



#### PRESIDENT'S MESSAGE

by Monica Menzer



Efforts to Go Green do not automatically label you a Tree Hugger (not that that's a bad thing). Many measures that we can take to cut costs turning down the heat or shopping

secondhand, for example—are also good for the planet. Cutting back on our consumption of energy or consumable products has, at varying levels, made people accidental environmentalists.

The law practice requires use of paper and, as we know, a LOT of it. There has been many an article or presentation on how to reduce paper or even go paperless. This is an area where we as law firms are going to have to take notice and find creative ways to improve in this area.

Let's look a few ways we can be more environmentally conscious in our personal life. You can actually *save* green by *going* green!

- Transportation accounts for a large percentage of carbon emissions. You don't have to drive a Prius to drive green (although I do have two in my family!). Give your car regular tune-ups, keep the tires properly inflated, and avoid idling. Of course, driving less is the cheapest and best thing you can do, but it's not always convenient. Combine your trips to save on fuel and time. Downtown San Diego is adding bicycle stations where you can rent a bike for any part of the day. It may be the new mode to travel to Chapter's monthly the meetings!

- Reducing your trash is an instant way to be greener. Think of durable alternatives to disposable goods: use a sponge or hand towel in place of paper towel; bring a reusable bag (one that you received from a business partner or two) to the market; skip the Ziploc in favor of a reusable plastic container; and if you



- Don't buy it—rent it. Businesses have launched websites to rent out anything from cars to handbags for short-term use and big-time savings, both carbon and financial. The car-sharing company Zipcar is the best-known example, but sites like couture-lending Rent the Runway are growing fast. Sites like these let you get what you want without owning it and by sharing with others, collectively reduces the environmental impact. Save money and still enjoy your lifestyle, or one that you would like on occasion!

Then there are other general suggestions: The production of meat uses vastly more resources than produce – eat your veggies! (Typical Monica) Turn the lights off when you leave a room.

Cont pg 3

#### Got CLM?

If you are interested in becoming a CLM, you may want to consider joining a CLM Study Group, or checking out study materials from our library. Please contact our San Diego Chapter Librarian, Gerald Hester for materials. For more information on eligibility and test dates, click here.

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"Jump, and you will find out how to unfold your wings as you fall."

- Ray Bradbury







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#### PRESIDENT'S MESSAGE CONT.

Instead of buying a book, go to the library or consider an e-book. Unplug devices that are not in use as many still draw power. Turn down your thermostats. Work from home on occasion. I heard some gasps, but even a day every so often will reduce your carbon footprint.

We are the ones that can eventually guide those in the legal industry to catch up and become more savvy in how we can reduce, reuse, recycle. So let's do our part at work and at home. Mother Planet and our children's children will thank you. And me, too.





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#### Gain more from your membership and get involved in 2015!

**Dear Chapter Members:** 

Do you want more out of your membership? Would you like to network with like minds? How many times have you been faced with an issue where "no one else understands" and you could use a group of peers to consult?

Then take the opportunity to get involved in the SD Chapter in whatever capacity you are comfortable:

- Are you good behind a camera? Consider taking photos at our meetings and events, or share the fun with another member.
- Do you thrive on community involvement? Look into our Community Connections efforts, Couture for a Cause and Project LEAP, our program for high school students.
- Maybe you have great ideas for increasing membership in the Chapter? Join the Membership Committee and help lead our Peer Connections program.
- Are you organized and task oriented? We need help with CLM materials, Bylaws/Ethics, Historian tasks, as well as the Salary Survey.

The 2015 – 2016 Chapter term starts on April 1, 2015, but planning is paramount. I would love to see more of you involved. I have included a brief description of each committee, and the ALA Membership Handbook has a more detailed one, or just ask me or another current Board member.

Let's work together to make our Chapter the best it can be! Please complete the information below and return it to me at <u>mmenzer@allenmatkins.com</u>, or give me a call at 619-233-1155.

All my best,

#### Monica Menzer President 2014-2015

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#### Gain more from your membership and get involved in 2015!

