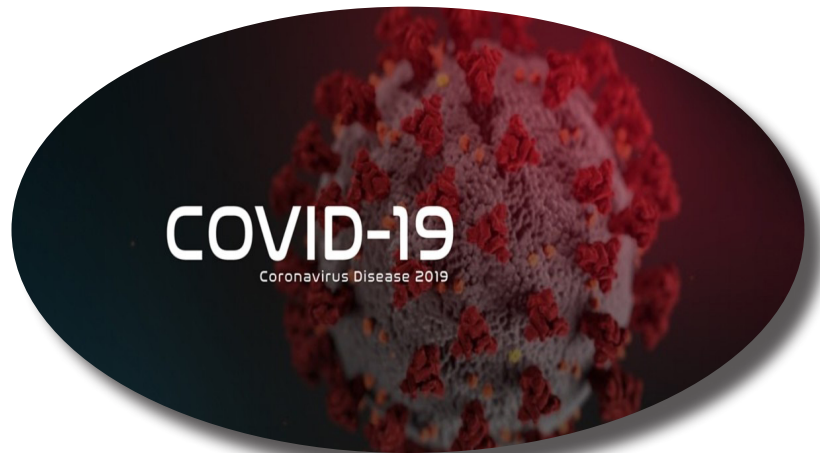




SUMMER • 2020

# The Illinois Auctioneer



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# President's Message



## Illinois State Auctioneer's Association

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I hope this letter arrives finding you well. Recently, we held a two day session of CE classes here at our building. I would like to thank those of you that were able to personally attend. I hope you were able to gain additional knowledge that you will be able to implement into your daily auction practices. If you were not able to attend, and you are still needing to fulfill your CE requirements, I encourage you to attend one of the other CE class sessions that will be held throughout the remainder of the year.

Undoubtedly, this has been an extremely unpredictable and trying year for all of us. We all have been forced to become creative in our tactics of carrying out business in many new ways. Stay strong in your efforts of perseverance, and we will prove that we will all get through this trying COVID-19 crisis.

Hopefully, we will be able to hold the convention in February as things are still up in the air. If anyone has any questions, please feel free to reach out to me personally, and we can visit.

Bill Burke, Auctioneer  
2020 ISAA President

*Thank  
you  
for hosting the Southern Region CE Classes*



I woke up to a text message this morning about two professors from Stanford University who won the Nobel Prize in Economic Sciences. You heard right – a friend of mine sent me this text – early in the morning.

My first thought was “I think he sent it to the wrong person.” What do I care about the Nobel Prize in Economic Sciences (economics was NOT my favorite subject in school). Then I opened the article from Reuters. The headline reads: *U.S. Auction Theory Pioneers Win Nobel Economics Prize*.

I had to read it again – because let’s be honest – when was the last time you read an article that had “auction” and the “Nobel prize” in the same sentence? But sure enough, Dr. Paul Milgrom and Dr. Robert Wilson won the award for their research on auctions and how auctions benefit buyers and sellers around the world.

According to the Nobel Prize’s official website, “*Auctions are everywhere and affect our everyday lives.*” **Read that sentence again!** Those in the auction industry have known that for years, but now Reuters newswire is saying it.

According to Milgrom and Wallace’s theory, “rational bidders” tend to bid below their own best estimate of what they call “common value” (what we call market value) because they (bidders) don’t want to pay too much. As an auctioneer, you read that and think – that is an auction!

The Nobel Laureates write that the outcome of an auction is the result of three things: 1) the format of the auction; 2) the object being sold; and, 3) what information the bidders have about the object’s value

However, I think the researchers missed the most important thing – the outcome of the auction is the result of the auctioneer’s work. The auctioneer, in concert with the seller, impacts all three of these factors. However, you as the auctioneer are totally responsible for the 4th factor. Among the hundreds of thousands of people who may want that item, your job is to find the buyer who wants it the most and turn them into an “irrational bidder” — one willing to pay more for that item than the other bidders.

That’s why it is critically important that you learn the latest trends in marketing.

Last year at the NAA Digital Marketing Summit, the keynote speaker was Garry Grant, CEO of SEO, Inc. SEO (Search

Engine Optimization) is important for you to not only understand but also use with your own website because it determines how you appear on Google searches. Less than 100 people were at the summit, and a few more heard Mr. Grant at NAA’s Conference & Show in July. But now, we are introducing Mr. Grant on NAA’s new podcast: “The Auction Advocate.” This podcast is free for anyone to download – get it where you stream your podcasts. Check it out and enjoy Mr. Grant’s discussion about how to improve your website’s SEO.

We’ll be keeping track of Dr. Milgrom and Dr. Wilson. Their research really is specific to several types of auctions — mostly complex public assets (for example, radio frequencies bought and sold through the FCC). I think they can learn some things from us – about the role of the auctioneer in the auction process.

As a member of the state association or the national, you have shown you are committed to improving your skills by associating with those in your profession. You network, you learn, and you improve.

One thing that we will be doing for sure – Dr. Wilson, who is 83 years old, admitted to the Reuter’s reporter that he has never actively participated in an auction. Dr. Wilson will be receiving an invitation! Trust me!

Regardless, he and Dr. Milgrom have proven what we all know: #AuctionsWork. They received a Nobel Prize addressing that fact – what other proof would you need?

Hannes Combest

## National Auctioneers Association

### COVID-19 Resource Center

<https://auctioneers.org/NAA/Member-Area/naa-response-to-covid-19.aspx>

Check out this information  
available to ALL Auctioneers  
provided by the NAA





## Auctioneer Contest To Breathe New Life Into Mule Day 2020

Just when you thought all of Mule Day had been canceled, one of its most popular events returned alongside a ground-breaking theater experiment and a day just for dogs. The Mule Day Auctioneers Championship is a main festivity held annually in Columbia, Tennessee and is open to all auctioneers.

