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Gold River Messenger

"Written by the people, for the people"

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Serving Gold River and Sacramento County

December 2013

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*****EGRWSS*****

Birds Gotta Fish; Fish Gotta Fly



With the American River fall salmon run in full fury last week, a junior naturalist had up-close views of spawn frenzy near Gold River. Inset right: the bumper 2013 migration brings a bounty to all parkway life.

Story and Photos by Susan Maxwell Skinner

SACRAMENTO REGION, CA (MPG) - For millennia, the American River has been a passage for animal and human migration. This fall, salmon migration has turned the waterway into a freeway of love.

In what is shaping up to be the best run for six years (2008 to 2009 numbers were so low that river and ocean salmon fishing were outlawed) adult Chinook are now heading up-river to complete their lifecycle. For the past two weeks, many thousands of spawners per day have surged through Sacramento, Carmichael, Fair Oaks and Gold River.

Leaping, knifing river surfaces like jet skis, climbing over gravel banks – or just swimming doggedly to their destiny – the fish have no focus other than to reach the waters where they spawned. Whether they mate in gravel beds or are perfunctorily relieved of eggs and milt at the Nimbus hatchery, they will all be dead within weeks.

Fish that hatched four years ago now measure up to four feet and can weigh 50 pounds. All bear scars of a long trek from the Pacific. The krill diet that colored their flesh is hundreds miles behind; they have not eaten for weeks. By the time they reach San Juan Rapids, degenerating flesh has absorbed much of their

scales. Decay mottles their sides. Some fish have turned vivid magenta in color. Hooked jaws and dog-like teeth transform male profiles. But to Chinook hens, such cruising gargoyles are princes. Though the act will kill them, these fish mean to mate.

In full fury during November, the salmon run continues through December and – in dwindling numbers -- until after Christmas. Experts predict up to 50,000 salmon may run this season.

"It's a good number," observes California Fish and Wildlife scientist Bob Titus. "The department will count carcasses for weeks to make a population estimate, but it looks like stock is continuing to rebuild."

With runs of less than 6000 fish recorded six years ago, Chinook extinction in the American River seemed possible. The species'

Continued on Page 4

District Attorney's Office Secures \$480,000 in Restitution for the Sacramento Library

SACRAMENTO, CA (MPG) - District Attorney (DA) Jan Scully announced that due to the success of its Office in seizing assets Sacramento Public Library Authority will receive \$480,000 in restitution it is due.

Former library employees Dennis Nilsson and James Mayle, as well as Mayle's wife, Janie Rankins-Mayle, were convicted in December 2011 of theft, bribery, and conflict of interest related to their fraudulent billing scheme for maintenance services. They were ordered to pay \$768,130 in restitution. Nilsson was ordered to pay an additional \$55,967.



District Attorney (DA) Jan Scully

Using white collar crime laws, the District Attorney's Office froze assets belonging to the defendants. After sentencing, the court appointed J. Benjamin McGrew of Managewest, Inc. to levy those assets. McGrew generated \$480,000 for restitution from the sale of a Folsom residence, several vehicles, and the liquidation of bank accounts.

Supervising Deputy District Attorney Michael Blazina, who prosecuted the case, stated, "In many embezzlement cases victims do not get their money back. Fortunately in this case, not all of the stolen money was squandered and several properties still existed with sufficient value. Although the library is not yet made whole for its loss, a significant part of the taxpayers' money is being returned to the agency from which it was wrongfully taken."

A check will be presented to the Sacramento Public Library Authority located at 828 I Street on Thursday, November 21st at 3:00 p.m. ★

Source: Office of the District Attorney

IRS Warns of Pervasive Telephone Scams

WASHINGTON, D.C. (MPG) - The Internal Revenue Service warned consumers about a sophisticated phone scam targeting taxpayers, including recent immigrants, throughout the country. Victims are told they owe money to the IRS and it must be paid promptly through a pre-loaded debit card or wire transfer. If the victim refuses to cooperate, they are then threatened with arrest, deportation or suspension of a business or driver's license. In many cases, the caller becomes hostile and insulting.

"This scam has hit taxpayers in nearly every state in the country. We want to educate taxpayers so they can help protect themselves. Rest assured, we do not and will not ask for credit card numbers over the phone, nor request a pre-paid debit card or wire transfer," says IRS

Acting Commissioner Danny Werfel. "If someone unexpectedly calls claiming to be from the IRS and threatens police arrest, deportation or license revocation if you don't pay immediately, that is a sign that it really isn't the IRS calling." Werfel noted that the first IRS contact with taxpayers on a tax issue is likely to occur via mail.

Other characteristics of this scam include:

- Scammers use fake names and IRS badge numbers. They generally use common names and surnames to identify themselves.
- Scammers may be able to recite the last four digits of a victim's Social Security Number.
- Scammers spoof the IRS toll-free number on caller ID to make it appear that

it's the IRS calling.

- Scammers sometimes send bogus IRS emails to some victims to support their bogus calls.
- Victims hear background noise of other calls being conducted to mimic a call site.
- After threatening victims with jail time or driver's license revocation, scammers hang up and others soon call back pretending to be from the local police or DMV, and the caller ID supports their claim.

Taxpayers should be aware that there are other unrelated scams (such as a lottery sweepstakes) and solicitations (such as debt relief) that fraudulently claim to be from the IRS.

The IRS encourages taxpayers to be vigilant against phone and email scams

that use the IRS as a lure. The IRS does not initiate contact with taxpayers by email to request personal or financial information. This includes any type of electronic communication, such as text messages and social media channels. The IRS also does not ask for PINs, passwords or similar confidential access information for credit card, bank or other financial accounts. Recipients should not open any attachments or click on any links contained in the message. Instead, forward the e-mail tophishing@irs.gov.

More information on how to report phishing scams involving the IRS is available on the genuine IRS website, IRS.gov. You can reblog the IRS tax scam alert via Tumblr. ★

Source: Internal Revenue Service

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Children's Museum: A Place to Learn, Explore, Play

SACRAMENTO REGION, CA (MPG) - The Sacramento Children's Museum (SCM) is a regional attraction offering children from birth to age eight hands-on learning, exploration and play. This unique 7,000 square-foot facility boasts a number of exhibit areas, all focused on multi-sensory experiences that build upon the young child's fundamental need to learn-by-doing. The Museum opened on August 25, 2011.

