

## OF NOTE



### That was long 'three weeks'

Nearly two years after asking its employees to work from home in what was hoped might be a temporary precaution, Microsoft is fully reopening its Washington state facilities — including its Redmond headquarters — effective Feb. 28, the company has told its employees. Chris Capossela, Microsoft's chief marketing officer, cited the high rates of COVID-19 vaccination in King County, plus declining hospitalizations and deaths in the state, as a reason for the move.

### Industry News Briefs pages 8-10

### Business Calendar page 11

## Seattle e-commerce platform picks Lehi for major expansion

**Brice Wallace**  
*The Enterprise*

A Seattle-based company offering an e-commerce platform for brands and retailers will expand in Lehi, bringing 152 new jobs over the next five years.

Fuelcomm Inc., doing business as Stackline, will use the Lehi site to grow its sales organization, customer success and technical support operations, according to Dave Helmreich, chief revenue officer. The company had also considered Austin, Texas; Denver; Charlotte, North Carolina; and Northern Virginia for the project.

"And as a result of that, Salt Lake City became, at every turn, our No. 1 choice, for a number of reasons," Helmreich told the Governor's Office of Economic Opportunity (Go Utah) board, which approved a tax credit incentive for the project.

Utah's advantages include access to talent, access to leading universities, the opportunity to build a college hiring program, "and, I think more importantly, attract new employees and families from out of the state to live in the state and live in the valley," he said.

Steve Neeleman, chairman of the Go Utah incentives committee, said the project features "not lot of capital expenditure (\$200,000), but the jobs that will be coming on are going to be significantly higher than the average county wage."

Founded in 2014 and with operations worldwide, Stackline is a retail intelligence



*Michael Lagoni, CEO of e-commerce platform Stackline, makes a point with his management team. The company has announced an expansion of its operations to Lehi.*

and software company offering technology to optimize e-commerce marketing performance for brands and retailers. It combines market intelligence, advertising automation, workflow management and operational analytics into a single platform. Over the past year, Stackline has raised \$180 million in investments from Goldman Sachs Growth Equity and TA Associates. Its brand list includes Starbucks, Sony, General Mills,

see **STACKLINE** page 14

## COVID-19 Updates

### Cancellations and postponements

The following are events that have been included in The Enterprise Calendar listings and subsequently have been postponed or canceled, or have been removed from the organizers' website calendars. This is not a complete list of postponements or cancellations. Check with organizers to determine if their events will take place.

#### CANCELLATIONS

##### March 1, 10-11 a.m.

"Financial Statements," part of the nine-week "First Step to Next Step" program presented by the Women's Business Center of Utah.

##### March 3, 6-8 p.m.

"Entrepreneur 101," a Small Business Development Center (SBDC) event originally scheduled to take place at the Orem/Provo SBDC at Utah Valley University and later moved online. Other sessions of "Entrepreneur 101" are scheduled for March 24 and April 7, 6-8 p.m., at the Orem/Provo SBDC. Details are at <https://clients.utahsbdc.org/events.aspx>.

##### March 9, 8 a.m.-5 p.m.

"Lean Office with Simulation," a Salt Lake Community College Employee Development Workshop at SLCC's Westpointe Campus in Salt Lake City.

see **UPDATES** page 14

## Consumer sentiment up a bit, still 2nd-lowest ever

Utah's consumer sentiment rose by 1.5 points from December to January, increasing to 76.9, according to the Kem C. Gardner Policy Institute's Utah Consumer Sentiment Survey. Study authors said the slight increase is coming from Utahns' responses in January of feeling better off financially compared to a year ago and improvements on long-term outlooks. Even with the improvement, overall sentiment is the second-lowest on record and is not as optimistic as it was a year ago.

"Utahns continue to express concern about inflation and the economic impacts of COVID-19," said Joshua Spolsdoff, Gardner Institute senior research economist. "Despite these lingering concerns, our state economy continues to perform well, with the second-lowest unemployment rate and fastest job growth rate in the nation."

The University of Michigan's index sentiment among all Americans fell over the past month, marking a 10-year low in national sentiment. Inflation, COVID-19

and confidence in government economic policies were all major factors in the 3.4 percentage point fall.

The Utah Consumer Sentiment Survey uses comparable questions to the University of Michigan's Survey of Consumers. These questions measure residents' views of present and future economic conditions. Both surveys include a random sample of consumers, including demographic questions to assess the representativeness of the sample.



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## Darlene Carter named CEO of C.W. Group

C.W. Group, a real estate development company based in Centerville, has named Darlene Carter as CEO. Carter previously served as president of C.W. Urban, a division of C.W. Group, from 2017-20. C.W. Urban is an architecture, general contractor and development firm specializing in urban and suburban single-family and multi-family developments. She was named president of C.W. Group in 2020.



**Darlene Carter**

C.W. Group is made up of four divisions: C.W. Land Co., C.W. Urban, Cole West Home and Cole West Development. The company focuses on developing master-planned communities, residential lots, urban in-fill communities and mixed-use properties throughout Utah.

In her new role, Carter will be responsible for overseeing all company deliverables and has participated in raising over a billion dollars in residential for-sale and for-rent project funding.

“Darlene Carter has become, in my opinion,

the best residential real estate developer in the state of Utah. She possesses an almost unmatched combination of courageous leadership, intelligent underwriting, market expertise, diligent operating skills and marketing genius,” said Colin Wright, founder and owner of C.W. Group. “She has successfully developed stacked condos, townhomes, single-family homes, master-planned communities, build-for-rent townhomes, suburban apartments and vertically mixed-use projects. C.W. Group is in amazing hands with Darlene Carter and the future is more promising than it has ever been.”

Carter previously served in various leadership roles at homebuilders in Utah, including Oakwood Homes, Henry Walker Homes and Woodside Homes.

A graduate of Utah State University with a bachelor’s degree in journalism and communications, Carter has been a licensed real estate agent and broker since 2005. Carter is currently the co-chair of the Downtown Alliance Development Committee. She is also a board member of Envision Utah and ULI Utah.

## Fathom Holdings acquires Orem-based iPro Realty Network

Fathom Holdings Inc., a Cary, North Carolina-based technology-driven real estate services platform, has acquired Utah’s iPro Realty Network. Based in Orem, iPro Realty Network is a full-service residential real estate brokerage company.