Mule Day 2020 was originally scheduled in April 2020 before the decision to cancel it due to the COVID-19 pandemic. However, the Columbia Breakfast Rotary announced this year's Mule Day Auctioneers Championship would be held June 27, 2020, at the Tennessee Livestock Producers Sale Barn. **Mule Day's main festivities might have been canceled this year, but it's not really over until someone goes home with this year's Auctioneer Grand Champion buckle.....**

*And this year, the Mule Day's Grand Champion Auctioneer crowned was Cory Craig!* This will be Cory's 2nd auctioneer championship title in 2020 as he was crowned the Champion of Champions at the 2020 ISAA Conference & Trade Show.

The championship featured 19 auctioneers from 6 states around the country, and will benefit the Breakfast Rotary's College Scholarship Program, as well as American Legion Post 19 veterans.

The auctioneer contest brought new life into Mule Day 2020 with the live auction in which each auctioneer brings their own unique auction chant to obtain top dollar from the attending bidders.

Tennessee and its surrounding areas are known to have some of the best auctioneers in the business. Watching them in action as they sell items to live bidders can be exciting. Individuals in the auctioneer contest advance through several rounds to get the coveted championship. However, in the end, Cory proved to be the auctioneer to beat in this contest!

## Congratulations... Cory Craig!



Drew Williams, Reserve Champion, Cory Craig, Grand Champion and Eddie Ables, Co-Chairman of Mule Day Auctioneer Contest





**\$40.00 per class**

# **SAVE THE DATE**

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**Central Region**

**NOVEMBER 8 & 9, 2020**

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7642 Grain Bin Rd  
Toulon, IL 61483

**Northern Region** Wisconsin / Illinois Classes

**NOVEMBER 15 & 16, 2020**

Sacia's Auction Facility  
2322 N Conger Rd  
Pecatonica, IL 61063

**CONTINUING  
EDUCATION**

**Classes Begin @ 9 AM**

# REMINDER

You CAN Submit an application for the Hachmeister Scholarship at any time of the year and do not need to wait until the end of or beginning of the prior to the ISAA year Conference & Trade Show.

Recently Graduated? Attending College?

**You Can Still Apply!**

SCHOLARSHIP APPLICATION IS AVAILABLE ON ISAA WEBSITE.

Just click on the link in the bottom right of the ISAA Home Page option, **"SCHOLARSHIP"**



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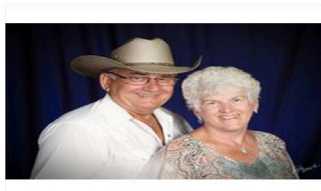
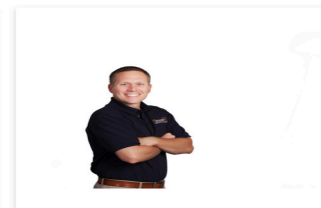
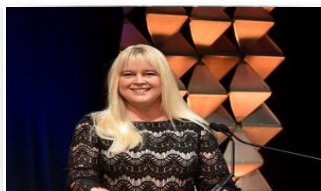
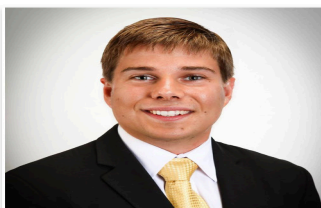
Especially, your profile picture on a job website should be credible and show your true self because if someone doesn't know you, the first impression he / she makes about you is by looking at your picture.

- **Let Others Recognize You:** A face will help people remember you.
- **Your Photo is Your Personal Brand:** Your photo gives others clues about your personality.
- **Makes the First Impression:** If someone doesn't recognize you, seeing your picture will help them make a first impression about you.

Need to update your ISAA Membership Profile?

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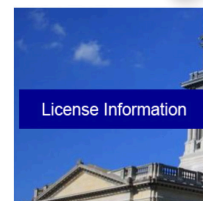
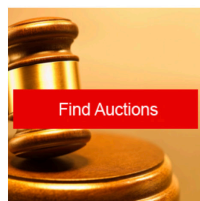
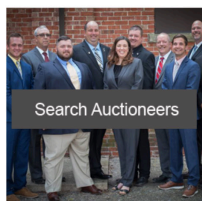
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# CONTINUING EDUCATION REGISTRATION

[www.illinoisauktioners.org](http://www.illinoisauktioners.org)



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Choose To Register for... Southern Region, Central Region or Northern Region. You can choose classes in different regions of what is being offered if you like.

If you have any questions or need help, contact Executive Director, Cissy Tabor, [isaadirector@gmail.com](mailto:isaadirector@gmail.com)

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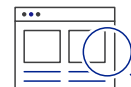
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## I Came Away With More Than...

By Spencer Smith

As I stepped onto the stage at the Illinois State Auctioneers Association Novice Bid Calling Competition, I might have experienced one of the most nerve-racking moments in my young career as an auctioneer. Although this is not the most distinguished competition for an auctioneer, when compared to the *Illinois Auctioneers Association State Bid Calling Championship* at the *Illinois State Fair*; the *Mule Day Champion Auctioneer Contest* or the *International Auctioneers Championship*, the novice bid calling competition is still a hurdle for a green auctioneer. I only had two years of limited auction experience ahead of this competition and had no idea what the outcome would be. Sure, you listen to the previous champions in the fun auctions and countless YouTube videos to prepare. You sell light poles and signs in your truck for practice, but you have potentially never competed in a real bid calling competition in front of judges or peers in the industry. There are many feelings of discomfort, fear, doubt and nervousness leading up to this moment.

However, once you step off the stage following your time competing, you feel a sense of exhilaration! Emotions of excitement and joy come over you, followed by the thoughts of questioning and critique about your performance. You are on a roller coaster of emotions. You begin to reflect on every aspect of your opportunity to compete. How was my chant? How was my breathing? Did I thank the bidders and judges? Did I break my asking price down far enough to show my true skillset? Did I even introduce myself? Questions begin to overtake your mind. As you walk around the room you start to hear words of affirmation such as, "Nice Job!" "Well done!" "Great work!" You are reminded of the fact that what you have just done is no easy hurdle.

