

37th Annual Seminar of the National Association of Chapter 13 Trustees

Sun, Sand, Sea and Seminars

Sun, sand and sea are the first words that come to mind when most people think about an island in the Caribbean. When blended with the premier consumer bankruptcy seminars held by the National Association of Chapter 13 Trustees (NACTT), one could achieve the perfect harmony. The seminar was held in a majestic setting located at the point where the Caribbean and Atlantic merge in turquoise splendor. Situated on a 300-foot bluff of the northeast tip of Puerto Rico is Las Croabas, Puerto Rico. The resort features breathtaking views of the expansive Caribbean Sea. Once you arrive at the Wyndham El Conquistador Resort, it's easy to forget the 31-mile motor coach ride from the airport to this unforgettable experience...

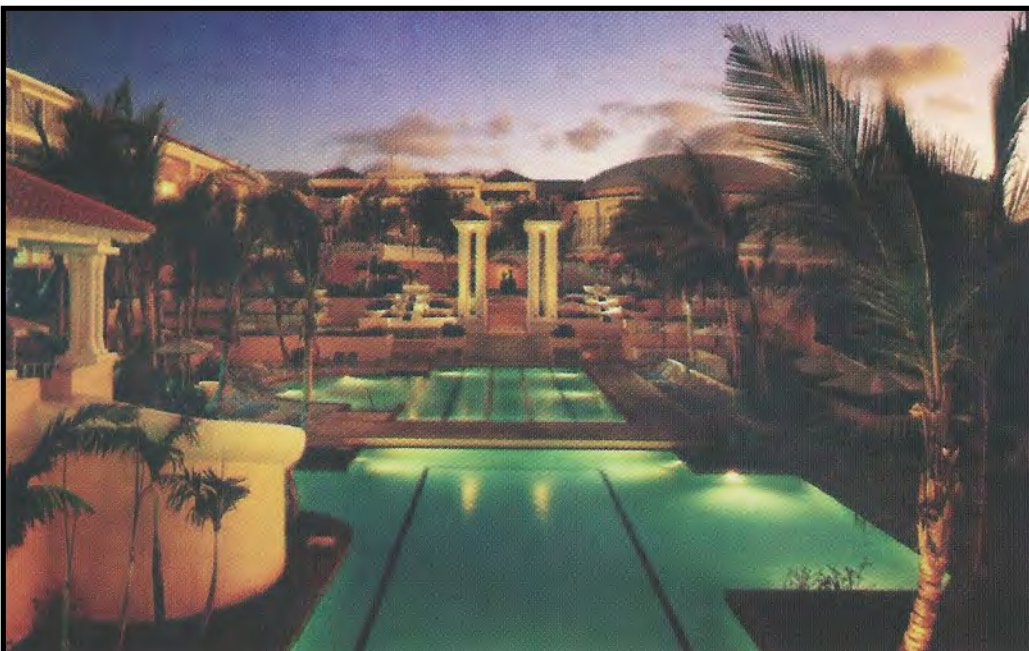
The setting was perfect for the planned agenda, the latest news on bankruptcy reform, commentaries from bankruptcy judges from around the country, the preeminent consumer case law update presented by the Honorable Keith Lundin and Chapter 13 Trustee Henry Hildebrand and a variety of workshops addressing issues of concern to debtors, creditors, trustees and their staff. This year, the program also featured a three-hour "Trustee Staff Symposium" with presentations on trusteeship budget, audits, case administration and staff development. I had several employees who celebrated 15-year anniversaries with the trusteeship. I extended an invitation to those persons to join me in Puerto Rico to attend the Symposium. Rita Saunders and Rosalind Lanier accepted. Since this was advertised as a once in a lifetime experience, I also invited my father and mother to join me. My father accepted; my mother declined.

I spent the next four days absorbing a lot of information and the four nights were filled with plenty of socials and vendor sponsored events.