Today, this fall, the Museum welcomed its 200,000th visitor. Luke Turley, age 3, was the honored guest, surprised with balloons and a gift bag. Luke came to the Museum with his grandmother Alison Martischinske. Luke and his grandmother are

members of the Museum and visit often.

"We consider it a great accomplishment to have welcomed so many people in just over two years. The Museum is pleased to have become a destination of choice for families in the Sacramento region and beyond," stated Sharon Stone Smith, Executive Director.

Sacramento Children's Museum's mission is to spark a passion for life-long learning. The Museum consists of interactive exhibits and educational programming designed to foster learning, creativity, confidence, and innovation in the youth of Sacramento. SCM's exhibits range



from STEM-based (science, technology, engineering, and math) activities that explore concepts like velocity, gravity, air currents, solar energy, etc., to pretend play areas that focus on inventiveness and imagination, to an Art Studio that encourages the use of sustainable materials, group art, and

creativity, as well as an area dedicated to the development of babies and toddlers. SCM also provides programming to enhance the experience and further provide access to learning and inspiration.

★ *Source: Sacramento Children's Museum*

Bera Votes for Keep Your Plan Act

RANCHO CORDOVA, CA (MPG) - Congressman Ami Bera, M.D. (D-7th Dist.) offered the following statement after the passage of the Keep Your Plan Act:

I voted for the Keep Your Plan Act today so that all Sacramento County families have the individual choice to keep their insurance if it is working for them.

That being said, I encourage Californians to explore their options on California's new health insurance marketplace. Covered California, where families are likely to find plans that offer better coverage, for less money. California's website is working, and health plans in the marketplace offer more patient protections and assistance to help pay for insurance, which isn't available under existing plans.



Congressman Ami Bera

The bipartisan passage of today's bill, and the President's new proposal to let Americans keep their current coverage through 2014, are important steps in the right direction. As a doctor and the former Chief Medical Officer of Sacramento County, I am committed to bringing down the cost of health care and will keep working to fix parts of the Affordable Care Act that aren't working for the American people. ★

★ *Source: Ami Bera's Office*



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Amore Cafe' Bakery and Espresso Bar Adds New Chef and Menu Items

By Bill Martin

GOLD RIVER, CA (MPG) - Amore Cafe' Bakery and Espresso Bar has added new menu items, but regulars need not worry – Shish kabobs are still featured! Owner/Manager Paul Abhishek has hired a new gourmet chef with over 13 years experience in French and Italian cuisine to his popular Gold River restaurant.

Along with the new menu, Paul says "We will feature new daily specials for breakfast and lunch, but in limited supply. New dishes include Montreal French Toast, an Italian and Mexican-infused breakfast burrito with a twist, and, of course, the popular Amore Omelet with organic eggs and served with Portabella Mushrooms and farm fresh spinach."

The new menu also boasts gluten-free, handmade fresh pasta daily. And the lunch crowd can get ready for an Organic Chicken atop a meal-size Caesar Salad. Also favorites still available are



spaghetti with meat balls, salmon and grilled tri-tip sandwiches Boston style, along with those oh-so-good burgers. According to Paul everything at Amore' is made with the freshest ingredients daily. The goal is serving good healthier food at a local neighborhood restaurant, like a salmon fillet in dill sauce.

Paul and Amore Cafe' Bakery are well-known for their cakes and pastries, which are still made overnight so they are as fresh as the morning coffee and organic egg omelets.

With the holidays quickly approaching, call Paul at 916-463-0011 – or place your order online at amorecafebakery.com – as soon as possible for festivities at home or at the office. Or, you can relax and have Paul take care of all the details by catering this year's affair and really impress your family, friends and associates.

The Amore Cafe' Bakery is open daily for breakfast and lunch at 2220 Gold Spring Court, #102, in Gold River. ★

Source: Amore Cafe'

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Krazy Konzert for the Whole Family at Fair Oaks Musical Theater



FAIR OAKS, CA (MPG) - Decompress and take timeout from the holiday "kraziness" by joining Joe Hart and Deane Calvin and the cast of Fair Oaks Musical Theater for Krazy Konzert Season of Miracles.

On Sunday, December 15th at the Fair Oaks Theater is the Benefactor's Champagne Brunch and the Season of Miracles Krazy Konzert. Seating is limited – so those interested are encouraged to get tickets early.

Date: December 15, 2013
Time: 12:30 pm; Benefactor's Champagne Brunch and Concert

2:30 pm; Season of Miracles Concert Only

Location: Fair Oaks Musical Theater, 7991 California Ave, Fair Oaks - (916) 966-3683

Tickets: \$60 (Benefactor Champagne Brunch & Concert, or \$30 Concert only)

To Purchase Tickets visit: www.Tickets.com, call Nancy at ACFP, (916) 728-5613, x70 or email: Admin@ACommunityForPeace.org to use personal credit card.

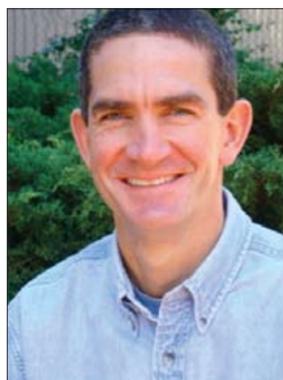
This year Fair Oaks Musical Theater has partnered with A Community for Peace (ACFP),

a local non-profit, and a portion of the proceeds benefits its children's programs. A Community for Peace's mission is to end all forms of violence to women and girls, men and boys, and to promote peace in our homes, schools and communities. It also provides proactive strategies that intervenes on the cycle of abuse and violence. ACFP is a First Responder that provides culturally relevant services to victims of family violence, abuse and trauma, and to their families. The group works to reduce the impact of domestic violence on children and the next generations. For additional information, visit www.ACommunityForPeace.org

The Fair Oaks Theatre Festival (FOTF) was founded in 1982 by a group of local business leaders and people active in community theatre. The little-used Plaza Park Amphitheatre was the focal point of the group and work began to put the Amphitheatre to use presenting community theatre productions. The Fair Oaks Theatre Festival is a non-profit and fills the need for cultural activities in the northeast regional area. Visit www.FairOaksTheatreFestival.com. ★

Source: Donna Van Dolah

Defeating the Dream of Mental Disease



Commentary by Eric Nelson
Reprinted by permission

For renowned Stanford psychiatrist David Burns, the process of lifting a patient's thought above the fog of mental disease does not start with the patient but with the doctor himself.

