

INDEPENDENT INSURANCE AGENTS OF IOWA

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president's **REPORT**



Agency/Carrier Relationship

Independent Insurance

Agents of lowa

by Tim English, CIC

IT'S UP TO ALL OF US TO COMMUNICATE

If we are to be successful in our insurance agency, we need to keep growing premium, maintaining profits, and keep our customers and carriers satisfied. Somedays this can be overwhelming and we tend to blame our insurance carriers for always moving the carrot, moving the target, increasing the goals, etc. The truth is you are probably right. Insurance companies have to change just like our world is changing. Market conditions, technology changes, financial and economic conditions to name just a few. Insurance companies must change and make some tough decisions or risk losing marketshare or even worse, extinction.

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The good news is, as Independent Insurance Agents, we have a choice on which companies we choose to write business with. It's no secret the more an independent insurance agent is satisfied with a carrier, the more business that agent will place with that carrier. Most have you have seen or heard about the recently released J.D. Power US independent insurance agent satisfaction study that verifies this statement.

What is startling to me is the report indicates a large gap exists between agents expectations and satisfaction and what our carriers are delivering. The agent/carrier relationship is among the lowest of business relationships measured by J.D. Power. What a great opportunity for carriers to step up to the plate and focus on some of the factors agents care most about! Of course, ease of doing business, communication and underwriting flexibility are very important as the report mentions, but claims satisfaction, agent compensation and quality of staff are of equal importance.

I personally do not have a contract with Auto Owners, but they must be doing something right since they were ranked highest in overall satisfaction by agents for the second year in a row in personal lines. Liberty Mutual was also ranked highest in commercial lines for the second straight year. Recently I was asked by one of our Regional carriers to take part in a "listening session". I was one of seven agents from around the country to participate and they wanted to know what they could do better to become the best carrier for the independent insurance agent. I didn't sugarcoat my responses and pointed out things they were getting right but also emphasized some of the things they weren't doing that are important to independent insurance agents. When I left, I thanked them for taking the time to listen to agents and trying to focus on becoming a better partner for agents.

It's up to all of us to communicate with our carriers and tell them what they could do differently to build a better relationship with independent insurance agents. If they don't adapt, they risk losing business. Hopefully, carriers will listen to their agent force and we can close that gap between agency/carrier satisfaction.

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InsurPac and IIAI/PAC

by Terry McDonald, CIC



Giving us a voice in Washington D.C.

What are they and how does it help you as an Independent Agent.

As we begin this nes year, you will be getting notices to contribute to InsurPac and IIAI/PAC. Some say these Pac's are necessary evils that we need as an industry to keep our way of doing business from being swallowed up by burdensome and unnecessary regulations. I do not view the PAC's as necessary evils. I look to these funds as an opportunity for congress to hear our voices, or at least give us a seat at the table.

InsurPac is our National PAC that gives us our voice in Washington D.C. In fact, the leading political newspaper in D.C., The Hill just named Bob Rusbuldt, Big "I" President and CEO and Charles Symington, Big "I" Senior Vice President of Political Affairs, among the top trade association lobbyists in Washington.

The Hill article noted that "when the stakes are at their highest, these are the players at the top of their game, known for their ability to successfully navigate the byzantine and competitive world of federal policymaking." The Big "I" had notable legislative wins in the past year including:

- Favorable treatment for C Corporations and pass-through entities in the new tax law.
- Multiple extensions of the National Flood Insurance Program.
- Protection of the Federal Crop Insurance Program as part of Congressional action on the Farm Bill.

The Big "I" is noted as being in a league of its own, standing out as the only group listed representing insurance agents. Many of you have been to Washington D.C. during the Legislative Conference to witness our grassroots efforts to really make a difference and protect the very industry that we devote our time and effort towards. If you have not been to the legislative conference, I would encourage you to attend. This is an amazing opportunity for you to see first-hand how the system really works. Our congressional leadership regularly calls upon our association group to advise

"The Big "I" is seen as a true non-partisan group dedicated to the wellbeing of our customers and companies".

them on insurance, financial and economic issues. The Big "I" is seen as a true non-partisan group dedicated to the well-being of our customers and companies.

