruce Kluckhohn, Mary Beth McAuley, Stan Rowin, John Slem, Clem Spalding, Robert Wiley.

Others Present: Elena Goertz, Eugene Mopsik, Victor Perlman, Peter Skinner, Cilla Skinner, and Richard Weisgrau.

President Stanley Rowin chaired the meeting.

Dues Increase

Motion: That the board authorize a referendum to the general membership to increase the dues to \$300. Referendum to be concurrent with the mailing of national board election ballots that are to be mailed on or before February 15, 2003. (Spalding/Beebe) Passed unanimously.

Bradshaw Leadership Conference

The board discussed the relevancy of this conference and it was pointed out that holding this conference was a great asset in "building a national community."

Special Interest Groups Listservs

The board discussed the value to members of the special interest group listservs and decided that non-ASMP members will be invited to join ASMP to enable them to remain on the listservs. If they do not join ASMP they will be removed from the listservs.

Motion: That non-ASMP members be removed from special interest group listservs by January 30, 2003. (Giammatteo/Cardacino) Passed unanimously.

Forum Communications Study Group

Motion: That the board appoint forum moderators for one year

terms of volunteer service, with appointments renewable annually upon review by the board. (Hawkins/McAuley) Passed unanimously.

Motion: That the board thank Jerrienne Lowther and Pamela Kruzic for their volunteer service to ASMP. (Hawkins/Herrmann) Passed unanimously.

ASMP Web site

The board discussed the purpose and goals of the new Web site.

At this time Ed Tilley (Ohio/ North Coast) joined the meeting.

ASMP Strategic Plan

A discussion was led by Eugene Mopsik and Richard Weisgrau on the strategic plan of ASMP. The main topics discussed were: advocacy efforts, further enhancements to the Web site and education.

ASMP Foundation

The board asked Mary Beth McAuley to contact ASMP Foundation leadership to express the need to conform to board policy on education and that goals need to be refined.

At this time, Richard Weisgrau thanked everyone for their help and support during his 15-year tenure as executive director.

Legal counsel, Victor Perlman instructed the board to be aware of their fiduciary responsibility at all times.

At this time, chair Stanley Rowin passed the gavel to Robert Wiley.

Motion: That the board thanks Richard Weisgrau for his years of distinguished service to ASMP and all independent publication photographers. (Rowin/seconds) Passed unanimously.

Set date and place for next board meeting

The next board meeting date and place was referred to the executive board for decision.

Motion: That the meeting be adjourned (2:40 PM) (Rowin/seconds) Passed unanimously.



ASMP board of directors in Jersey City, NJ. Front from left: Morton Beebe, Clem Spalding, Ken Hawkins, Mary Beth McAuley, John Slemp, Judy Herrmann, Dave Harp, Susan Carr, Scott Highton, Robert Wiley; Back from left: Stanley Rowin, Bruce Kluckhohn, Michael Cardacino, John Giammatteo, Lon Atkinson.

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WWW.ASMP.ORG

Enhancing and sustaining this effort is vital

BY PETER SKINNER

Enhancing and sustaining the flow of information and content on the redesigned ASMP Web site, and how to apportion the financial resources to accomplish that objective, were principal topics of discussion at the board of directors' meeting in Jersey City, November 3-4.

While the new look www.asmp.org has been successfully launched and well received, the board agreed it was imperative that the initial momentum must not be lost and resources should be dedicated to expanding the Web site's value to members and other publication photographers.

The importance of creating new content was emphasized by the chair of the communications oversight committee, Judy Herrmann, who said that Web sites rely on constant change to be effective. "They must provide the visitor with timely information that is pertinent to the visitor's immediate needs. Such information must be acquired, distilled, edited, paraphrased, rewritten and repackaged on a regular basis and thus requires the creation of a new staff position solely dedicated to the creation of information to

be disseminated through this site," she said. "If adequate funds cannot be set aside for the creation of a content developer/editor position, we will be crippling the Web site to the point where it will never be able to fulfill the mission's statement or goals."

The dilemma facing the board is how to maintain the current high level of advocacy and other important legal and membership activities as well as enhance the Web site in key areas such as *Find a Photographer* without additional revenue. The board determined that while it was a matter of trying to do more with fewer funds, the drive to expand the Web site as a resource should not stop. However, weighed against that was the need to continue other ASMP objectives. Executive director designate, Gene Mopsik, stressed that the Society should focus its efforts on enhancements to the functionality and content of the Web site, education, and advocacy and good offices (providing legal, business and other advice to members on a daily and ongoing basis) to the extent that funds are available.