In his profile of Burns published in a recent issue of Stanford's alumni magazine, journalist Robert Strauss shares this anecdote to explain why:

"The patient looks around frantically. She is sobbing, panicking, overwhelmed by anxiety," the story begins. "She says she can't breathe; her lungs are about to collapse; her heart is about to stop. She feels like she is going to die."

"Listening to this.... Burns calmly asks, 'Do you think you could exercise strenuously right now?' [The woman] doesn't know; she just feels so bad. 'Why don't we find out?' Burns suggests. 'What's the most strenuous exercise you could do? Jumping jacks? Running in place?'"

The woman tries running in place, then a few jumping jacks.

"'Could you do this if you were dying?' he asks [the woman]. 'Can you see yourself in an emergency room doing jumping jacks?' Hesitantly, she begins to laugh. Soon she's belly laughing. [Prior to this, the woman] had been experiencing five paralyzing panic attacks a week. She's had only one since [her visit with Burns] – and that was 20 years ago."

Even though psychiatrists generally agree that the best way to handle these kinds of situations is by getting the patient to face their

fears – although perhaps not in such an unorthodox manner – as a teacher Burns finds that too often too many of them fail to stick to their guns. The result, as Strauss describes it, is that "week in, week out, many are failing to help their patients in a profound and lasting way."

"They let patients hypnotize them into believing that their depression is unique, that they are the complete failures they believe themselves to be, or that their anxiety will kill them," he says in referring to Burns' work. "When therapists buy into a patient's negative thoughts they validate them," Burns says, "and eliminate any chance of successful therapy."

So what does the good doctor recommend to his students? In short, don't let yourself get sucked into the dream, regardless of the apparent consequences. In this way you're better equipped to keep your patient out of the dream as well.

Except in certain cases involving conditions like schizophrenia, bipolar disease and severe depression, Burns' is a mostly non drug-based approach, explained in his book *Feeling Good: The New Mood Therapy*. His premise is that depression, for instance, has little if anything to do with a chemical imbalance in the brain, as many assume, and a lot more with confronting self-defeating thoughts and beliefs.

This is not a new idea. As Strauss points out in his article, the philosophical underpinnings of this approach, based largely on the work of psychiatrist Aaron Beck, "can be traced back to the Buddha or to Epictetus." From the patient's perspective, however, one of the most well-known champions of facing your fears was a young shepherd named David living in the Middle East some 3000 years ago. Even those who have never read his account in the Bible probably know David was the one who defeated the mighty Goliath and eventually became King of Israel.

Beyond the obvious encouragement this story affords those who may be faced with an equally daunting mental opponent – an equally intimidating dream – there

is a lesson to be learned in how David prepared himself for battle.

Usually the story picks up around the time he enters combat with nothing more than a sling and a few rocks for his defense. What some may not realize, however, is that prior to this David had been offered – and refused – a much more robust set of weaponry. "I cannot go with these," he said, "for I have not proved them." What David had proven was that no matter how large or how frightening the foe, he could depend on the Divine to keep him safe.

Even if the story is little more than legend, modern-day science confirms the underlying message that our beliefs about God factor in to our ability to keep our mental ship on an even keel and ensure victory over whatever Goliaths we may be facing.

In one study published earlier this year in the *Journal of Religion and Health*, researchers found a correlation between an individual's beliefs about God and the development of certain psychiatric symptoms. Basically the more you see God as punitive, the more likely you are to suffer from these symptoms. Belief in a benevolent God has the reverse effect.

Although psychiatrists may be more inclined to ask a patient to do jumping jacks than to rethink their view of the Divine, there's no reason the conversation should be off-limits. Considering that more than nine in 10 Americans believe in God, it would make sense instead, at least from a statistical standpoint, to keep the subject on the table.

Perhaps then the dream won't seem quite so real and recovery quite so elusive. ★

Eric Nelson's columns on the link between consciousness and health appear weekly in a number of local and national online publications. He also serves as the media and legislative spokesperson for Christian Science in Northern California (norcalcs.org). This article originally appeared on Communities @ WashingtonTimes.com and is used with permission.

Birds Gotta Fish; Fish Gotta Fly

Continued from Page 1

changing fortune reflects ocean and river changes over the past several years. Tons of gravel were poured in Carmichael and Gold River shallows to create new spawning beds; angling was curbed. In mitigation for Folsom Dam, six million salmon juveniles are bred and released annually by the Nimbus Hatchery. Pacific Ocean conditions may also have changed to favor survival. For any number of reasons, things seem to be looking up for the fish and their river. Spawning does not just ensure salmon survival; dead fish enrich the waterway. All animal, insect and plant life in and around the river is affected when carcass numbers fall.

And, judging by the number of gulls, raptors, otters, raccoons and



In gravelly shallows, a female Chinook digs a nest with her tail. Eager to release milt to fertilize her eggs, a male attends the excavation.

coyote now enjoying a salmon buffet on American River banks, Thanksgiving is nigh. ★

The best place to watch final stages of the salmon run is the Nimbus Hatchery, located at

2001 Nimbus Road, Gold River. Migrating fish are also easily observed from the Parkway at Pennsylvania Avenue, Fair Oaks and from bike bridges at Sunrise Avenue and William Pond Park.



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Dogs and Diamonds



By Gold River Resident Jodie Barringer Myers

But seasons change, of course.

In the past year, I've learned of at least eight dogs that have passed away, leaving their humans, and the friends of their humans, very, very sad. Even though each of our canine friends led happy, active and very long lives, we are left to mourn. Of course. Because they were an integral, important, fun and adorable part of our family, our 'hood, our community, our lives.