Fathom Holdings’ platform integrates residential brokerage, mortgage, title, insurance, and SaaS offerings for brokerages and agents through its proprietary cloud-based software, IntelliAgent. It operates brands that include Fathom Realty, Dagley Insurance, Encompass Lending, IntelliAgent, LiveBy, Real Results and Verus Title.

Terms of the acquisition were not disclosed.

iPro Realty Network em-

ployes approximately 435 agents that provide a full range of services for buyers and sellers with operations in St. George, Cedar City, Orem, Salt Lake City, Clearfield and Midway. The company was ranked No. 94 among independent brokerages nationwide, according to the 2021 RealTrends 500. The company generated more than \$1.25 billion in residential sales volume in 2021 across more than 2,900 transactions.

“Our agent-centric philosophy aligns very well with Fathom’s servant-leadership culture, putting agents first so they can better serve their communities and clients,” said Bill Telford, founder of iPro Realty Network. “We are beyond thrilled to join the Fathom team and are committed to maximizing value by giving agents all the tools and resources they need to help them be more successful, from a feature-rich technology platform, to unbridled training and support, to a very attractive commission structure. It’s these attributes that make Fathom a sought-after industry leader that not only helps retain agents but enables them to keep more of their hard-earned commissions, and ultimately continue to drive transactions in the Utah market.”

“I could not be prouder to have the iPro Realty family join our Fathom family,” said Josh Harley, Fathom Holdings’ founder and CEO. “Utah boasts one of the country’s fast-growing real estate markets, and we are pleased to be expanding our geographic presence through iPro, a company that values and strives for excellence. We are also proud to serve alongside iPro’s leadership team, who shares our commitment to servant leadership as we build critical mass in existing local markets and expand into new markets across Utah.”

“Our new Utah agents will have full access to Fathom’s proprietary cloud-based software, IntelliAgent, along with our powerful LiveBy platform, and will also benefit from having additional Fathom services to offer their clients, including mortgage, title and insurance services, as we continue to help all our agents grow their businesses,” said Samantha Giugio, chief operating officer for Fathom Realty.



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# New report explores opportunities to open the way for 'middle housing'

The Utah Foundation has released the fourth part of its study, "Is the Middle Missing? A Guide to Expanding Options for Utah Homebuyers and Renters." The latest installment, "Obstacles and Opportunities," explores opportunities to open the way for new middle housing options, the foundation said.

The Utah Foundation defines "missing middle housing" as a term that encompasses a variety of multi-unit housing buildings that are house-scale, facilitate neighborhood walkability, accommodate changing demographics and preferences and are available to people with a range of incomes. Middle housing offers the potential to increase the supply of housing, but at a scale that is not objectionable to most neighbors and in a manner that can improve upon neighborhoods, according to the organization. There are obstacles to increasing this type of housing, though they are not in-

surmountable.

The report guide was published in four parts. The first installment, "The Scope of the Challenge" (November 2021), examined Utah's housing problem. The second, "What is the Middle, and Where is It?" (December 2021), examined the prevalence of middle housing in the four largest Utah counties and the relevant development trends. The third installment, "Utah's Development Preferences" (January 2022), drew on the findings of a Utah Foundation survey to reveal favored approaches for new housing.

Among the findings of Part IV are:

- Most residential land in Utah is zoned for single-family homes. For instance, more than 88 percent of residential land in Salt Lake County is zoned single-family.
- For small, middle-housing developments at the neighborhood level, developers would of-

ten need conditional use approval or a rezone, which implies uncertainty, time and effort and higher costs.

• Salt Lake County Regional Development analyzed all zoning in the county, finding that most significant opportunities for middle housing are in the southwest of the county, with a smattering of opportunities elsewhere.

• A key barrier against new middle-housing development is zoning. Zoning trended significantly toward single-family residential with automobile-oriented development patterns in the 1900s. As a result, development shifted away from walkable medium-density housing in many areas, reducing the relative supply of the now "missing middle."

• Parking spaces increase construction costs and research shows that these costs tend to increase rents. It is important for local policymakers to take a hard look at their parking needs to dis-

cover whether the requirements suit actual needs and whether the payoffs in terms of driver convenience are worth the tradeoffs in housing affordability.

• Condominiums offer a significant possible approach to creating ownership opportunities in middle housing. However, condominium developers can face unique challenges.

• Overlay zones may be used to open the way for middle housing. This type of overlay could allow middle housing in traditional single-family zoned areas, particularly those near transit and retail, around main street areas, in downtowns, and as transitions between more dense areas and single-family ones.

• Upzoning to allow small multifamily (or smaller-lot, single-family) in existing single-family zones holds the promise of creating new housing opportunities. However, to avoid negative impacts on quality of life and neighborhood character, it may be prudent to begin by trading single-family zoning for two-family zoning and, if successful, build to four-family zoning (or more, depending on the location).

• Form-based codes provide a zoning approach that allows developers to focus on placemaking, rather than use, possibly opening the way for middle housing. However, a successful form-based approach must avoid

being both ambiguous and overly prescriptive.

Utah Foundation President Peter Reichard said that while zoning can be an important tool for protecting Utah's communities from inappropriate development, it can also stifle agreeable housing solutions.

"For those who would ask whether there are ways to increase homeownership opportunities and expand rental options without diminishing the character of our neighborhoods, the answer is yes," Reichard said. "But developers, policymakers and neighbors must be willing to embrace creativity and, in some cases, a more daring spirit."

Part IV of the Utah Foundation report on middle housing is available at the organization's website, [www.utahfoundation.org](http://www.utahfoundation.org).

Salt Lake County, the Sorenson Legacy Foundation, the Utah League of Cities and Towns, the Wasatch Front Regional Council and Y2 Analytics participated in the report.

## Bavard purchased by Indianapolis software firm

Salt Lake City-based conversational artificial intelligence startup Bavard has been acquired by LifeOmic, an Indianapolis-based software company that leverages the cloud, machine learning and mobile devices to power health and wellness solutions.

"Bavard offers an enterprise-grade conversational AI platform that integrates with an organization's platforms to deliver more personalized experiences," LifeOmic said in its announcement of the acquisition. "LifeOmic customers are now able to access AI-enabled customer support via a chat bot on the website or within the LIFE mobile application."

