

AllCovered NEWS

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HIGHLIGHTS TO HELP YOU THIS WEEK

- Small / Family Business? -- Run It Like A Business
- UN Tackles International Carriage Of Goods by Sea (COGSA)
- Congress Ready to Tighten Security

Monday, 10 April 2006 --- Edition #483

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Allcovered.net - PO Box 1439 - 304 MLK Jr Dr - Fort Valley, GA 31030 USA - Voice: +1.478.825.5566

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>> SMALL BUSINESS SECTION <<



SMALL BIZ - SMALL / FAMILY BUSINESS? --- RUN IT LIKE A BUSINESS

--- Excerpted from an article by James Lea. Link at end ---

You cannot manage a small or family business if you do not run it like a business... See No Evil, Hear No Evil, Speak No Evil... ignoring problems... is a recipe for disaster.

Most clients of Allcovered are small or medium-sized businesses... and often family owned. Some of the most unnecessary problems that family owned companies get into result from failure to run their businesses as businesses.

Organizing work, allocating resources, and assigning and accepting responsibility are serious. For many families, the business constitutes most, if not all, of their assets, income stream and hope for a secure future. So running the business deserves serious attention. It deserves systematic management to minimize conflicts.

MISSION STATEMENT & STRATEGIC PLAN

A mission statement is not only for big companies. It describes what the business does. It also describes how it does business and for what purpose. A mission statement reminds everyone why the family is in this business, what its standard of quality is, and what goals it hopes to achieve.

A good strategic plan also keeps the company and the family focused on the business' concrete goals for performance, growth and financial success, and on the choices and actions necessary to achieve them. Carrying out the plan requires everyone in the company to stick with the program and keep up the pace. If targets aren't being met, the plan makes it easier to locate the problem.

More than one family owned company has split because there was no agreement on what kind and level of effort was required of family members who wanted to enjoy the business' benefits. Without that agreement, the idea can emerge that being related by blood or marriage is the only criterion for taking home money.

The morale of family members and non-family employees alike plummets at the sight of Nephew Niles putting in 10 hours a week and taking home the same or better pay & benefits than other employees who put in 10 hours a day. Set forth in clear terms what inputs are required to be eligible for the outputs.

A DAY'S PAY FOR A DAY'S WORK

POLICIES & PROCEDURES MANUAL

You're busy. You work together 80 hours a week. But to avoid problems before they happen, take time to put together a Policies & Procedures manual.

This will help eliminate disputes and disagreements over compensation, benefits, work schedules, holidays and vacations, incurring debt, hiring and firing offspring and other family members, sharing ownership, and other vital issues.

stories at end of excerpts

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CONTACT US

Allcovered.net
PO Box 1439
304 MLK Jr Dr
Fort Valley, GA
31030 USA

Voice:
+1.478.825.5566

Email:
mike.miles@allcovered.net
john.larrard@allcovered.net

No small company, family business or just friends working together, is immune to the difficulties that lead to a parting of the ways. Before such things appear, they should be covered by a buy-sell agreement that has been worked out under relaxed conditions with competent professional advice.

Think it through, reach agreements and put the agreements in writing. It's a business-like way of doing business.

MORE: http://www.bizjournals.com/extrajedge/consultants/family_business/2006/03/27/column236.html?hbx=e_sol

BUY – SELL AGREEMENTS

TECH BIZ – ULTRA-PORTABLE AND POWERFUL: It's time to get out of your office. Here's a review of four new ultra-portable notebook computers... light weight.... heavy power. MORE: <http://ct.eneews.pcmag.com/rd/cts?d=184-2681-4-54-205416-326600-0-0-0-1>

>>>> TRUCKING SECTION <<<<

TRUCKING – CATERPILLAR LOOKS TO TRUCKING'S FUTURE

FCC Equipment Financing, a subsidiary of Caterpillar, has released a report on the current status of the trucking industry and future forecasts, along with customer insights.

The report, titled "North American On-Highway Market Issues: Current Status and Future Outlook," provides overviews of the North American truck market broken out by heavy duty and mid-range sectors, along with an on-highway finance market overview.

