Montana Funeral Directors Association Winter 2012-13

Directors Digest

In this issue:

- Executive Forum and Message from your President
- Member Comment
- Celebration of Service - Wilda "Winke" Axelson Bell
- MFDA Master Funeral Trust Information
- Policy Board and 2012 NFDA Leadership Conference
- 2012-2013 Tax and Financial Updates
- Board of Funeral Service Information
- New MFDA Website and Email Status Update

Executive Forum

Erin MacLean

I cannot believe that I have been working for the MFDA/WyFDA for nearly a year. I do not know how many of you know the story of how I came on with the association, so I thought I would briefly tell you about my experience. It was December 2012, when a notice came through my email Steve Yeakel was leaving and that the Montana and Wyoming Funeral Directors Associations (Associations) were looking for a new Executive Director. I was 9 months pregnant at the time, due at the end of December 2011, and truly in no reasonable state to be considering new clients, let alone two fairly good sized professional associations. Nevertheless, after reading the position description, something (akin to divine intervention or strong intuition, if there is a difference) told me that I was the single person in either Montana or Wyoming who met all of the qualifications required of the position, other than a knowledge of the funeral profession. Whether or not my "intuition" was right, I did believe that I simply had to apply.

This was a match that would not have been unless it was meant to be. I interviewed a day after formal interviews were held of other candidates, over the telephone, after being in labor in the hospital for two days straight. The day of the interview, I called Steve Yeakel, told him that I was not having contractions, and "if we are going to do this, we should do it now."

So, he called the hiring committee and the telephone interview was held that morning. Our daughter, Eliza did not actually arrive until over 10 days later, in the early morning of 30th of December. Apparently, Eliza was waiting to come until after I heard back from the Associations on whether I would be hired as the Executive Director, as I went into labor with her the day I was offered the job and just hours after I we finalized the association management contract terms. I started with the Associations three weeks later and have not looked back since. So far, we seem to be well matched.

We Want to Hear From You!

The MFDA appreciates hearing from all our funeral professionals and associate members through your phone calls, letters, thoughts and suggestions, if your home has a promotion, retiree, special event, achievement, fundraiser or any newsworthy item, please let us know. You may contact Amy Jensen at 406/449-7244, 888/449-7244 or email **ajensen@luxanmurfitt.com.**

Because we have reported to you through various venues, through Directors Digest articles, the Annual Convention and Membership Meeting, District Meetings and email updates, all of the steps we have taken in the past year to make this association what you want it to be, I will not take up the page space here to do so. I do want all of you to know, though, that we continue to work hard every day to do what we can from our office to provide you information and resources that help you in your business and your profession and to advocate for your profession and communicate to the public the importance of what you do in our communities.

I am pleased to announce that Amy Jensen, the Associations' full-time MFDA staff member, started on with the Associations in September of 2012. Please join me in welcoming Amy as a permanent member of the Associations' management team. We hope that you will continue to keep in touch with us and to let us know what you are doing in your communities that others should know about.

Neither Amy or I come from a funeral service background, and one of the reasons I told you the story of my unlikely hiring as the Executive Director is that, although I did appear to be the person most qualified for the Executive Director position for the two associations, I had almost no knowledge of the funeral service profession when I started. Unfortunately, I am guessing that likely was true of the majority, if not all, of the candidates for the Executive Director position. It is also true of the vast majority of the people our society. Over the past year, I have come to believe the general lack of understanding, or – let's call it what it is – ignorance, of what you do is really the issue that plagues your profession. Over the past year, I have come to see this as the most important insight of my initial tenure and likely the most important issue I will be addressing as your Executive Director.

I know this "insight" of mine is something you live on a daily basis and know all too well, so I do not state it lightly. This is especially true since those of you who I have come to know in our state truly are some of the most exceptional, dedicated and giving individuals in our communities. Without you and your service, our communities would literally not be able to function. I hope you all know and understand how important your work and dedication to your profession is to all of us in our nation, state and local communities, whether or not your neighbors are keenly aware of it. I for one do not want our collective appre-

(Continued on Page 3)

Message from President Rick Evans

Rick Evans
MFDA President

Dear M.F.D.A. Members,

I have had the opportunity to travel to all the districts in the state of Montana and have found that what concerns people in the east also concern people in the west. We all have concerns with the Master Trust and the Funeral Service Board. Both of these issues have been tackled and we hope to have more information to share at the Mid Winter Convention. A formal complaint has been filed with the Funeral Service Board regarding Central Montana Crematorium, Inc., in Lewistown, Mt. A hearing will be heard the end of January and we will report immediately on the outcome.