"The majority of people are spending more time online and the need to optimize the experience is greater than ever," said Angelique Brown, Bavard CEO and co-founder. "We created Bavard's conversational platform to engage with users around the clock, even after a live support team has gone home. Together with LifeOmic, we are excited to leverage this cutting-edge technology in the health and wellness industry to help organizations deliver better user experiences at scale."

"Our customers are our No. 1 priority and this acquisition ensures we're able to offer the best support possible," said Dr. Don Brown, LifeOmic CEO and founder. "They can now engage with a platform that responds

24/7 and is powered by thousands of data points to provide personalized suggestions when they need it most."

"LifeOmic's digital health tools are used by employers, consumers and healthcare organizations to improve health outcomes," the company said. "With the expanded abilities from Ba-

vard's technology, employers are able to expedite the onboarding of LifeOmic products to their employees and consumers are able to easily ask questions about LIFE Apps. Overall, customers will have a seamless customer support experience and with enhanced intelligence and context for each interaction."



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PUBLISHER & EDITOR

R. George Gregersen

PRESIDENT

David G. Gregersen  
[david@slenterprise.com](mailto:david@slenterprise.com)

VP/GENERAL SALES MANAGER

Dale Dimond  
[dale@slenterprise.com](mailto:dale@slenterprise.com)

MANAGING EDITOR

John M. Rogers  
[john@slenterprise.com](mailto:john@slenterprise.com)

CONTROLLER

Richard Taylor  
[richard@slenterprise.com](mailto:richard@slenterprise.com)

OFFICE MANAGER

Dionne Halverson  
[dionne@slenterprise.com](mailto:dionne@slenterprise.com)

CLASSIFIED AND REAL ESTATE

[david@slenterprise.com](mailto:david@slenterprise.com)

CIRCULATION

Dionne Halverson  
[dionne@slenterprise.com](mailto:dionne@slenterprise.com)

LIST DEVELOPMENT

Laneace Gregersen  
[lists@slenterprise.com](mailto:lists@slenterprise.com)

ADVERTISING INQUIRIES

[david@slenterprise.com](mailto:david@slenterprise.com)

TO CONTACT NEWSROOM

[john@slenterprise.com](mailto:john@slenterprise.com)

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# Succeeding in Your Business

## Dealing with the 'noncompete from Hell' when hiring an employee

"I run a small service business that's been around for 30 years.

"As I get older, I'm getting tired of running this business alone. I want to hire and train a general manager to run the business day to day, with the understanding that when it comes time to retire, I will pass ownership of the business on to this person.

"I have found the absolutely perfect person to hire as manager. He works for a competing company and is absolutely miserable there. (The owners are real SOB's.) I can offer this young man a better future, and he recognizes that.

"The problem is that earlier this year, his employer made him sign a noncompete agreement.

They threatened to fire him if he didn't sign.

"I'm not a lawyer, but the agreement looks pretty bad. It says he cannot "own (other than ownership in a publicly traded company), operate, manage or participate in the ownership of any company or control of any person, company or entity which is in competition with' his current employer for two years after he leaves the company.

"I would like to hire this person. He has amazing skills our company needs, but I don't want to get sued. I've heard that non-compete agreements are often not enforceable in the courts. Is that true?"

Courts do not like noncom-

pete agreements in employment contracts and often construe them very narrowly against employers. Except in a handful of states (such as California) that have banned them outright, however, you cannot assume that a noncompete agreement won't be enforced.

If this noncompete agreement is upheld, there's a good chance that your employee will be sued by breaching his contract, and that his former employer will sue you for "tortious interference" with the contract ("inducing" the employee's breach). This is more than likely to occur because you clearly knew about the noncompete agreement before you made the employee an offer to switch jobs.

Sadly, it looks like whoever drafted this agreement knew what he or she was doing. They did not

bar the employee from working for a competitor — which a court would almost certainly strike down as it would deprive the person of the right to earn a living — but rather said he cannot own or operate a competing company in an executive or managerial capacity (where, presumably, he would be tempted to disclose or make use of his current employer's trade secrets, contacts and confidential information, the prevention of which is the true purpose of a noncompete agreement).

You will need to speak to a local lawyer who specializes in employment litigation or disputes, as there might —*might*— be a way for you to hire this person without triggering the noncompete agreement.

Here are the questions you should ask the lawyer:

- Whether the fact his current employer put a metaphorical gun to his head to make him sign the agreement renders it invalid for lack of proper legal consideration.

- Whether you and the other company are actually "competitors" under the agreement.

- Whether the noncompete agreement can be circumvented by hiring this person in a non-management capacity (for example, as a clerk or warehouse employee) for the two-year noncompete period.

- Given the extremely broad scope of the agreement, whether a court in your state is likely to grant an injunction barring the employee from working for you until the noncompete agreement can be sorted out.

If after speaking to the lawyer you do decide to hire this person and take the risk of a lawsuit from

his current employer, be sure NOT to:

- Give him any sort of title as an officer or manager of your company.

- Compensate him as if he were an officer or manager of your company. For example, do not give him a share of your business' profits or shares of stock in your company. (Although, you may be able to give him options to acquire shares in your company once the two-year noncompete expires.)

- Tell customers, vendors and other third parties that he has authority to bind your company to contracts.

- Allow him to solicit business from any customers of his current employer (unless your company had a preexisting relationship with that customer).

- To the extent possible, allow him to communicate with other employees of his former employer. (If this is not practical because, for example, some of these people are personal friends or relatives, he should be coached to tell them he cannot make them any offer of employment with your company.)

Frankly, I wouldn't advise a client to take the risk in this situation, especially given your observation that his current employer's owners are SOB's. In my experience, SOB's are more likely to sue you than nice people, and I'm sure there are plenty of other fish in the sea if you take the time to look for them.

Cliff Ennico (crennico@gmail.com) is a syndicated columnist, author and former host of the PBS television series "Money Hunt."

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## Gardner report: Renewable gas offers promising energy source

The Kem C. Gardner Policy Institute at the University of Utah has released a report detailing the benefits of renewable natural gas (RNG) as a promising energy source that will help decarbonize a portion of Utah's energy mix. The report, commissioned by Dominion Energy, estimates that Utah RNG volumes could supply 4 percent of Utah's fossil natural gas demand.