--- KEY FINDINGS ---

Highlights of this survey include the following:

- More than 95% said business will be as good or better in 2006 than 2005.
- More than 50% said the volume of freight they planned to haul increased in 2005 over 2004.
- 81% indicated their capital budgets would be the same or better.
- More than 25% say new equipment budgets will increase for 2006.
- 75% expect truck pricing to increase in 2006 versus 2005.
- 25% saying the price increase would be significant.
- Fleets indicate the most important cost factors impacting their businesses were fuel costs (64 percent) and driver costs (23 percent).

REPORT: www.fccequipmentfinancing.com

MORE: http://www.truckinginfo.com/news/news-detail.asp?news_id=56445

TRUCKING – TONNAGE INDEX FALLS: The Truck Tonnage Index fell 2.5% in February, its first monthly decline since August 2005, the American Trucking Associations reports. ATA calculates the index based on surveys from its membership.

MORE: <http://www.etrucker.com/apps/news/article.asp?id=52698>

TRUCKING – DRIVER ERROR CAUSES MOST ACCIDENTS: The behavior of drivers, both truckers and four-wheelers, is 10 times more likely to cause large-truck crashes than other factors, such as weather, road conditions and vehicle performance, says a new study by the Federal Motor Carrier Safety Administration. Driver error was the critical reason for 88% of the crashes studied. Driver fatigue was more often a crash factor for car drivers than for truckers.

MORE: <http://www.etrucker.com/apps/news/article.asp?id=52697>

TRUCKING – DRIVER FATIGUE MONITOR: Following 10 years of research Attention Technologies, a Pittsburgh-based company, is introducing its Driver Fatigue Monitor (DD850), a portable device that can detect dangerous levels of fatigue up to an hour before drivers notice its onset. The monitor's ability to measure drowsiness has been validated by lab tests conducted by the US Department of Transportation, according to Attention

MORE: http://www.truckinginfo.com/news/news-detail.asp?news_id=56444

TRUCKING – DIESEL UP A NICKEL: The US national average retail price of a gallon of diesel increased more than a nickel for the week ending April 3, to \$2.617, or 31 cents more than in the same week of 2005.

MORE: <http://www.etrucker.com/apps/news/article.asp?id=52710>

>>>> SECURITY SECTION <<<<

SECURITY FOCUS – CONGRESS READY TO TIGHTEN

With mid-term elections coming in November, Congress is likely to approve measures this year to tighten security at US ports, including requiring radiation and nuclear detectors.

Legislation being considered in both the Senate and House would also ease customs inspections for large importers such as Wal-Mart Stores. In exchange, the companies would be required to tighten the security of their shipments.

Congressional Republicans, reacting to election-year political pressures, have put the bipartisan-sponsored measures on a fast track for committee consideration and passage.

Democratic Senators Hillary Rodham Clinton of New York and Robert Menendez of New Jersey want Congress to earmark an additional \$1 billion for port security and mandate the inspection of all cargo containers. They are sponsoring legislation that would bar a foreign-owned company from running terminal operations at US ports.

Under the proposed GreenLane Plan, importers who agree to impose their own stringent security could speed their shipments through the customs process.

MORE: http://www.bloomberg.com/apps/news?pid=10000103&sid=aeDAwVrS_QnQ&refer=us

SECURITY – TIGHTER C-TPAT RULES: US Customs and Border Protection has published new, stiffer minimum security requirements for the Customs-Trade Partnership Against Terrorism that puts responsibility for upstream security of supply-chain partners squarely on participants. While participation in the program, which gives importers streamlined clearance in exchange for self-policing of supply-chain security, remains voluntary, Customs can withdraw or suspend a company's membership in C-TPAT if it finds non-compliance during a "validation" check-up.

MORE: <http://www.joc.com/20060405/sections/trade/w65100.asp>

SECURITY – UNIONS BLAME WAL-MART FOR STALLING SECURITY: The largest labor union group in the US, the AFL-CIO, is accusing the nation's largest retailer of using a trade lobbying group to stall measures to improve security at ports. The AFL-CIO says non-union Wal-Mart has used its clout within the Retail Industry Leaders Association to beat back government security measures after the 9-11 terrorist attacks that would cost the company money and cut into profits.