IIAI/PAC is our Iowa state PAC. Where 100% of the funds contributed to IIAI/PAC go directly to our state represetives and senators. The IIAI supports people from both sides of the isle just like InsurPac. Again, many of you and your clients have benefited from noteable sweeping legislative reforms such as:

- Workers' Compensation Reform
- Agents Errors and Omission protection

The politcal team we have in place in West Des Moines, led by IIAI's Chief Executive Director, Tom O'Meara includes our long time lobbyist Larry Blixt and new comer Jake Ketzner of Ketzner Strategies. Jake served as Chief of Staff for Governor Reynolds from 2017-2018. Jake's role in the governor's office dates back to 2009 when he served as the Organizaiontal Director for Governor Branstad moving on to being named Chief Policy Advisor for the Branstad-Reynolds team.

So with everyone chipping in a little, we can help protect our industry for many years to come.

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The Iowa FAIR Plan Association – Providing Fair Access to Insurance Requirements.

By Robert Conroy, CPCU, CIC

any older homes in Marshalltown were not insured, resulting in tragic consequences when a tornado stuck the town in July 2018. Fortunately, there were few injuries and no fatalities, but it has been a financial disaster for many people. While no one can stop tornadoes, the remarkable contract called insurance can respond to help make people financially whole and mitigate human suffering after a loss.

The Iowa FAIR Plan Association (IFPA) insured many homes in Marshalltown and we were quick to respond and



settle claims. I drove by many homes that were not insured in the voluntary market but could have been insured with the

IFPA. Some have yet to be repaired.

There were many reasons why these homes were uninsured including social economic issues, language and cultural issues, and a lack of awareness by the owners of the availability of insurance. As an insurance community we can work together to get the word out about the IFPA. Working together we can respond when the next tornado strikes. These claims checks will preserve the owners' equity in their homes and allow them to quickly repair or replace what was lost. Additionally, it helps maintain the economic vitality of the local economy, benefiting all businesses and residents in the area.

So, what is the IFPA? HR 599, also known as The FAIR Plan Act, became law in 2003 and was made retroactive to 1968. This law defined the purpose of the Iowa FAIR Plan Association as follows:

- To make basic property insurance available to qualified applicants with the least possible administrative detail and expense.
- To establish a plan, an industry placement facility and a joint reinsurance association for the equitable distribution and placement of risks among insurers.
- To utilize fully the voluntary insurance market as a source of essential property insurance.
- To encourage the delivery of basic property insurance at the most reasonable cost possible, provided that insurance pricing by the IFPA is actuarially self-supporting and does not actively compete with insurance pricing in the voluntary insurance market.

The IFPA, now 50 years old, operates from its office in West Des Moines. It is an unincorporated partnership and the partners are the over 900 property and casualty insurers licensed to operate in the state. The IFPA is not a government agency. The assets of the IFPA are not part of the general fund of the state and the state does not budget for or provide general fund appropriations to the IFPA. The records, reports, and communications of the IFPA, the Governing Committee, the committees of the IFPA, and their representatives, producers, and employees are not public records.

The IFPA's Articles of Agreement created a Governing Committee to carry out the business of the IFPA The Governing Committee appoints an Executive Director to manage day-to-day operations, currently Robert Conroy, CPCU, CIC. The Iowa Insurance Division provides a liaison to help guide the IFPA, currently Angela Burke Boston, Senior Policy Advisor. The current Governing Committee consists of:

- Brad Buchanan (Chairman), Vice President-Personal Lines, IMT Insurance Company
- John Hyde (Vice Chairman), Underwriting Director, Travelers Insurance Company
- Bob Brodersen (Secretary), Vice President, Nationwide Mutual Insurance Company
- Rory Hansen, Team Claims Manager, State Farm Insurance Company
- Jeff Menary, President, Grinnell Mutual Reinsurance Co.
- Tom O'Meara, CEO, Independent Insurance Agents of Iowa
- Dalith Wells, PL Underwriting Manager, EMC Insurance Company

The IFPA staff has 122 years of insurance experience that includes numerous positions in both carrier and agencies. All staff members are licensed agents.

- Robert Conroy, CPCU, CIC, Executive Director
- Vicky Barr, Office Manager
- Amy Miller, AINS, Senior Underwriter
- Kathy Lewis, API, AINS, Customer Service Representative



L to R: Amy Miller, Vicky Barr, Robert Conroy, Kathy Lewis

Here are some frequently asked questions about the IFPA:

Q. How do I get contracted or appointed?

A. Agents are not appointed or contracted with the Iowa FAIR Plan Association. Any agent licensed to write property insurance in Iowa may be a producer and can submit an application to the Plan.