Day 1, Friday, July 12, 2002

New Trustee Orientation

I looked forward to entering this orientation. Last year in San Diego, I was introduced as the "newest trustee". Equipped with ten months of experience, I was ready to tackle the entire "workshop" questions, which are given to all participants to address in a group setting. The



This is paradise!

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first scenario seemed like a page from my diaries except the Judges in our District are totally different from the one in the scenario. I immediately thought of my meeting with Judge Sonderby and Judge Wedoff. Both were gracious and very helpful in giving advice regarding the Attorney Rotation Schedule, which was implemented this year. Here is the scenario presented:

“As a new trustee, you have ideas for administrative changes that will affect the Court. You call for an appointment with the judges that serve in your District, but one of them refuses to meet with you to talk about the administrative issues. The other judges are reluctant to break rank with their colleague. What strategies are available to establish contact with the Court to discuss the administration of your office?”

This year there were seven new trustees introduced. My advice to a new trustee: “Don’t worry, you have something to look forward to at the next meeting; You will no longer be introduced as a new trustee.”

Day 2, Saturday, July 13, 2002

News From Washington D.C.

The new Executive Director, Mr. Larry Friedman, stood up to the podium to reemphasize to the members of the NACTT that the initiative of building a working relationship

THE MARSHALL CHRONICLES	
The Editorial Staff:	
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with the liaison committee and the Executive office would continue but with a non agenda dialogue as to issues raised by either EOUST or Standing Trustees. The Director clearly laid out his Rules for Chapter 13 Trustees: (1) Goals, (2) Performance Standards, (3) Allocated Resources, (4) No nitpicking the Budgets, and (5) Run Offices like a Business. Mr. Friedman stated that he remains service oriented, and that Chapter 13 Trustees should operate their office under reasonable standards, maintain regular business hours, provide debtor/creditor services by answering telephones and generally operate as an independent business unit. The Standing Trustee Pledge of Excellence was distributed to the Trustees.

In our District, it is not difficult to adapt to the “Rules” because we pride ourselves on excellence. Moreover, we have no disputes or struggles with our United States Trustee (UST). Our office looks forward to and appreciates hearing from our UST and our Coordinator. In taking the pledge, I did reevaluate our definition of “regular business hours” and adjusted our schedule accordingly. New office hours have been posted.

Legislative Update

It was as if we were at a track meeting perched at the starting line waiting for the start gun to sound. We thought we would have a new Bankruptcy Reform Bill signed by the President and in full force in January 2003. However, someone must have signaled a false start, because the race never began. As Suzanne Bingham and Henry Hildebrand reviewed the latest update from Congress, we all breathed a sign of relief, took off our running shoes and decided to wait until September when the legislature reconvenes before learning the new law.

Staff Attorney Workshop

This meeting started off to be very interesting since the first topic the panelist discussed was the new §341 meeting questions and the identity issues. The panelist indicated that you should not read the debtor’s social security number into the record but state for the record that you have verified the number and it matches the number on the petition. Some of the attorneys had a different view on this issue and also on the role of the Staff Attorneys in the Chapter 13 Trustee’s Office. I looked around and when I discovered that my Managing Attorney, Anthony Olivadoti, was there and awake, I quietly made my exit.

Managing The Transition To Electronic Case Filing (ECF)

Everyone left the beach to show up for this workshop. If courts are not already on ECF, there are plans to go to ECF in the near future. Since ECF is new to most districts, we

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were all looking for any information on the subject. The seven panelists each appeared knowledgeable and relieved that they were not in the audience. They had survived what we will be undertaking.

From the hand outs and the Powerpoint presentations, I summarized that in order to make electronic filing work, one must have the necessary hardware and software requirements. One will need the following: 1) A Personal Computer, 2) An Internet Connection, 3) A Scanner, and 4) Capabilities to generate an image of the document which has to be filed. One must know what processes will be used to retrieve documents from the court and what processes will be used to transmit documents to the court. Everyone at this point had the same look on their face and the look translated into this thought: "This electronic filing stuff seems too difficult and seems like it takes a lot of time and effort." The key seems to lie in having good communication with the Clerk of the Court. I must make a note to call Ken Gardner and Jean when I get back to Chicago. I think Glenn Stearns made the same notation.

