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IMPACT TIMES

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A TIME FOR WAR—A TIME FOR PEACE

IMPACT
TIMES

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THE CONSCIENCE OF A NATION is not based on what is right or what is wrong but on what each nation and its selected few choose to define as right or wrong. Morality is defined by a nation and its selected few as what is good and what is bad. Each nation and each individual has a moral conscience, but no two nations or two individuals have the same conscience. A society may value a nation with a conscience, but no society values the same conscience. Conscience is a concept defined by the triviality of a shifting stage of being.

A conscientious nation defines its own moral rules. Therefore, morality is only a seed of thought relative to each nation's state of mind in any given period of time. What is deemed morally wrong today may be morally right tomorrow. What is morally right to one nation may be morally wrong to another. Thus, society as a whole is in a continual delusional state. Perhaps we are delusional not because we cannot think straight but because we like to fool ourselves by playing God. We prayed in the name of The Father and yet we kill and justify our killing. We watch other people kill and we either cheer them on or declare them murderers. We send men to fight and fill their minds with glorious tales of war. We call these men soldiers. We teach them to hold guns and call them patriots. We give them medals when they kill, and we honor them with more medals when they are wounded. This is what all nations do. This is what men do. Why? Why do we do what we do? Who teaches us to kill or to engage in the art of war? Who came up with the idea of war? Was it man or was it God? It certainly was not Sun-tzu or Carl von Clausewitz. They were mere observers or active participants. Who provided us with the idea that killing to bring glory is right and execution in the name of justice is wrong? Who teaches the lion to bite? No one. We do what we do because every concept related to war is deeply etched into the core of our genes. These maverick war genes are a well-kept secret. When the right moment comes, these genes flurry and show their face like they did on the wings of the butterflies during the industrial revolution. When the coercive force of nature arrives, these genes will follow.

We go to war not because we want to but because it is what we do best. We are half animal and half god covered in clothes, and we are bound by a moral conscience that we conjured up to follow our path. We cannot and will never escape war. We can only slow it down. The world has been plagued by war for as long as man has walked the face of the planet. Like a murder of crows that streak the sky in the heat of day, we are driven by our instinct to survive. But we are worse than crows. They are born with the gene to kill. And so are we. But crows kill to survive and we kill in the name of glory and to conquer. When our pride is threatened our claws come out. When our hunger emerges, we move to strike. Since the dawn of time, when man first looked at his own hands, he knew what those hands were made for. "These fingers, these nails, and these palms," man said, "are meant for something." Therefore, man reached down and picked up a club. "This club will help me fight," he said. "This club will help me survive." Thus, man justified the act of war. War, it appears, has no conscience and no moral value. War knows only death. Since war has no moral conscience, then man's conscience is only an idea. That idea is relevant to the will to survive, to dominate, and to delude ourselves for as long as we live and for as long as man continues to leave his footprints on this earth.

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HAS THERE EVER BEEN A TIME FOR WAR? In bringing Hitler's reign of terror to an end perhaps there was no alternative, as diplomacy had failed. But if Hitler's tactics brought Germany out of the depths of depression, America, too, learned how good the making of war is for its economy; while one wonders whether the decision to drop the bomb on Hiroshima entailed perhaps more than merely ending a war. The original transience of August and Julius Hare's wisdom, Right is might, penned more than a century ago, has been lost through transposition—might now makes right. Yet one man's freedom fighter is another's terrorist. And so it goes: Korea, Viet Nam, the Six-Day War of 1967, the Indo-Pakistani War of 1971, the Soviet War in Afghanistan, the Iran-Iraq War, the Lebanon War, the Falklands War, the U.S. invasions of Granada and Iraq, ad infinitum.

Despite what those in power claim, there is no glory in the horrors of war, even as we honor those for what they gave, sacrificing their life for a war they did not start but perhaps believed in despite not understanding it. But when the bombs drop and the bullets fly, no kid in combat fatigues fights for glory, or even for his country. He fights only so that he might live to see another sunrise. Wars have always been started—will always be started—by politicians for secret, self-serving, greedy reasons of power and domination, while they feed the public propaganda to somehow lionize the loss of life. In the 21st century, with dwindling resources and a fast shrinking world, the time for peace has never been more apparent. It's time we learned from the past and found an alternative.

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THE SUN BEAT DOWN HARD on a morning in June 2007 on the outskirts of Fallujah, where Iraqi civilians were gathering outside a schoolhouse. Minutes before eight, earth-colored humvees lumbered to a stop and disgorged US Marines in armored vests, Kevlar helmets and bullet-proof sunglasses. Behind them rolled white vans filled with Iraqi soldiers. When US Army units secured this corner of Al Anbar Province a few months earlier, they left behind a trail of collateral damage. Now that the area was calm, the Marine units, who had taken over from their Army peers, had invited Iraqis to present evidence of damage and receive compensation. They had also invited the Iraqi Army to provide security during this claims session. But what began as a straightforward operation gradually devolved into a dance of equivocation and ambiguity. Rumor had it that a young woman with explosives strapped to her torso might pose as one of the claimants. So even before the Marines could begin to evaluate the claims, they had to figure out a way to search the women without offending them—or their husbands. The school's headmistress had agreed ahead of time to come and search the women. But when the Americans arrived, a queue of women stretched almost a block and there was no headmistress in sight. As the women sank against a wall and its sliver of shade, the Marines and Iraqi soldiers conferred. The Americans then retreated into the schoolyard while the Iraqi soldiers stepped toward the gathering crowd. A Marine stood guard at the gate, clutching a dog-leash. At the other end, a black Lab sat. Waiting. At the slightest whiff of explosives he would spring into action.