"RNG feedstocks include waste streams from livestock, landfills and food," said Tom Holst, senior energy analyst at the Gardner Institute and lead author of the report. "By recycling these waste streams, Utah will avoid the release of methane, which has a climate warming potential 25-34 times greater than carbon dioxide."

The report identifies RNG

as a low-carbon energy source. Generation of RNG avoids emissions of methane. Avoidance of methane emissions gives RNG a negative carbon intensity metric (grams of CO2 equivalent per megajoule of energy).

Utah's current RNG sources are food waste, landfill gas, wastewater treatment plants and livestock farms. In addition, owners of five anaerobic digesters processing livestock waste and one anaerobic digester processing food waste fulfill a vital role in the RNG production chain. The study found that Utah has 54 landfills and 20 wastewater facilities, only some of which are capturing biogas.

The full report is available online at the Gardner webpage, [gardner.utah.edu](http://gardner.utah.edu).

## Social5 acquired by Pluribus

Draper-based social media marketing company Social5 has been acquired by Pluribus Technologies Corp., an investment firm that acquires small business-to-business software companies. Pluribus is headquartered in Toronto, Ontario, Canada. The deal was brokered by Corum Group of Seattle.

Social5 uses proprietary technologies to provide affordable marketing solutions to an underserved small and medium-sized business market. This is the second e-commerce acquisition for Pluribus.

"We are delighted to have brought this transaction to a successful close. Social5 is a unique business and Pluribus is a perfect

home," said Mark Blundell, Corum principal, who led the transaction. "Social5 will contribute to the Pluribus group, as well as grow its own business in partnership with Pluribus' other companies. We expect a bright future for Pluribus and Social5 together."

Social5 provides a suite of marketing solutions, including graphic design, content creation, social media advertising and reputation management. Through its scalable content-delivery system and the recruitment of writers from top newspapers nationwide, Social5 aims to help businesses retain existing customers and reach out to new ones, Pluribus said in a release.

## CORPORATE FINANCIAL REPORTS

The following are recent financial reports as posted by selected Utah corporations:

### Varex

Varex Imaging Corp., based in Salt Lake City, reported net income of \$1.4 million, or 3 cents per share, for the first fiscal quarter ended Dec. 31. That compares with a net loss of \$6.4 million, or 16 cents per share, for the same quarter a year earlier.

Revenues in the most recent quarter totaled \$198.8 million, up from \$177.1 million in the year-earlier quarter.

Varex designs and manufactures X-ray imaging components, which include X-ray tubes, digital detectors and other image processing solutions that are key components of X-ray imaging systems. Its products are used in medical imaging as well as in industrial and security imaging applications. The company has about 2,100 employees in North America, Europe and Asia.

"Demand for our products remained strong in the first quarter of fiscal 2022, but supply chain constraints limited our ability to fulfill orders as planned," Sunny Sanyal, CEO, said in announcing the results. "This resulted in quarterly

revenue of \$199 million, which was below our expectations. Profitability and cash generation were solid," he said, with non-GAAP earnings per share of 25 cents and the cash balance reaching \$158 million at the end of the quarter.

### Quotient

Quotient Technology Inc., based in Salt Lake City, reported a net loss of \$7.1 million, or 8 cents per share, for the fourth quarter ended Dec. 31. That compares with a net loss of \$23.3 million, or 28 cents per share, for the same quarter a year earlier.

Revenues in the most recent quarter totaled \$146.4 million, up from \$142.5 million in the year-earlier quarter.

For the full year 2021, the company reported a net loss of \$45.6 million, or 49 cents per share. That compares with a loss of \$65.4 million, or 72 cents per share, for 2020.

Revenue in 2021 totaled \$521.5 million, up from \$445.9 million in 2020.

Quotient is a digital media and promotions technology company for advertisers, retailers and consumers. Its platform is powered by exclusive consumer spending data, location intelligence and purchase

intent data to reach millions of shoppers daily and deliver measurable, incremental sales.

The company announced in October 2020 it would move its headquarters from Mountain View, California, to Salt Lake City.

"2021 was a year of progress for Quotient, both financially and operationally," Steven Boal, CEO, said in announcing the results. "Despite a global pandemic and numerous other challenges throughout the year, we ended strong with solid revenues and EBITDA (earnings before interest, taxes, depreciation and amortization) in Q4.

"Over the past two years, we have been on a transformational journey, and we believe the Quotient that emerges into 2022 is a stronger, more agile, more efficient and better-positioned company, ready to deliver sustainable and profitable growth in the future."

Boal said the company's current quarter "will be challenging" because its relationship with Albertsons Cos. Inc. is winding down.

"We have been focused on implementing cost-cutting measures in advance of their transitioning off our platform and will continue to lower our operating expenses over the course of the year," he said.

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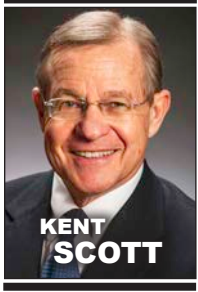
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# Legal Matters

## Contingent payment clauses in Utah: Deal or no deal?

What are contingent payment clauses? How do they work? Are they legal? Contingent payment clauses provide parties involved in a construction project with a contractual method for determining who will absorb losses that may occur if the owner, perhaps because of insolvency, fails to pay for work performed on the project. The use of contingent payment clauses is common in the construction industry.



KENT  
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The distinctions between different types of contingent payment clauses can be subtle and the use of one clause over another can drastically affect the outcome of payment disputes.

In Utah, the law remains unsettled in this area, though some statutes clarify the treatment of contingent payment clauses in certain cases. Participants in the Utah construction market should understand the types of contingent payment clauses available and how those clauses might affect a participant's ability to recover payment due or to defend against a claim for recovery. By understanding contingent payment clauses, participants can better assess the risks associated with the use of these clauses and can adjust their pricing to match that risk when they enter into a contract that includes one.

### Contingent Payment Clauses

One type of contingent payment clause, called a "pay-when-paid" clause, requires a contractor to pay a subcontractor or supplier within a reasonable period of time for work or material furnished to a project. These clauses do not shift the risk of owner nonpayment to the subcontractor or supplier. If the owner fails to pay the prime contractor, the prime contractor is still liable to pay its subcontractors and suppliers.