THE BUDGET

Even in the face of a poor economy, the Society had a net income of close to \$60,00 for the past year but to maintain the same level of operations

cont. on p. 19

DUES INCREASE

To meet growing and changing needs BY CLEM SPALDING

ASMP will soon be asking our general members to vote yes or no for a dues increase of \$25 per year. This will bring GM dues to a level of \$300 per year. Referendum ballots will be included with the national board election ballot that will be mailed out in mid-February.

Many members ask “Why do we need to increase dues?” The answers are simple and compelling. ASMP is changing and growing to better meet the needs of our members and we simply need additional revenue in order to do this.

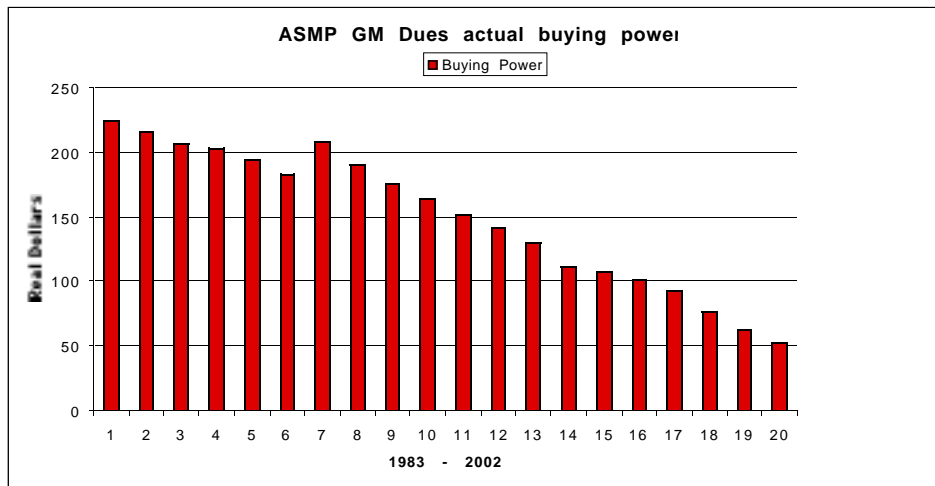
These improvements and changes include:

- **Web site overhaul, updates, and maintenance**

Recently we saw the debut of the new ASMP.org Web site. We now have an attractive, content-rich, and easy to navigate Web site that is simply the best in the business. But that is only the beginning. We need to keep this Web site full of up-to-the-minute information. We plan on continuously expanding and improving the site’s features in order to make it the number one destination for solid information about the business of publication photography. This requires more and different staff resources and other expenses than we have had in the past. We have to pay these folks.

- **Enhancement and promotion of Find a Photographer (FAP)**

FAP has proven to be one of the most tangible and valuable of all ASMP member benefits. Many members now realize substantial sales opportunities and bona fide assignments from this program. We need to expand FAP’s features in order to make it more useful to the potential photo buyer.



**ASMP General Members Dues 1983-1988: \$225, 1989-2002: \$275
Based on Consumer price Index history, US Department of Labor.**

We need to increase the visibility of FAP in the photo-buying community via a larger marketing campaign. We have to pay for these additional services and materials.

- **Enhancement and promotion of our general membership**

Our general membership is the most qualified group of photographers anywhere. But that fact alone doesn’t do any of us much good unless the rest of the photography world knows it as well. Getting that message out is going to require sustained marketing efforts targeted at prospective members, photography buyers, and other audiences that shape our industry. We want to add to and improve the long list of ASMP membership benefits. This will require more money.

- **Financial help for the local chapters**

Our chapters face the same issues the national office does. For years now, we have seen our chapters’ funding decrease as sponsorship money has become a scarcer resource. Yet chapters need to continue to host programs, collect and publish local news (mostly online now, but that still

requires money) and to recruit new members. There are inescapable expenses associated with all this and these expenses are not shrinking. Twenty percent of the dues increase will be earmarked for chapter allotments.

For over a decade, ASMP has learned to do more with less as simple inflation has eroded our budgets. However, efficiencies can take us only so far and we are now facing diminishing returns with this approach alone. Without additional revenues now, we cannot begin to realize the list of active additions listed above. Furthermore, it is not possible to continue all of our present activities (member benefits, good offices, advocacy, chapter operations, etc...) at current levels without more money.