Day 3, Sunday, July 14, 2002

New This Year: 2002 Trustee Staff Symposium

This seminar was for staff members only. There appeared to be very interesting topics. One of the agenda items were "How to keep your Trustee Happy." I hope all my staff members attended.

Day 4, Monday, July 15, 2002

Case Law Update Part I and II

Planning is critical. If any other sessions had been scheduled at this time, I probably would have missed it. Not this session. It is a show in itself to listen to Judge Lunkin and Hank Hildebrand. I tried to make special notes on the Seventh Circuit cases, which were reviewed. I didn't miss the point, but I might have missed the cites. If you have leisure time, look up and read the following: In re Adams, 270 B.R. 263,269, 270 (Bankr. N.D. Ill. 2001); In re Fry, 271 B.R. 596 (Bankr. C.D. Ill. 2001); In re Bond, 271 B.R. 590, 592-596 (Bankr. C.D. Ill. 2000); In re McMullen, 273 B.R. 558, 563, 563 (Bankr. C.D. Ill. 2001); In re Zimmerman, 273 B. R. 566 (Bankr. S.D. Ill. 2001); and In re Zimmerman, 275 B.R. 296, 300-302 (Bankr. C.D. Ill 2001).

U.S. Trustee Issues - Trusteeship Data Security and Other Matters

The one word I have added to my vocabulary and have heard used most at the seminar was "firewall". A firewall is nothing more than a device placed between your sys-

tem and the Internet to control access to your system from the Internet or the outside world. It is imperative to protect both the computer system and the data. Every Trustee's office is looking at the risk. Risk can come from two sources; inside the office and outside the office. We were told that the only safe way to prevent any threat from outside the office is to shut down the system. Since this is impossible, we must guard against external threats as well as internal.

We received the results of the Risk Assessment from the EOUST prior to my leaving for Puerto Rico. I gave a copy to my Systems Director prior to leaving. Hopefully, we have conducted or are conducting an audit of our system for security purposes. When I returned, I started to ask all of the pertinent questions. First of all, I want to know if we have a firewall and are we protected. Everyone knows I don't use commercial software but I am currently operating on an in-house developed system. I will check out what's available in the market. I remembered to visit Satori, Chase and EPIC and invited them to demo their systems in the office. One question: What safeguards are built into your system to protect against hackers? A Trustee's work is never done.

The seminar ended with a banquet held on Monday night. I took a seat at the table with Melvin Kaplan and Xiaoming Wu, both attorneys from Chicago. The food was delicious and I am told that there is a picture floating around Tom Vaughn's office with me dancing with Mark Wheeler. Since our flight was leaving at 3:00 p.m. on Tuesday, I arose early and scrambled to make the most of my last day in Puerto Rico. My morning was spent at the Golden Door Spa. This is when I entered paradise. The facial and massage was even better than the sun, sand and sea. The seminars should be rated X-cellent.

See you in Chicago next year!

Marilyn O. Marshall



Rosalind Lanier, Rita Saunders, Anthony Olivadoti and O. D. Marshall are all smiles as they ready themselves for the final night banquet featuring fine steak and salmon!

FINANCIAL – DISBURSEMENTS**NACTT 2002 – 37th Annual Seminar**

I was privileged to attend the NACTT 2002 - 37th Annual Seminar in beautiful Las Croabas, Puerto Rico. The accommodations were luxurious and the weather was great. The sessions and workshops were very informative. Complimentary breakfasts, dinners and other events were spectacular. It was helpful to learn about changes in bankruptcy law and code and find out how other Trustee offices operate compared to our office.