Being named the 2020 Novice Bid Calling Champion for the State of Illinois gave me the feelings of accomplishment, competitiveness and exhilaration. It has created the desire and confidence to compete in future bid calling competitions. Even if my name had not been read as the Champion, competition is an opportunity for improvement—an opportunity for your peers and mentors to hear you bid call. To see the hard work, practice and time you have put into your chant pay off, it's a humbling experience. When it is all said and done, the feedback, words of encouragement

and minor critiques were worth riding the roller coaster of emotion.

I came away from the 2020 ISAA Novice Bid Calling Competition with more than a fancy belt buckle. I came away with knowledge, education and information I plan to build on for years to come. The opportunity to compete is an opportunity to learn and gain confidence in yourself and the auction industry.



You get to learn by watching the way other auctioneers interact with bidders, judges and ringmen. Then you take that and keep it in your memory bank for when you have the opportunity to add it to compete again. When the competition was all over, the best feedback I received was from two of the judges. The same individuals who just judged my performance were giving me feedback and pointers on how to improve. I soon looked around and auctioneers all around the room were talking with the competitors and giving feedback.

Pretty soon I found myself talking with fellow competitors discussing each other's performance. It was as if we were all one big auction family, which is awesome because you don't find that in every industry!

When you have this experience, you gain the tools needed for development and growth! This is what makes the auction industry so special and this competitive opportunity more than just a contest! If you are a new auctioneer looking for experience I encourage you to compete in a bid calling competition and attend the *Illinois State Auctioneers Association Annual Conference*!

# COVID-19 & Auction Houses

**C**OVID19. The virus that stopped the world's economy. Regardless of where you stand on the seriousness of the virus or the government mandates enacted to "flatten the curve", small businesses were forced to bear the brunt of this disaster. And we, as members of the auction community, certainly felt the impact of business closures for which there seemed to be no end. My auction house, *Colorado Premier Realty & Auction Services*, is located in the city/county of Denver and as such, was subjected to additional mandates that prolonged closures by city/county government as compared to some other metro-Denver counties which seemed to have a more favorable view of re-opening their economies.

I personally have had a very skeptical view of the pandemic and an even more skeptical view of the actions taken by our elected leaders but, when the stay-at-home order came out on March 16th, I canceled our upcoming auction scheduled for the next day. My staff and I continued to clear estates and take property into our building as an adjunct to the real estate industry, but I stopped holding auctions. Now, months after the curve flattened in early April and finally hearing that Denver would allow groups of 50 to convene, I am back on the selling side of the auction business.

I do not mind telling you, I was scared to death to hold that first auction. My bidders represent both sides of the political spectrum and hold varying opinions on the seriousness and appropriateness of the mandates put in place by the government. The issue that most concerned me, however, was that many of my bidders represent at least one or more of the populations deemed most vulnerable to COVID. Many of my bidders are over 60 years of age. Many of my bidders have a family member at home with elevated risk because of another disease like cancer, autoimmune issues, or COPD. My bidders would have difficulty with social distancing requirements because of their relationships with each other. I certainly did not want the bidders' decision to attend the auction to contribute to compromised health.

Ultimately, I turned to my experience as a nurse and as a viral scientist for guidance:

- \* I made hand sanitizer readily available in the building.

- \* Staff checks soap dispensers regularly throughout the evening and sprays an alcohol mist on auction items that are impervious to damage throughout preview.

- \* There are numerous signs posted throughout the building reminding people to wash their hands frequently.

- \* I stopped offering refreshments and stopped selling pre-packaged snacks because I do not want people touching things that someone else might buy (and eat).

- \* We wait to set up chairs for bidders until just before the auction to keep the room as open as possible.

- \* I have a dedicated entrance and a separate dedicated exit so that no one must pass too closely to another person while trying to come or go.

- \* I keep at least one of the loading bay doors open for increased circulation. I have even changed the way we sell box lots to mitigate crowding.

- \* I've moved half of my auction outside to the parking lot in order to prevent crowding (not to mention so that I can actually display the items – my building was so full it was not possible to display items properly inside).

- \* For my final act of protection (for my business and for my bidders), bidders must sign a waiver when they register for the sale. The waiver states, in summary, that the bidder understands and agrees that he/she is responsible for his/her own health and well-being, and that neither I nor my business will be held responsible for any resulting outcomes of his/her decision to attend the auction. The waiver also states that the city/county of Denver requires the use of masks. As a former healthcare provider, however, I know that some people may not be able to use a mask because of other health issues (myself included). HIPPA regulations (Health Insurance Portability and Accountability Act of 1996), ensure that no one can be made to discuss or divulge sensitive information regarding his or her health. I cannot ask why someone is not wearing a mask – nor

– continued on page 10

# COVID-19 & Auction Houses

- continued

can I MAKE someone wear a mask. To that end, throughout the auction, I announce “that use of a mask is expected (as per city/county mandates) and if you are not wearing a mask, I will assume that you have a complicating health issue. Your health and well-being are your responsibility.”

Thus far, we have had two auctions – thankfully, both have been gone very smoothly and the bidders seem genuinely happy to be back. I am so relieved to be operational again; I hope we continue with no future stoppages.

If you have implemented other strategies for bidder safety, or policies that allow you to open/operate, I hope you will share them. Likewise, if I can be of service to you, please do not hesitate to contact me. Now more than ever, we as fellow auction professionals, need to collaborate for the good and survival of the industry.