Name	Firm:
Phone No	Email

I'm interested in volunteering for the following committee(s) (you are not be beholden to all you select):

- \_\_\_\_ Chapter Audit perform audit of Chapter finances once a term.
- \_\_\_\_ Chapter Library / CLM Materials maintain materials to loan to members; organize CLM study program?
- **Bar / Professional Association Liaison** Chapter's connection to other legal organizations.
- **Bylaws / Ethics** maintain and update Chapter Bylaws, as necessary.
- **Communications** provide efficient and effective communication to Chapter members, including the "Month-at-a-Glance."
- Community Connections / Project LEAP charitable Chapter efforts; Couture for a Cause; work with local high schools to create programs promoting opportunities in the legal profession.
- \_\_\_\_ **Diversity Committee** plan annual diversity presentation; promote diversity within the Chapter.
- \_\_\_\_ Education work with President Elect on planning Chapter education activities/speakers.
- \_\_\_\_ Handbook maintain and update membership handbook.
- \_\_\_\_ Historian maintain Chapter memorabilia.
- Invitations design and create options for invitations for BP luncheon, MP luncheon, Leadership Dinner, and other Chapter events.
- \_\_\_\_ Legal Resource Fair Chapter annual Business Partner resource fair in February.
- Meetings Coordinator / Hospitality assist Meetings Chair to coordinate Chapter meetings.
   Receive RSVP's; maintain name badges; and/or welcome attendees.
- Membership team up with the Vice President/Membership Chair to bring in new members and maintain current membership.
- \_\_\_\_ The Mandate (Chapter Newsletter) with Editor-in-Chief produce bi-monthly newsletter.
- \_\_\_\_ Photographer photograph Chapter meetings, events, and other functions.
- \_\_\_\_ Public and Media Relations represent the Chapter in publicizing and promoting events.
- \_\_\_\_ Salary Survey implement annual Chapter salary survey.

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- Academic Scholarship selection process to promote and award an academic scholarship to `two deserving students.
- **\_\_\_\_ Social Media** assist Social Media Chair in promoting Chapter LinkedIn, Facebook, and Twitter pages.
- Business Partner Relations work with Director of BP Relations in promoting, managing and maintaining vendor relations.

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I'd like to help another way:





# THE MANDATE





### WE SHOULD NOT BE DEALING WITH MEASLES CONCERNS IN 2015, BUT WE ARE

#### BY HOWARD MAVITY, JD

Crazy as it seems, highly publicized Pandemic, Ebola and now Measles concerns are good for the U.S. Each time our short attention span is directed to the

latest disease concern, we briefly recognize the seriousness of such concerns and improve national and individual capacity to respond. As a result of the embarrassing first responses to Ebola, the government and our health care systems are far better prepared for future threats. Similarly, multiple influenza pandemics have raised our awareness of the importance of proper hand washing and the value of vaccines, even if this year's flu vaccine is not a perfect match. On the global front, some diseases should rightly be all but gone and completely gone from the U.S. So it's a rude awakening to hear about over 100 measles cases occurring in the last month, many of them apparently transmitted from one of my favorite escapes – Disney Land.

But don't blame Disney, and frankly, you should not blame the influx of people across our borders who have not been vaccinated (although that is a concern). Nope. One of the principal reasons that we're dealing with a measles outbreak is our short memories and an arguably wrongheaded view of vaccines. I remember getting my polio vaccine as a child and seeing people who bore the results of polio. Anyone with any memories of polio or of other now uncommon illnesses is not receptive to unverified claims against vaccines. At worst, we may view the decision as weighing the costs of not taking a vaccine against the costs and probability of a bad reaction.

We are not medical professionals, and just as this article is not "legal advice," it certainly does not offer medical guidance. However, I live in Atlanta, home of the CDC, and we are involved in representation of hospitals and healthcare providers in the community. I am a bit of a contrarian and I am absolutely committed to individual rights, but I see no basis not to trust the CDC's recent pronouncements about Ebola and about Measles vaccinations. My WW II and Korean War vet dad raised me to believe that we all have a responsibility to our society, and to me, that extends to taking steps to protect others from the harm of my personal decisions. I'd argue that we have a duty to get the proper vaccinations absent legitimate medical reasons.