MORE: http://www.americanshipper.com/SNW_story.asp?news=31083

MORE: <http://www.joc.com/lede/20060407/sections/ocean/w24869.asp>

SECURITY – DHS TO LAUNCH 'SECURE FREIGHT' THIS YEAR: The Department of Homeland Security will launch the pilot program for the Secure Freight Initiative sometime before the end of 2006. Deputy Secretary Michael Jackson told the House Homeland Security Committee Secure Freight is the next-generation information gathering and processing system to identify cargo shipments at risk for tampering by terrorists. While the system that Customs set up in 2001 depends on the cargo manifest, Secure Freight would draw data from a number of sources, and compile them in privately-operated "fusion centers."

MORE: <http://www.joc.com/20060405/sections/ecom/w14812.asp>

SECURITY – POLICE FIND SOME OF JO-BURG MONEY: Police have recovered R6 million of the R100 million stolen during the cash heist at the Johannesburg International Airport two weeks ago.

MORE: http://www.sabcnews.com/south_africa/crime1justice/0,2172,125289,00.html

SECURITY – HUTCH BAHAMAS CARGO SCREENING QUESTIONED: The Homeland Security Department's former internal watchdog said Monday Congress should kill a deal that would let a Hong Kong-based company scan US bound cargo going through the Bahamas. The National Nuclear Security Administration, which is finalizing a no-bid contract to the company, says it has to give the contract to Hutchison because it is the only port terminal operator in the Bahamas.

MORE: <http://www.govexec.com/dailyfed/0406/040306cdpm1.htm>



TRADE – UN EYES TRADE OVERHAUL

UN negotiators are looking at every aspect of international shipping... contracts of carriage... delivery rights and responsibilities... transport documents and more.

The United Nations Commission on International Trade Law (UNCITRAL)'s Working Group III (Transport Law) is discussing the right of control, meaning the right of a shipper under a contract of carriage to give an ocean carrier instructions in respect of the goods being transported.

Next on the agenda will be:

- Contract of carriage,
- Transfer of rights,
- Delivery of goods,
- Scope of application and freedom of contract,
- Shipper's obligations and transport documents.

At least two more sessions are expected before the UN's changes are put in near-final form.

--- CARRIER LIENS ---

One discussion point is a carrier's assertion of a lien or a right of retention when a consignee or other third party claims the goods that have been shipped.

The current draft of the convention confirms that the consignee or other third party does not have an obligation to pay the freight, but it does not explicitly address whether the carrier can retain the goods – which would have the practical effect of forcing the consignee or other third party to pay the freight in order to take delivery.

The US delegation suggested that if the statement (link below) "freight prepaid" appeared in a negotiable transport document or electronic transport record, then a carrier could not "assert against the holder or the consignee the fact that the freight has not been paid."

--- DELAYED CARGO ---

A huge battle is expected over shipper's liability in regard to delayed cargo. The US delegation noted its "strong belief" that "including delay in the draft convention for shippers potentially creates enormous, open-ended liability exposure for shippers."

"The only equitable resolution to this dilemma is to remove the concept of delay damages" entirely from the draft, the delegation proposed.

--- FAULT-BASED REGIME ---

On the issue of whether a shipper's liability should be subject to a fault-based regime or a strict liability regime, the US delegation said, "a breach of the shipper's obligations ... should be subject to a fault-based standard, whereas a failure to provide accurate information should be subject to strict liability."

--- EUROPEAN SHIPPERS WANT MORE SHIPPER RIGHTS ---

The European Shippers' Council, an observer to the Working Group, issued its own statement on issues, arguing against grounds "for treating the shipper and the carrier differently," which "can be explained only by the existence of a long tradition of imbalance between shipowners and maritime transport users."

The ESC attacked a provision it described as "allowing the carrier to evade" intermodal responsibilities. (link below) "The council knows from experience about preprinted clauses in bills of lading (adhesion contracts) whereby carriers attempt to limit the period of their responsibility.

"If we accept this provision," the council argued in its white paper, "then 'contractual

---NOTE---

The United Nations is reviewing proposals for the overhaul of the Carriage of Goods by Sea (COGSA) which has governed ocean trade for many years.

Changes being discussed could have far-reaching effects on the rights and responsibilities of all who move goods by sea and the carriers or any other parties, such as forwarders, involved in the movement of those goods.