Information on our trust will be available at the Mid Winter Conference, February 6-8 in Helena. We hope all of the information received will help in determining our investment with the Master Trust.

The dues statements have been sent out and we are all hoping that they will be paid by Jan. 15, 2013.

A new bill coming up in the Legislature will be monitored by MFDA and information will be sent to members as soon as we have it. Happy New Year to everyone.

Rick

The MFDA has a new permanent full-time staff member!

Please welcome Amy Jensen, who joins the MFDA as our new full-time staff. Amy comes to us from the Montana Bankers Association, where she was the Member Services Coordinator from 2003-2012.

Amy comes to us with many years of association management experience, and she is excited at the prospect of growing and enhancing the MFDA's services in the coming years. She is looking forward to attending the MFDA Mid-winter Conference in February and hearing from you in 2013.

She enjoys golfing, horseback riding, boating and water skiing and spending time with her family and friends and two wonderful grandchildren whom she enjoys spoiling.

Please call on Amy with your MFDA related questions or concerns.

(Executive Forum, continued from page 1)

ciation of your worth to our communities to go unsaid in this New Year. I thank you for all that you do!

Your MFDA Board of Directors has made educating the public about what you do a major goal of the association, and Amy and I look forward to working with all of you throughout 2013 to begin to accomplish that goal.

Happy New Year!

Erin

Member Comments

Erin: I want to thank you for your efforts on behalf of our association. Communication with the membership has been something struggled with since before I served on the board.

It has been nice to receive informative newsletters from the association. Hopefully there are changes planned for the website as well.

Your article on professionalism is thought provoking. Asked if they are a professional I believe most funeral directors will agree that they are, yet listen to how we communicate with one another, it can be two directors talking or the keynote speaker at a national convention, nine times out of ten we will refer to ourselves as an industry, something very different from a profession. Our profession is regulated by the department of Labor and Industry who don't seem to be sure you even need a license provide disposition services.

I recently had a funeral director share the opinion that we intimidate our families by being too professional!

So much of our energy is spent on things like cremation rates, trusts or insurance, and third party merchandisers rather than providing the best possible service we can with the upmost respect and dignity.

Are we a profession or an industry? There was a point in time that funeral service was referred to as a "calling", not so much anymore. I know I believe I'm a professional, however by and large, I think we conduct ourselves as an industry and that's how we are perceived. Honestly does it make a difference? I think so, but even in an industry if you conduct yourself as a professional chances are it will be recognized and you will be considered as such.

Barry Brekhus
Michelotti-Sawyers
Mortuary, Billings

Send Us Your Member Comments!

Email any comments and thoughts you have related to how we are doing, or what you think we should be doing at the MFDA to:

ajensen@luxanmurfitt.com

Celebration of Service…

Mrs. Wilda 'Winkie' Axelson Bell

Wilda "Winkie" Axelson Bell passed away at her home at Big Sky Living Center on Friday evening, Nov. 30, 2012, with the same dignity, poise and courage that were the hallmarks of her life.

She was born in her family home in Bozeman on Nov. 3, 1915, to Budge and Wilhelmina (De Young) Parker. She attended grade school and high school in Bozeman and was a magna cum laude graduate of Montana State College. Following her college graduation she attended graduate school in Paris, France.

In 1939, she married Butte mortician Arlo Axelson in Bozeman. Like many other morticians' wives, she wrote and passed the Montana State Board examination and was licensed as a funeral director on Nov. 20, 1954. Her license No. 370 was the last remaining funeral directors license in the state. Together with Arlo she owned and managed Richards Funeral Home until his death in 1967 at which time she assumed full ownership of the firm. She retired from funeral service in 1974, the year that she married Malta mortician, Wilford Bell.

She was active in many community affairs and had served on the Model Cities Board during the administration of Mayor Mike Micone and was secretary of the Montana Funeral Directors Association, the first woman to ever serve on this board.