The workshop that I found most interesting was on Mortgage Issues. Mortgages that are paid by the Trustee, through the bankruptcy plan, were discussed.

As Disbursement/Closing Manager, there are concerns about mortgages paid through the plan on cases ready to close. One of the main issues is the lack of communication regarding mortgage payment changes. Generally these mortgages have real estate and homeowners insurance included. When the mortgage holder is paying these from an escrow account, there should be notification of change in the escrow account during the life of a bankruptcy plan, including monthly payment changes. With the discharge of the debtor, the mortgage holder may proceed with foreclosure based on arrearages incurred during the life of the bankruptcy plan.

This session highlighted several issues for me. One trustee mentioned that his staff contacts mortgage holders to get monthly payment amount changes. Whose responsibility is it to follow for changes in the payment amount? Should the Trustee contact the mortgage holder or should the mortgage holder notify us? If it is the Trustee's responsibility, how do we keep track of the mortgage holder when mortgages are constantly being sold?

It was suggested that language be included in the confirmation order stating that the debtor(s) would be considered current on their mortgage, at the time of discharge, if the plan successfully completes.

I plan to research this further and Joanne Coshonis, one of our Staff Attorneys, has agreed to help me.

Stay tuned for future findings.

Rita M. Saunders

CASE ADMINISTRATION – CLAIMS**More From The NACTT Seminar**

New, this year at the convention was a staff symposium. This workshop was developed just for non-legal staff to address mutual concerns encountered by each Trustee. I have found that when I attend other seminars, I usually feel like the material covered does not relate to the nature of our business. This symposium allowed you to share work issues or compare procedures with people who can actually relate to what you are talking about. This particular workshop covered audit issues, the mail process, phone techniques, maintaining a personnel file and the need to document procedures for emergency and disaster situations. The staff symposium committee is currently planning to setup workshops that can be offered throughout the year in different areas.

Other convention highlights dealt with Electronic Case Filing. A Trustee in San Antonio, Texas gave an overview of the process in his office and talked about the benefits that his office has experienced since implementation. Normally, someone from a Trustee's office would physically transport documents to and from the bankruptcy court. The ECF process allows a file to be downloaded from the court into the Trustee's computer and then imported the next day for processing. The Trustee also submits information to court via downloads. Obviously, this would save my department, and the office, paper but also reduce the time it takes to process documents.

Overall, I would say the NACTT convention was a worthwhile experience. How can you beat attending a convention in beautiful Puerto Rico at a luxury resort. The topics selected for each workshop were useful and presented in an organized fashion. The food was excellent, if you like lobster tails, smoked salmon, filet mignon and an open bar to consume all the tropical drinks you can handle. I highly recommend that you attend if an invitation is given to you.

Rosalind Lanier

Historically... the NACTT was founded on June 13, 1965, in Kansas City, MO, by 34 Chapter 13 Trustees.

Today... the NACTT has grown to a membership consisting of approximately 1,000 members. Currently, there are 183 Chapter 13 Trustee members from all 50 states and Puerto Rico.



HUMAN RESOURCES
Welcome Aboard!

HR

We are happy to welcome the arrival of three new employees to our organization: DonnaLynn Zimmerman is our Controller and Sandra Cortina and Jammal Davis are Administrative File Clerks. All three began employment on Monday, July 29th and we'd like to share some information about them with our readers.



DonnaLynn Zimmerman graduated with a Master's degree from Lake Forest Graduate School of Management. She completed her undergraduate studies at the University of Illinois at Chicago with a double major in accounting and finance. She has at least 22 years of accounting experience and 13 years of management experience and is familiar with a wide variety

of accounting processes. Her previous experience with a distributor of scientific lab equipment includes preparing and presenting financial statements with analysis, inventory evaluation, financial audits, and extensive budget work.

In her role as Controller with the Office of the Chapter 13 Trustee, DonnaLynn will manage the financial staff, prepare and amend budgets, manage the audit processes, review operational accounts, and be responsible for other financial tasks in the office.