This summary, taken from UN documents (links below) and an article in American Shipper magazine (link below) attempts to summarize the current status of the deliberations.

The current semi-annual session of negotiators continues this week.

Final revisions and a formal report with changes is expected in 2007.

freedom' will in the future allow even a carrier performing door-to-door transport to assume no responsibility at all for it. The council cannot accept this return to practices that pre-date the Hague Rules and the uncertainty that arises from them."

TRADE – DOCUMENTS BEING DISCUSSED BY THIS SESSION:

MORE: <http://daccessdds.un.org/doc/UNDOC/LTD/V06/514/79/PDF/V0651479.pdf?OpenElement>

TRADE – LINKS TO PROPOSALS BY UN DELEGATIONS TO UNCITRAL ON TRANSPORT – BY COUNTRY:

MORE: http://www.uncitral.org/uncitral/en/commission/working_groups/3Transport.html

TRADE – PROPOSALS BY US DELEGATION:

MORE: <http://daccessdds.un.org/doc/UNDOC/LTD/V06/513/86/PDF/V0651386.pdf?OpenElement>

TRADE – PROPOSALS BY EU SHIPPERS:

MORE: <http://daccessdds.un.org/doc/UNDOC/LTD/V06/505/44/PDF/V0650544.pdf?OpenElement>

MORE: http://www.americanshipper.com/SNW_story.asp?news=30858

TRADE – COCHIN STRIKE CONTINUES: The strike by container lorry workers continued for a second week at Cochin Port, paralyzing the movement of cargo as the Bharatiya Mazdoor Sangh stuck to its stand not to withdraw the strike till the lorry owners sign a revised wage agreement. Cochin Port handles nearly 1,500 in-bound and out-bound containers every day.

MORE: http://www.deepikaqlobal.com/ENG3_sub.asp?newscode=135465&catcode=ENG3&subcatcode=

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OCEAN – TSA & WTSA ADJUST SURCHARGES: Container shipping lines in the Transpacific Stabilization Agreement and the Westbound Transpacific Stabilization Agreement say effective May 1. The bunker fuel charge will be set at \$590 per 40-foot container, with proportionate increases for other equipment sizes and cargo otherwise rated. The inland fuel surcharge will be set at \$179 per container for rail and combination rail/truck intermodal shipments, and \$52 per container for local and short-haul regional trucking throughout West Coast states and the Eastern Seaboard.

MORE: http://www.americanshipper.com/SNW_story.asp?news=30809

OCEAN – CHINA SHIPPING HIKES RATES: Effective 1 April China Shipping Container Lines raised rates on services covering the China/Europe and Mediterranean trade by \$150 to \$200 per TEU.

MORE: http://www.americanshipper.com/SNW_story.asp?news=30959

OCEAN – ZIM STARTS ISRAEL-ITALY SERVICE: Next month Zim Integrated Shipping Services will start a weekly service between Israel and Italy to maintain connections to the Adriatic on its weekly Mediterranean/Indian subcontinent/Asia/West Coast North America Asia Med Pacific (AMP) service.

MORE: http://www.americanshipper.com/SNW_story.asp?news=30958

OCEAN – MAERSK STARTS INTRA-ASIA SERVICE: Maersk Line has begun a weekly Intra-Asia service connecting Thailand and Japan with a port rotation of: Laem Chabang, Hong Kong, Kaohsiung, Yokohama, Nagoya, Kobe, Kaohsiung and back to Laem Chabang. MORE: http://www.americanshipper.com/SNW_story.asp?news=30872

OCEAN – DONGNAMA STARTS INTRA-ASIA SERVICE: Dongnama Shipping has started a weekly Intra-Asia service using two vessels averaging 540 TEUs. The service has a full port rotation of: Incheon, Kwangyang, Hong Kong, Huangpu, Shantou, Xiamen, Mokpo and back to Incheon. MORE: http://www.americanshipper.com/SNW_story.asp?news=30871

OCEAN – NEW WORLD ADDS ASIA-EUROPE SERVICE: The New World Alliance of APL, Hyundai Merchant Marine and MOL is adding four new services to its Asia-Europe trade offerings. MORE: <http://www.joc.com/20060404/sections/ocean/w72458.asp>