Q. Do you pay commissions?

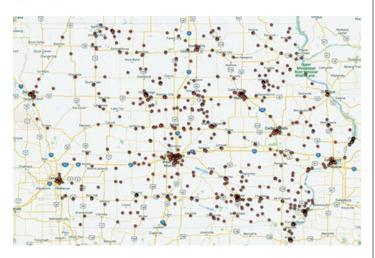
A. Yes. The FAIR Plan Act set the commission rate at 10%. The IFPA writes only through licensed agents and does not write direct.

Q. Is every property eligible?

A. No. While we make every effort to provide coverage, there are underwriting guidelines that may make a property ineligible, e.g., the IFPA is not a market for vacant or unoccupied dwellings, dwellings with unrepaired damage from a previous paid claim, or nonprofessionally installed wood burning devices in the dwelling, or a wood burning device or stove pipe in a garage or outbuilding. A complete set of underwriting guidelines are on our website at www.iowafairplan.com.

Q. Do you write in small towns and rural areas?

A. Yes. In fact, almost half of our polices are from small towns and rural areas. We currently have policies in 93 Iowa counties.



Q. What limits will you write?

A. Up to a total of \$250,000 ACV combined dwelling and contents in our Dwelling Program and \$500,000 ACV combined building and contents in our Commercial Program but never more than two times the assessed market value.

Q. How are insureds billed?

A. The IFPA simplified the billing process in 2014. This greatly reduced the service work required of our producers and enabled us to offer our policyholders quarterly or annual payment options. We electronically bill mortgagees on policy anniversary renewals.

0. Do you offer pay plans?

A. Yes. We offer annual and quarterly pay plans. There is a \$5 service fee for each payment that is not billed annually. New business, including mortgagee billed policies, requires a 25% down payment with the \$5 service fee. Once a policy is issued a policyholder may make payments by check, e-check, debit card or credit card.

Q. How do I get a quote?

A. Quotes are done by the IFPA staff as soon as we receive a completed application from a producer. Applications are available for download on the IFPA website - www.iowafairplan.com. Send a completed application by mail, FAX or email. A complete application is typically quoted the same day it is received. The quote sheet will include instructions on what is required for issue. Typically, this includes signatures by all named insureds, signature by the producer, supporting documentation and the premium required for the selected payment mode.

Q. How do you determine fire protection class?

A. The Plan uses the following criteria to determine fire protection class:

- Protection Class 1-8: Inside city limits of a protected city/town.
- Protection Class 9: Outside city limits of a protected city/town but with hydrant within 1000 feet.
- Protection Class 10: Outside city limits of a protected city/town with no hydrant within 1000 feet.
- **Q.** Are properties inspected?

A. Every property is inspected. A copy of the inspection is available to the policyholder and producer. Information from the inspection report is used to verify the application and to make adjustments to deficiency charges if indicated.

 ${\bf Q}.$ What is a deficiency charge?

A. One to three deficiency charges may be added to the premium if deficiencies are discovered during an inspection of the property. A deficiency charge is \$1.00 per \$1,000 of coverage (both dwelling and contents) and applies due to significantly less than average conditions of the roof, siding, trim, paint, soffits, fascia, gutters, or an overall lack of maintenance of the premises. A policyholder may have deficiency charges removed by correcting and documenting the condition(s) that caused the charge to be imposed.

Q. Can a policyholder stay in the IFPA indefinitely? **A.** Yes and No. All policies are renewed on the anniversary three times. At the end of four years the policy is non-renewed to encourage the policyholder to check for coverage in the voluntary market place. If voluntary coverage is unavailable the policyholder may reapply to the IFPA for a new policy. The application is subject to eligibility and inspection, the same as all new business.

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Q. Do you offer replacement cost coverage?

A. No, all IFPA policies are written on an Actual Cash Value (ACV) basis.

Q. What automation support do you offer to producers?

A. For producers using the most common agency management systems, we can provide an electronic download to your system.

Additionally, we are pleased to announce the availability of an on-line producer portal. This portal provides 24/7 access to:

- Detailed view of active policies
- Claim payment transaction detail
- Current and historical payments
- Application and correspondence
- Payment/billing status
- Print Notices
- Outstanding balances report
- Claims activity report
- Daily activity policy and notice print

- Agent statements
- Summary of active book of business
- Inspection reports

Q. How do you process claims? **A.** The IFPA uses independent claims adjusters for most claims. We have adjusters that have worked with us for many years and they are very familiar with our coverage forms.