When DonnaLynn is not working in the office, she and her husband Jeremiel like hiking, traveling in their motor home, and enjoying their three Afghan hounds.



Sandra Cortina earned a Certificate in business for learning office skills and Microsoft Office software applications from West Side Technical Institute and took general courses at Daley College. She was employed as a file clerk at a large law firm here in Chicago until the birth of her second child two years ago, at which time Sandra resigned and made raising her children her

priority. Sandra is very familiar with the different tasks involved in filing, processing a large volume of mail, and managing court documents. She has adapted quite easily to her position as our Administrative File Clerk.

Sandra and her husband Hector have a ten year old daughter, Yvette, and a two year old son named Jacob. In a relaxing moment, you'll find Sandra reading a good book.



Jammal Davis earned his business certificate from Kennedy King College. Having spent 14 months as a law clerk with a Chicago law firm, Jammal brings quite a bit of knowledge to his position as our second Administrative File Clerk. His prior experience as a distribution specialist with a well-known bank also supports Jammal's new job tasks. He has already shown that he is able to learn new tasks quickly and perform them proficiently.

Jammal enjoys quiet moments at home. On a fun note, he loves to bowl, shoot pool, play basketball, and cook at home in his kitchen. Most of his time is devoted to his family and his wife Doris. Jammal and Doris were wed in June, 2002.

We look forward to working with DonnaLynn, Sandra and Jammal, and wish them success in their careers.

Robin Dirksen

September Birthdays, and Other Notable Events



Happy 1st Anniversary to **Ms. Marshall** on September 1st!

Labor Day on September 2nd.

All Staff Meeting on September 6th.

Rosh Hashanah on September 7th.

Happy 4th Anniversary to **Denise Giddings** on September 9th!

Debtor Attorneys' Meeting on September 9th at 4:00 PM.

Patriot Day on September 11th.

Happy 5th Anniversary to **Kate Eisenmann** on September 15th!

Yom Kippur on September 16th.

Autumn Begins on September 23th.

Happy Birthday to **Juliana Jones** on September 30th!

A Day Of Remembrance



It has been almost a year since the tragic events of September 11, 2001. Please take time to remember the sacrifices of the women and men who worked during and after the attacks to assist those in need, as well as the families of those who lost their lives or were injured that day.

September 11, 2001

It's Back to School Time...

August is such an exciting month. It's the half-way mark between summer and autumn and for many people ages 4 and up, it means preparing to go to school for the very first time, or preparing to return to school for another glorious period of learning opportunities.

We asked employees to share their "back to school" experiences and here's what they said:

What is your fondest memory about yourself or your children at this time?

"Them having somewhere to go between 7:30 AM and 4:00 PM."

"Getting to see all your friends and see what they've done over the summer (those you haven't seen)."

"My mom watching me as I ride the school bus for the first time in first grade."

"Buying new school supplies. (Heck, I still enjoy it.)"

What tips do you have for parents who are getting ready to send their children back to school, or who are going back to school themselves?

"Be positive. Education isn't a punishment. It's a privilege. Many people do not have the advantages and access to schooling like we do. Education is stimulating and propels our world forward. Science, art and sports make us more comfortable, healthier and provide entertainment."

"Only ten months till school gets out."

"Enjoy your time in school. Working in the real world may not be as fun."

"Good luck."

"I'd like to tell Darlene that her daughter will be just fine at N.I.U. and don't make any surprise trips."

"Stay focused."

"Make a plan to study every day at a certain time and stick to the schedule."

"Come into class the first day prepared to learn and with the proper equipment." Robin Dirksen with Staff Contributions



FINANCIAL – RECEIPTS Internal Controls

The Receipts Department is strengthening internal controls again!