A pay-when-paid provision might read, "Prime shall pay subcontractor within 10 days of receipt of payment from owner." Pay-when-paid clauses are generally accepted because the risk of loss due to nonpayment is retained by the upper-tier contractor, who the courts view as the party in the best position to evaluate the risk of dealing with

a particular owner and manage the jobsite.

"Pay-if-paid" clauses, the second type of contingent payment clause, provide more protection to the prime contractor. This type of contingent payment clause conditions the subcontractor's payment on whether the prime contractor has been paid by the owner. A pay-if-paid clause shifts the risk of loss due to owner nonpayment from the upper-tier contractor to

lower-tier contractor. A pay-if-paid clause may read: "The subcontractor assumes the risk of the owner's nonpayment to the prime contractor and the subcontract price reflects this risk. Payment to the prime contractor will be a condition precedent to any funds being due the subcontractor."

Pay-if-paid clauses are not as widely accepted by courts as pay-when-paid clauses and have sometimes been declared unenforceable in other jurisdictions. Some courts have interpreted a pay-if-paid clause as if it were a pay-when-paid clause, thereby keeping the risk for nonpayment in the hands of the upper-tier contractor.

A limited number of states have enacted legislation prohibiting the use of pay-if-paid clauses. In states where pay-if-paid clauses have been enforced, courts will generally enforce only clauses that use specific words or otherwise clearly demonstrate that the contracting parties intended to shift the risk of nonpayment.

While an enforceable pay-if-paid clause prevents a subcontractor from recovering unpaid funds from the prime contractor, the subcontractor may still be able to pursue other means of recovery, such as a mechanic's lien against the project.

### Utah Treatment of

### Contingent Payment Clauses

Utah has yet to determine many of the legal issues surrounding pay-if-paid and pay-when-paid clauses. The Utah Legislature has enacted some statutes, though, relating to these clauses that provide contracting parties with some direction.

In Utah, contingent pay-

ment clauses are generally not enforceable against mechanics' liens, though they may be enforceable in residential contracts. The Utah Legislature has enacted Utah Code Section 13-8-4(3) which provides, "The existence of a contingent payment contract is not a defense to a claim to enforce a mechanics' lien [but this section] does not apply to private construction work for the building improvement, repair, or remodeling of residential property..."

According to this statute, in most cases, even though a subcontract agreement may include a contingent payment clause that would otherwise bar the subcontractor or supplier from recovering from the prime contractor, that subcontractor may still pursue a mechanics' lien claim against the property in order to recover unpaid funds. This statute does not apply to contingent payment clauses in residential contracts. Courts are likely to uphold pay-if-paid clauses in residential contracts, barring a subcontractor or supplier from enforcing a mechanics' lien, but the subcontractor or supplier may still have a claim against the Residential Lien Recovery Fund.

Contingent payment clauses may still be a defense against payment bond claims, despite the similarities between mechanics' lien and payment bond legislation. Utah has yet to clarify whether the protection against contingent payment clauses provided in mechanic's lien cases extends to payment bond claims.

Additionally, Utah law states that when a subcontractor may be entering into a contract "that makes a payment from the contractor to the subcontractor contingent on the contractor receiving a corresponding payment from any other public or private party ... the subcontractor may request from the contractor financial information that the contractor has received from the public or private party regarding: (1) the project financing; and (2) the public or private party" prior to signing the contract. This statute allows the subcontractor to evaluate the risk that they may be assuming.

### Recent Enforcement of a Pay-If-Paid Clause

It may be helpful to contracting parties to look to treatment of these clauses in other jurisdictions. In 2009, a United States District Court in New Jersey upheld a prime contractor's pay-if-paid clause, barring a subcontractor's recovery under a payment bond claim. In that case, the plumbing subcontractor on a project sought to receive retainage and payment for change order work from the prime contractor. The prime contractor refused to pay the subcontractor because the owner had not paid for the work performed. In its defense, the contractor pointed to a provision in the subcontract that stated, "5.3 Pay When Paid. Subcontractor agrees that Contractor shall never be obligated to pay Subcontract under any circumstances, unless and until funds are in hand received by Contractor in full, less any applicable retainage, covering the Work or material for which Subcontractor has submitted an Application for Payment. This is a condition precedent to any obligation of Contractor, and shall not be construed as a time of payment clause."

The court held that the contractor did not have to pay the plumbing subcontractor because the pay-if-paid clause included in their contract clearly conditioned payment on the funds being received first by the prime contractor.

The prime contractor's surety also sought protection under the pay-if-paid provision in the subcontract, arguing that it had no responsibility to pay the subcontractor because the owner had not paid the prime contractor. According to the surety's argument, if the contractor has not been paid by the owner and if the contractor included a valid pay-if-paid clause in its subcontract, the surety is not liable to the subcontractor because the surety only takes responsibility for the debts the contractor would have to pay. Agreeing with this view, the District Court held that the surety was able to assert the defenses available to the principal against the claimant because the surety "steps into the shoes of the contractor" in paying the debt. As a result, the subcontractor was not able to recover

any monies in connection with either its contract claim against the prime contractor or its payment bond claim against the prime contractor's surety.

### Conclusion

Contingent payment clauses are common in the construction industry. They allow parties to allocate the risk of an owner's nonpayment as part of the contract. By using a pay-when-paid clause, the upper-tier contractor retains the risk of owner nonpayment while providing itself with a reasonable timeframe to pay subcontractors and suppliers. Conversely, a pay-if-paid clause shifts the risk of owner nonpayment to the subcontractor or supplier. Defenses available to a prime contractor through a contingent payment clause may also be available to their sureties.

While most states have decided if contingent payment clauses will be enforceable in their jurisdiction, Utah has yet to settle many of the questions surrounding these clauses. The Utah Legislature has provided that subcontractors may request certain portions of the owner's financial information from the prime contractor before signing the contract, which allows the subcontractors to evaluate the risk they may assume by agreeing to a contingent payment clause.

In most cases, suppliers and subcontractors in Utah may recover for work rendered via a mechanics' lien no matter what contingent payment clause may be included in the contractual language. If the contract relates to residential construction, though, this protection does not apply.