Q. Is the IFPA financially sound? **A.** Yes. The IFPA is an unincorporated partnership owned by the over 900 property and casualty carriers licensed to sell business in Iowa. As an unincorporated partnership these member carriers have unlimited liability for the claims and other expenses of the IFPA. The member carriers' function as a reinsurance backstop. The IFPA has a policy of maintaining surplus to writings at or above two to one to maintain our ability to settle claims. The Governing Committee authorizes an assessment of its carrier members to maintain surplus as required. This happens about every 8-10 years but could happen at any time following catastrophic losses. Every year the IFPA has an outside financial audit, an underwriting audit provided by Nationwide and a claims audit provided by State Farm. The Governing Committee consists of experienced executives all based in Iowa. Additionally, the Iowa Insurance Division has assigned a liaison to help guide us as required by The FAIR Plan Act.

O. What is your contact information?
A. We are in the Century 1 building: Iowa FAIR Plan Association
2700 Westown Pkwy Ste 415
West Des Moines, IA 50266-1431
Office: 515-255-9531
Email: info@iowafairplan.com
Website: www.iowafairplan.com
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Rural Agents

Despite snowy weather across the state hundreds of agents and company representatives showed up at the 2019 Rural & Small-Town Agents Conference at the Airport Holiday Inn. Former Iowa Hawkeye great Chuck Long was the featured speaker recounting his journey from early life up until present. Once again, the Company Hospitality Suites were a big hit for all who attended the event.











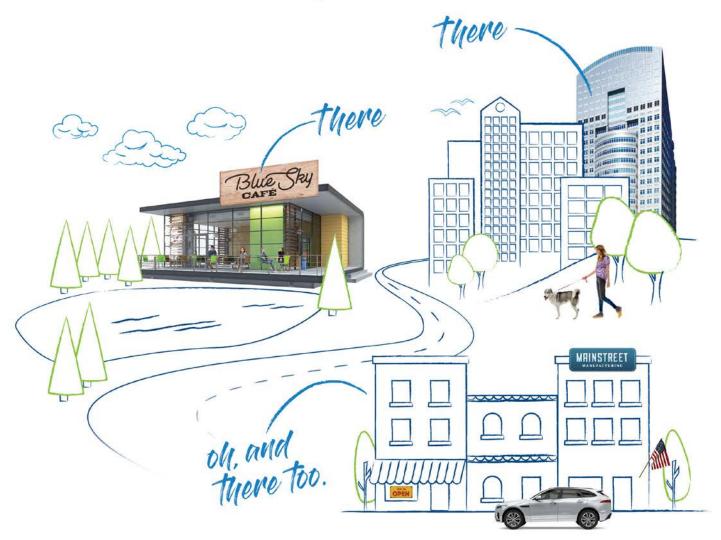












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We look forward to seeing you soon.





Insurance Day on the Hill

Once again, "Old Man Winter" interrupted plans for many to attend Insurance Day on the Hill which was held February 12th at the State Capitol. The weather did not however dampen the spirits and enthusiasm for several agents who were able to attend. We were greeted in the Capitol Rotunda by Governor Kim Reynolds who declared the day as, "Insurance Day in Iowa". From there, our delegation of agents were able to go and visit with many of our legislative leaders on the insurance issues that affect us most





Agents, We think you're all that - and a bag of chips.



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Sink or Swim Making Agency Mergers & Acquisitions Work

By Matthew Davis, Swiss Re Corporate Solutions

t is often said that the two happiest days in a man's life are the day he buys his boat and the day he sells it. The popularity of this adage lies in the number of unforeseen headaches that boat ownership causes for the once enthusiastic, but ultimately careworn, captain of the ship. The same is true of the insurance professional who views the impending acquisition of another agency through rose-colored glasses – with one important difference: both the buyer and the seller of an insurance agency should be wary of lurking E&O headaches.

THE AGENCY SELLER

The liability of a boat owner is typically assessed on an 'occurrence' basis. Any accidents that happened pre-sale are covered by the seller's expiring boat policy. Once the sale is signed, sealed and recorded, any future accidents become the problem of the new owner and his carrier. Very neat. Very easy to follow.

Not so with "claims made" E&O coverage. At Swiss Re Corporate Solutions, we often see the situation where an error that occurred prior to an agency sale is the subject of a claim that comes after. Who is responsible for that claim? If the selling agency remains in business, having sold just some of its accounts, it likely has kept its E&O policy in force. That (absent some coverage issue) will provide coverage for that late-developing claim. What if the agency effectively ceases to exist once the sale concludes?