Every day our office receives a number of deposits from LaSalle Bank. At the end of the month, the Receipts Department produces a report of all the deposits we've received for that month and we balance that against our bank statement. From now, we're taking it one step further!

Every day when we get our deposit packages from our bank, there is an informational front sheet that provides us with details about each deposit. We are now making a copy of that form for each deposit.

At the end of each day when all receipts have been posted, we print an itemized report of each deposit that contains information about every check that has posted to every case. We call this report the Cash Journal. We now staple the copies of all the deposit information forms to the Cash Journal report. These deposit information forms will be verified against the itemized totals on the Cash Journal. If any errors have been made, we will now know before we even get our bank statement. *Nicole Robertson*

Laura's Baby Shower

On July 26th, our Recognition Committee had the pleasure of coordinating a baby shower for Laura Mendoza. Employees were able to participate by either buying their own gifts or by giving a small donation towards an office gift. Because of our office's generous giving, Laura received an abundance of gifts (some of the gifts even made her shed a few tears).



Her last week in the office was August 16th. I know she's at home patiently waiting for the arrival of her new baby, and so are we, Tonya especially. She placed a bet with Laura that if she has a baby girl, Laura will have to buy Tonya an order of hot wings from Bennigan's (Good Luck Tonya).

Cheryl Jones

SPECIAL DELIVERY! Laura gave birth to a 8 pound, 3 ounce baby girl on Thursday, August 22, at 8:00 PM! Her name is Jacqueline. Mother and daughter are doing well. Labor and delivery went pretty smoothly.

Special Announcement

Attorney Horace Fox has announced the Debtor Bar will meet in Ms. Marshall's office on September 9th at 4:00 PM to continue their discussion of attorney's fees. Judge Wedoff and Judge Squires are slated to attend.

I Won't Miss Filing!

On May 14, 2002, I entered the Office of the Chapter 13 Trustee a very timid young man. I am not usually a shy person, but there was something about entering a new arena that made me more cautious and less outgoing. Initially, I began working in the file room, where I still remain. Working in the file room was slightly mundane, but I admit it was a great place to begin because it allowed me to be solitary and observe other people and their actions in the office. After working in the file room for a few days, the area was immaculate.

At that point, I was able to move on to other little tasks such as making sure claims were input in CaseNET, staple final reports, send converted cases to the proper Chapter 7 Trustees, and occasionally go to court. I recognize that completing my work is the purpose of working, but I believe this work experience is much deeper than putting a title on a resume; this summer I learned a lot of life lessons and gained a lot of semi-personal relationships.

When I first set foot in the office and met the employees, they all greeted me with a handshake. I felt that the gesture was basic hospitality for all new employees; what I came to find out was that this is just a part of the daily experience at the office. EVERYONE in the office speaks to me and to other employees in and out of the office. I found this to be very unique that everyone speaks to each other because in my past employment experiences people were not as friendly. After I got past the awe of everyone being friendly, I found that most people would take the time to engage in a conversation with me, this was very impressive.

The individuals I spoke to on the regular basis, I felt I truly had a chance to come out of my shell and no longer view work as work, but as a place where I met new friends and we just so happened to be working. I have had all types of advice from "stay in school" to "go see a therapist." I enjoy the advice and for those who don't believe I listen, I do and I take it to heart. I appreciate the things everyone has done for me. Some people I have bonded with more than others. To those select few, I want you to know you hold a special spot in my heart and when I am some type of executive in the future - I won't forget you. I will not forget the times we laughed, the times we discussed why we were upset with situations going on in our lives, or even our relationship issues.

I must admit working this summer was a great experience. I gained work experience, but I also feel I grew more as a person. Everyone in the office has touched me. I will admit I will miss the office, but I WILL NOT MISS FILING.



Brandon Vaughn

What A Year!