As our beloved pets are now either arthritic, incontinent or moving on to Pup Perpetuity, our children are moving out and into their own independent, self-governing realities. Our once kid/laughter/bark-filled homes have given way to a more subdued, quieter (and cleaner!) home. The cuteness factor, what with all that tail-wagging, has decreased tenfold. The silence is now deafening, as the sibling stream-a-thons have ceased to exist.

But wa-, wai-, wait! Let's not throw ourselves a pity party just yet. Because there's a different and equally as happy and fun kind of season emerging.

Out of the eight heartbreaking dog stories I've shared, I have at least 10 heartwarming what I'll call diamond stories. A lot of the aforementioned kids – and friends of those kids – are changing their Facebook status from "In a Relationship" to "Engaged" faster than you can say "Believe me, if you like your insurance plan, you can keep

your insurance plan" five times fast.

Conversations with my daughters' besties have morphed from "What's your puppy's name?" to "Who are you going to Homecoming with?" to "Where are you going to college?" to, now, "Congratulations! Have you set the date?"

Finding "the one," guys getting down on bended knee, gals' left-hand ring fingers being adorned with a flawless diamond, saying Yes to the Dress: I see a lot of fat-walleted jewelers and happy bridal dress designers around these days.

From holey (dog-chewed) socks to holy matrimony. Circa 1999: "How to Potty Train Your Puppy." 2013: "How to Plan the Perfect Wedding." No more "Goin' to the bark park." Now it's "Goin' to the chapel." And, blissfully, they're "gonna get married."

'Tis the season of our lives. And that's the way it should be.

Yes, the diamonds are shining and the champagne is flowing – all in celebration of pending nuptials, most probably a future family, and most definitely a sweet dog to fill a happy home.

Dogs. Diamonds. Dogs to diamonds.

Here's to the circle of life.

Cheers to the change of seasons. ★

Jodie Barringer Myers writes a blog, cottagecheeseandcrepepaper.com, and can be reached at jbtinmint@hotmail.com.

Dollars and Sense

Is Healthcare Affordable through Covered California?



Commentary By James J. Scherer, MBA, CPA

The Federal Patient Protection and Affordable Care Act AKA "ObamaCare" is now operating. The government of California is now in the business of providing health care to its residents. Let's take a look at what health insurance looks like if bought through Covered California, an insurance marketplace created by the state. Please see www.coveredca.com for more information.

Who is eligible for coverage? All legal California residents with some exceptions are eligible to buy insurance through Covered California.

When does open enrollment begin? Open enrollment began October 1st and runs through March 31, 2014. Insurance coverage is effective January 1, 2014. However, life changing events such as job loss, marriage or divorce, or birth of a child may qualify you for special enrollment throughout the year.

What kind of health insurance will be offered? According to Covered California their plans offer the same quality available in the private health insurance plans. Covered California, also, offers those who are eligible, a minimum

coverage plan which is much like major medical insurance.

What do Covered California plans cover? All plans must offer a comprehensive set of health benefits. They include ambulatory patients services, emergency services, hospitalization, maturity and newborn care, mental health care, prescription drugs, rehabilitative services and devices, lab services, pediatric service, including oral and vision care.

What do the plans cost? Insurance premiums are based on age, where you live in California, household size and income, and the benefit plan level you choose. Cover California's web site allows you to shop and compare their plans.

Is there financial assistance? Starting next year there is help available through premium assistance, cost-sharing subsidies, and Medi-Cal assistance.

Are their penalties for going barefoot? There are penalties for people who choose to remain uncovered by any health insurance. These penalties will be collected by the Internal Revenue Service. ★

This article is not intended to provide specific insurance or tax advice for any individual. If you have specific questions consult your financial advisor, tax advisor,

or give me a call.

James J. Scherer of Towne Scherer Private Wealth Management is a Registered Principal and Financial Advisor with, and securities offered through, LPL Financial, Member FINRA/SIPC., CA Insurance License # 0C20370. Covered California, Towne Scherer Private Wealth Management and LPL Financial are all separate entities.

He can be reached at 916-797-1188 or by email at james.scherer@townescherer.com. You can visit his web site at www.townescherer.com. The opinions voiced in this material are for general information only and are not intended to provide specific advice or recommendations for any individual. Information is based on sources believed to be reliable; however, their accuracy or completeness cannot be guaranteed. Please note that we are not responsible for the information contained on the Covered CA website. The site is provided for information purposes only.

Workshops for Widows/Widowers on Coping with the Holidays

SACRAMENTO REGION, CA (MPG) - The Widowed Persons Association, Sacramento Chapter 1, is hosting two "Coping With the Holidays" Workshops. The first will be Thursday, November 14th from 1:00-3:00 p.m. The second will be Tuesday, December 3rd from 7:00-9:00 p.m.

Both workshops will be held at 2628 El Camino Avenue, Suite D-18 just east of Fulton Avenue on El Camino Avenue (please enter from the back parking lot).

The workshops are conducted by volunteer facilitators who have experienced the sadness and feelings of loss that

can accompany the holiday season. All widowed persons are welcome to attend, even non-members. Please call 972-9722 for more information. ★

Source: Widowed Persons Association, Sacramento Chapter

CAL FIRE: Check Your Smoke Alarms

SACRAMENTO COUNTY, CA (MPG) - To help reduce the number of home fire fatalities, California Department of Forestry and Fire Protection (CAL FIRE) is reminding all Californians to make sure they have working smoke alarms in their homes. Nearly two-thirds of home fire deaths result from fires in homes with no working smoke alarms. A little attention to these important life saving devices can go a long way in increasing one's chance of surviving a devastating fire.

"Smoke alarms give you and your family an early warning

when there is a fire so you can quickly escape to safety," stated California State Fire Marshal Tonya Hoover. "Making sure you have a working smoke alarms in your home will help keep you, your family and guests safe."

Smoke alarm safety tips:

- Place properly installed and maintained smoke alarms both inside and outside of sleeping areas and on every level of your home.
- Get smoke alarms that can sound fast to all types of fires. CAL FIRE recommends that every residence and place

where people sleep be equipped with ionization and photoelectric smoke alarms or dual sensor smoke alarms, which contain both ionization and photoelectric smoke sensors.