She was a proud member of Christ Church Anglican and also a member of Chapter G of P.E.O., Daughters of the American Revolution, Homer Club, Pi Beta Phi Sorority, Ruth Chapter Order of Easter Star, Tirzah Temple Daughters of The Nile and was recognized by each of these organizations on both a local and national level. She was an inductee of the first class of Women of Distinction.

Preceding her in death were her husbands, Arlo Axelson and Wilford Bell; her sister, Ione Parker; her brothers, John Parker and Melbourne Parker; and stepdaughter: Betty Smith.

She is survived by sons and daughters-in-law, Mike Axelson, Steve and Lorie Axelson and Jim and Janet Axelson all of Butte. Her beloved grandchildren include Cameron and Serena Axelson, Adam and Lynae Axelson and her great-grandson, Brayden Axelson.

Also surviving are her sister-in-law, Carleen Parker; stepson and daughter-in-law, Bill and Dorothy Bell and numerous step-grandchildren and step great-grandchildren; nieces, Barbara and Wayne McAnally and Patricia Goss; nephews, Budge and Sharon Parker, Jack Parker; and many great nieces and nephews.

In accordance with her requests, cremation has taken place at Butte Crematories. Celebration of Life services will be at Aldersgate United Methodist Church on Wednesday, Dec. 5, at 2 p.m.

The family requests that all memorials be made to Highlands Hospice in order that they may be able to continue their blessed ministry in the lives of other families.

More on Wilda Axelson from Jim Axelson, Butte

Good morning. Thank you for taking my call. I appreciate your time and your concern. Please find attached the photo for my mom. As mentioned above, the photo shows the M.F.D.A. Officers of 1971. They are from left: Hobart Brunsvold of Billings; Dennis Dolan Sr. of Butte; Wilford Bell of Malta; my mom, Wilda Axelson of Butte; William Riddle of Browning; Rex Troth of Bozeman and Tim Gerraghty of Missoula. As I mentioned in my phone call, it was kind of prophetic that my mom and Wilford would be standing next to each other in the picture. At the time, they were friends, but in October of 1974 they married at Big Sky and enjoyed an absolutely wonderful life together until Wilford's death. I also believe that my mom was the first licensed female funeral director in the state. I do know that her funeral directors license, number #370 issued to her on November 20th 1954, was the last one still remaining in Montana. I hope some of this helps and please do not hesitate to contact me at your convenience if I can add anything to your article or answer any questions.

My mom's service was yesterday, but because there were so many of her friends at Big Sky Senior Living who could not come to the church, we had a small service for all of them in the facility at 2:00 p.m., on December 6th.

Thank you so much for your respect and your honor for her. She was a funeral director's funeral director and a wonderful mentor to many. We were truly blessed to have her as our mother.

Celebration of Service...

Wilda and the MFDA Board of Directors 1971

thank you

Easter Seals-Goodwill Highlands Hospice has just received your contribution in memory of

The bereaved have been notified of your memorial gift. Please know that your gift will help us in our effort to better serve people with terminal illness and their families.

With grateful appreciation we acknowledge your gift of $ _____

1971 Montana Funeral Directors Association Board of Directors from left:

Hobart Brunsvold of Billings;
Dennis Dolan Sr. of Butte;
Wilford Bell of Malta;
Wilda Axelson of Butte;
William Riddle of Browning;
Rex Troth of Bozeman
and
Tim Gerraghty of Missoula.

Funeral Service is one big family

Be sure and let the MFDA know when you experience a loss in your midst.

Who Does What With Our MFDA Master Funeral Trust?

By Alan Fangsrud, Wells Fargo

As owners and managers, the members of the Montana Funeral Directors Association work tirelessly to earn and maintain the trust of those they serve. In addition to the very personal services provided to families, a level of trust exists as families pre-pay their funerals. When funds are paid to the funeral home, the families rightfully expect that the highest level of care will be provided, assuring that the funds are ultimately available to pay for the purposes intended. This level of care falls in the category of a fiduciary duty, defined by the Center of Fiduciary Studies as "Someone who is managing the assets of another person and stands in a special relationship of trust, confidence and/or legal responsibility."

Over the past several years, the number of lawsuits filed claiming breach of fiduciary duty has been on the rise. As a result, the activities of investment fiduciaries have been under increased scrutiny.