Those pre-sale errors and omissions must be covered in one of several ways. If the agency merges into the buying agency with all of its assets and liabilities, those claims will be the responsibility of the buying agency and its E&O carrier (which, presumably, knows of the acquisition and has extended coverage to the acquired business.) That provides protection for the selling agency but comes with a caveat that also applies to the second option. The buying agency simply takes over the selling agency's E&O policy (with the carrier's prior consent.) Neither is ideal for the selling agency because, if the buying agency decides to cancel the policy before the statute of limitations has run, the selling agency will be exposed.

The third – and best – option from an E&O standpoint: buy an "Extended Reporting Period," also known as an "ERP" or "tail." Yes, there is a cost for "tail" coverage, but the burden of paying for E&O coverage for acts that occurred prior to the date of the agency acquisition can be part of the negotiations. The benefit to the selling agency is peace of mind knowing that its lurking E&O exposures will be covered once they come to light after the sale.

THE AGENCY BUYER

In our experience, the ERP is also the best option for the buying agency from an E&O standpoint. In that scenario, the mistakes of the selling agency that surface post-sale will be charged to that expiring policy, not the buying agency's loss history. Simply absorbing the selling agency may seem like a cost-effective approach, but that assumes that the selling agency has no E&O skeletons in its closet. You did your due diligence and looked at loss runs. However, the unreported claims are not on the loss runs yet and those could keep you up at night.

The following five points make E&O sense for the buying agency:

- 1. Acquire assets only, not liabilities
- 2. Have the selling agency purchase an ERP
- 3. Promptly notify its E&O carrier regarding the acquisition
- 4. If the acquired business must be referenced in the E&O policy, it should only refer to 'Buying Agency d/b/a Selling Agency' (because the selling agency's name is often used for a time as its business is transitioned over)
- 5. Attach a retro date to the acquired business to make it clear that no liabilities have been acquired

These actions mitigate the potential for any 'inherited' E&O, but not entirely. It is not enough for the buying agency

to say that, "the error was made on my predecessor's watch!" Not if it continued, unabated, on yours. Once a customer/policy is taken over by the buying agency, that ticking time bomb needs to found. How quickly? That varies from state to state and case to case, but if the policy has gone through at least one renewal at the buying agency? Both agencies will likely be named in the complaint. If it has gone through several renewals? The selling agency's ERP may have expired by this time, but it probably won't matter, because the buying agency will be solidly on the hook.

How does that happen? Again, it varies with the nature of the policy and the error, but one continuing theme has emerged: the blind producer. This refers not to any actual deficiency in sight, but rather, an inability to see one's own mistakes. Oftentimes the person who made the original mistake is brought over from his former agency Simply absorbing the selling agency may seem like a cost-effective approach, but that assumes that the selling agency has no E&O skeletons in its closet.

as part of the acquisition to continue working the same accounts. That practice has many benefits but can be a serious drawback when it comes to ensuring that the business practices of the selling agency and its personnel are up to the standards of the buying agency. The best practice in these situations: a second set of eyes – at least on an audit basis.

Experience has taught E&O claim professionals over and over again that it is as important to sell to a good agency as it is to buy from a good agency. Due diligence has its limitations, so to be on the safe side, both parties to a buy/sell agreement would do well to take steps to ensure that they are protected from an E&O standpoint. That's why, before signing the deal, you should consult with all your experts: your accountant, your lawyer and your current E&O carrier.

That old saying got it right: when the dust settles, you'll probably want to unload that troublesome boat that your brother-in-law talked you into; but if handled properly, an agency acquisition can be a win/win for both sides for years to come.

Matthew Davis is a vice president and claims manager at Swiss Re Corporate Solutions, working out of the office in Kansas City, Missouri. Insurance products underwritten by Westport Insurance Corporation, Overland Park, Kansas, a member of Swiss Re Corporate Solutions.