- Follow manufacturer's instructions if you have a 10-year smoke alarm which uses a long-life lithium battery.
- Never paint over a smoke alarm.
- Replace your smoke alarm at least every ten years.
- Practice exit drills so everyone understands what to do when they hear a smoke alarm. ★

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A Case in Point

Wronged at Work!

DOES THE COMPANY'S LAWYER REPRESENT ME OR MY BOSS?

By David Graulich, Esq.

Imagine that an injured co-worker asks you to testify at a deposition about a serious accident that occurred during your shift. The company's in-house lawyer consults with you beforehand and accompanies you to the deposition. Does the company attorney represent the employer? You? Both the employer and you?

Frequently, employees mistakenly assume that their best interests are represented by the company lawyer. That mistake can cost employees their jobs — as a machinist at Union Pacific's Roseville facility found out.

That's why a recent decision by the California 3rd District Appellate Court, based in Sacramento, is so significant. The unanimous decision, written by Justice Kathleen Butz, is a major victory for employees and could result in better protections for employees who are trapped in the conflicted interests of their employers' lawyers.

Here are the facts: Union Pacific Corp. operates a railroad facility in Roseville. A machinist (whom I'll refer to as "Alpha") was working with another machinist ("Beta") to replace locomotive motors. An elevator-like device known as a "drop table" is used to raise the motors from the "drop pit" over which the locomotive is situated. Alpha was operating the drop table when Beta went into the drop pit to retrieve a tool, fell, and was injured. Alpha was required by Union Pacific to describe what he witnessed in a pair of statements, which he wrote within about an hour of the accident.

Beta sued Union Pacific for maintaining unsafe conditions and asked Alpha to testify at a deposition. Alpha went to the

deposition accompanied by Union Pacific's in-house attorney, who assured Alpha that all he had to do in his testimony was tell the truth.

In the deposition, Alpha changed a line from one of his witness statements. The written statement said Alpha "saw [Beta] fall down," implying that Alpha was an eye-witness to Beta's plunge. At the deposition, Alpha said he became aware that Beta "had fallen." In other words, Alpha didn't actually see his co-worker fall, but discovered him after the fall.

Alpha attributed the error to a grammatical slip made in the haste of writing soon after the accident. Union Pacific's lawyer saw it differently. He argued that Alpha had been untruthful in the original written statement and that Alpha intentionally signed a false statement. Soon after, Union Pacific terminated Alpha on allegations of dishonesty. Alpha then sued the Union Pacific lawyer.

On the first round, Union Pacific won, as the trial court dismissed Alpha's claims. Alpha filed an appeal.

Fortunately, the Appellate Court reversed the trial court and sided with the employee. The Court observed that the Union Pacific lawyer violated the State Bar's Rules of Professional Conduct, because the attorney neither informed Alpha about conflicts with Union Pacific nor obtained Alpha's written consent to be represented by the attorney. The result, concluded the Court, was "a conflict between the employer and the employee, [with] the employer's lawyer representing both the employer and the employee (to the employee's detriment)." The case was sent

back to the lower court for a new trial.

Does this episode sound familiar? A similar theme emerged in the 2009 movie, *The Informant*, based on a true story. Matt Damon played Mark Whitacre, an executive at Archer Daniels Midland (ADM), who was secretly cooperating with an FBI investigation into a price-fixing conspiracy at ADM. When the FBI went public with its charges, ADM's senior managers ordered all executives, including Whitacre, to close ranks and be represented by ADM's in-house attorney and outside counsel. To their shock and consternation, Whitacre announced that he was going to retain his own attorney and not be represented by ADM's lawyers. ADM's bosses angrily accused Whitacre of "being off the team" and betraying them by retaining his own lawyer.

Union Pacific will probably appeal this decision to the California Supreme Court, which means that the outcome of this fascinating case could shift again. However, as it now stands, the 3rd Appellate Court has given a milestone victory to California employees. ★

David Graulich, Esq. is an employment lawyer who represents people who have been wronged at work. He helps clients with problems such as discrimination, harassment, and retaliation. David welcomes questions and comments about Wronged at Work! Contact him at David@wrongedatwork.com or (916)966-9600. Disclaimer: This column is not intended, and should not be construed, as an offer of legal advice. Consult a qualified licensed attorney for counsel on a specific legal problem.

Mastering Math at Mathnasium!

By Bill Martin

SACRAMENTO REGION, CA (MPG) - Do you have a student at home, perhaps in the upper grade levels, who are just trying to survive in class and pass their math courses? They're focused on homework, tomorrow's exam, or next week's mid-term. They are anxious, fearful, and miserable. They know, and you know, that they've prepared and still won't do well, or haven't prepared at all, instead just resigning themselves to always having bad math grades. So, what's the answer?

Mathnasium! With the newest location just opened in Fair Oaks, Mathnasium offers a unique approach designed to instill confidence and drive success in mastering mathematics and abstract thinking.

We all recognize the value of good math skills. They're used in everyday living from change at the store, to calculating drive times, to doing your taxes. Math is actually the key to all the great professions and trades. No, one does not need to master Calculus to care for puppies and kittens, but you can't become a Veterinarian without a strong math background. Even if math is not used much, or at all in your desired career aspirations or your current profession, it acts as a gatekeeper. This is based upon the theory that - if you can do math, you can do, and understand anything.

Students in the United States are often held up to comparison and ridicule when considering the academic scores of Japanese students, and especially so in the subject of Math. It's true that the average math scores in many other countries are higher than the United States, but that's not important to their students. Scores for the sake of just scores is not important. What is important is that your student understands what they are doing. What this means for most students, is that taking Algebra in the 7th or 8th grade is actually just too soon. Students who



Stephanie Brausch, Assistant Director of the Learning Center in Fair Oaks.

spend middle school time preparing for high school Algebra and letting their brains mature in the meantime, are actually much better off, because older students naturally understand abstract concepts more easily than their younger counterparts.