It’s easy not to bother to fill the referendum form out and send it in, but doing that is the same as a No vote.

We need your Yes vote and we need your twenty five bucks. Please vote and vote “Yes” when the ballot shows up in your mailbox in February. ∞

for the ensuing year, the board has approved a deficit budget of \$29,700. However, executive director Richard Weisgrau said that history had shown that while deficit budgeting in the past had been based on realistic projections, invariably ASMP had managed to trim expenses to ensure financial stability.

Projected income for 2003 is \$1.25 million with expenses totaling \$1.24 million. Additionally, amortization, depreciation and building related expenses were projected to total \$41,800. The projected deficit is \$29,700.

Weisgrau said that holding expenses down last year had been the key to a better bottom line than anticipated and it was notable that use of the Internet for communications had reduced substantially telephone costs. And despite the economy, membership remained solid with almost 600 new members joining ASMP during 2002 and total membership is above 5,100.

Plans are in hand for a national traveling educational program with the goal of launching in fall of 2003. Education committee chair, Susan Carr, said the proposed seminar would address digital issues as they relate to contracts, pricing, marketing, and work flow. "In order to keep the cost down this seminar will be one day in length, presented in university venues and have three presenters," Carr reported to the board. The board was also told by Mopsik that during the course of the Bradshaw Leadership Conference and the members' convention held in conjunction with PhotoPlus Expo, information would be gathered from chapter leaders and members to help structure and create content for any other educational efforts.

The board also discussed the future and potential of the annual Bradshaw Leadership Conference, BLC, the role of the ASMP Foundation, and the value of special interest groups in fulfilling the Society's mission. The BLC, held in Jersey City prior to the board meeting and which was attended by national directors and some staff members, was hailed as a success by attendees (*see page 11*). Traditionally, the BLC has been held in spring but this year was timed to coincide with PhotoPlus Expo and the fall board meeting. The ASMP Foundation is facing hard times trying to raise funds. The board was told that while the foundation has prepared written proposals and letters for two projects in a bid for grants—archiving photography and a new CD-ROM for educators—seeking grants in the current economy is a difficult process.

Director John Giammatteo, in his report from the special interest group study, said that at this time only two of the five approved groups were active. These, the architectural and underwater photographers groups, addressed issues specific to their fields but the Listservs for each were open to all members. "By definition, each specialty group is unique and is addressing issues that are particular to its group. These issues may change with time or even cease to exist, and therefore the life of a specialty group is not fixed," said Giammatteo. Currently, the architectural group has about 400 members on its ListServ and the underwater group about 70. The board agreed with Giammatteo's assessment that the efficiency of serving a multiple number of members collectively was through good communication, essentially the ListServes, and support should be maintained. However, the board decided that while non-members had been permitted to remain on these ListServes in the past in the interests of education and recruitment, they would be removed from the lists by January 30, 2003. They would be invited to join ASMP and thus financially support the services provided by the organization or be removed. ∞

Columbia, Missouri, nature photographer Gay Bumgarner doesn't have to travel far to capture—albeit on film—a wide range of birds and small mammals for her collection of stock images. In fact, they live in her backyard. Since 1988, when she changed careers from freelance landscape designer to fulltime nature photographer, Bumgarner has traveled to exotic places such as Kenya photographing creatures both great and small. These days, however, she finds many of her favorite subjects, such as this male cardinal on a snow-covered branch, not far from her house which is built on acreage with limestone cliffs, a creek and pond. "With blinds set out I am able to photograph a wide variety of birds and small mammals close to home. We are fortunate to have a good flock of cardinals and other song birds who enjoy the wild food I plant for them such as the native plants, deciduous holly, bittersweet and cedar berries. This food keeps them in sight to enjoy and photograph in the winter," she said.

Like most dedicated nature photographers, Bumgarner's greatest interest is animal behavior and their relationship with each other. "I am entranced by the surprises and mystifying behavior I see from my blinds when animals co-exist and cooperate," she said. And working from blinds close to home is a far cry from her entry into the field, "learning the hard way by experience, long hours in blinds and rain forest and Africa trips."

To make this portrait of the cardinal, Bumgarner used a Minolta Maxxum 9000, an 80-200mm f2.8 lens and Fuji Velvia film. "When I photograph in winter I try to catch a snowy day with not a lot of sun, since dark shadows ruin the photo," she said of this photograph.