Has it been a year since Ms. Marshall picked up the baton and began to direct, lead, guide and unite all of her soloists in order to create a harmonious symphony? The year may have raced by, but the overwhelming sense that our leader has known each of us and our needs for a long time is indisputable. She presented herself in a completely frank and candid manner. Her initial introduction to us was open and honest and she has not deviated from those characteristics. Throughout each working day and in every encounter with her staff, The U.S. Trustee, other Chapter 13 Trustees, Judges, and the Chapter 13 legal community, she has maintained a sincere demeanor. Every individual that has had the opportunity to work with her recognizes her ability to communicate. She clearly articulates her goals and visions for the office. She is committed to providing complete information to her entire staff, responding to her employees' needs and concerns, and maintaining her open door policy, so that the office will function proficiently and each employee will achieve his or her potential. Clearly, the fairness with which she manages, results in the entire office pulling together to attain common goals and performing with pride and commitment.

When Ms. Marshall arrived she targeted seven specific goals she hoped to accomplish:

- Providing accurate and timely financial reports to the U.S. Trustee Office.
- Encouraging legal staff to identify serial filers and pursue avoidance actions in appropriate cases.
- Improving office communications.
- Providing stability to the office.
- Improving employee morale
- Promoting perceptions of fairness.
- Improving efficiency and effectiveness.

It is apparent that Ms. Marshall has adhered to these goals throughout her rookie year and has, if not attained and surpassed them, made great strides to achieve them, consistently reviewing and reflecting on their impact on her staff and the Chapter 13 process. In a few short months her passion and zeal has elevated, not only the mood of the office, but also the performance of each employee and the overall output of work. Her insight is astute and her ability to recognize issues and needs, analyze appropriate methods of attack, effectively propose solutions, solicit input and feedback, and ultimately arrive at an impartial and fair resolution, demonstrates her evenhanded, objective and balanced style of management. Collectively, the staff has described Ms. Marshall as: "fair, sincere, honest,

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Newsletter F Y I s

If you would like to contact us or submit ideas or articles for the newsletter, you can do so by:

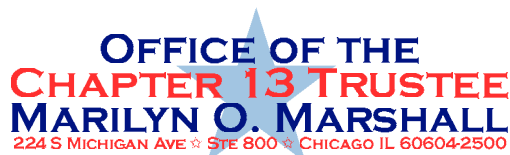
- ✓ e-mailing us at newsletter@chi13.com
- ✓ dropping your submission or idea in the anonymous newsletter folder located in the mail room, or
- ✓ leaving them with Amanu

Please remember when making a submission to the newsletter, it must be:

- ✓ type-written and
- ✓ submitted by the 3rd Wednesday of the month via e-mail, a Word document or an ASCII file.

We also ask that anyone who goes to a seminar please be prepared to furnish the committee with a detailed article on its subject.

You may also view this edition of the Chronicle and previous issues on the Chapter 13 Trustee website at <http://www.chicago13.com/>.



What A Year!

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direct, straight forward, open, committed, dedicated, passionate, enthusiastic, good natured, great sense of humor, trustworthy, organized, professional, detail-oriented, focused, available, reliable, supportive, compassionate, caring, goal oriented and open minded.”

In this short year, the changes within the office are remarkable and the impact on the Chapter 13 community is significant. The general consensus is that “we have come a long way baby”. It is obvious to all that Ms. Marshall loves her “job” and that she is tireless in her efforts to realize excellence in the facilitation of the Chapter 13 process.

She is diligent in her quest to develop and maintain an efficient and effective staff, always emphasizing job satisfaction and pride. There may be those who are reluctant to change, however, the enthusiasm with which our dynamic Ms. Marshall presents every adjustment to the status quo spins those nay sayers around. Her gusto is contagious and her eagerness infectious. So, Ms. Marshall, it is with heightened awareness and excited anticipation that your staff looks forward to your second year and all of the surprises you will so ardently deliver. Thanks for a job more than well done, the spirited management style, and, most of all the genuine respect with which you treat everyone. So maestro, continue on with the symphony – your remix is a success.

Joanne Coshonis