Math is also used to enrich one's life. Students who are interested in things like sports, playing a musical instrument, dancing or any hobby for that matter, already knows "Practice makes perfect". Want to be a good basketball player? Spend time on the court. Want to be an excellent engineer, stellar doctor, leading scientist, noted banker, a world economist, or many other career desires? Then you start by spending time at the Mathnasium Learning Center in Fair Oaks.

One should not just accept the "survive and pass" mentality. One might be stuck in that mindset right now, but can be free of it for the last time. The best thing one can do for their future now is spend time actually learning and mastering math. While everyone else is slipping backwards, your student will actually be

moving forward. As the harder math courses keep coming, your student will be totally ready for whatever's coming. Whether it's Algebra, Geometry, Trigonometry, Calculus, or just mastering specific mental roadblocks like fractions, decimals and percentages, no more "survive and pass" mode. Imagine your student with sky-high confidence, being the smartest person in the classroom and looking forward to all of the great opportunities before them! You can make it happen! ★

For more details and information about Mathnasium and their Learning Centers, please visit Mathnasium.com/fairoaks. For a tour of the new Mathnasium learning center in Fair Oaks, please call (916) 967-6222. Be sure to ask them about their Special Thanksgiving Offer, but hurry, this special offer ends soon and is only valid at the Fair Oaks Learning Center. The newest Learning Center of Mathnasium is located at 7840 Madison Avenue, #148 in Fair Oaks, California, 95628.



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By Gold River Resident, David Dickstein

Cleveland Puts the Oh! in Ohio



Cedar Point, a coastal amusement park with perhaps the highest concentration of coasters in the world. New this year is GateKeeper, the fastest, tallest and longest wing roller-coaster in the world. Top Speed Dragster, despite being a decade old, is runner-up for the world's tallest and fastest steel coaster.

"Cleveland?" That was the typical reaction to when I told friends of my next vacation destination. "Where are you really going?" was another common response, often preceded by a blank stare.

Well, all you close-minded cynics, after spending four days in the city you coldly call "The Mistake by the Lake" (as in Erie), this open-minded cynic came away with an overwhelmingly favorable impression of Cleveland. And, no, I'm not being paid in corned beef from near-legendary Slyman's Deli to write this, though that would have made for tasty payola. So positive was the recent visit to this underdog tourist destination, the next time I hear a snarky "Cleveland?" my response will be just as terse: "Cleveland!" Here are some reasons why and there's more at www.positively-cleveland.com.

Nearly everyone who has ever heard of the Beatles knows that Cleveland is home to the Rock and Roll Hall of Fame, and it's

Roll Hall of Fame and Museum, despite snubbing Vaughan in its 30-year history, is a treasure along the shore of Lake Erie. The legends of rock, their early influences, key industry builders, the next wave of artists -- all and more over six mesmerizing

being the final resting place for President James Garfield, industrialist John D. Rockefeller and legendary G-Man Eliot Ness, the near-century and a half-year-old graveyard near University Circle is a park, arboretum and sculpture garden all in one.

for another \$20. The patient can easily survive without the added expense, and despite Cedar Point's wild reputation, there's plenty to do for those who prefer easy over queasy.

Nerds and history buffs also can get a fix with the investment of an hour's drive out of Cleveland. In the picturesque, quaint village of Milan (pronounced "MY-lin") is the birthplace and childhood home of Thomas Edison, inventor of the phonograph, commercial light bulb and thousands of other things for which he either held a patent or were morphed into what we use every day. Inside the three-story brick house are photographs, mementos, furniture and housewares either original to the house or representative of the so-called "Age of Innovation" that began with Edison's birth on Feb. 11, 1847.

The tour (\$7 for adults) starts at the house next door, and there visitors will hear Edison's recordings on original phonographs and see a model of The Black Maria, "the world's first movie studio." The most surprising tidbit of information learned on a recent visit was that Edison, Ohio's Favorite Son who gave us the record player, isn't in the Rock and Roll Hall of Fame. His contribution to the industry is acknowledged in an exhibit, but he has yet to be enshrined a mere 60 miles to the east. That's a greater injustice than the dis of Stevie Ray Vaughan. Another 40 minutes west, in lovely Fremont, is the Rutherford B. Hayes Presidential Center, where the nation's 19th



The century-old Museum of Art features the works of Monet, Manet, Degas, Van Gogh, Picasso -- and that's just the European collection. Itself a work of art, an "architectural crown jewel" the museum has been called, this gem overlooks a Grecian-style courtyard in University Circle, the region's park-set cultural showcase about 15 minutes east of downtown. And get this: It's free.

a must-see even for people who think Chubby Checkers is a board game for the obese. But the Cleveland Museum of Art and Cleveland Orchestra are no chopped liver, which, oddly, isn't on the menu at Slyman's. The century-old Museum of Art features the works of Monet, Manet, Degas, Van Gogh, Picasso -- and that's just the European collection. Itself a work of art, an "architectural crown jewel" the museum has been called, this gem overlooks a Grecian-style courtyard in University Circle, the region's park-set cultural showcase about 15 minutes east of downtown. And get this: It's free. Gorgeous neo-classical Severance Hall, where the world-renowned Cleveland Orchestra performs from September through May, also is there as well as an impressive natural history museum, planetarium and botanical garden.

In downtown is the city's top attraction where, in the immortal words of legendary guitarist Stevie Ray Vaughan, if the house is a rockin', don't bother knockin', come in in. The aforementioned Rock and

floors are yours for a \$22 adult admission fee, far less than the cost of a Justin Bieber concert T-shirt. May the rock gods strike down on John Lennon's encased Sgt. Pepper costume if that poser ever gets inducted.