#### Legal and Practical Concerns

Ok. That's my philosophical view and as they say, does not necessarily reflect the view of Fisher & Phillips. My purpose in writing is to alert employers to this developing situation. Our Firm, especially our Southern Cal offices, are already receiving numerous calls with the following questions:

1. Should I tell coworkers if we learn that an employee or customer onsite develops the measles?

2. Can I identify the employee by name?

3. If I do, is this a violation of the ADA, HIPAA, state antidiscrimination laws or an invasion of privacy by publication?

4. Can I require employees to get the measles vaccine or the flu vaccine?

5. If an employee develops measles at work or performing their duties, is that a compensable work-related illness and also is it a recordable workplace illness for OSHA 300 Recordkeeping purposes, or Reportable to OSHA if it necessitates overnight hospitalization for treatment?

We cannot possibly address all of these questions in one post, and obviously, the answers to some of these questions depend on the state law, the work setting and other specific facts. This post will start with some basic suggestions about employee education. We'll deal with other issues in other posts or on an individual client basis.

#### What to do when an Employee develops measles?

In most cases, public health authorities do not recommend and state laws do not require an employer to notify coworkers if the employer learns that a coworker or other party developed measles.

Some employers believe that employees deserve to know of possible exposure and that such knowledge serves the company's goal of a healthy and productive workforce. Other employers are concerned about possibly creating a questionable workers comp claim or of focusing employees on a coworker with possible legal and morale consequences. All of these concerns are valid and should be considered in your decision.

1. Each time we have experienced an infectious disease concern (influenza, TB, MRSA, HIV, Hepatitis, Ebola, Herpes (remember that one?) and so forth) agencies enforcing employment laws and the courts have generally followed public health recommendations in evaluating the legality of the employer's actions. You do not want to get head of or deviate from this public guidance if possible.







2. We do not yet have the amount of public health guidance and discussion about whether to share information about a coworker's measles that we do for influenza, TB and other infectious diseases.

3. One factor that public health authorities and legal bodies weigh is the extent to which employees can do anything to protect themselves once alerted versus the harm to the infected person's privacy and other rights.

4. As to measles, there are draconian requirements placed on medical providers but pronouncements give employers little guidance.

5. It is rarely advisable to identify an individual (different rules apply for TB and certain other situations).

6. The healthcare setting has its own rules.

#### A Preemptive Approach

If you have locations in California or any area with measles outbreaks, as part of your wellness program, alert employees, address concerns, and provide useful tips BEFORE a coworker or customer arguably exposes employees. The following example is just that, an example. Do not make the mistake of just copying and using material or of NOT calling your lawyer. If you have specific questions, call your lawyer and spend a few bucks to avoid later costly claims.

As of today, public health authorities are aware of over 100 cases nationwide and over 90 of these are in California. Check this California public health information. The good news is that if you are a certain age or have received the proper vaccinations than you have little concern. The bad news is that measles, unlike the flu, is a hardy virus and can live in the air or on surfaces for up to two hours after a sneeze, which is the main method of transmission. Also, one can be infectious four days before showing symptoms and up to four days after symptoms go away. Here's what the California department of Public Health says:

California is currently experiencing a large outbreak of measles. The outbreak started in December 2014 when at least 40 people who visited or worked at Disneyland theme park in Orange County in mid-December contracted measles and has now spread to at least half a dozen other states. Measles is a highly contagious viral disease. It is widespread in many parts of the world, including Europe, Africa, and Asia. Measles begins with a fever that lasts for a couple of days, followed by a cough, runny nose, conjunctivitis (pink eye), and a rash. The rash typically appears first on the face, along the hairline, and behind the ears and then affects the rest of the body. Infected people are usually contagious from

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about 4 days before their rash starts to 4 days afterwards. Children routinely get their first dose of the MMR (measles, mumps, rubella) vaccine at 12 months old or later. The second dose of MMR is usually administered before the child begins kindergarten but may be given one month or more after the first dose.

http://www.cdph.ca.gov/HealthInfo/discond/Pages/Measles. aspx

#### So what do public health authorities recommend?

1. Wash your hands regularly and do not touch your face, mouth, nose and eyes during the day any more than necessary. We know that this suggestion seems sort of silly but studies show that we do not wash our hands enough and touch our faces all day long without noticing the actions. YOU ARE MORE LIKELY TO GET THE FLU AND THIS HAND SANITATION PRACTICE WORKS GREAT AGAINST THE FLU, WHICH IS LESS EASILY TRANSMITTED THAN MEASLES.