*Edith grew up in rural Georgia before moving to Atlanta to attend Georgia Institute of Technology (Georgia Tech) where she obtained her BS in Applied Biology – Molecular Genetics. She worked on a Master’s degree in Virology while working at the Centers for Disease Control & Prevention as a research scientist in the HIV – Retrovirology branch. After five years, she left the CDC in order to obtain her BS in Nursing and then worked as a pediatric cardiac ICU nurse taking care of babies and children who had open heart surgeries. Edith left science and medicine when she became a stay-at-home parent. In 2013, Edith was ready to return to the workforce full time and had an opportunity to start anew in a completely different direction. She attended Texas Auction Academy in October of 2013, obtained her Graduate Personal Property Appraiser credentials through NAA in December of 2013, and got her real estate license in 2014. Since that time, Edith has worked exclusively in the auction industry.*



**Phase 4: Revitalization**  
for Real Estate Licensees and Consumers



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## Auctioneers

This guidance applies to auctions regulated through the Division of Real Estate. These businesses are strongly encouraged to take steps to protect employees, customers, and the general public from exposure and the spread of COVID-19.

Virtual or remote auctioneer services are permitted. During Phase 4, live outdoor auctions may only be conducted when there are no more than fifty (50) persons present at the auction and social distancing and PPE requirements are met. Live indoor auctions may only be conducted when there is the lesser of up to 50 people or 50% of overall facility capacity and social distancing and PPE requirements are met.

**Auction Preparation.** Post signage, restricting access to only those who are healthy to protect the well-being of employees and auction attendees. Entrances to the sales area should be limited to auction employees and those with visible bidder cards. Consignors should unload items for auction and then leave the premises, unless they are bidding. Consignor registration is encouraged.

7



## Profession Specific Guidance

### Auctioneers (continued)

**Auction Workforce Preparation.** Auctioneers must provide guidance for handwashing and handling materials. All employees should avoid gatherings of over 50 people, wear face covering, and practice social distancing. Employee break or lunch times should be staggered to promote social distancing between employees.



---

First Name

Last Name

---

Signature

I acknowledge the contagious nature of the Coronavirus / COVID-19 and that the CDC and many other public health authorities still recommend practicing social distancing. I further acknowledge that (Company Name) has put in place preventative measures to reduce the spread of the Coronavirus / COVID-19.

I further acknowledge that (Company Name) cannot guarantee that I will not become infected with the Coronavirus / COVID-19. I understand that the risk of becoming exposed to and/or infected by the Coronavirus / COVID-19 may result from the actions, omissions, or negligence of myself and others, including, but not limited to, salon staff, and other salon clients and their families.

I voluntarily seek services provided by Euphoria Studios LLC and acknowledge that I am increasing my risk to exposure to the Coronavirus / COVID-19. I acknowledge that I must comply with all set procedures to reduce the spread while attending my appointment.

I attest that:

- I am not experiencing any symptom of illness such as cough, shortness of breath or difficulty breathing, fever, chills, repeated shaking with chills, muscle pain, headache, sore throat, or new loss of taste or smell.
- I have not traveled internationally within the last 14 days.
- I have not traveled to a highly impacted area within the United States of America in the last 14 days.
- I do not believe I have been exposed to someone with a suspected and/or confirmed case of the Coronavirus / COVID-19.
- I have not been diagnosed with Coronavirus / COVID-19 and not yet cleared as non-contagious by state or local public health authorities.
- I am following all CDC recommended guidelines as much as possible and limiting my exposure to the Coronavirus / COVID-19.

I hereby release and agree to hold (Company Name) harmless from, and waive on behalf of myself, my heirs, and any personal representatives any and all causes of action, claims, demands, damages, costs, expenses and compensation for damage or loss to myself and/or property that may be caused by any act, or failure to act of the auction, or that may otherwise arise in any way in connection with any services received from (Company Name). I understand that this release discharges (Company Name) from any liability or claim that I, my heirs, or any personal representatives may have against the salon with respect to any bodily injury, illness, death, medical treatment, or property damage that may arise from, or in connection to, any services received from (Company Name). This liability waiver and release extends to the auction together with all owners, partners, and employees.

---

Signature

Date



## UCC Article 9 is Not UCC Article 2 - An Attorney's Thoughts on Context, Credibility, and Commercial Reasonableness in "AS IS" Auction Transactions

*By: George A. Michak, Esq.*

I've been reading social media posts in which a commentator dabbles in uninformed legal theories and suggests that – in the relationship between an auctioneer (and a seller) on one side of a transaction and a bidder/buyer on the other – “commercial reasonableness” requires the opportunity for a pre-auction inspection in order for property to be sold “AS IS.” Apparently, as the argument goes, if – due to COVID-19 social distancing restrictions or, otherwise – a bidder/buyer is unable to perform a pre-auction inspection, but, nevertheless, makes the conscious, knowing, and willing decision to purchase “AS IS” without the availability of a pre-auction inspection, the buyer can be relieved from any personal responsibility for his or her conscious, knowing, and willing decision by claiming that he or she was compelled to voluntarily enter into a consensual transaction the terms of which were, somehow, not commercially reasonable. The suggestion has even been made that a bidder who finds it inconvenient to take advantage of a pre-auction inspection (because of distance) should, likewise, be able, after the fact, to avoid the consequences of his or her conscious, knowing, and willing decision to purchase “AS IS” without a pre-auction inspection. If this construct seems convoluted, it's only because the argument is hopelessly convoluted. As a practical matter, this is yet another variation on a theme in which the same commentator has been tilting at the same windmill with successive legal theories, each less compelling than the previous, while apparently subscribing to the Don Quixote philosophy that “I perceive everything I say as absolutely true, and deficient in nothing whatsoever, and I paint it all in my mind exactly as I want it to be.” In the real world, however, circumstances, context, and the law actually matter.

As an attorney, I advise auctioneer clients that, while a pre-sale inspection is not required for the “AS IS” disclaimer to be enforceable under Article 2 of the Uniform Commercial Code (which applies to the sale of goods), a pre-auction inspection often makes practical sense, and can help deflect dubious claims (including tort claims alleging fraud and misrepresentation) made by a disgruntled buyer attempting to avoid contractual obligations and personal responsibility. The issue that

keeps coming up, however, in what has developed into a pseudo-intellectual whack-a-mole game is not whether a pre-auction inspection is advisable, when possible, but whether the law requires a pre-auction inspection to make the “AS IS” disclaimer enforceable. In this regard, understanding the actual legal parameters that impact on a business decision will help you to make an informed decision. However, when someone dresses up personal preferences as legal requirements to influence others, that's just intellectually dishonest. In other words, fair and reasonable debate is appropriate and productive, but making stuff up is just making stuff up.