Other notable points of interest in Ohio's second-largest city include West Side Market, an ethnically diverse fine foods and produce market made up of over 100 vendors, including Edward Badstuber & Son, which has peddled its smoked meats there since 1912. It will be hard to go to a normal farmer's market after going to this tasty landmark in the Ohio City neighborhood. Over in the Tremont district, the Victorian house used for exterior shots in the 1983 yuletide classic movie, "A Christmas Story," offers daily tours (\$10 for adults). The interior has been remodeled to replicate the Parkers' home, right down to the fragile and nasty leg table lamp at the front window and even nastier bar of Lifebuoy soap in Ralphie's bathroom. Cemeteries aren't usually on a city's top attractions list, but Lake View is too beautiful and historic not to be. Besides

An hour out of town are Meccas for roller-coaster and football fans. To the south is the Pro Football Hall of Fame, a shrine for the shoulder-padded in Canton, where the National Football League was founded in 1920. Entrance is a bargain; at \$22, that's 90 percent less than the average ticket for an NFL game this season. While

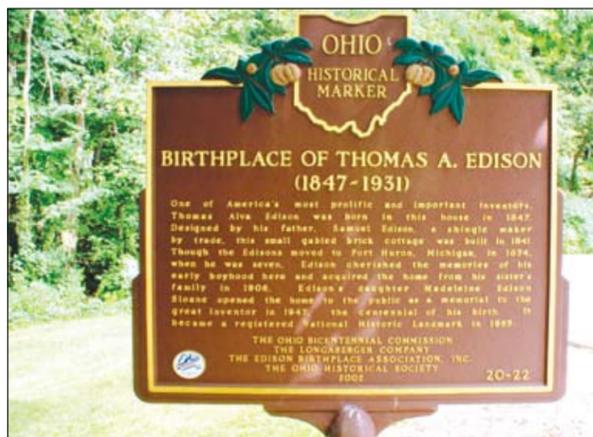


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in Canton, pay your respects to William McKinley, whose presidential library is open seven days a week. To the west is Cedar Point, a coastal amusement park with perhaps the highest concentration of coasters in the world. New this year is GateKeeper, the fastest, tallest and longest wing roller-coaster in the world. Top Speed Dragster, despite being a decade old, is runner-up for the world's tallest and fastest steel coaster. Lines were super-long for both on a recent weekend visit, but our Fast Lane Plus wristband cut the wait to 30-45 minutes. Getting in more rides runs as steep as some of the coasters, roughly doubling the single-day adult admission price of \$55, and the "Plus" pass adds the aforementioned two rides

commander in chief is buried. The country's first presidential library is closed Mondays.

A couple of hotel recommendations: The Hilton Garden Inn Downtown is on the desirable southern edge, within walking distance of Progressive Field, home of the Cleveland Indians, and a courtesy shuttle away from the downtown attractions. The Hyatt Place in Independence provides a more subdued suburban alternative, 15 minutes south of downtown and that much closer to the Pro Football Hall of Fame and, for all you golfers, Firestone Country Club in Akron, home of the Bridgestone Invitational. Yep, even eight-time tournament champion Tiger Woods sees the value of visiting the Cleveland area. ★



Nerds and history buffs also can get a fix with the investment of an hour's drive out of Cleveland. In the picturesque, quaint village of Milan (pronounced "MY-lin") is the birthplace and childhood home of Thomas Edison, inventor of the phonograph, commercial light bulb and thousands of other things for which he either held a patent or were morphed into what we use every day.

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Employer Mandate Delayed, But Obamacare Destruction Goes On



Commentary by Sally C. Pipes

workers. They'll have to shop for insurance in Obamacare's exchanges -- which are barely operational despite officially opening for business October 1.

Part-timers at Trader Joe's, Wegmans, and Universal Orlando will have to do the same.

They won't be alone. A National Business Group on Health survey found that one-fifth of big companies think their currently covered part-time workers could end up in the exchanges next year.

Obamacare is even taking away the benefits of full-time workers -- by encouraging their employers to cut their hours and rechristen them as part-timers.

The law defines "full-time" as working 30 or more hours per week. So many firms are carefully watching their employees' hours to ensure that they don't cross that threshold.

Clothing retailer Forever 21 revealed in August that it would reduce hours and change some full-timers to part-timers. Seaworld now limits part-timers to 28 hours per week -- rather than 32, as before.

A survey conducted by the nonprofit International Foundation of Employee Benefit Plans found that 15 percent of employers subject to the mandate planned to cut hours in order to reduce the number of people they'd have to cover.

Spouses also are learning firsthand how Obamacare will destabilize their families' benefits.

In August, shipping giant UPS said that it would drop coverage for about 15,000 spouses who have access to benefits at their own jobs. The reason? "Costs associated with the Affordable Care Act," the company said.

According to a Towers Watson survey, 12 percent of employers plan to drop coverage for spouses next year, up from 4 percent this year.

Retirees, too, will increasingly find themselves pushed into Obamacare's exchanges.

Consulting firm Aon Hewitt found that nearly two-thirds of the companies it surveyed plan to "review their retiree health care strategy in light of health care reform."

To fight back against Obamacare-fueled cost increases, many companies are turning to consumer-directed health plans, which typically pair low-premium, high-deductible policies with tax-advantaged Health Savings Accounts (HSAs).

These plans empower patients to take control of their care. They can save money tax-free in their HSAs and use the proceeds for co-payments and other out-of-pocket costs. The high-deductible policy, meanwhile, protects them in the event of a medical catastrophe.

And because patients actually own their healthcare dollars, they have strong incentives to spend wisely. That dose of market discipline helps lower overall health costs.

About one in five workers was enrolled in an HSA plan this year, according to the Kaiser Family Foundation, up from zero in 2005. HSAs are now the second-most popular employer-provided plan. Aon Hewitt says that they could become the leader within three to five years.

Unfortunately, Obamacare attempts to squash this consumer-directed approach by capping deductibles and requiring all policies to cover a wide array of expensive benefits. The law's supporters claim that its rules will ensure that patients get high-quality coverage.

But as the turmoil in the employer-sponsored insurance market demonstrates, Obamacare may instead ensure that Americans get no coverage at all.

Sally C. Pipes is President, CEO, and Taube Fellow in Health Care Studies at the Pacific Research Institute. Her latest book is *The Cure for Obamacare* (Encounter 2013).