As the applicability of contingent payment clauses in Utah is generally undecided, members of the construction industry should be aware of the potential vulnerabilities and benefits of entering contracts that include them. A contractor should seek legal counsel when determining the legal effect of contingent payment clauses that have been or will be included in their contracts.

Kent B. Scott is a shareholder and vice president at the Salt Lake City law firm of Babcock, Scott & Babcock. His practice is focused primarily on construction project disputes.

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# Industry Briefs

Industry Briefs are provided as a free service to our readers. Company news information may be sent to [brice@slenterprise.com](mailto:brice@slenterprise.com). The submission deadline is one week before publication.

## ARTS/ENTERTAINMENT

• The **Governor's Office of Economic Opportunity** (Go Utah) board, at its February meeting, approved a \$152,000 cash rebate for **Hadley Productions LLC** for its production of "Best Christmas Ever," a family feature expected to spend nearly \$4.5 million in Utah. The production is expected to employ eight cast, 130 crew members and 265 extras. Principal photography is scheduled for March 14-April 15 in Salt Lake, Wasatch and Summit counties. The Go Utah summary of the plot is that "friendships are put to the test due to a boastful holiday newsletter." The director is Mary Lambert. The producers are Brad Kreyov and David Wulf. In a prepared statement, Wulf said his team selected Utah "because of its incredible locations, strong and talented workforce, business-friendly environment, and the dedicated support of the [Utah] Film Commission and Office of Economic Opportunity."

• **ClubCorp**, a Dallas-based owner-operator of private golf and country clubs, city and stadium clubs in North America, has named **Dan Robinson** the opening general manager of the **Ken Garff Scholarship Club at Utah**, a private business club and premier events venue located at the University of Utah's Ken Garff Red Zone at Rice-Eccles Stadium. Robinson spent nearly five years as director of premium for the Utah Jazz, where he was responsible for overseeing all private and membership experiences for Vivint Arena. Robinson also has

experience in the hospitality and restaurant industries, including time as an area operations manager at Five Star North America, and has worked as a general manager of several national restaurant brands.

**Dan Robinson**

Before moving into the hospitality industry, Robinson worked at various companies in the financial services industry, including as vice president of operations at JP Morgan & Chase Co.'s Salt Lake City branch and as a senior manager of operations at Discover Financial Services. Robinson earned his undergraduate and graduate degrees from Western Governors University.

## ASSOCIATIONS

• The **Utah Black Chamber** has released its first publication, **Black Utah: Stories From a Thriving Community**, at the beginning of Black History Month. The book highlights black stories in Utah with interviews from dozens of people from different backgrounds and experiences sharing why Utah has a community for them and how they are thriving. The book aims to build connection, retention, and growth for Utah's Black community by sharing stories that can inspire current and prospective black leaders. The book is available primarily through Amazon and will also be available in local outlets for a few weeks.

• The **Utah Manufacturers Association** (UMA) has announced the formation of the **UMA Workforce Advisory Committee**. Led by Megan Ware, director of workforce development, the com-

mittee will provide guidance as UMA develops its "Explore MFG" platform that will be a workforce focused site on topics such as education and training opportunities and connections, career opportunities, and mapping for prospective manufacturing employees and many other workforce topics.

## COMMUNICATIONS

• The **Draper City Council** has approved an agreement allowing **Google Fiber** to provide high-speed, high-bandwidth Internet service to residents and small businesses in Draper. Construction to install infrastructure is expected to begin this spring, with completion anticipated in just over one year, barring any weather delays or unforeseen obstacles. Decisions about service areas and fees will be solely determined by Google Fiber.

## CONTESTS

• The **Women's Business Center of Utah** is giving away five \$1,000 grants, thanks to the **Nasdaq Foundation**, to Utah small businesses owned and operated by women to help grow the **UtahWomenOwned.com** business directory. Women owners simply sign up for the directory, enter the giveaway and share on their social media through Feb. 28. Women already on the directory do not need to apply again. The grant giveaway is open to women business owners, solopreneurs, home-based businesses, e-commerce, brick-and-mortar locations, and franchisees based in Utah. Details are at (801) 364-3631.

## ECONOMIC INDICATORS

• **Utah** is ranked No. 39 on a list of states that are the "most optimistic" about 2022, compiled by **SolitaireBliss.com**. The average Utahn ranks their 2022 optimism outlook at just 5.7 out of 10. Nationally, the figure is six out of 10. Rhode Islanders are the most optimistic, at 7.2, while Maine residents are the least, at 4.5. SolitaireBliss.com also asked Utahns about what aspects they are most optimistic about for the year ahead, and the results were as follows: improving their mental health and brain sharpness, 29 percent; seeing more friends and family in person, 25 percent; an improved economy/better personal finance, 25 percent; and progress in the fight against COVID, 21 percent.

• The average **Salt Lake City resident** pays \$1,813 per month on the 10 most common **household bills**, according to bill-pay application **Doxo**. The average in

the U.S. is \$2,003. Doxo looked at more than 4,000 towns and cities, breaking down bill payments, including those for utilities, auto loans, cable bills and more. The average Salt Lake City resident spends \$1,442 for their mortgage; \$1,046 for rent; \$400 for auto loans; \$254 for utilities; \$91 for health insurance; \$138 for auto insurance; \$84 for cable and Internet; \$79 for mobile services; \$71 for alarms and security; and \$78 for life insurance.

• **Salt Lake City** is ranked No. 32 on a list of "2022's Best Cities for Movie Lovers," compiled by **Lawn Love**. It considered cities with plenty of cinemas and screening events, affordable movie tickets and excellent streaming potential, as well as cities' community interest in movies, filmmaking and local film festivals. The top-ranked city is New York City. The No. 193 city is Toledo, Ohio. Details are at <https://lawnlove.com/blog/best-cities-movie-lovers/>.

• **Cache County** leads all Utah Counties as the "best place to get a mortgage," a list compiled by **SmartAsset**. It analyzed data on mortgage approval rates, interest rates, average five-year borrowing costs and property taxes. Cache County was followed, in order, by Washington, Utah, Juab, Morgan, Wasatch, Box Elder, Davis, Tooele and Summit counties. Details are at <https://smartasset.com/mortgage/utah-mortgage-rates#utah/best-MortgageMarkets-4>.