2. Follow public health guidance about recommended and required vaccines. Our understanding is that most or all horror stories about vaccines have been debunked, and there are numerous articles this week describing the problems we're experiencing in the U.S. because there are pockets of people refusing to get vaccines, and Southern California is on that list.

3. Be aware of the symptoms and see a doctor. Symptoms are described at: http://www.cdc.gov/measles/about/signs-symptoms.html

4. Stay home as your doctor suggests. We appreciate hard workers who don't want to let down their coworkers but you're not helping them if you get them sick!

5. Get lots of sleep, eat well, and exercise.

If you want to read more, including about protecting your kids, here is a LINK to the Federal CDC's Frequently Asked Questions on Measles: <u>http://www.cdc.gov/vaccines/vpd-vac/measles/faqs-dis-vac-risks.htm</u> or visit http://www.laborlawyers.com/measles-resource-center.

Howard Mavity is a partner in the Atlanta, Georgia office of Fisher & Phillips, LLP, a national labor and employment law firm. For more information he may be contacted at hmavity@laborlawyers.com or 404.240.4204. This article originally appeared in the Fisher & Phillips, LLP Blog, Feb 2014 and can be found at http://www.workplacesafetyandhealthlaw.com/post/2015/02/ 04/We-Should-Not-Be-Dealing-With-Measles-Concerns-in-2015-But-We-Are.aspx













#### **GSO and Norco Announce Strategic Alliance**

Beginning January 5, 2015, GSO will assume responsibility for all aspects of overnight delivery services previously provided by Norco/OverniteExpress, allowing Norco to focus its operations on courier, messenger and mail services.

All package pickup and delivery, tracking, customer service and billing functions will be provided by GSO.

There will be no disruption in service for Norco Customers and shippers can continue to make Norco Overnight labels using the Norco website and Norco software. Pickup service for all Norco/OverniteExpress drop boxes and customer pickup locations will continue uninterrupted.

Norco Schedule Route, Same-day and Mail Customers will experience no changes to service, as these services will continue to be provided by Norco Delivery Services.

GSO customers will not experience any change in their delivery service and will now have access to 1,200 combined drop boxes in the GSO, Norco and OverniteExpress network.

Many questions about the transition can be answered below. If you have additional questions, please contact Customer Service.

GSO Customer Service: 800-322-5555 GSO Homepage: www.gso.com

#### FAQs for Norco/Overnite Express Customers











### SAN DIEGO ASSOCIATION OF LEGAL ADMINISTRATORS 2015 HR SYMPOSIUM

#### Thursday, March 12, 2015 The Westgate Hotel, 1055 2<sup>nd</sup> Avenue

Whether the situation involves the use of "intern," an employee with poor grooming habits, the "tattooed" employee, or even the CFO's "touchy-feely" mannerisms, the legal workplace has become far more complicated to manage.

Designed for legal administrators, supervisors, and managers, these fast-paced, interactive sessions will focus on uncommon HR issues and examine practical, business-focused solutions that adhere to employment laws.

> RSVP: Kathy Culver at kculver@ssvwlaw.com ALA Chapter Members: Free Guests of ALA Member Firms: \$75.00 Non-Member Guests: \$95.00

Payment by Credit Card can be made at www.sandiegoala.com

#### SCHEDULE AT A GLANCE

1:00 - 1:30	Registration & Lunch
1:30 - 2:45	Session 1
2:45 - 3:00	Break
3:00 - 4:15	Session 2
4:15	Q&A
4:30	Cocktail Reception

### Approved for 2.5 HOURS OF MCLE CREDIT!



GUEST SPEAKER MICHAEL S. COHEN, ESQ. PARTNER Duane Morris LLP

MICHAEL S. COHEN HAS TRAINED AND COUNSELED EMPLOYERS THROUGHOUT THE COUNTRY ON SUBJECTS INCLUDING HARASSMENT PREVENTION; WORKPLACE DIVERSITY; DISCIPLINE AND DISCHARGE; HIRING AND RECRUITING PRACTICES; PERFORMANCE EVALUATIONS; FMLA, ADA AND FLSA COMPLIANCE.