Dr. Raquel "Rocky" Livoni Returns to Sac Area to Open New Family Medicine Private Practice

By Linda Harper, New Business Developer



GOLD RIVER, CA (MPG) - On March 2, 2000 an article in the Carmichael Times commemorated a local woman's 100th birthday. Her name was Clara Bradley Milbourn, and at the century mark she was full of life. The piece described an active woman with some of her most memorable accomplishments being made late in her life. Little did she know, she had become an inspiration to another local woman who was contemplating a major undertaking; medical school at middle age. Medical school can be daunting, but a seasoned student faces additional challenges. Throughout Dr. Livoni's academic journey, she carried the Carmichael Times article with her, finding inspiration in Clara's words, "never say you are too old to do anything and never use age as an excuse."

Dr. Raquel "Rocky" Livoni was living in Carmichael, and working as a Public Health Nurse at the Refugee Clinic in Sacramento. Later she was employed as an ICU Nurse at UC Davis, where she met and married her husband. Prior to medical school, Dr. "Rocky" enjoyed her time as a "stay at home mom," and home schooled three of her children. She raised adopted children, foster children and a natural child.

As if she had not already made positive strides in her life, Rocky wanted to do more for people. Her love of medicine led her to enter medical school and she graduated from University of Arkansas in 2007 with an MD. While at the University she also earned a Masters Degree in Public Health. She was the first student to complete both degrees during medical training. She did her residency at the University of California, Davis in Family and Community Medicine. She is board certified through the American Board of Family Medicine. Dr. Livoni is also

completing a fellowship through the University Of Arizona Center for Integrative Medicine. She has a love of International Medicine and has served several times with teams of physicians in Haiti since the 2010 earthquake that devastated that country.

As a Family Physician, Dr. Livoni's focus is on diagnosing and treating conditions for patients of all ages. She strives to care for the whole person as well as the whole family and especially enjoys working with young mothers, children and teenagers. Her approach to healthcare is Integrative in that Dr. "Rocky" understands many factors affect health, including exercise, diet, environment, emotions and heredity. She also understands a patient's desire to "be heard."

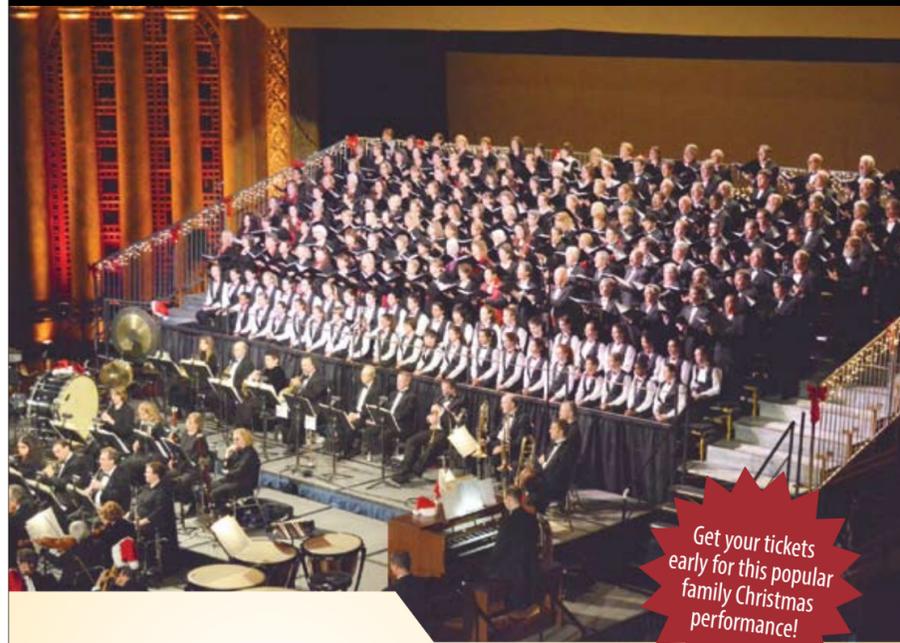
I spent quite a bit of time talking with Dr. "Rocky," meeting her caring staff and touring her new office, while gathering information for this story. The more we visited, the more

I realized what an extraordinary and determined woman I was interviewing. She embarked on her rich, fulfilling life after first beating Stage III Ovarian Cancer at age 23 after being told she had less than a year to live. Her miraculous story of illness, pain and healing gives her a compassionate ability to relate to her patients. Rocky Livoni engages everyone she meets with her inviting personality and warm smile.

Though we are living in a time of uncertainty regarding the future of health care, Dr. Raquel "Rocky" Livoni desires to maintain a private practice that offers, quality, compassion and respect for her patient's needs. She returned to Carmichael to serve her community, and believes that healthcare should be found close to home.

Dr. Livoni's office is located at 6500 Coyle Ave. Ste 5, Carmichael. To make an appointment call (916) 863-0155. ★

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- 2 Pirouette® Window Shades or 2 Silhouette® Window Shades or 2 Vignette® Modern Roman Shades (plus \$50 rebate each additional unit)
- 1 Luminette® Privacy Sheer or Modern Drapery or 1 Skyline® Gliding Window Panels or 1 Vignette® Traversed™ with Vertiglide™ Shade (plus \$100 rebate each additional unit)



Vignette® Modern Roman Shades

SEPTEMBER 14 – DECEMBER 17, 2013

cheers.

It's time to decorate your windows for the holidays.



BLIND CLEANING & REPAIR
FABRIC SHADE CLEANING
WINDOW WASHING & MORE

Don't forget to ask about our holiday blind cleaning specials good through February!

*Manufacturer's mail-in rebate offer valid for qualifying purchases made 9/14/13 - 12/17/13 from participating dealers in the U.S. only. A qualifying purchase is defined as a purchase of any of the product models set forth above in the quantities set forth above. Offer excludes HunterDouglas™ Window Shades, a collection of Silhouette™ Window Shades. If you purchase less than the specified quantity, you will not be entitled to a rebate. Rebate offers may not be combined; for each qualifying purchase, the higher applicable rebate amount will apply. Rebates will be issued in the form of a prepaid reward card. Funds do not expire. Subject to applicable law, a \$2.00 monthly fee will be assessed against card balance 7 months after card issuance and each month thereafter. Additional limitations apply. Ask participating dealer for details and rebate form. ©2013 Hunter Douglas. All rights reserved. All trademarks used herein are the property of Hunter Douglas.



Blind Magic
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North Highlands CA
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