• **Salt Lake City** is ranked No. 44 on the **Smart City Mobility Index** (populations between 600,000 and 3 million), compiled by parking technology company **easyparkgroup.com**. It used data to assess how successfully cities around the world are employing breakthroughs in mobility to enhance the lives of their people and meet sustainability targets while adapting to the post-pandemic landscape. Copenhagen is top-ranked for that population category. Barcelona leads for populations over 3 million. Lund, Sweden, leads for populations between 50,000 and 600,000. Details are at <https://easyparkgroup.com/studies/cities-of-the-future/en/>.

• The **average Utahn** said in a recent survey that they would need to own more than \$5.1 million worth of assets in order to achieve "millionaire" financial status. The survey was conducted by online gaming site **Solitaired.com**. The U.S. average was \$5.47 million. The highest level was California, at nearly \$6.3 million. The lowest was Connecticut, at \$4.45 million.

## EXPANSIONS

• **Kiln**, a Utah-based flexible-office and coworking brand, will open a new location at the Eagle View Landing development in Meridian, Idaho, in partnership with Ball Ventures Ahlquist and Ball Ventures. Kiln Meridian will occupy 50,000 square feet on the top two floors of a Kiln-branded building. Kiln has five locations in Utah and Colorado and four in development. Its flex-office space is designed to accommodate individuals and teams of two to 50. The Meridian location will have room for more than 600 people. Eagle View Landing is a 73-acre mixed-use development that will feature Class A office, hospitality, multifamily living, retail and corporate campus spaces.

• **England Logistics**, a Salt Lake City-based freight brokerage firm, has opened an office in Nashville, Tennessee. The company offers non-asset-based transportation solutions, including full truckload services, intermodal, dry, and temp-controlled LTL, parcel and complete supply chain management. It has office nationwide.

## GOVERNMENT

• The **U.S. Department of the Interior** has announced that Utah will receive nearly \$5.8 million, part of nearly \$725 million available in fiscal 2022 to 22 states and the Navajo Nation, to create high-paying union jobs and catalyze economic opportunity by reclaiming abandoned mine lands (AML) as part of the Bipartisan Infrastructure Law. The law allocates a total of \$11.3 billion in AML funding over 15 years, which will help communities eliminate dangerous environmental conditions and pollution caused by past coal mining.

• The **Bear River Water Conservancy District** is among 13 projects in five states approved by the **U.S. Bureau of Reclamation** to receive \$20.5 million in grants to build long-term drought resiliency. The Bear River district will receive \$2 million. The 13 projects will leverage more than \$66.7 million in non-federal funding to complete projects in five states. The bureau may select additional drought resiliency projects once the regular fiscal year 2022 appropriations have been received.

## HEALTHCARE

• **Pur Life Medical**, based in Highland, recently opened its flagship clinic in Lehi, Utah. The brand now has clinics in Utah and Florida with many others soon to open, and plans to expand to all 50

see BRIEFS next page



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# Industry Briefs

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states, the company said. The Pur Life concept is focused on identifying and restoring proper cell and system functions to assist the body in healing itself.

## HOSPITALITY/FOOD SERVICE

• **Dynamic City Capital**, a Provo-based real estate investment firm focused on acquiring and developing hotels, has acquired the **Hyatt Place San Francisco Downtown**. The amount was not disclosed. The 12-story hotel features 230 guest rooms, 4,300 square feet of retail space, a lobby bar and a 24/7 market. It opened in January 2019.

## INSURANCE

• **Regence BlueCross BlueShield of Utah** has selected **Dr. Donna Milavetz** as its executive medical director. She will collaborate with local health-care providers and employers to enhance the quality of care and innovative offerings for Regence members statewide.



Donna Milavetz

Milavetz will also lead initiatives aimed at decreasing healthcare expenses and oversee medical cost stewardship activities for the health plan. Prior to joining Regence, Milavetz served in vice president roles at Steward Health Care. She founded and led Onsite Care Inc. as its chief executive officer and chief medical officer for more than a decade. Milavetz also spent over 25 years in medical directorship, consultant roles and clinical practice.

## INTERNATIONAL

• **World Trade Center Utah**, in partnership with the **Governor's Office of Economic Opportunity** and the **U.S. Small Business Administration**, will lead a delegation of Utah's top outdoor companies to represent the state at the **OutDoor by ISPO** trade show in Munich, Germany, June 12-14. Utah outdoor companies can apply to participate through March 15. Eligible companies can apply for STEP Grant funding to help cover travel costs. WTC Utah provides a booth for Utah companies to exhibit at the show. Outdoor companies who travel to ISPO have the opportunity to showcase their products to international buyers and expand their global footprint. Details are

available by emailing [jglenn@wcutah.com](mailto:jglenn@wcutah.com) by March 15.



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## INVESTMENTS

• **Superconductive**, a Cottonwood Heights-based company providing an open source tool for data quality, has raised a \$40 million Series B funding round led by **Tiger Global**, with support from **Index**, **CRV** and **Root Ventures**, bringing total funding to \$64.5 million. The new funds will be used to accelerate the continued investment in open source and its community, development and launch of a first commercial product, and key hires across the organization, the company said. It also said it has hired **Lawrence Bruhmuller** as vice president of engineering. Bruhmuller has held executive engineering leadership roles for over 12 years focused on growth-stage technology startups. Most recently, he held chief technology officer and vice president of engineering roles at **Pave**, **Optimizely** and **WeWork**.



Lawrence Bruhmuller

• **BeatBread**, a Salt Lake City-based music funding platform, has completed a seed round led by **Deciens Capital**, extending beatBread's fundraising to date to over \$34 million. Deciens Capital was joined by existing and new investors, including **Afore Capital**, **Angel Ventures**, **IAG Capital Partners**, **Mucker Capital**, **Pandevor Ventures**, **Octane Lending** CEO **Jason Guss**, **Pier Capital** and **Westrie Capital**. Since its launch in November 2020, beatBread has made more than 300 advances to artists and labels across multiple genres, six continents and a broad range of career stages. Artists receive funding in exchange for a limited share of existing catalog revenues, with options also avail-

able for advances against unreleased music.

## LAW

• **TraskBritt** has hired **K. Russell Griggs** and **David T. Ostler**. Griggs previously was a



Russell Griggs



David Ostler

patent engineer intern and a software development intern. Griggs received his J.D. from Brigham Young University and earned a bachelor of science in computer engineering from the University of Utah. Ostler received his J.D. from the University of Utah and a B.S. in computer science from Brigham Young University.