As each Iraqi woman stepped forward, an Iraqi soldier asked her to lift her burka and pat herself down. The theory was that even such a cursory check would reveal tell-tale lumps beneath her loose fitting tunic. In reality, the Iraqi soldier barely glanced at the women that he checked. If a suicide bomber had been hiding among them, would she have been discovered? And, if she had been discovered, would the tip-off have come from this cursory body search or would the dog at the gate alert them first? Some of the Marines figured the search was a waste of time, but that without it they were inviting trouble. Once inside the gates, the female claimants filed to the right, the males to the left. Marines handed out bottles of water and ushered the women in batches inside the schoolhouse, to wait out of the sun. From a distance, these women loomed like a black cloud of robes and head veils. But a closer examination revealed differences. One woman sported a beaded border on her burka, another had tattoos on her face, a third held back her hair with a leopard-print scarf discernible beneath her black veil.

Inside the claims room, a few off duty Marines slumped at school desks behind a military lawyer, or JAG (for Judge Advocate General). They downed water while the Marines to the JAG's right remained busily at work. They had all taken off their helmets and sunglasses, revealing shaved heads and young faces. One by one, the claimants filed in, and the JAG motioned them toward a seat. Without a word, claimants handed him their statements and photographs, most in neat blue folders. The look in their eyes was alternately pleading, defiant, grateful, resigned. The lawyer flipped through the pages, examining the statements and photographs, then passed the evidence to the Marines to his right. "When did this damage occur? Who did it?" the JAG asked. He listened, weighed the damage, and determined an amount while a Marine behind him peeled out dinar bills. "Put this away," the JAG told the claimant, "and don't tell anyone about it. The Marine will escort you out the back." By the end of the first couple of hours, many of the answers started to sound eerily alike. Even the evidence started repeating itself. "This is the same room we saw earlier taken from another angle," one Marine said as he scanned a set of pictures a woman had brought in. He held up the photograph while another Marine rustled through earlier files. Sure enough, it was the same orange rug, the same overturned television, and the same tan bedspread and iron bedstead. As they discussed this, the woman sat with hands folded, eyes on the translator, waiting. "You haven't presented me with sufficient evidence," the JAG told her through the translator. Her eyes darted from the JAG to the translator and back to the JAG. She looked sullen. As she left the room, her burka billowed in the doorway, and the next claimant stepped into the room.

By the end of the day, the JAG figured he had probably recompensed some Iraqis for false claims and refused legitimate ones. Yet how could he really tell the difference? And who could blame the Iraqis for asking for money? Their livelihood and their lives had been shattered. Did they not deserve some compensation for that? Back at the camp that evening, the JAG debriefed the captain. Next time, they agreed, the US would settle claims through the local tribal chief. Let him figure out who had really suffered losses, they said. Let him find ways to keep the petitioners safe.

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ENTERING THE UNITED STATES for the first time is like being reborn. Weaned from your motherland, you suddenly see the world in a different light. If you are used to cattle, barns, straw huts and living quarters made of dried clay, the vast aerial nightscape of a glowing Manhattan skyline is a jaw-dropping experience, both intimidating and exhilarating. Imagine waking from a lazy nap and seeing for the first time three trillions glittering lights several thousand feet below, lights beaming from skyscrapers' windows and cars' headlights that speckle like raindrops in a spring storm. Then the flight attendants start passing out customs and immigration forms, forms that you must fill out but do not understand. While you search your purse for a pen the seatbelt sign lights up. The captain makes his announcement on the intercom and asks everyone to buckle up to prepare for landing.

The plane dives at God's speed and your ears start ringing. You feel nauseous. The peanuts that you swallowed earlier are determined to make their way back up your throat. Your head feels as if it is about to explode. Babies start crying as the plane shakes, the engine roars, and the plane's wings fold in complex aerodynamic manners that you do not understand. You grip your seat's armrests and pray that you will live another day. A rush of adrenaline pumps through your veins when the plane's wheels touch solid ground. Screeching brakes remind you of an out-of-tune violin string amplified a thousand times. You open your eyes, relieved to be alive. And then another reality sets in. Fear and anxiety crawl up your spine once more. You may be on U.S. soil, but you are not officially clear yet. Between you and America is U.S. Immigration and Customs. You step out of the plane and scout your new puzzling environment. You follow the crowds through doors, hallways, and tunnels that eventually lead you to a spacious room filled with long lines facing tiny box-like stations. In those stations are immigration officers, the gatekeepers that stand between you and the land of the free.

The world has certainly changed since September 11, 2001. I know, because I was there that morning working in a Manhattan immigration law firm when the planes struck. The steam from my coffee cup had not cleared yet when I heard the news. "The World Trade Center has just been hit!" a colleague hollered as she rushed to my workspace. "Hit by what?" I asked, trying to make sense of this early morning rattle. "A plane," she said. I might not have been fully awake yet but I knew it was not April Fools Day. The reality sunk in when we rushed across the hall to watch the series of events unfold on a small television set. A second plane struck followed by an announcement of a different attack on the Pentagon. "Oh, my God," I said, thinking of my two friends, one working in the World Trade Center and another in DC. I was certain that at least one had perished in the flames. I attempted to call them but all signals were jammed. Later that afternoon, when the sun began to set and the dust from the crumbled remains of the WTC still choked the city air, I ventured across lower Manhattan to catch a boat home. The fires burned that night and for many nights thereafter. I watched the city skyline smoking from afar under the stars while the ferry made its way across the Hudson River.