The most recent embodiment of the necessary inspection argument, involves borrowing (without attribution) the requirement for commercial reasonableness in the liquidation of collateral by a foreclosing secured creditor under Article 9 of the Uniform Commercial Code, and attempting to overlay that standard on the purchase and sale transaction under Article 2 of the Uniform Commercial Code. In fact, it's been suggested that the determination of whether a sales transaction is commercially reasonable as between the auctioneer/seller on one side and the bidder/buyer on the other requires that method, manner, time, place, and other terms be measured. These are the parameters to be considered in determining whether the liquidation of collateral by a foreclosing creditor is commercially reasonable. It is important, however, to recognize that context and circumstances matter, and will, typically, speak to what is commercially reasonable in any given situation. What is commercially reasonable in one situation may not be relevant in another. So let's look at UCC Articles 9 and 2.

UCC Article 2 governs the sale of goods and its provisions are principally directed toward the contractual relationship between the seller and the buyer, and, to the extent that the sale is through an auction, the auctioneer is implicated as well. By comparison, UCC Article 9 governs secured transactions, and applies to the relationship between a secured creditor and a debtor. These are distinct relationships and distinct transactions. Auctioneers should be aware of both Article 9 and Article 2, but need to be able to discern that there is a difference between those Articles, as well

## UCC Article 9 is Not UCC Article 2 - Continued

as the nature of the transactions covered by each.

Under Article 9, if a debtor defaults on payment obligations, a secured creditor who has a perfected lien on collateral may, typically, repossess that collateral. A foreclosing creditor may, then, keep the collateral in satisfaction of the debt, or may sell it. If a foreclosing creditor sells collateral and it is sold for more than what is owed, then, the surplus will, typically, be paid to junior creditors, and, ultimately, disbursed to or for the benefit of the defaulting debtor. If a foreclosing creditor sells collateral and it is sold for less than what is owed, then, the defaulting debtor will, typically, be responsible for any shortfall or deficiency. Article 9 imposes a duty on a foreclosing creditor liquidating collateral to conduct the sale in such a way as to avoid the creation, or exacerbation, of a deficiency. As such, if a foreclosing creditor makes a couple of phone calls and sells the collateral at a steep discount in a private sale – rather than through a well-advertised public auction – the defaulting debtor may have an argument that the sale was not conducted in a commercially reasonable manner, and, thus, may have a defense to a deficiency claim. That is a wholly different issue than whether someone suffering buyer's remorse may, after voluntarily purchasing property in its "AS IS" condition – with or without a preview – claim that he or she was forced to enter into a consensual sales transaction that was not conducted in a commercially reasonable manner. And, here's an important difference between a sales transaction under UCC Article 2 and the liquidation of collateral by a foreclosing creditor under UCC Article 9. The Article 2 transaction is voluntary and consensual, and no one is forcing a bidder/buyer to participate in an auction, regardless of what the bidder terms and conditions are. Liquidation of collateral under Article 9 is, very often, not voluntary or consensual as regards the defaulting debtor who, typically, has no control over the method, manner, time, place, and other terms of liquidation.

As near as I can tell, this latest iteration of the argument that the law requires a pre-auction inspection in order for the "AS IS" disclaimer to be effective results from typing the terms "UCC" and "commercially reasonable" into a search engine – which generates results that relate to UCC Article 9. However, you don't need to be a lawyer to recognize that there is a difference between a secured transaction and a transaction for

9 ≠ 2

the sale of goods. And, you don't need to be a math major to recognize that there is a difference between the Arabic numeral 9 and the Arabic numeral 2, or to acknowledge that the differently numbered Articles of the UCC address different subject matter. It takes a little independent thought, however, to correctly apply the concepts; and a little integrity not to misstate or misuse them. Bottom line is that (i) UCC Section 2-316 governs the use of the "AS IS" disclaimer in the transaction between auctioneer (and the seller) on one side and the bidder/buyer on the other; and (ii) UCC Section 9-610 and 9-627 govern the disposition of collateral by a foreclosing creditor with a perfected security interest in personal property. Confusing those concepts is sort of like comparing apples to bricks.

*This article is for information and discussion purposes only, and is not intended as, and cannot be relied on as, legal advice. No attorney-client relationship is intended or established. Specific questions should be referred to an attorney of your own choosing*

*George has a dedicated auction law practice, regularly representing auctioneers and auction companies on all legal aspects affecting the auction industry, including: contracts; litigation; administrative law; licensing and disciplinary matters; online auctions; intellectual property; business purchases and sales; land use; real estate; environmental issues; oil, gas, and mineral rights; federal and state restrictions on the sale of certain property (including taxidermy and firearms); sales tax; Uniform Commercial Code; succession planning; ethics; best practices; and risk management. Recognizing the significant impact of technology on the auction industry (and on the law as it relates to the auction industry) George monitors technological and legal developments affecting the industry. George also helps auctioneers and auction companies identify, manage, and reduce risk while educating sellers and buyers and protecting commissions, premiums, and fees.*





## Sexual Harassment Continuing Education and YOU

\* Is the newly required Sexual Harassment course an added course requirement in addition to the previous 13 hours or can it be considered one of the previous mandatory courses?

\* If an auctioneer takes the mandatory Sexual Harassment course for their Real Estate CE requirements, can that be applied as well for the auction division?

All licensees under IDFPR are required to that a one hour **Sexual Harassment Prevention Training** class. Auctioneers are required to take 12 hours of CE total. If the one hour **Sexual Harassment Prevention Training** course has been incorporated into another CE course totaling 3 hours, then that **Sexual Harassment Prevention Training** will be part of their 12 hours.