Many member funeral homes believe that by hiring outside consultants or advisors, they have completely abdicated their fiduciary responsibilities. The fact is funeral homes may **"share"** but not delegate all of their duties. A fiduciary duty is regarded as the highest standard of care under U.S. law. Regrettably, however, a surprising number of individuals with fiduciary obligations are not aware of their status or the full scope of their responsibilities.

Like MFDA members, Wells Fargo has worked diligently to faithfully serve as a trusted fiduciary, sharing the responsibility of safeguarding the assets of the families you serve and investing those funds prudently, acting solely in the best interest of the Master Trust and its beneficiaries. As interest rates continue to present challenging returns for savers, there have been investment fiduciaries around the country who have breached their fiduciary duties by investing in securities that carry excessive risk. As a result, the activities of investment fiduciaries have been under increased scrutiny. The states of Illinois and California have been wrestling with regulators since 2007 and 2011, respectively, and very recently the Wisconsin Funeral Trust was ordered into receivership by a district court judge. In each of these cases, the issues involve a breach of fiduciary duty.

As a Trustee for the Master Trust, Wells Fargo understands the importance of its role. We are proud to report that over the past 26 years we have shared that responsibility with MFDA member funeral homes and have had no claims of breaching fiduciary duties. Certainly, low interest rates are concerning for those who have funds in the Master Trust, but more importantly you can trust that the funds are protected and invested within the conservative guidelines of Montana State Statutes.

We hope at, while you aren't able to completely eliminate your fiduciary responsibilities, you are confident that you have made a sound decision in sharing these duties with Wells Fargo.

2013 MFDA Midwinter Conference
February 6-8, 2013

HOTEL ACCOMMODATIONS

Best Western Great Northern Hotel room rates are King 125.00 (plus tax, single or double occupancy). Please call hotel directly to secure rooms at 406/457-5500 - 800/829-4047

REGISTRATION FEES

Early Bird: $299 Individual Member - $499 Individual Non-Member
$119 Guest/Spouse - $150 Associate Member Sponsor
After Friday, January 25th, fees will increase by $30

Registration Materials were mailed to members January 11, 2013.
If you did not receive your registration packet, please call Amy Jensen at 406/449-7244 - 888/449-7240 or email ajensen@luxanmurfitt.com.

We look forward to seeing as many of you as possible and are very excited for this year's conference with our legislators and key note speaker Walker Posey
The Importance of the Ceremony and Funeral Professional in Your Community

Message From a Sponsor

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Pima Medical Institute is a candidate for accreditation through the American Board of Funeral Service Education, 3414 Ashland Avenue, Suite G, St. Joseph, MO 64506. **CAUTION:** Students applying for admission to the Mortuary Science program should contact their respective state boards of funeral service regarding that state board's approval of this particular program of instruction.

Policy Board & 2012 NFDA Leadership Conference

Winter 2012-2013 Policy Rep. Update

Some time in January, I'll be receiving from NFDA, a thick stack of issues, initiatives, proposals and on-going legislative work that the NFDA Advocacy Committee on which I serve, will be asked to evaluate and prioritize. From that work will be developed the legislative bills and initiatives we as a profession want to promote to our Congressmen in three short months in Washington, DC during the Advocacy Summit, March 5-7, 2013. Besides myself, our executive director, our president and perhaps other board members (and even you too) will be representing Montana in sharing with our Congressmen what relevance these issues play in our profession and why we are passionate in seeing them supported, fought for and passed. This is critically important work because what is decided in DC will ultimately affect us all, and we need your support!

Advocate: A person who pleads for or in behalf of another; to support or urge by argument; recommend publicly; to argue in favor of

Many of you supported the PAC (NFDA's Political Action Committee) this past year by the purchase of a raffle ticket and I applaud you! This is a simple and relatively affordable investment in our future and the future of our profession. I hope you'll do the same again next year! For those that were not able to, please make it a priority next year when I call.

During our Policy Board Meetings in October, 2012, two important items were discussed. One was the adoption of a Model Law concerning recycling of metal and non-human residue following a cremation process. From our state level, this should be viewed as a "Best Practices" decision by NFDA and basically suggests the prohibition of any compensation payment for the recycling of said residue, to either the crematory operator, the crematory or mortuary. A complete report is found on the NFDA website.