Bumgarner is represented by several agencies including Creative Eye/Mira, Getty Images, Index Stock and Alamy and work has been published in a wide array of publications including *Time*, *National Wildlife*, Audubon calendars, *Ranger Rick* and numerous others. ∞

ART WOLFE, MAIN SPEAKER

Major photographic event set for June 2003 in Seattle

Seattle-based *PhotoMedia* magazine has announced it has taken over production of the Northwest Exhibit of Environmental Photography (NWEPP), renamed the event *World in Focus* and expanded on its concept. The mission of the event is to raise environmental and cultural awareness through photography. The event will include a photo contest resulting in a six-week print exhibit of the contest winners and opening reception at Seattle's Rainier Square building, an awards ceremony and keynote seminar by photographer, Art Wolfe at Seattle's Benaroya Hall on June 6, and an all-new seminar series at the Seattle Center on June 6-8, 2003.

PhotoMedia said it will enhance the *World in Focus* 2003 photo exhibit by opening contest eligibility (beyond the northwest) to residents of the U.S. and Canada, and adding two new categories (urban wildlife and creative/computer enhanced) to the previous

nature, environment and endangered cultures categories for submissions. Additionally, *World in Focus* will begin accepting entries on digital media for the first time and will publish select winners in a special insert in the Fall 2003 issue of *PhotoMedia*.

The seminar series will be led by some of the top names in nature, environmental and endangered cultures photography. They will be held June 7-8 at the Seattle Center. An adjacent hospitality and reception room, featuring photography and other related organizations, associations, sponsors and vendors, will provide a space for information exchange and networking.

Photo contest rules and regulations and an entry form are available in the current Fall 2002 and upcoming Winter 2003 (due out February 3) issues of *PhotoMedia* and on the *World in Focus* Web site [www.worldinfofocus.us]. The deadline for entries is February 28, 2003. Updates will also be posted on the *World in Focus* Web site in the months ahead. ∞

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IN MEMORIAM

Miggs Durrance, matriarch and mentor BY PETER SKINNER

The Colorado photographic community is mourning the loss of their matriarch, Margaret “Miggs” Durrance, a grand lady of photography and a world-class skier, who died November 11 of leukemia, aged 85. A remarkable and energetic personality who was closely tied to the resurgence of Aspen from a mountain mining town into a world renown skiing destination, Miggs also won an indelible place in photojournalism and in the hearts of many young photographers whose fledgling careers benefited from her unstinting generosity, encouragement and inspiration.

One of the many recipients of her sage advice was Jim Cook of Denver, Colo., who remembers his first meeting with her. “I was just getting my career underway when I sat in an audience to hear Miggs and other women talk about their careers in the news business. Afterwards I cornered her and asked about how she organized her photo files. In what I learned was typical of her style, she invited me to her home and spent hours showing me her system,” he said.

Many other photographers, including her own family of photographers—husband Dick, son Dick II and his wife, Susan Drinker, would undoubtedly echo Cook’s words about Miggs Durrance. She specialized in documentary photography and photojournalism in a career that spanned more than 60 years and her work was published in *Look*, *LIFE*, *National Geographic* and *Sports Illustrated*. Her assignments took her to Alaska, Norway, India, Nepal, China, Chile, Russia, the Middle East, New York and Germany.

Miggs and Dick were world-class skiers. She was an alternate on the U.S. Olympic ski team in 1940 but the Games were canceled because of World War II. The couple had met in Sun Valley, Idaho, early 1940, and in 1947, with their two young sons Dick II and David, moved to Aspen where Dick had been hired as general manager of the Aspen Skiing Co.

In Aspen, Miggs began her photographic career, documenting the emergence of the area from its mining background into international ski resort. As a talented and hard working photographer she was willing to travel virtually anywhere on assignments. That enthusiasm for travel was mentioned prominently in a statement released by the family upon her death. “In her willingness to venture forth, she made remote places seem close and inspired her family and her many friends around the world to travel far in search of their dreams,” the family said.

Dick, as well as being one of the leading skiers in the U.S., was an accomplished documentary filmmaker. In 1951, when he was offered a job to film in Norway and Bavaria, the family left Aspen. In the following years, they worked on many memorable assignments, including the wedding of the Crown Prince of Nepal in

1970, an event that went on for nine days and resulted in a three-month assignment. During this photographic odyssey, they covered subjects from the wedding itself to searching for rhinoceroses and trekking to the base of Mount Everest. After many years away from Aspen, they returned there in the 1980s.