If an auctioneer takes a one hour **Sexual Harassment Prevention Training** course with some other provider, then, that one hour would be in addition to the 12 required hours.

If they take the **Sexual Harassment Prevention Training** for their Real Estate license they are good, they only have to take it once for all licensees they may have.

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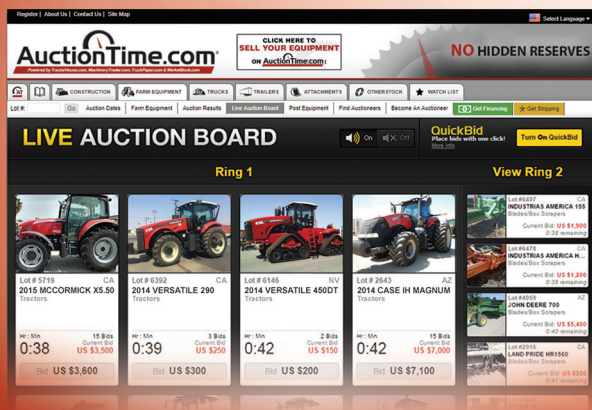
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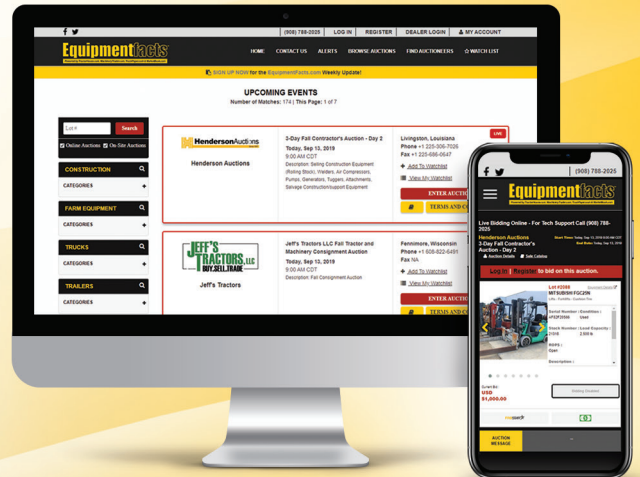
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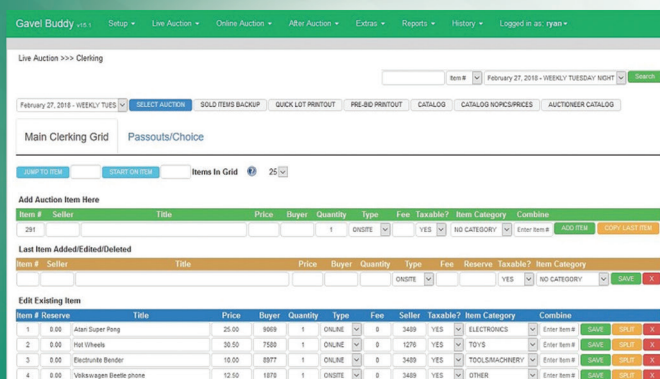
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## 4 ways businesses are providing value during COVID-19

The spread of COVID-19 is impacting businesses both small and large in a way many of us haven't seen. As of today, most businesses in America are on a mandatory 30-day shutdown, leaving small business owners wondering how they can adapt to keep their doors open in the future.

What should you be doing during this shut-down? How can you connect with your clients? Is there any way to adapt your services over the next few weeks?

After speaking with small businesses and thought leaders, I created a list of ways you can share your brand online during the COVID-19 pandemic.

### What should your business do during the CoronaVirus?

1. Share your "Why"
2. Create educational content
3. Connect with your existing customers
4. Adapt your services

### Share your "Why"

Blanket marketing is a thing of the past, and for good reason. Digital marketing opened the door for customers to speak back to businesses. People want to connect with brands that care about making an impact. In the book *Do Good to Do Better* author Sheryl Green said, "...if you're looking to establish a positive brand for your company and forge long-term relationships with loyal customers that become an army of adoring fans, [cause marketing] is the way to go."

If your business does not currently partner with a non-profit or cause, use this opportunity to find one that aligns with your company's core values. COVID-19 is affecting the entire world, don't feel limited to who you can help, focus on finding a cause that speaks to you. I reached out to Sheryl to learn what she is telling business during this time.

*"Now more than ever, we are realizing the importance of community. In order to survive, we need to look at the different ways that we can support one other both in our personal lives and through our businesses. When this pandemic has passed, consumers will remember the brands who took advantage of us in our weakened state and will flock to the brands that stood by our side and found ways to contribute to our well-being."*

### You can get involved in 3 easy steps:

- 1) Find a cause you want to support and locate a charity whose mission aligns with this goal.
  - 2) Connect with the charity and figure out what you can contribute (this may be time, talent, or treasure)... and then do it!
  - 3) Share this with your audience. Invite your followers to support the cause as well.
- Support your community and know that when you do good, you'll do better.

### Create educational content

Making a difference in your client's life should be a priority within your business. During this COVID-19 pandemic pivot your focus from conversion-driven content to content that educates them on ways they can care for their problems at home. Creating educational content to post on Social Media is a great way to help your clients and share your brand's authority.

### A few ways you can educate online:

- Holding live Q&A webinars through Zoom, Facebook Live, and Instagram Live
- Creating informational infographics using tools like Canva
- Step-by-step at home tutorial videos

### How do you know what educational content to create?

- Make a list of the products and services you provide. Write beside each item on that list the issues clients face that cause them to use your products/services. Create a list of at-home remedies they can do to help with the issues.
- Create a poll on Facebook asking viewers what they would like to learn about.
- Use Moz free SEO tools to discover the terms and questions people are searching on Google.