The other item involves the REAL Project that Erin wrote about in our Fall Directors Digest.This stands for Referendum on Education and Licensing and is being proposed by Dr. Jacquelyn Taylor, Ph.D. I hope you take the time, if you have not already, to go to the NFDA website and read over her presentation and findings, and voice your opinion to an MFDA board member. This is very important because NFDA will be asking each state association whether they will support this project and if so, what does that support look like.

Remember, if you're not at the table, you're on the menu! Happy Holidays!

Wayne Benson
Policy Board Rep, Montana

Montana Board of Funeral Service Information

MFDA Board of Funeral Service Updates

The MFDA has been actively engaging the Board of Funeral Service (BFS) and following a number of matters pending in front of the BFS since the spring of 2012. MFDA staff and Board members have been in attendance at every BFS meeting and public hearing since February. A lot has happened since then.

The BFS raised its licensing fees by 50% in the Spring of 2012. Additionally, in 2012 the BFS heard complaints against numerous licensees filed by an anonymous complainant for calling themselves "funeral directors" and/or referring to mortuary science as "funeral directing." All of those complaints were dismissed with prejudice.

The BFS also heard a number of complaints in 2012 against licensees and non-licensees who have been accused of practicing in violation of Montana Funeral Service related statutes and regulations. The MFDA filed one such complaint against William Spoja and Central Montana Crematorium, Inc., alleging numerous violations.

BFS representatives are expected to provide a status report, updates and answer questions related to the BFS at the MFDA Mid-Winter Conference.

Please contact the MFDA office for further information related to the BFS.

BFS Scheduled Meetings for 2013

Rules Subcommittee Meeting and Teleconference:
January 15, 2013, 8:00 am
Location:301 South Park Avenue, Helena, MT

Full Board: January 31, 2013, 8:30 am
Location: Park Ave Bldg 4th Floor, 301 S. Park, Helena

Please visit the BFS website for more information:
http://bsd.dli.mt.gov/license/bsd_boards/fnr_board/board_page.asp

MFDA Website and Email Update

MFDA Website Under Construction and Email Temporarily Offline

NEW MFDA WEBSITE DOMAIN

MontanaFDA.org

Check out our progress as we build our new website and let us know what you think!

If you have gone to our website recently, you will notice that our old website at MFDA.net is no longer the MFDA's website. Additionally, our email addresses no longer use the @mfda.net suffix. There is a good reason for this change, and it is a long story. The short of it is that we are now located at MontanaFDA.org and our website is being redesigned to better fit the needs of and serve MFDA members and the public. We are very excited about our new look and web domain.

Two MFDA Board of Directors, Travis Newman and Shawneal French were appointed in December to redesign the website with the MFDA office staff in conjunction with the NFDA. Moving forward, the NFDA will host the MFDA's website and the MFDA's email accounts. This process is well underway and the new MFDA website homepage should be up and running by the time you read this article. Other pages and content will be added as they are developed.

Although we are very excited about this change, we want to apologize for the inconvenience that these changes may cause you and hope that you will stick with us as we construct our new website. Our hope and belief is that the changes we are making to it will prove a very useful resource for MFDA members, the public and your vendors and suppliers. If you have any suggestions or comments along the way, please contact Erin or Amy at the MFDA office. We always appreciate hearing from our members. Contact us by email in the short term at **ajensen@luxanmurfitt.com** and **emaclean@luxanmurfitt.com**.

We will let you know as soon as our new email addresses are up and running.

American Taxpayer Relief Act General Update

On Wednesday, January 2, 2013, the President signed into law the American Taxpayer Relief Act of 2012. Below are some highlights of changes in effect for 2013:

The IRA Charitable Rollover

Donors age 70½ or older are once again eligible to move up to $100,000 from their IRAs directly to qualified charities without having to pay income taxes on the qualified distribution in 2013. In addition to the extension of the IRA Rollover provision for 2013, Congress provided two special transition rules:

1) Qualified distributions made by Feb. 1, 2013, may be counted retroactively for the 2012 tax year. Those acting timely may make IRA Rollover gifts of up to $200,000 in 2013.

2) The "do-over" provision: taxpayers who took a withdrawal from an IRA (mandatory or otherwise) during December 2012 may make a cash contribution to a qualified charity before Feb. 1, 2013 and treat the gift as if it had been a direct distribution to charity that qualified as an IRA Rollover gift for 2012.