© 1939 DICK DURRANCE

Miggs Durrance, Sun Valley, Idaho, trying out for the U.S. ski team.

As a member of ASMP, Miggs Durrance played an active role as a board member of the Colorado chapter and as a mentor was always willing to advise younger colleagues.

Jim Cook says it well: “Miggs was ever the optimist, smiling and happy, full of seemingly unending energy and willing to give whatever was asked of her,” he said. “She will be missed.”

Miggs Durrance is survived by her husband Dick, their sons David and Dick II and their families. ∞

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News**lines**

Please send contributions to Editor, ASMP Bulletin, P.O. Box 652, Anacortes, WA 98221
E-mail: Bulletin@asmp.org

Marvel v. Simon—A major victory for creators in cooperative effort

Creators have won a major victory in the Second Circuit Court of Appeals, which has ruled that the statutory right to terminate a grant, which exists “notwithstanding an agreement to the contrary,” cannot be eliminated by an agreement that purports to define the creation as a work made for hire. And the victory was, in large part, due to the cooperative support of several leading trade associations.

Last spring and again this past summer (on appeal), the Authors Guild, American Society of Journalists and Authors, American Society of Media Photographers, the Graphic Artists Guild and the Society of Children’s Book Writers and Illustrators appeared as amici curiae in a case that for the first time determined whether the Copyright Act’s statutory right to terminate licenses after many years applies when the creator signed an agreement, after the creation of the work, stating the work had been made as a work made for hire.

The case involved Joe Simon, creator in

1939 and 1940 of the *Captain America* story and characters. In 1969, after years of litigation, Simon agreed to a settlement before trial of a case involving ownership of the *Captain America* copyrights. The settlement agreement gave Marvel Characters’ predecessor the copyright and also said the works had been done in 1939 and 1940 on a “for hire” basis.

Almost a decade after this settlement, Congress gave to original creators a statutory right to terminate any grant of copyright after many years. In order to redress the acknowledged problems of unequal bargaining positions between creators and publishers, Congress stipulated that the right to terminate a grant exists “notwithstanding any agreement to the contrary.” It does not apply, however, when the work was one made “for hire.” When Joe Simon tried to take advantage of this new, inalienable right of termination, Marvel sued him in federal district court, arguing that he had no copyright to retrieve because he

had agreed in the earlier settlement agreement that the works were done “for hire.” The District Court agreed with Marvel, granting summary judgment to the publisher.

On appeal, the Second Circuit ruled that the purpose behind the statutory right, its legislative history, and prior case law made it clear that even an agreement to deem a work as made “for hire,” when it is made after the work’s creation, is an “agreement to the contrary” that does not trump the termination right.

Kay Murray, general counsel for the Authors Guild, who drafted the amici briefs on behalf of Joe Simon, argued on behalf of amici in both courts. “The Second Circuit opinion adopts virtually all of the arguments Mr. Simon’s representatives and we made. In other words, we helped to make law that is very favorable for all of our members,” she said in thanking ASMP and the other organizations which supported the effort.

NEW DISCOUNTS AND BENEFITS PDN DISCOUNTED SUBSCRIPTION

Photo District News has agreed to provide ASMP members with discounts on PDN subscriptions and also on an enhanced listing in PDN’s PhotoServe. To take advantage of these benefits and others, please check benefits in the members-only section at www.asmp.org. In brief, they are: ASMP members subscribers will pay only \$45, more than 50 percent savings off the single copy price of \$95.40. You will get 12 monthly issues of PDN which includes *The Photography Annual Issue*; PDN’s

30, profiling 30 up and coming photographers each year; *PIX*: a special section that highlights leading designers and creative people; *Photo Source Studio, Rental & Stock Guides*: comprehensive listings of sources throughout the country.