Yes, I was there when the event unfolded in New York City. I was also there in the aftermath. It did not matter where I went, inside Grand Central Station, on the streets of Times Square, on the loading deck of the Saint George Ferry Station or inside the Staten Island ferry itself, weary soldiers in camouflage uniforms and New York City police officers with their dogs stood guard and kept a close watch. I took short glances at their machine guns and hand pistols, and wondered whether I should dive to the floor, jumped off the boat or run for my life should their guns go off or they turned their dogs loose. I had been in a war before, a different war in a different time, and so I was prepared to survive. "Who among this sea of people is a terrorist and who is going to get shot?" I asked myself as a muscle-packed officer patted me down. His hand pistol was within my reach. I could smell his breathe. The city was in a high state of alert and everyone was on the edge. "Sir, please step aside," another officer addressed a man behind me with a backpack hoisted to his shoulder as he prepared to board the boat.

Things have changed since that historical day. New laws are being passed, new policies installed, and new regulations are being enforced. Given the present state of our nation, a nation agitated by war and terrorist threats, traveling in and out of the U.S. and navigating through its legal system is not like what it used to be. These changes have resulted in a sea of necessary resources for immigrants; but unfortunately immigrants often do not know where to begin looking. Without a proper guide, valuable time, money, and energy can be lost. Mistakes and missteps are made because of one's unfamiliarity with the law or one's misconception of how things work. Knowing what I know, I came up with a solution. That solution is my book on CD-ROM: Handbook For Immigrants: Visas, Lawyers & Resources.

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HOW PREPARED ARE YOU when it comes to dealing with travel emergencies and immigration-related issues? The following questions will test your knowledge on the matter.

1. What is the difference between a “visa” and an “I-94”?
2. What U.S. government-issued I.D. do you need to pay tax if you are a foreigner and don’t have a social security number?
3. If you are a U.S. citizen traveling abroad and have an emergency, such as losing your passport or a death of a travel companion, whom should you contact for help if the U.S. consulate or embassy is closed for the business day?
4. What is the difference between immigrant and non-immigrant visas?
5. What “trigger” questions should you ask an immigration lawyer during the consultation process?
6. If you are a foreign worker living in the U.S. and are fired by your boss, divorced by your American spouse, or have to change your job prior to visa expiration, do you know what steps to take next?

If you are puzzled, confused, or have no clue what the answer to any of the above questions, you are not alone. The world has changed since the bombing of the World Trade Center in 2001. U.S. Immigration, in particular, has changed. Since that historical day, immigration has changed its name from the Immigration & Naturalization Services to the Bureau of Citizenship & Immigration Services, and finally to the U.S. Citizenship & Immigration Services. This name change is insignificant compared to the creation of the Department of Homeland Security, the initiation of the special registration process, the implementation of the biometrics system, and the passage of the Patriot Act. Since then, travels have become stricter, and the fear of deportation due to untimely visa processing or straight up denials of visa petitions has disrupted many lives. The complexity of the post-9/11 world makes navigating the U.S. legal system a nerve-wracking experience for most people. The sea of new rules and procedures can overwhelm even the most brilliant intellectual. Given the changes of circumstances, facing the legal system without a lawyer is like climbing Mount Everest without a foot. Finding a lawyer who you can trust to do the job right is a challenge unto itself. All it takes is one careless mistake or bad judgment by you or by the lawyer to throw your life into total chaos. Time is a luxury that you cannot afford to lose, and one sure way of losing time is being naïve and leaving your future to the hand of fate. Dealing with immigration is not about trusting fate but about avoiding missteps and getting things done right at first try. And there is no better way to avoid missteps than arming yourself with the right knowledge.

Handbook For Immigrants: Visas, Lawyers, and Resources is an indispensable reference guide. There are few resources out there like this. It is written for immigrants, non-immigrants, travelers, green card holders, and US citizens who travel abroad or have relatives abroad. Even an immigration lawyer will find this guide extremely useful. It provides vital travel tips, safety measures, practical step-by-step documentation strategies for visa petitions, suggestions on how to search for and effectively work with the right lawyer, and an overview of the green card and naturalization processes, to name a few. This handbook on CD-ROM also contains appendices filled with important contact information for USCIS offices, U.S. embassies and consular posts abroad, foreign embassies in the U.S., immigration law firms, travel agencies, airlines, hotels, ground transportations, government agencies, sample citizenship study questions, and much more. This reference guide is designed to help anyone without legal training. Given the limited number of resources in bookstores or on the Internet that cover the comprehensive overview of immigration and travel-related topics, this guidebook is like having a lawyer’s handbook, traveler’s guidebook, and a business person’s self-help book all in one. It is designed to help you navigate a very complex system so that you are better prepared for the unknown or unforeseen circumstances. If you don’t know the difference between an I-94 and a visa, or what purpose each serves, it is time that you find out. If you think that having a visa guarantees you entry into the United States, you had better think again — the U.S. Immigration officer at the port-of-entry has the discretion to deny your admission. With each chapter, page, and passage clearly labeled and carefully written, your eyes won’t have to look far to find an answer in Handbook for Immigrants: Visas, Lawyers & Resources. No lawyer, no matter how patient he or she is, will explain to you every detail on what to do. They simply don’t have the time.

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IT WAS A TYPICAL CORPORATE CONTEST designed to elicit employee's suggestions on ways to improve the company's performance. While a number of good ideas emerged, the winning submission was one simple word, "communicate." So obvious, so seemingly simple, the insinuation is that people are either intentionally refusing, or just not bothering, to share critical information. Could it be that the business world is saturated with people determined to undermine their companies, and their own jobs, by refusing to communicate? While effective communication has received its fair share of attention, and much of the information is viable and useful, there is a critical component that has remained unrecognized. It lies within the little-known differences between right- and left-brain dominance. Most of us are familiar with broad stroke overviews of the right-brain conceptual person vs. the left-brain analytical person. Yet few truly recognize the depth of influence right- and left-brain dominance has on every aspect of our lives, from whom we marry, to which sports we engage in, to — you got it — how we communicate.