OCEAN – NEW CHARLESTON SERVICE: China Shipping Container Lines and CMA CGM have launched a new North Europe service linking the Port of Charleston with Le Havre, France on a weekly service. MORE: <http://www.joc.com/20060405/sections/ocean/w84626.asp>

OCEAN – CMA-CGM ADDS ASIA-INDIA LINK: French ocean carrier CMA CGM will start its own independent service linking Asia to India and the Middle East in July. MORE: http://www.americanshipper.com/SNW_story.asp?news=31016

OCEAN – CHARTER MARKET FIRMS: Containership charter rates are rising again following a nine-month decline as carriers hire tonnage for longer periods amid confident forecasts of continued double-digit growth in cargo volumes on key trunk routes. Shipbrokers are divided over the strength of the recent turnaround. MORE: <http://www.joc.com/lede/20060405/sections/ocean/w32702.asp>

OCEAN – APL VOLUME JUMPS: Neptune Orient Lines says its container-shipping arm APL moved 156,200 40-foot equivalent units during the four-week period ended March 11, up 20% from the same period last year. APL's average revenue per FEU rose 1% to \$2,640. MORE: http://www.americanshipper.com/SNW_story.asp?news=30807

OCEAN – PANAMA CANAL DELAYS: The Panama Canal Authority reports an unusually high number of arrivals has delayed transit through the waterway by five days for ships without reservations. 103 ships are currently waiting to enter the waterway. A spokesperson for the Canal said container ships utilizing the Canal's reservations system have not been affected by the congestion, since reserved ships pay a fee for the priority to transit on the day they had requested. MORE: <http://www.joc.com/lede/20060406/sections/ocean/w65609.asp>

OCEAN – PANAMA CANAL A GO FOR \$7.5-BILLION EXPANSION: For nearly 100 years the Panama Canal has been a key link in international shipping routes, handling an estimated 5% of world trade each year. The recent rapid growth of Asian economies like China and India has led to a surge in shipping worldwide and the canal is now operating at near full capacity. The Panama Canal Authority has approved a \$7.5-Billion plan for widening the canal to accommodate today's larger container ships. Two new 3-chamber locks will be built at the Pacific and Atlantic ends of the canal, creating a third lane of traffic capable of handling large container ships and tankers that have previously been too wide. The project will take about seven years and employ up to 8,000 people. MORE: <http://news.bbc.co.uk/1/hi/business/4876322.stm>

AIR – INTERNATIONAL AIR CARGO GROWTH IN 2006: International air freight showed "promising" growth in the first couple of months of 2006, according to a number of industry groups. The Geneva-based Airports Council International (ACI) said international air cargo shipments in February increased 5.4%. The International Air Transport Association, also located in Geneva, said international freight traffic was up 5.4% in February and 5.3% for the

first two months of the year. According to the latest statistics provided by the Washington, DC-based Air Transport Association of America (ATA), international air freight and express shipments carried by US airlines increased 4.6% in February and are up 3.7% for the first quarter of 2006.

MORE: http://www.americanshipper.com/SNW_story.asp?news=30961

AIR – AMERICAN CARGO DOWN: American Airlines flew 191.1 million system cargo ton-miles (international and domestic) in March, down 1.9% compared to March 2005.

MORE: http://www.americanshipper.com/SNW_story.asp?news=30954

AIR – CONTINENTAL CARGO UP: Continental Airlines transported 98.9 million cargo revenue ton-miles in March, up 5.5% from March 2005.

MORE: http://www.americanshipper.com/SNW_story.asp?news=30862

AIR – VOLGA-DNEPR REVENUE SOARS: Russia's Volga-Dnepr Group, parent company of Volga-Dnepr Airlines and scheduled cargo airline AirBridge Cargo, says its gross revenue increased 54% to \$486.9 million in 2005.

MORE: http://www.americanshipper.com/SNW_story.asp?news=31013

AIR – BA CARGO UP IN MARCH: British Airways says it carried 457 million cargo ton-kilometers in March, up 3.5%, though load factor was down 0.2%.

MORE: http://www.americanshipper.com/SNW_story.asp?news=31012

AIR – CATHAY EYES MORE FREIGHTERS: Cathay Pacific Airways, which generates about 30% of its revenue from cargo activities, is evaluating its future freighter fleet and is studying the 747-8F, 777F and A380 freighter. "We are looking at them but we may not make a decision this year," says COO Tony Tyler.