ASMP members can also get a special \$50 discount for an enhanced portfolio on PDN’s PhotoServe which is a source of information for photographers, creatives and art buyers and is a cost effective way to reach an average of 60,000 service users per month. For more details check out www.asmp.org

PHOTOGRAPHERS RALLYING TO SUPPORT GEORGE GRYZENIA’S FAMILY

ASMP members are rallying to support the family of photographer George Gryzenia, 40, who suffered from diabetes and recently died of a heart attack, leaving a widow, Lynn Moore, and a three-year-old daughter, Helena. Because of his pre-existing medical condition the Michigan photographer was unable to get insurance coverage. In a heartfelt tribute to Gryzenia, ASMP member Ed Bonnen wrote: “When I think of my dear friend George I think of a

person with passion, integrity, generosity, commitment, a man who lived his convictions and cared greatly about the people in his life and the craft of photography. Everything he did was done with purpose. He lived life fully, never doing anything half-heartedly. His involvement in our community is a good example. He belonged to ASMP and was a very active board member of the Michigan chapter. In addition he participated on PNN’s listservs(3), EP, APAnet, NPPA and ASMP’s forum. His goal was to soak up as much information as he could to make himself

better and in turn share it in the hope of improving our community.” To read of Bonnen’s tribute go to the Michigan chapter Web site (www.asmpmichigan.org)

An education fund has been established for George’s daughter, Helena, and checks can be sent to: Helena Gryzenia Fund, c/o National City Bank, 3500 Alpine NW, Grand Rapids, MI 49504

FREE WHITE PAPER: AVOID CATASTROPHES WHEN BURNING CDS

If you have encountered problems when burning CDs a new white paper from a California company might be of interest. CDSleeves.com has released, *The 7 Fatal Mistakes You Can Make When Burning Data, Music, and Photos to CDs*. It also includes information about the July 2002 changes in US Post Office regulations governing the mailing of CDs. The paper can be downloaded for free at [www.cdsleeves.com/7fatalmistakes.html].

The white paper was written for CDSleeves.com by Mark Goggin, an authority in the field of CD packaging, storage and duplication. The 91-page paper addresses the seven most common major errors of burning CDS: How buying the wrong CD can get you into trouble; how to avoid burning “coasters;” how improper labeling can destroy data; how the wrong mailing media can sabotage the best laid plans; how “file and forget” can cost a fortune; how improper storage can lead to catastrophe; neglect the human factor at your peril.

FOTOSHOW.PRO ONLINE DIGITAL MANAGEMENT APPLICATION

A New York-based company has announced a new client-server application that enables photographers and photo agencies to share their picture collections online. The product, fotoshow.pro has been developed by S4media. According to a press release from S4 media, fotoshow.pro is designed to make building image databases easy and efficient. It includes features such as batch processing and automatic keyword generation. One of the primary strengths of this product is the ability to customize its structure in order to complement existing workflow processes and logical structures. It allows photographers to organize their digital images and enables users to search, view and purchase images over the Internet and local networks. Some of the key features are being able to publish a large collection online; customize design, layout and branding elements; use powerful metadata keyword search and browse functions to index images; sell images online

cont. on p. 24

What's Hot

Call for declarations of candidacy

The declaration period for candidates for the national board of directors will be open from December 1, 2002, to December 31, 2002.

Any general member may declare his or her candidacy for a directorship. The election will be held from February 15, 2003, to March 15, 2003. Winners will begin their term at the next regular board meeting following their election (expected to be scheduled for April or May 2003). Five (5) directors will be elected for a three (3) year term.

A director’s term is three (3) years. Each candidate must be willing to attend a minimum of two (2) board meetings per year, which usually involves a Friday, Saturday, and Sunday. Other duties are assigned by the board to individual directors.

If you wish to declare candidacy, please complete the following and fax or mail to:

ASMP National
150 North Second Street
Philadelphia, PA 19106
Fax: 215-451-0880

I declare my candidacy for a seat on the national board of directors. I am a general member of ASMP and understand that the commitments of a director of ASMP include having to attend a minimum of two board meeting a year, as mentioned above.

Print Name

Signature

Date

via secure e-commerce options; offer clients individual and collaborative light boxes; view site traffic and sales reports; display feature areas for portfolios, promotions and recent work. It will run on almost all Unix, Linux, Windows and Mac OS X server platforms. For more details: [/www.fotoshow-pro.com] or [info@s4media.com].

BUSY TIMES FOR ASMP AT PHOTOPLUS EXPO

An estimated 100 photographers attended the ASMP seminar *The Business of Digital Photography* at PhotoPlus Expo and the Society's booth was a hive of activity for the three days of the show with hundreds of show attendees taking information materials. That amount of activity is in keeping with *Photo District News'* reporting that attendance for the event, held October 31-November 2, 2002 at the Jacob Javits Convention Center in New York City, reached over 22,000, a 22 percent increase from 2001.