Do you know if you tend to be more right- or left-brain? Here is a simple test to find out. Close your eyes and picture a tree. What do you see? Of course we all use both sides of our brain to varying degrees. However, the more left-brain you tend to be the more difficult it is for you to visualize. Perhaps you remember a tree that you are fond of. Or maybe you cannot picture anything at all, you can only think about a tree. On the other hand, someone who operates more from their right-brain will see the tree, the swing hanging from the branches, someone on the swing, the grass, the flowerbeds, the butterflies, and the further we progress up the continuum toward right-brain dominance the more detail the picture will include. The image in most people's mind's eye is one of a basic tree or some part of a tree. That would tend to indicate a fairly balanced use of both sides of the brain. Only about five percent of the population falls directly in the center. So even though you may be close to the middle, you will still most likely have a tendency toward right or left-brain dominance. It's a matter of degrees.

People who operate from opposite sides of the brain not only "see" things differently, they also "say" things differently. Left-brain dominant individuals speak directly, but hear in inferences. What does that mean? When this person says, "You look nice," they mean exactly that, nothing more, nothing less. But when that same person is paid the exact same compliment "You look nice," what they actually hear is "You didn't look very nice yesterday," or "I'm buttering you up because there is something I want from you." Left-brain people infer meaning from other people's comments. No wonder communication can become so dicey. So how do you get a left-brain person to hear the message you are intending rather than letting him or her extrapolating his or her own meaning from a comment? It's really not as difficult as it may initially appear. For example, instead of saying, "You succeeded!" which can be interpreted a number of ways such as "you don't usually succeed," or "pretty amazing for someone as incompetent as you," consider saying, "That was even more successful than usual." "More successful" infers that the person is already successful and becoming more so. Of course not all left-brain people extrapolate negative meanings from comments. Influences from ego to narcissism can cause inflated interpretations as well.

Communicating with right-brain people also has caveats as well as advantages. These individuals hear exactly what you tell them, yet their own comments are laden with inferences. That is both the good news and the bad news. If you are going to give directions to a right-brain person they need to be explicit because right-brain people do exactly as they are told. We all know examples where someone followed instructions to a "T" and the results were disastrous. The person performing the task was probably highly right-brain dominant and received direction from someone who was also right brain dominant. This combination means a lot of the instruction was inferred rather than stated, but the person listening could only hear exactly what was said. On the other hand, since right-brain people tend to imply issues rather than state them head on, they are masters at such things as public relations. All communication is a double-edged sword, wielding potential for good and bad outcomes. Recognizing how our styles of interaction are hardwired into our personalities can open up new possibilities as well as help us avoid pitfalls. Now when you think someone wasn't listening, you can realize that perhaps they just couldn't hear you.

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The rise of scatological humor in contemporary cinema

TO ANALYZE HUMOR SEEMS OXYMORONIC; to analyze a fart joke, utterly moronic. Most humor is, or must at least appear to be, spontaneous, unexpected, and surprising, but any comedian will tell you that behind a good joke sits a lot of hard work; it takes timing and, like a magic act, requires the labor involved in its making to remain hidden from the audience.

In our increasingly mega corporation-owned media world though, humor, like everything else, must be commoditized. "Funny is money" is the mantra of the movie executive. Unfortunately all who chant will not necessarily achieve enlightenment. To the MBA/mogul, producing comedies and sausages are the same basic process: business is business, after all.

This reminds me of a joke about MBA's: Since it takes one woman nine months to make a baby, MBA's figure nine women can make a baby in one.

Which illustrates how not all creative processes are the same. But, why should comedy be different? If you hit on a gag that makes an audience laugh once, like an ill-timed fart, for example, it stands to reason they will laugh all the more the more often they are presented the same gag. This seems to be the current film industry ethic, as many a movie under the "family film" banner of late can escape passing its wind quota.

Anyone who regularly attends the cinema is by now all too aware of these ubiquitous stinkers. I could blame Mel Brooks, who first threw the gastrointestinal gauntlet with his bawdy 1974 comedy, Blazing Saddles. Mel is a legitimately funny guy, and his use of the long running and deliberately repetitious fart joke, at the time, was groundbreaking (or should that be, wind breaking?) And funny. It must also be said that fart humor is as old as the hills. Author Jim Dawson wrote of its long history in Who Cut the Cheese? A Cultural History of the Fart. Our own founding father, Benjamin Franklin, wrote a collection of earthy bon mots entitled, Fart Proudly. Provenance aside, the humor has long since dissipated from the current spate of film flatulency.

Yes, as with all things trendy, the fart joke seems to have reached its saturation point and may finally be growing stale. The moguls seem to smell its end coming. The question is, where do they go from here? Is there anything beyond the tried-and-true fart joke formula? A new variation on their heretofore successful sausage/movie making process?

Enter, the poop joke, Hollywood's newest infatuation (inflatulation?) I kid you not. Poop gags are falling heavily everywhere and in such mainstream films as Alvin and the Chipmunks and Enchanted. Apparently poop is the new flatulence, with even family-friendly Disney Studios is willing to pinch a loaf or two for the cause.

Far be it from me to advocate limiting the boundaries of humor. I can think of numerous situations where poop might legitimately enter into a joke, but being funny is not what has motivated this new trend. What this is about is trying to force constipated laughter from a fart weary audience. Perhaps test screenings have justified these so-called gags with test audiences laughing on cue, but any psychologist will tell you that people also laugh when confronted with things that cause them great discomfort. People have been known to laugh at funerals too, and movie moguls would do well to keep that thought squarely in mind.