### Focus on building the connection with existing customers

If your business operations are currently affected, it is not the time to focus on acquiring new customers. You need to pivot your focus from customer acquisition to customer retention. The worst thing you can do for your business is ignoring your existing customers until you're able to re-open your doors. Imagine re-opening in a month and having to re-build your existing customer base. Use your email list to open a line of communication, keeping your brand at the top of their minds.



I spoke with Theresa LaBranche, Operations Consultant, on what she is coaching businesses to do during this time.

*“If there is an opportunity to capitalize on new service lines or remote services to have a new pipeline, by all means, go for it. But this should not be at the expense of losing an existing customer base, the erosion of historic revenues is a real risk and for most established companies, a bigger loss than the lost opportunity of new business. I’m focusing my established company clients on nurture campaigns to keep the existing customers engaged and loyal. These customers are a known entity with proven purchases. We want these customers to return or continue buying.”*

### **What are the ways you can connect with your existing customers?**

#### **Email Campaigns**

Educational emails – Repurpose your social media content into a format that fits for an email

Updates if your business is adapting services – Let your customers know if you plan to move your services online or ship your products.

Personal outreach to ask how each client is doing – Don’t be afraid to reach out directly to your customers and ask them if there is anything they need from you. The more personable here the better. Many email services, like MailChimp, allow you to insert personalized names into the email without having to send each email individually.

**Pro tip – To increase your open rate, ask a question in the subject that can only be answered if the viewer opens and reads the email.**

#### **Facebook Groups**

Create a Facebook group centered around connecting your customers and providing value to their lives. Personally invite everyone to the group and send out an email raising awareness of the group. You will see higher engagement and morale within the group as opposed to just posting content to your Facebook Business Page.

#### **Personal Phone Calls**

Social Media posts and Email Campaigns may not be enough for higher ticket clients. Create an action plan and give them a call to share the value you will provide

them over the coming months.

### **Adapt your services**

You started your business to provide value to your clients. This outbreak shouldn’t limit the value you provide. Many small businesses are moving their services online by connecting with customers through video conferencing. I connected with Dancing Dogs Yoga Greensboro, a Yoga Studio located in Greensboro, NC, that provides membership-based yoga classes. I wanted to learn how they’ve adapted with their business being shut-down.

*“Our first concern was how we could immediately provide connection and value to keep members from canceling. We started holding Online Live Yoga Classes via Zoom, and our clients’ response has been amazing. Out of 210 memberships, we have only lost 5,” said Libby, owner of Dancing Dogs.”*

When asked what advice she would give business owners during the COVID-19 outbreak, Libby said, “Identify the most important aspect of your business and dial in on that. We’ve given up retail, new student outreach, and private corporate yoga classes. Dial into the aspects that are most valuable to your customers and what’s most valuable to your bottom line.”

### **Online Tools you can use**

**Zoom** – Enterprise video conferencing with real-time messaging and content sharing.

**Loom** – We’re on a mission to empower everyone at work to communicate more effectively wherever they are.

**Creator Studio** – Facebook’s Creator Studio allows you to create, schedule, and measure all of your Facebook and Instagram posts. They recently added the ability to schedule Instagram content which has been a huge time saver.

**Canva** – Easily create beautiful designs + documents. Use Canva’s drag-and-drop feature and professional layouts to design consistently stunning graphics.

*Colby Flood, a pioneer in the digital marketing space, Colby Flood is the Owner at Brighter Click. He started his career as a Marketing Director in the Nonprofit sector, before moving on to start his own business. Driven by a mission to increase giving, Colby is best known for inspiring businesses to connect with Nonprofits that align with their core values.*



## What is Code Generator and how does it work?

Facebook Code Generator automatically generates a unique security code in every 30 seconds. The generated code is unique to the Facebook ID that is used to sign-in to the account using the app. Code Generator is a security feature for your Facebook app used with two-factor authentication. When you turn it on, your phone will generate a special security code that you can use to verify it's you when you log in from a new device or browser.

Code Generator works on your mobile device even if you don't have access to text messaging (SMS) or an Internet connection. You can also use it if you ever need to reset your password. It automatically generates a unique security code in every 30 seconds. The generated code is unique to the Facebook ID that is used to sign-in to the account using the app. Code Generator has been integrated in the app in order to enhance the security of Facebook profiles by prohibiting users to log on to the accounts using any new device in the absence of the unique code.

While signing in to your Facebook account from any new device, Facebook asks for the unique code. At your end, you must check for the unique code generated by the Code Generator, and type it in the available field. Make sure you do this within the 30 seconds after the code is generated. If you fail to do so, you will have to type the new code generated by the Code Generator.

You can find the Code Generator and the unique code for your Facebook account on the Facebook app from the location described in the steps below:

- Turn on your Android phone.
- Tap the Menu button to go to the apps list.
- Locate and tap the Facebook icon.

- To sign-in to your Facebook account, provide your login credentials in the appropriate fields, and tap the Log In button.
- Once the News Feed page opens up, tap the More button (icon with three horizontal lines) on the top-right corner of the interface.
- On the More page, tap the Code Generator option (option with lock symbol) under the HELP & SETTINGS section.
- Type the six digit unique code from the Code Generator window to sign-in to your Facebook account from the new device.

Code Generator security codes used for two-factor authentication are always six digits long and expire after 30 or 60 seconds depending on the mobile device you're using.

If your security code isn't working, tap My code doesn't work on your mobile device to reset your Code Generator.



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## A Look at the Technological Aspect of Your Virtual Event

*By Dena Weigel Bell, Greater Giving*

**W**hen it comes to virtual events there's nothing more important to its success than the ability to effectively communicate with its attendees.

If a technical glitch occurs it could cause your message to be garbled or missed altogether. An experience like that may cause your audience to conclude that your nonprofit is a disorganized, unstructured organization who may not be able to control other areas of business, including the work your donors and sponsors want to support.

Having a general knowledge of the technical structure of your communications tools will help you see areas that could be problematic and head off disruptions before they occur. Your information technology guru is your first go-to person, but understanding what they are facing when an incident occurs will help you stay in the driver's seat when decisions have to quickly be made and executed.