The show floor was packed the full three days of the show—even at closing on the last day. Exhibitors widely agreed that the attendees were not only numerous, but also qualified and enthusiastic. Highlights at the show included the first annual *Vision* awards presented by *PDN* and *VNU* to leading photography innovators at the show and popular industry keynote addresses by photographer Greg Gorman, Adobe's Bryan Lamkin and *The New York Times'* David Pogue.

PhotoPlus Expo was also the first U.S. showing of products exhibited at Photokina in Germany. Over 200 companies, such as Olympus, Nikon, Kodak, Hasselblad, Canon, Epson, Fuji, CreoScitex, Adobe,

and Mamiya introduced never-before-seen products at the show.

ASMP's seminar on the business of digital photography was moderated by past president Dave Harp and featured panelists Mikkel Aaland, Judy Herrmann and Jeff Schewe. The seminar was taped and ASMP is planning to publish a white paper on the topic, based on a transcript of the seminar and other information. The three-hour presentation was one of the best-attended business programs at PhotoPlus. As noted elsewhere in this *Bulletin*, an estimated 250 ASMP members attended the members convention, held in the White Space near the Javits Center, and other ASMP meetings included the annual Bradshaw Leadership Conference and the board of directors meeting.

HARLEM SATURDAY: GORDON PARKS TO BE HONORED ON HIS 90TH BIRTHDAY

Legendary *LIFE* photographer Gordon Parks, a multi-talented creative genius who is an American icon, was the star of the show when 90 of the nation's leading African American photographers converged on Harlem on November 30 to pay tribute to Parks and celebrate his 90th birthday. This unprecedented gathering, which included 10 Pulitzer Prize winners, was organized by The Exposure Group African American Photographers Association. The 90 photographers gathered with Parks for a group photograph on a Harlem sidewalk reminiscent of the famous *Jazz Portrait* made in 1958 by the late Art Kane for *Esquire* magazine. Prior to that photo shoot, the photographers fanned out across Harlem neighborhoods to document the place and its people for a

Getting found at www.asmp.org List your region or major metro areas

To take full advantage of *Find a Photographer* on the ASMP Web site, members should ensure their listings are comprehensive and current. In addition to listing specialties and contact information—including Web site URLs with direct links—members may list three regions or major metropolitan areas where they are able to complete assignments or wish to be located. That information is additional to your state or city. However, it is the members' obligation to provide the ASMP national office with this information as regions or staff who maintain the database cannot determine major metro areas.

To update membership information, go online and complete the update form and forward it from the site, or simply e-mail your request to update@asmp.org. New information should not be sent to Webmaster, as that facility is intended for reporting technical difficulties and sending membership information to Webmaster could delay your record being updated.

book and exhibition titled *Harlem Saturday*. Information: [www.exposuregroup.org].

DOUG MENEZ GETS COVER OF FIRST DIGITAL DAY IN THE LIFE BOOK

ASMP member Doug Menez has carved another notch in the record books by getting the cover of the first all-digital *Day in the Life* book. Menez was one of 100 of the world's top photojournalists who recently traveled to 53 nations in Africa to document the complexity of African life in 24 hours. The project was shot entirely on digital cameras supplied by Olympus, a major sponsor. *A Day in the Life of Africa* will be the first in the successful book series photographed entirely in digital. Olympus supplied each photographer with an E-20 SLR digital camera and 28mm and 200mm equiv-

alent lenses and also provided its 4-megapixel compact digital camera C-4040 Zoom. Each participant had a Camedia P-200 portable dye-sublimation printer and organizers also set up P-400 printers at project headquarters in Paris for editors and photographers to make larger prints. Prior to the shoot, Olympus organized intensive training sessions in New York and Paris. More than 50,000 digital images were made and these were edited down to 250 color and black-and-white photographs for the book. All proceeds will go to AIDS education programs in Africa. Menez, who recently set up a studio in New York in addition to his base in Sausalito, Calif., made a striking portrait of a man, a powerful image which gained the coveted cover. ∞

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NewMembers'Zone

The following have applied for membership in ASMP. Any comments, either positive or negative, relating to these applicants should be sent to the Membership Coordinator at ASMP Headquarters. After 20 days, applicants with no unfavorable comments shall be accepted.

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DePaepe, Tchell AS
E. Sahlin D. Downie

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California State University, Hayward

Vanecko, Seamus GM
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Vantress, Robert AF
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OHIO VALLEY

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Nurse, Laura Elam REAF
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