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I DON'T KNOW HOW TO TELL my mother that my brother just died. He was her favorite. He was mom's adorable son, the baby of the family. Growing up, my older sister and I often got scolded or beaten for the slightest offense, but not little Wei Wei. He was spoiled. Mom always let him have his way even over Dad's objections. My father could see that Wei was becoming a momma's boy. But despite everything, Wei turned out fine. In fact, he turned out better than any of us. My sister studied music at Taipei Cultural University. I went to Mu Cha vocational school on the outskirts of Taipei. Wei won a scholarship and attended the University of California, Irvine. My parents were so proud of him. As soon as he graduated, both IBM and Intel wanted him; he chose IBM, which turned out to be an unfortunate choice because living in California was what got him into hiking.

I'd brought Wei hiking before in Taiwan, on Toad Mountain; he hated it and kept asking if we could go home now. That was ten years ago. And now, my brother dies hiking in America at age twenty-nine. The Taiwan Office in America called my older sister, Jade, first. Jade didn't call me in Taipei until five hours after she got the message.

"Hey, Allo, you're not going to believe this, Wei is dead. Our brother Wei. Mom's Wei," she said. She sounded like she had been drinking. Jade drinks. She claims her silent American husband drives her to drink, but as far as I know, she is the one who torments him. "Well, I'm flying up to California tomorrow morning. They have papers for me to sign. And you're going to have to tell Mom, I'm already dealing with all this," Jade said.

Mom lives in our old house. After she and Dad retired, she converted our first floor into a tiny grocer's store, like those in old neighborhoods where you could buy a handful of beans, a cup of rice, dried goods, sauces, pickled vegetables, fresh spices, junk food and chewing gum.

"Don't tell her, don't tell her," a voice in my head echoed. Of course, keeping the news a secret would be impossible. Wei was a dutiful Taiwanese son. He called home every weekend. I just wish I wasn't the one to break the bad news to Mom. Me, the middle child, an unsuccessful cram school teacher, telling Mom about her precious baby, a UCI graduate and IBM's patent-winning employee, was dead.

The streets look especially filthy today. Gum, blood-like stains of betel nut juice, scraps of paper, cigarette butts here and there on the bumpy asphalt and cement.

"Allo, what are you doing here?"

It's Mom, emerging from the condiments and rice aisle at the store.

"Ma, when was the last time you heard from Wei?" I asked.

"Ah," her eyes lit up. "Last Saturday I think"

"It's just, it's just..." my voice trailed off into a whisper, "something happened to Wei."

"What?" she yelled.

"Ma, please listen to me. Wei went hiking. He fell off a cliff. He died."

"Shut your mouth! You liar. Wei is fine, what are you saying? You are just saying this to make me crazy, you are jealous of your brother..."

"I'm sorry, Ma. I'm really sorry. They told Jade in America and she called me this afternoon. So I came to tell you."

She could no longer talk, so I stood there, patting her back so lightly she probably couldn't feel it.

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THINKING OF GOING TO COURT? TRY MEDIATION by Pete Desrochers

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MOST PEOPLE DREAD GOING TO COURT. Nobody wants to get sued. No company wants to lose business on allegations of poor quality of its products or services, and no one likes contract disputes. Still it happens. Billions of dollars and millions of lives are sucked in to litigation and the legal system each year. Wouldn't it be wonderful if there were only some way to avoid all that? Well, there is. Mediation is the key. It is an evolved, highly focused, and non-adversarial process to resolve even the most complicated disputes. It is a conciliatory and facilitative process that declares no winners or losers. Usually, neither party gets everything it wants; but both parties come away with something they can live with.

With the help of a mediator or mediators, you determine the outcome—not by courts, the media or any external third party. The most common personal disputes that can be resolved through mediation include divorces, problems with neighbors, landlord/tenant disagreements, family fights over wills, debt collection, and even disputes between parents and teenagers. Mediation is becoming popular among businesses and all levels of government. Increasingly, companies would rather mediate than litigate on issues such as labor relations, accusations of unfair hiring practices, contract negotiations, regulatory topics and quality complaints.

No issue is too big or too small for mediation. Mediation has been gaining credibility and serious recognition for over a decade. A survey conducted by Price Waterhouse and Cornell's PERC Institute on Conflict Resolution of over 530 corporations in the Fortune 1000 category revealed that 90% of respondents view mediation as a critical cost-control technique, 54% of respondents indicate that cost pressures were what made them try mediation, and 88% of respondents reported using mediation in the last three years. Any issue that is going to court can be mediated first, likely at a fifth of the cost and in about a tenth of the time.

Most parties over-estimate the strength of their own positions. But the biggest value is that you get to determine your own future. When you go to court, you've lost control. A judge or jury will determine your fate. But with mediation, you have one last chance to determine your own future, which will likely be far better. Courts generally accept mediated settlements. Usually, neither party gets everything it wants; but both parties come away with something they can live with. Major crises that were ended through the mediation process include the 1979-81 Iranian hostage crisis, the 1987 Atlanta federal prison riots, the Catholic Church crisis in Poland and the lowering of the Berlin Wall. Judges in many U.S. states refuse to hear civil or divorce cases until formal mediation has first been attempted.

If you have the courage and humility you can undo a lot of hurt and retrieve things of great value you thought were gone forever. Yet most people are still not familiar with mediation, something that a firm like The Negotiators, is trying to change. "The Negotiators" is a mediation firm that follows a strict code of confidentiality. Mediators understand that people want the fighting to stop. They want to prevent the downward spiral of volatile situations and promote positive results. That isn't going to happen in court.