MORE: <http://www.atwonline.com/news/story.html?storyID=4582>

AIR – DHL ASIA-PACIFIC RATE HIKE: DHL says it will raise rates for express shipments in the Asia-Pacific region by an average of 4% beginning 1 May because of the "rising cost of operations."

MORE: <http://www.joc.com/lede/20060403/sections/air/w60583.asp>

AIR – DELTA PILOTS OK STRIKE: Delta Air Lines' pilots union say 96% of its members have voted to authorize a strike if the bankrupt airline is allowed to proceed with a plan to cut their wages and benefits. The move is the latest in a series of steps that the union must take before it can call a strike and comes just days before a third-party arbitration panel is scheduled to rule on whether the airline should be allowed to reject its existing contract with the pilots.

MORE: <http://news.airwise.com/story/view/1144179619.html>

AIR – UNION TELLS DELTA PILOTS TO CLEAR LOCKERS: The Air Line Pilots Association Friday told Delta pilots to remove all personal and professional gear from their lockers in preparation for a strike.

MORE: <http://www.bizjournals.com/jacksonville/stories/2006/04/03/daily34.html>

AIR – ANALYSTS SAY DELTA PILOTS UNLIKELY TO STRIKE: Analysts say if the worst happens and Delta pilots go out on strike, the financially troubled airline will be... at best... forced into a distressed merger... at worst, forced to shrink to a small fraction of its current size. Financial analysts maintain their "sell" advice for Delta stock.

MORE: <http://atlanta.bizjournals.com/atlanta/stories/2006/04/03/daily44.html>

> > > > > JUST FOR FUN <<<<<<

(These are shared by readers – Please share yours. Thanks. Mike)

COMMENTS MADE IN 1955

- I'll tell you one thing, if things keep going the way they are, it's going to be impossible to buy a week's groceries for \$20." "Have you seen the new cars coming out next year? It

won't be long before \$2000 will only buy a used one."

- "If cigarettes keep going up in price, I'm going to quit. A quarter a pack is ridiculous."
- "Did you hear the post office is thinking about charging a dime just to mail a letter?"
- "If they raise the minimum wage to \$1, nobody will be able to hire outside help anymore."
- "When I first started driving, who would have thought gas would someday cost 29 cents a gallon."
- Guess we'd be better off leaving the car in the garage."
- "Kids today are impossible. Those duck tail hair cuts make it impossible to stay groomed."
- Next thing you know, boys will be wearing their hair as long as the girls."
- "I'm afraid to send my kids to the movies any more. Ever since they let Clark Gable get by with saying 'damn' in 'Gone With The Wind,' it seems every new movie has either "hell" or "damn" in it."
- "I read the other day where some scientist thinks it's possible to put a man on the moon by the end of the century. They even have some fellows they call astronauts preparing for it down in Texas ."
- "Did you see where some baseball player just signed a contract for \$75,000 a year just to play ball? It wouldn't surprise me if someday they'll be making more than the president."
- "I never thought I'd see the day all our kitchen appliances would be electric. They are even making electric typewriters now."
- "It's too bad things are so tough nowadays. I see where married women are having to work to make ends meet."
- "It won't be long before young couples are going to have to hire someone to watch their kids so they can both work."
- "Marriage doesn't mean a thing any more; those Hollywood stars seem to be getting divorced at the drop of a hat."
- "I'm just afraid the Volkswagen car is going to open the door to a whole lot of foreign business."
- "Thank goodness I won't live to see the day when the Government takes half our income in taxes. I sometimes wonder if we are electing the best people to congress."
- "The drive-in restaurant is convenient in nice weather, but I seriously doubt they will ever catch on."
- "There is no sense going to Lincoln or Omaha anymore for a weekend. It costs nearly \$15 a night to stay in a hotel."
- "No one can afford to be sick any more; \$35 a day in the hospital is too rich for my blood."
- "If they think I'll pay 50 cents for a hair cut, forget it."

If you have curious, interesting, funny or thoughtful items to share in "Just For Fun", Email them to mike.miller@allcovered.net . Thanks.

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