MEMBERSHIP REPORT DECEMBER 2014 By Tammie McQuain

### **MEMBERSHIP NEWS**

Prospective Members

Trudy Balestreri Office Manager Balestreri Potocki & Holmes

Kristine Custodio Office Manager/Sr. Paralegal The Leventhall Law Firm

Janice Karr Office Manager Dannis Woliver Kelley

Current National Members: 123 Current Chapter Members: 118 Prospective Members Cont.

Brynne MacEachern Office Administrator Typson & Mendes

Nicole Mudler Facilities Manager Cooley Godward LLP

Marina Filed Director of HR Kennedy & Souza, APC

Susan Patten Firm Administrator Solomon, Grindle, Silverman, & Wintringer APC

Paula Renkin Renkin & Associates, APLC

Know someone who should be a member of ALA? Refer them to Tammie and

earn points toward great prizes!

For more information and to participate in the program, please contact:

TAMMIE MCQUAIN (619) 819-2433 tmcquain@mpplaw.com

Or visit the San Diego ALA website to see what's new!

http://www.sandiegoala.org/







Your connection to knowledge, resources and networking





#### ALA Peer Connection - Your Connection to the San Diego Chapter!



#### **Benefits of Peer Connection:**

- Peer Consulting Someone to connect with at meetings
- Resource to call with questions
- Greater networking opportunities
- Expansion of your local professional knowledge base

#### Benefits of ALA:

- Professional enrichment Advance your career or help shape the future of legal management
- Networking
- Resources ALA Value in Partnership Program, Career Center, Compensation Benefits Survey, Diversity Initiative, List-serv, Online Member Directory
- Annual Labor Law Update
- · Annual and Business of Law Conferences with valuable continuing education programs
- Professional Recognition Certified Legal Manager (CLM) Program
- Legal Management Monthly Educational Magazine

#### Expectations of Peers:

- Take a Peer to Peer lunch reimbursed by Chapter
- Reach out to Peers at least twice per month prior to luncheon RSVP deadline and later in the month
- · Sit with peer at lunch and other meetings

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- Introduce Peer to other members
- · Remind Peer of upcoming special events, explain what they are and encourage Peer to attend
- Share knowledge of Chapter activities and traditions

#### Take Flight - Soar to Educational Heights 2014-2015 Membership Campaign





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#### ASSOCIATION OF LEGAL ADMINISTRATORS SAN DIEGO CHAPTER SAVE THE DATES

Upcoming Monthly Membership Meetings RSVP: Kathy Culver at <u>kculver@ssvwlaw.com</u>

March 12

#### HR Symposium

**Speaker:** Michael S. Cohen, Esq of Duane Morris LLP **Michael S. Cohen** has trained and Counseled employers throughout the country on subjects including harassment prevention; workplace diversity; discipline and discharge; hiring and recruiting practices; performance evaluations; FMLA, ADA and FLSA compliance.

Time:1:00 p.m. - 1:30 p.m. - Registration & Luncheon

1:30 p.m. - 2:45 p.m. - Session 1 2:45 p.m. - 3:00 p.m. - Break 3:00 p.m. - 4:15 p.m. - Session 2

4:15 p.m. - 4:30 p.m. - Q&A

4:30 p.m. - Cocktail Reception

Location: Westgate Hotel 1055 2nd Ave, San Diego

\*Guests of ALA Member Firms: \$75; Non-Member Guests: \$95.

Whether the situation involves the use of "intern," an employee with poor grooming habits, the "tattooed" employee, or even the CFO's "touchy-feely" mannerisms, the legal workplace has become far more complicated to manage.

Designed for legal administrators, supervisors, and managers, these fast-paced, interactive sessions will focus on uncommon HR issues and examine practical, business-focused solutions that adhere to employment laws.

Approved for 2.5 hours MCLE credit.