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HARASSMENT: THE UGLY PROBLEMS NO ONE WANTS TO DISCUSS by M. Sandi Aigoro

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A PERVASIVE AND UNDERREPORTED ISSUE plaguing the professional environment is unreported harassment. Both men and women in today's workplace may experience unreported harassment. Victims and perpetrators are often ushered off to forgetfulness by corporate leaders because of their concern about the potential of public retaliation. Even when reported, rarely are these incidences publicized openly; rather they are swept under the rug and remain so, perpetuating a dangerous myth that such occurrences are tolerated, even accepted. In addition, media attention is directed primarily at high profile individuals. For example, a recent case resulted in \$11.6 million in damages for Isaiah Thomas' verbal abuse and sexual harassment of Brownie Sanders, the highest-ranking female executive with the New York Knickerbockers basketball team.

There is a growing need to address the pressing concern of unreported harassment for many not sonotable executives and professionals who do not want to go through public scrutiny. For example, professional women who have experienced harassment should be encouraged to step forward and share their experiences openly through mechanisms such as surveys or public and online forums, programs designed to support reporting of unreported harassment anonymously. It is essential to establish a clear understanding of the impact that unreported harassment has on the bottom line of organizations. Public officials and organizations should join forces to create a national awareness and legitimize unreported incidents. To ensure that these alternatives remain beneficial to both employees and employers, it would be best if organizations report unreported cases only at an industry level, thereby ensuring anonymity so that no one individual or company need be singled out by the media.

Currently, attentions of harassments are often directed to isolated court cases, like Sanders versus Thomas. These attentions often fall on a sensational circumstance involving celebrities. A more recent example in the news involved Kellogg Brown & Root (KRB), a Houston-based corporation. The company resists attempts by Jamie Leigh Jones, an employee who claims to have been raped by six of her male co-workers in Iraq, to nullify an employee contract. The company requires binding arbitration as opposed to litigation. Litigation generally results in higher damages.

Addressing the underreporting harassment issue at the industry level can encourage companies and their watchful corporate citizens to help increase awareness and hold more accountability to the present concern. Pointing fingers is easy but bringing solutions is a challenge. Aside from their standard procedure, employers need additional alternatives. They are often asked to play multiple roles, roles that require them to be the police and the counselor or supplier of harassment management. These conflicting roles encourage them to downplay the impact of harassment by suppressing or removing individuals who raise issues. This "band-aid" approach can cost employers money, productivity, and talents. Harassment isn't just about sex or race; it includes gender, age, ethnicity, religion, some forms of social segregation, and more. The difficulty with tackling such a sensitive topic is because it is commonly a subjective issue. There are many facets of behavior that could be classified as "harassment." What is a light-hearted joke to one individual could be offensive to another. An innocent motive could solicit an offensive reaction.

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“America is addicted to oil.”

— George W. Bush,
State of the Union Address, January 31, 2006

I READ RECENTLY WHERE CONSUMPTION of gas in America has dropped to 1991 levels. So I wondered why prices continue to escalate, now flirting for the first time with \$4 a gallon.

I recall the oil industry telling us, a few years ago when the price per gallon surpassed \$3 at the pumps, that the price was based solely on the law of supply and demand. So why, I asked myself recently, with demand at 17-year-old levels, does the price continue to escalate?

This might not be such an important question in an era where global demand for this dwindling resource increases – with nations like China pulling more from the pool – were it not for the fact that the oil companies in this country continue to enjoy record profits.

There is very little that our Commander in Chief says with which I agree – much of what comes out of his mouth is likely to end up on David Letterman’s Great Moments in Presidential Speeches segment – but his declaration two years ago that America is addicted to oil remains in my mind an astute observation, oil baron status notwithstanding.

A sampling of just a few of our favorite things made from oil: Astroturf, aspirin, a host of automotive parts, ballpoint pens, candles, carpets, caulking, cosmetics, crayons, credit cards, deodorants, detergents, disposable diapers, electrical wiring insulation, faucet washers, food preservatives, garden hoses, glue, hair coloring, hand lotion, ink, insecticides, linoleum, lipstick, milk jugs, nail polish, pantyhose, perfume, petroleum jelly, shampoo, shaving cream, shoes, toothpaste, trash bags, upholstery, and vitamin capsules.

Yes, America is addicted to oil, and that’s just what General Motors, Standard Oil of California and Firestone Tires wanted 70 years ago when the three were accused, found guilty and fined, for the role all three played in one of this country’s great conspiracies.

Between 1936 and 1946, the three, under a bogus name, bought up many mass transit systems, tearing up the tracks in 45 cities and selling the trams to various Central American countries (where today they still transit the masses), conspiring to put into every driveway in America at least one automobile, built by GM, clad with Firestone tires and fueled by Standard Oil. What was good for GM, Standard Oil and Firestone, it seemed, was good for America – at least for the short-term, and this country is nothing if not shortsighted.

The government investigated, found all three guilty, and fined each one the sum of \$5,000. Considering the billions of dollars each entity has made since, I’d call that a pretty good return on investment.

Yet today with tension rising in the Middle East, global warming, and many of the same cities that gave up their mass transit systems decades ago again calling for mass transit to alleviate gridlock and lessen pollution, do we censure the user alone, or is the pusher not entitled to share some of the culpability?

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by Bernadette Boas

PRIOR TO DECIDING MY NEXT CAREER adventure, I experienced what many have faced. It was the five minute “we are making some organization changes” lecture from my manager. As those words came out of his mouth, I was anticipating a new role or perhaps a lessening of my responsibility within the company. However, I never imagined that after years of dedication, loyalty, and significant contributions, I was being downsized right out of my job. Unbelievable! As fast as those words came out of my manager’s mouth, I began reaching out to my contacts and acquaintances; typical of someone who find himself or herself suddenly without a job. Wait! I had been gainfully employed for twenty-five plus years but had only seventy-five documented contacts. They were people in my small sphere of influences including co-workers, managers, clients, and industry peers. “Oh, my gosh, where is my Rolodex!” I asked myself. “Where is my contact management system that hold the vast network of people whom I have met or did business with over the years? Why is my Outlook Address Book near empty?”