2019 IIAI Live Classroom Education Calendar

Date	Topic	Location	Instructor	Hours (Applied)
January 23 & 24, 2019	Rural Agents Conference	Des Moines - Airport Holiday Inn	Various	9
March 26, 2019	E&O Seminar	Mason City - Main Event Hall	Heavener	6
March 27, 2019	E&O Seminar	Storm Lake – BVU	Heavener	6
March 28, 2019	E&O Seminar	West Des Moines - IIAI Ed. Center	Heavener	6
March 29, 2019	E&O Seminar	Iowa City - Radisson Hotel	Heavener	6
May 1 & 2, 2019	Young Agents Conference	West Des Moines - Holiday Inn	Various	
August 6, 2019	Personal Lines Caravan	Cedar Falls - Hilton Garden Inn	Hartzen	6
August 7, 2019	Personal Lines Caravan	Storm Lake – BVU	Hartzen	6
August 8, 2019	Personal Lines Caravan	West Des Moines - IIAI Ed. Center	Hartzen	6
August 9, 2019	Personal Lines Caravan	Iowa City - Radisson Hotel	Hartzen	6
September 18 & 19, 2019	IIAI Annual Convention	Altoona – Prairie Meadows Hotel	Various	
October 15, 2019	Personal Lines Caravan	Mason City - Main Event Hall	Heavener	6
October 16, 2019	Personal Lines Caravan	Storm Lake – BVU	Heavener	6
October 17, 2019	Personal Lines Caravan	West Des Moines - IIAI Ed. Center	Heavener	6
October 18, 2019	Personal Lines Caravan	Iowa City - Radisson Hotel	Heavener	6
October 29, 2019	Fall E&O Seminar	Waterloo - Isle Casino	Messer	6
October 30, 2019	Fall E&O Seminar	Storm Lake – BVU	Messer	6
October 31, 2019	Fall E&O Seminar	West Des Moines - IIAI Ed. Center	Messer	6
November 1, 2019	Fall E&O Seminar	Iowa City - Radisson Hotel	Messer	6
November 12, 2019	Commercial Lines Caravan	Mason City - Main Event Hall	Wilts	6
November 13, 2019	Commercial Lines Caravan	Storm Lake – BVU	Wilts	6
November 14, 2019	Commercial Lines Caravan	West Des Moines - IIAI Ed. Center	Wilts	6
November 15, 2019	Commercial Lines Caravan	Iowa City - Radisson Hotel	Wilts	6



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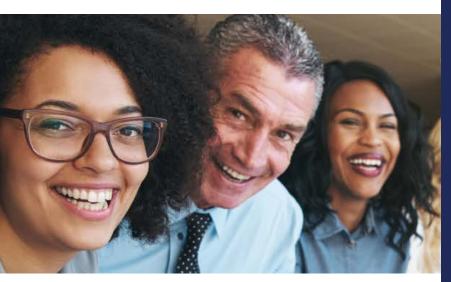
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by Tom O'Meara, Chief Executive Officer

recently sat in the boardroom at the Association, pondering a subject to write this Viewpoint article about. As I looked around the walls of the room, I was surrounded by photographs of nearly all of the Past Presidents who have served the Big "I" since 1906. The first photograph on the wall is B.F. Kauffman who served from 1906-1908. Clearly, none of us remember Mr. Kauffman but I began to wonder more about this gentleman and the history behind the Association. I do not believe he would have envisioned his name being in print 113 years later in an Association published magazine nor that we would have 632 member agencies from across the state. I think he would be proud of what this Association has accomplished over the many years not just in terms of growth but of the pride in which our members continue to serve our communities. What would B.F. Kauffman have thought about looking for ways to insure driver-less cars, or purchasing policies for your home and auto with the push of a button over your phone without the assistance from an agent? How about resolving claims by flying a motorized instrument over the damaged area? I do not know these answers but chances are.

Understanding the History of the Big "I"

Trusted Choice Agents of Iowa time you are in the area. As well as our staff operations on the main floor of the building, we also lease space to tenants next door and in the back of the building. In fairness, Bob Skow advised me prior to my joining the



he would have laughed at the thought of any of them. One thing I do know based on the success of this organization is that we continue to stand strong today because the same core values of hard work and customer loyalty have not changed.

Also, I do not know where the association offices were located back in 1906 if they existed at all but our office building, which we own and occupy today, will turn 40 years old next year. A special thank you to Bob Jester, Larry Vander Tuig, and the entire building committee in 1980 for the vision to see the future needs and growth of our association. This building belongs to all of you so please feel free to stop by and say hello to myself and the staff members any Association that part of my duties would be the landlord and take care of the tenants as well as the building and grounds. I, however, did not know exactly what this would entail. Although Melissa Meiners does a great job of managing all the

day-to-day activities surrounding both the tenants and the building, I was not prepared to handle duties such as chasing people away who thought our dumpster was for public use for items from their left over garage sale or removing wasp nests the size of a basketball from a tenants overhang.

In all, my first year as CEO of this organization was extremely positive. The more I look around the walls of the boardroom and understand the history of the Big "T", it makes me realize the importance of what we do. Not only for those we serve now, but equally for those men and women who sacrificed and made this organization what it is today. As always, please reach out to myself or the staff if we can be of any assistance to you.

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Marilyn Paul



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