April 21 Annual Leadership Dinner Speaker: Various Time: 5:30 to 7:30 p.m. Location: The Prado at Balboa Park 1549 El Prado, San Diego, CA









# **BOARD & MEMBERSHIP**

MARCH BOARD MEETING ... MAR 3, 2015 12:30 – 1:30 ALLEN MATKINS ET AL

MARCH MEMBERSHIP MEETING . . . MAR 12, 2015 HR SYMPOSIUM 1:00 – 4:45 AT THE WESTGATE HOTEL

APRIL BOARD MEETING . . . APR 7, 2015 LEADERSHIP RETREAT 12:30 – 4:30 THE COURTYARD MARRIOTT DOWNTOWN

ANNUAL CHAPTER LEADERSHIP DINNER . . . APR 21, 2015 5:30 – 7:30 AT THE PRADO

The ALA Job Bank is a great place to post for talented managers and staff!

Your connection

For more information and to submit job postings, please contact:

ANNA M. RUSHWORTH (619) 595-4393 rushworth@higgslaw.com

Or visit the San Diego ALA website to see what's new!

http://www.sandiegoala.org/jobs









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#### Please congratulate our 2014/2015 BOARD OF DIRECTORS!

President	Monica Menzer	619/233-1155
President Elect - Education Chair	Anna Rushworth	619/236-1551
Vice President - Membership Chair	Tammie McQuain	619/819-2433
Treasurer	Brenda Winter	619/525-7626
Secretary	Shaila Schaible	619/236-1551
Director - Business Partner Relations	Liz Whitten	619/238-1811
Director - Bank Statement Auditor	Rita Hee	619/232-3122
Director at Large	Karen Lemmon	619/255-6450
Past President	Leslie Kaiser	858/587-7656





#### And our 2014/2015 COMMITTEE CHAIRS/MEMBERS





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Academic Scholarship Chair	Carrie Merzbacher	858/942-2897
Business Partner Relation Chair	Liz Whitten	619/238-1811
Bylaws/Historian Chair	Patti Groff	619/233-4777
Chapter Audit Chair	Beverly Driscoll	619/232-3122
Chapter Awards/LRF/Prof. Association Liaison	Leslie Kaiser	858/587-7656
Chapter Library/CLM Materials Chair	Gerald Hester	619/515-3292
Communications Chair (MyEmma/MAAG)	Leslie Kaiser	858/587-7656
Community Connections Chair (C4C)	Angela Landeros	619/699-8338
	Henry Angelino	619/696-1410
	Tammie McQuain	619/819-2433
	Valerie Ramirez	619/356-3518
	Monica Menzer	619/233-1155
Diversity Chair	Jennifer Beckey	619/699-2735
Education Chair	Anna Rushworth	619/236-1551
Employment Job Bank	Anna Rushworth	619/236-1551
Handbook/Mailing Chair	Darcella Blecker	858/369-7280
Meeting Coordinator	Monica Menzer	619/233-1155
Hospitality Chair & RSVP's	Kathy Culver	619/239-7200
Hospitality Committee	Sandra Carillo	619/231-4844
	Wendy Connor	619/525-1300
Invitations Chair	Wendy Connor	619/525-1300
Membership Chair	Tammie McQuain	619/819-2433
Peer Connections Chair	Karen Lemmon	619/255-6450
Newsletter Editor	Rheesa Eddings	858/597-9600
Photographer	Kathy Culver	619/239-7200
Project LEAP Chair	Ginger Boss	619/234-1776
Media and Public Relations Chair	Carol McCabe	619/209-3000
Salary Survey Chair	Shaila Schaible	858/755-8500
	Janet Grant	619/232-8377
Social Media	Craig Crosby	619/515-3275
WebMaster	Matt Chaffee	619/232-0441
5k Challenge for Charity	Stephen Williamson	858/384-5863
	Carol McCabe	619/209-3000
	Wendy Connor	619/525-1300

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Your Information, Securely Managed





# SPECIAL COUNSEL



Retirement plan administratio and recordkeeping services provided by ONEAMERICA RETIREMENT SERVICES LLC a ONEAMERICA' company

SAN DIEGO CHAPTER



#### NEW BUSINESS PARTNER DIRECTORY!

2014/2015 BUSINESS PARTNER SPONSORS THANKS FOR YOUR SUPPORT!

Please check the Chapter's Business Partner Directory *first* when you're shopping for a product or service for your firm. Not only are our Business Partners committed to delivering the highest quality products and services, they are also committed to furthering the goals of ALA San Diego by providing the funding we need for the outstanding educational and networking events and scholarship opportunities we value as members. **Please download the new** Business Partner

Directory.











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