Charitable Deduction Remains

During 2012, a number of proposals were made to limit the charitable deduction. The Act does not address or specifically limit the charitable deduction.

Pease Amendment Returns

The Pease Amendment introduced in 1991 partially limits deductions for higher income taxpayers. Under its terms, total itemized deductions are reduced by 3% of the amount by which a taxpayer's adjusted gross income exceeds $250,000 ($300,000 for married couples who file jointly).

Individual Income Tax Rates

The new law permanently extends tax rates set by the Economic Growth and Tax Relief Reconciliation Act of 2001 and the Jobs and Growth Tax Relief Reconciliation Act of 2003 for taxpayers earning less than $400,000 a year and married couples earning less than $450,000. It increases the tax rate for high-income households earning more than that to 39.6 percent. The 2013 tax rates will be 10 percent, 15 percent, 25 percent, 28 percent, 33 percent, 35 percent and 39.6 percent.

Capital Gains Tax Rates

The capital gains and dividend tax rates for high-income households ($400,000 a year for single taxpayers and $450,000 for married couples) will increase to 20 percent. There will be no capital gains tax for taxpayers whose income falls in tax brackets below 25 percent. The capital gains tax rate will be 15 percent for taxpayers whose income falls at or above the 25 percent tax bracket but below the new 39.6 percent rate. A Medicare contribution tax of 3.8% on capital gains, dividends, interest and other unearned income will also come into play in 2013 for those with adjusted gross income over $250,000 ($200,000 for single taxpayers).

Estate, Gift and Generation-Skipping Tax Exemptions

The new law permanently preserves the current individual gift, estate and generation-skipping tax to a unified $5 million exemption level. This amount will be indexed for inflation – the inflation adjusted amount for 2013 is $5,250,000. The top rate is increased to 40 percent from the current 35 percent. The new law also makes the portability of exemption between spouses permanent.

The MFDA does not provide financial or tax advice. Please contact your financial, tax and legal professionals in order to determine how the new law will affect you and your business.

(Source: wyoalunm@uwyo.edu)

Standard Mileage Rates for 2013

The Internal Revenue Service has issued the 2013 standard mileage rates. Beginning January 1, 2013, the new rates will be:

* 56.5 cents per mile for business miles driven;
* 24 cents per mile driven for medical and moving purposes
* 14 cents per mile driven in service of charitable organizations.

(Source: www.irs.gov)

2012 MFDA Associate Members

* Batesville
* Creation Mosaics
* Employees Benefit Resources
* Federated Insurance
* Gainans Flowers & Garden Center
* Matthews Casket Division
* Messenger
* Medallion Vault & Casket
* Precoa
* SightLife
* Sinosource International
* Timeless Traditions
* The Dodge Company

We appreciate all your support in 2012!

Miscellaneous Funeral Service Information

Left: Tom & Judy Davis are pictured with Colin & Hailey Zeman to whom they sold Franzen-Davis Funeral Home. Article Run in the Livingston Enterprise, Tuesday, January 8th, 2013. Reprinted with permission from the Livingston Enterprise

New Owners at Franzen-Davis Funeral Home

Long-time Franzen-Davis Funeral Home owners Tom and Judy Davis have sold their Funeral Home to Colin and Hailey Zeman. as an integral part of the Franzen-Davis staff. Tom and Judy are thrilled to have such a wonderful young couple to carry on the outstanding reputation they have built over almost 40 years of service in Livingston.

Colin is a Licensed Funeral Director and Mortician in both Montana and Minnesota. He is also is a prearrangement specialist and licensed life insurance agent in both Montana and Minnesota, which allows him to protect clients assets while ensuring Medicaid eligibility.

MT Licensee Advertisement

Mortician Services Offered
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Information:

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Rick Walter
Western District Governor

MFDA Events Calendar

2013 Midwinter Conference - February 6 - 8, 2013
Great Northern Hotel - Helena, MT

NFDA Advocacy Summit - March 5 - 7, 2013
Renaissance Hotels - Washington DC

NFDA Meet the Mentors - March 18 - 19, 2013
Emory Conference Center Hotel
Campus of Emory University - Atlanta, GA

2013 MFDA/WyFDA Joint Annual Convention - June 9 - 11, 2013
Holiday Inn - Cody, Wyoming

2013 NFDA International Convention & Expo
October 20.-.23, 2013 - Austin, TX

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