### Technology that Supports Virtual Events

By its very nature, producing a virtual event is comparable to putting together a hundred-piece techno puzzle. Every microsecond of your presentation is either affected by or is reliant on the technology that enables it to get to viewers and create the feeling that everyone is in the same "room" as the production. With a great program, a dynamic production plan, and reliable technology—cameras, lighting, audio, virtual connections, etc.—you can bring the feeling of togetherness to life for your viewers, whether they are down the street, or across the world.

### The Demographics

Let's first discuss your audience. Knowing the size of your audience, their general locations, and the level of comfort they have with technology helps your IT professional guide you through rough spots that could occur. Will there be enough bandwidth available on their end? Are the tools available on your website and in your presentation at the right knowledge level for the viewer to easily use? These are a few of the questions that must be considered.

### Program Details

One of the biggest decisions you will have to work out with your IT professional is whether to produce a live broadcast through a streaming platform, a recorded presentation that can be uploaded for on-demand

viewing, or a combination of the two. There are benefits to each option.

### Live Streaming

Looking for more tips on how to host a virtual event, check out our latest webinar "The Show Must Go On – Fundraising Despite the Odds". It provides tips to help you host a virtual auction and ways you can reach your fundraising goals through online events.

A live broadcast provides a more dynamic, "in the moment" feeling that can up the enthusiasm for your viewers and give you options on how you raise money (through a silent auction, for example), but disruptions in a live broadcast can lose valuable pieces of information.

### On-demand Platforms

The on-demand option makes the program available to people at their convenience and gives you the option of editing out sticky places in the program prior to putting it out to the masses. However, a pre-recorded broadcast can lose the feeling of connectedness that can bring about the feeling of community. Producing a live-streamed broadcast with the intention of recording it for access is a solution that encourages both the people who feel compelled to give during a live event, as well as those who want to view the program at their convenience.

### The Presentation

Another area of consideration are the elements included in your program. Video presentations, audio recordings, polling questions, surveys, live streaming videos, documents, and other additional presentation features could require additional equipment to support a clean-running presentation from start to finish.

### The Website

Make sure your website is ready for those donations to come rolling in with an easy-to-use donate button, social media icons, a countdown clock, and a goal measurement tool to encourage donors to contribute and spread the message for you.

### Chat Rooms

Including your viewers in the program is key to making that personal touch come to life for the people at home. You can do this by including a chat room on your website. Your audience can ask questions, comment, start discussions, and provide immediate feedback



through words, “Like” buttons, and emojis. Assign a vivacious team member to be the moderator who can keep the conversation lively and have an IT person ready to handle any issues the viewers have with the technology on their end.

### **The Bandwidth**

Integrating a live event with additional platforms, such as social networks, a customer management platform, etc., will also require additional bandwidth and time. Your IT specialist will need to evaluate the location bandwidth needed to support these on both ends of the connection and research latency issues for downloading presentation elements and seamless streaming capabilities for your viewers.

### **The Costs**

Keep in mind the extra cost these extra features could add to your budget, including streaming rates.

### **The Cameras**

Keep your program interesting with multiple cameras to provide a feeling of depth to your sets. Use one for a wide-angle perspective, another for a friendly mid-level shot focused on the host, and a close-up camera for a feeling of intimacy when a featured presenter is on camera to make an appeal.

### **The Audio**

Nothing can turn viewers off faster than incoherent audio when an important message is being conveyed. Your IT professional should be able to steer you in the right direction for quality audio equipment that can provide you with the proper sound capture.

### **The Lighting**

Lighting can have a huge impact on the effectiveness of an on-screen event. Experiment with the placement of your lights to find the right positioning for your set and presenters. Look for shadows, shiny spots, and other glaring irregularities that will take the attention away from the message. Also, ask your presenters to arrive early so you can catch any issues with their clothing, jewelry, hair, or makeup.

### **The Set**

Your set design could follow a range of examples; from casual coziness to a professional conference room. It’s all up to you! Adding in a few plants will make all the sets have a more welcoming feel and you might want to add a conversation area that is separated from the “main stage” to provide a more intimate feeling to the broadcast and provide a visual separation as you go

through different parts of your program. Your technology team will help you with the logistics of arranging the cords effectively, leaving enough free space for their equipment, and providing a clean looking set.

### **The Rehearsals**

Just like you would do during any production, you’ll want to schedule a series of rehearsals to ensure all your equipment is working just as it should. Check each aspect on the stage to see how it comes across on a computer. Assign your IT professional the task of making sure the correct digital connections are in place and working properly, and during the broadcast, you’ll want to have the IT team conducting real-time monitoring to make sure nothing goes awry.

### **Archiving the Event**

After the event has concluded you’ll want to keep the broadcast to reuse in marketing materials, share on social media, and even re-broadcast as a pre-recorded event. Talk to your IT guru about the on-demand shelf life and setting up local and cloud-based data records, as well as adding captions to the recording for viewers who have hearing issues. Offering a written transcript of the presentation is also recommended so you can easily refer back to specific areas when promoting the event or for use in marketing later.

Don’t be afraid of the technology that surrounds a great virtual event. Your IT people will be able to guide you through the structure and bring to the forefront any issues they see prior to broadcast. Understanding the basics will put you on the right path to ask important questions, then rely on them to take you all the way to the finish line.

*Dena Weigel Bell has been a brand journalist and professional content creator for non-profits for over seven years. Her work has connected both international and national organizations with their supporters to provide insight into their activities, celebrate successes, and tell the stories of the people they serve.*





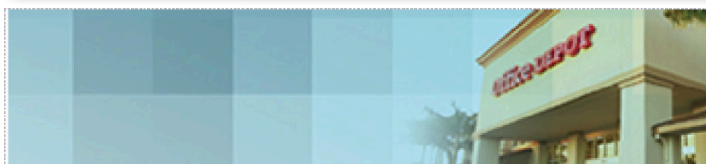
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