I have conducted business and personal interactions with countless individuals including clients, business associates, recruiters, and close friends in the past. Each of them had their own networks. But I only have seventy-five documented contacts. That was not going to be enough to help me find a job or start a business. I quickly realized that I had lost over two decades of valuable contacts who could potentially help me out. So, I set off to feverishly rebuild my network. I went through my phone books and e-mails, and started compiling a spreadsheet composing of information of my colleagues, recruiters, acquaintances, friends, and family. From that point on, I made sure that with every new contact I had, I would determine what, how and where he or she could compliment my network for the present and for the future. I entered his or her information into an online Excel spreadsheet. I learned that I could not wait to create, grow and maintain my network. I need to do it today, tomorrow and always. Through my new networking development scheme, I was able to gather enough guidance, contacts, leads, referrals, prospects, and other information to launch a new career, buying and running a business excellence consulting and coaching business. The following are some “Network Development” practices I have to share.

- Network, Network, Network – Join local and national associations, and referral and networking groups such as Refocus on Referrals or the Atlanta Business Alliance.
- Create A Contact Log – Use an online Contact Management Systems (CMS), an Outlook Address Book, or an Excel spreadsheet to create a contact log. Use the millions of contacts in Linked In to create, grow, and maintain your network.
- Capture critical and key information about each individual including the contact’s full name, company name, business address, office phone, cell, e-mails, and more. Make a note of how and when you meet that individual. Write down specific information that you learn about his or her spouse, kids, birthday, hobbies, sports teams, pets, etc.
- Business Cards – Either buy a business card scanner that will allow you to automatically upload all of the business card information into your CMS system or contact spreadsheet, or put a process in place to get all of the business card information into your contact system sooner than later.
- Maintain Contacts – As your network grow, have a plan or process in place to update changes and maintain your relationship with your contacts. Regularly help your contacts so that they can help you in time of need.

In summary, it is critical that you create, grow, and maintain your network today, tomorrow and always.

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by Karen Chartier

SUBPRIME MORTGAGES HAVE BEEN CREDITED for bankrupting well over 110 lenders and seriously damaging operations at many major mortgage firms. They've reportedly wiped out 5 hedge funds, tens of thousands of jobs, and have led to millions of foreclosures with millions more on the way. And, as if that weren't enough, subprime mortgages are also blamed for massive volatility in the stock, bond, credit, futures, and real estate markets here in the US and around the globe. Some say losses in the mortgage securities market alone could reach hundreds of billions of dollars this year. This means that, for any Americans looking to buy, sell, or refinance a home, they are confronting a very different market from the one that existed just 6-12. How did this happen? The recent real estate boom was fueled by a period of record home appreciation and historically low interest rates. Banks, in order to compete, loosened guidelines and began offering more funding to more borrowers through riskier, non-conforming or "exotic" mortgages. These ideal-lending conditions persisted for several years, supported by high demand, historical real estate data, home prices, and massive trading volume/profits on mortgage-backed securities and other financial instruments on Wall Street. Then, in 2006, a slowdown in real estate led to a deterioration of home values, an increase in inventories, and ultimately to today's tightening of credit guidelines, leaving many investors unable to sell or refinance out of their existing positions.

Many Americans who had tapped into their equity were suddenly tapped-out and overextended as home values fell. Foreclosures followed in record numbers and a re-valuation of mortgage bonds and other financial instruments created the credit/liquidity domino effect we're now experiencing. Unfortunately, it's going to get a lot worse before it gets better. According to the latest estimates, over 2 million subprime and Alt-A adjustable rate mortgage (ARM) holders will face payment increases of up to 30%-100% when their loans reset in the next 2 to 18 months. These loans make up less than 40% of the total mortgage market, but the negative effects, as we have seen, of increased foreclosure activity can have a ripple effect throughout the industry and around the globe. What does this mean to you and your mortgage?

SELLERS: If you're planning on selling your home, be prepared for an even smaller pool of qualified buyers. While some experts predict a settling of this credit crisis over the coming year, tightened credit guidelines and diminishing mortgage products could knock out as many as 15%-30% of potential qualified buyers. Now is not the time to sit and wait for the best possible price. Have a serious talk with your real estate agent. Having experienced buying/selling transactions in your area, he or she can help you price your home accordingly. He or she can also help ensure that your buyers are pre-approved and stay pre-approved throughout the entire transaction.

BUYERS: Get pre-approved by your mortgage professional. While there are a lot of great deals out there, getting credit is becoming tougher and tougher, and it's taking longer and longer to complete a transaction. Remember, what you qualify for today could change tomorrow in a volatile market. For those looking to refinance, keep this in mind. There is no time to delay! Communicate with your lender. Don't do anything that could negatively affect your credit, and make sure you get all your documentation in on time.

ARMS BORROWERS: If your ARM is scheduled to reset in the next 2-18 months, you need to schedule an appointment with a mortgage professional right away. Whether your ARM is subprime, Alt-A, or even if you have a pre-payment penalty, don't let a default or foreclosure situation sneak up on you. Did you know that your monthly payments can increase anywhere from 30% to 100% once your loan resets? At the very least, give yourself the peace of mind of knowing what your adjusted payment will be.

BORROWERS WITH LESS-THAN-PERFECT CREDIT: Each week it seems lenders are shedding more and more mortgage products. Many lenders have stopped offering No-Doc loans and are reducing all forms of Stated-Income loans. While it might be challenging, borrowers with credit issues need to see a loan expert. Often they have credit repair resources and other strategies to help you reach your financial goals.

Finally, there's an important concept to embrace: all markets, while cyclical in nature, are self-correcting, be it credit, real estate, stocks, or bonds. For the last 6 or 7 years, real estate was booming and riding high. The correction we're experiencing now – while it seems harsh and could get much worse – is, in a sense, "natural" and directly related to the extremely loose guidelines and perhaps overzealous lending and leveraging during the boom cycle.

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EATING LOCAL AND ORGANIC II: MAKE A DIFFERENCE by Janie Chu

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IT MIGHT AS WELL BE A DOOMSDAY DECLARATION. Newspapers and outlets blare headlines of rising food costs, affecting everyone from the poorest of third world countries to the smallest of affluent amenities. To what is this attributed? Part of this is due to the rising cost of corn, used in ethanol for fuel as well as feed for livestock and processed foods. Demand for food has soared along with growth in increasingly developed nations such as China and India. Oil prices continue to climb, making shipping more costly. Meat consumption has increased, along with grains to feed the livestock that would normally go to humans, and agricultural crises caused by global warming. Add a weak dollar which makes our nation of imports that much more expensive. Now let's throw in the recent tomato recall that has affected numerous states. It's enough to scare anyone out of buying fresh produce when we're trying to eat healthier anyway, but think of how this is hurting growers. Let's face it folks. We're at a risky time when it comes to food consumption.

Here's a follow up on the benefits of buying local and organic. While my view on this remains as passionate as ever, I believe it would seem frivolous and insensitive to just wax poetic about free range chicken and grass fed beef without making an effort to give you a broader picture. Our current problems will only continue to escalate while our governments attempt to create solutions. There are no black and white areas or clear long term answers. However, we can start small at home. A friend recently asked what I thought about global warming and my response was that it does no good to alarm people with negative statistics and guilt them into action. While I'm not burying my head in the sand, I realize each of us can take baby steps. It's the same thing with regard to food consumption.

Making informed decisions to buy local and/or organic produce means less fuel to ship and supports smaller farms committed to using responsible practices. On the organic end, non-synthetic farmed foods not only protect you and your family, but also prevent depletion of the environment from overproduction. Mass produced conventional farms, whether to grow produce or to process meat from the slaughterhouses, run the risk of unsanitary practices in addition to inhumane treatment. Keeping up with demand for their products also stresses resources, driving up food costs for feed and increasing freight costs. With the local food initiative, which can sometimes be organic, growers don't have to ship thousands of miles to get their products to consumers. The added benefit? Fresher produce, supporting local farmers to create sustainable farming practices and not further burdening our delicate environment of resources. If you've read Fast Food Nation, you know that there are a myriad of evils from mass produced food. The reports this year from inhumane treatment of animals from conventionally produced livestock should not be a surprise considering the lack of regulation in the industry.

In short, it starts with one consumer. If every American began to think about how to support local and organic initiatives close to home, we could slowly and gradually change the way our resources are utilized while enjoying fresher, tastier food. It's a tall order to try to return to the way man was meant to live.

SOURCES: New York Times, Associated Press, AJC, United Nations Food and Agriculture Organization, "Dirt Cookies and Mud Pies" by Mark Hollingsworth, Fast Food Nation by Eric Schlosser

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I HAVE OWNED RENTAL PROPERTY for over 5 years now, and it has been an interesting journey into the mindset of those that are, and will continue to be, lifelong renters. I will use my Porterdale properties as an example. Porterdale is an old textile mill town in Newton County, Georgia. Like most mill towns, the economy of the area went downhill after the mill closed. The mill originally owned the homes. Families who worked there were provided housing as part of their compensation. In 1962 the homes in this area were sold off to private owners. Many workers who already lived in these mill houses purchased them. We are now seeing a renewal of communities like Porterdale, a town where the mill has been converted into loft apartments and businesses, and the downtown commercial buildings are in the process of restoration. Recovery is slow. Time is a necessity for a mill village to come back. Many homes in the area, most built in the 1920's or 30's, need renovations to attract higher rents.

I own eight properties in Porterdale, and I have observed some common behaviors that tell a story. A good percentage of renters that move to the area are looking for affordable living arrangements while they rebound from bad decisions or bad luck. Something has cost them everything, maybe a broken marriage, illness, a habit, etc. These renters plan to stay long enough to move on to something better. Often the area affects them, and they are pulled back into a vicious cycle of bad habits that push them to the bottom once again. Some do succeed and move on to better things. I checked a year or so back, and calculated that roughly 95% of my tenants in Porterdale smoked. Almost every household had at least one smoker. I am not after smokers, but these individuals struggle from month to month to afford their rent. Many drink regularly as well. There is always an excuse for why they did what they did. Their natural gravitation towards people of similar destructive habits prevents any hope of improvement. When I receive calls inquiring about the amount of the rent, I either hear "that's not too bad", "I can't afford that", "that's too expensive", or "do you have anything else cheaper?" Unlike some renters of my more pricey homes outside the area, I have never had someone in Porterdale negotiate the price or ask for some form of concession. Those renters in the mill village look at my prices like the price tag on a grocery item.

Choices repeated daily put people where they are. Mistakes of the past take time and patience to correct, but it can be done. Most I see don't want to do anything without instant gratification. Habits are too overpowering to allow consistent sacrifice and work towards the future. Maybe this is why some resort to selling drugs: let's make lots of money now. I see many who are "self employed" as house cleaners, handymen, painters, etc. Sometimes this is a start of a home-based business, but the ones I see in the village are often unemployable in the public sector. Either they have a bad temper, or a habit that prevents them from holding a job. During cleanup after moveouts I often found plenty of pornographic materials and tons of pennies in my rented Porterdale properties. I even found a large ziplock bag containing a Bible and porn.

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