## NONPROFITS

• **VentureCapital.Org**, a Utah-based nonprofit organization that assists, coaches and provides mentoring to entrepreneurs raising investment capital, has elected **Marcia Nelson** as chairman-elect



Marcia Nelson

of its Board of Trustees. She began her new vice chairman position Jan. 1 and will become VCO's chairman of the Board of Trustees on Jan. 1, 2023. Nelson is managing director and registered representative at **Sharenett LLC**, founding partner of **Triple C Advisory**, and board advisor for **Intuitive Funding**. She has 20 years of experience working with family offices and their advisors, building and maintaining a network of family offices and private investors. She serves as chairman of the board at **ACG-NY** (Association for Corporate Growth); advisory board member at **Assure**; advisory board member of **Sheryl Grant Enterprises**; and is a member of the **Investment Committee for University Impact**, a donor-advised fund. She is a former member of the board at **Women in the Boardroom** and was the founder and CEO of **Deals & Divas**, which brought together women entrepreneurs, advisors and investors. Her education includes an undergraduate degree from **Southern Utah State College**. **VentureCapital.Org** also has welcomed several people to its Board of Trustees: **Maile Keone**, president and CEO, **Listen Technologies**; **Jim Divver**,

senior vice president of government relations, **Zions Bank**; **Bill Kirth**, partner, **Rectify Partners**; and **Chris Badger**, partner, **CFO NOW**.

• **EyeCare4Kids**, a Salt Lake City-based nonprofit provider of vision screenings, eye exams and eyeglasses for underprivileged children, has announced that **Ashok Kuruganti** has joined its board. Kuruganti is a senior strategic account executive at **Pluralsight**. He started his career in enterprise Software at **Oracle** in 1991 and served as senior vice president and CRO at software technologies companies.



Ashok Kuruganti

• **The Younique Foundation**, a Lehi-based nonprofit committed to eliminating child sexual abuse and its lasting impacts, has rebranded as **Saprea**. Company officials say the rebrand allows the nonprofit to better communicate the breadth and growth of its services (healing, prevention, and awareness), reach new global audiences, and facilitate additional partnerships under one brand. In seven years, the nonprofit has served 14.2 million people through its in-person and online resources.

## PHILANTHROPY

• **The Miracle of Agriculture Foundation's "Farmers Feeding Utah"** campaign recently held a **"Military Miracle Project"** and delivered free food to more than 600 families in northern Utah and the **Utah National Guard's Camp Williams**. The Feb. 14 event, in collaboration with **U.S. Rep. Chris Stewart**, **U.S. Rep. Blake Moore** and the **Major Brent Taylor Foundation**, took place at the **Weber State University Davis campus** in Layton. The **Camp Williams** event takes place Feb. 22. The **Miracle of Agriculture Foundation** is a nonprofit organization that was set

up as the charitable arm of the **Utah Farm Bureau Federation**. Additional logistical and in-kind support has come from several partners, including **Utah State University (USU)** and its **Hunger Solutions Institute & Create Better Health** program, and the **Utah Department of Agriculture & Food (UDAF)**. Additional donations and contributions for the project have been made from **The Church of Jesus-Christ of Latter-day Saints**, **Cal-Maine Foods of Delta**, **DairyWest** and **Farm Bureau Financial Services**. Since the "Farmers Feeding Utah" campaign started in 2020, it has provided approximately 1.6 million pounds of food, with a retail value of approximately \$3.5 million, to more than 40,000 residents in Utah.

• **Go Solar Group**, a Salt Lake City-based residential solar company, and nonprofit affiliate **1heart1mind** have released a 2022 impact statement, showing progress made in Uganda toward self-reliance, education, health-care and clean energy production. For each residential solar system **Go Solar** installs in the U.S., the company works with **1heart1mind** to microfinance the solar-based equivalent of each U.S. installation for Uganda families. In 2021, the initiatives provided 226 solar lights for 179 households, which have yielded 1,700 additional study hours to further Ugandan children's secondary education. With a total of 161 students, 70 now attend the boarding school and 41 have received academic scholarships. To date, these improvements can be linked to the earning of 23 new living-wage jobs. After the **Suncrust Clinic** opened in mid-year 2021, it provided needed medication for 95 patients, 35 of whom received charitable care at no cost. With help from **Zion Microfinance Ltd.**, residents have logged 135 active loans each month, 25 of which, on average

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each month, are new. This brings the total loan amount deployed in 2021 to \$958,561.

## REAL ESTATE

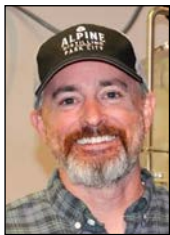
• A development venture consisting of **Patrinely Group** and **USAA Real Estate** has leased 4,600 square feet to **Sol Agave** adjacent to 650 Main, at the corner of Main Street and 600 South in Salt Lake City. 650 Main is a 10-story, 332,000-square-foot, Class A office and retail development. Sol Agave is a full-service restaurant serving Mexican fare. It will fully occupy the free-standing retail building adjacent to the 650 Main office building beginning in the fourth quarter. Founded in 2014, the restaurant also has a location in American Fork. Patrinely Group was represented by Tanner Olson with **Legend Partners** and Sol Agave was represented by Luke Mendenhall of **WPI Enterprises**.

## RECOGNITIONS

• **Montage Deer Valley**, Park City has been named the “**Best Hotel in Utah 2022**” by *U.S. News & World Report*. It ranked more than 35,000 hotels and resorts around the world based on three components: reputation among professional travel experts, guest reviews and hotel class ratings. The remaining top-five hotels in Utah are No. 2 **Ledge at Blue Sky** (Auberge Resorts Collection), Wanship; No. 3 **Stein Eriksen Lodge**, Park City; No. 4 **St. Regis Deer Valley**, Park City; and No. 5 **Grand America Hotel**, Salt Lake City.

• **Mark Rogers** has been named to the **2022 Channel Chiefs** list, compiled by **CRN**, a brand of The Channel Co. It is the second consecutive year for Rogers to make the Channel Chiefs list, in which CRN editors recognize top IT channel vendor executives who continually demonstrate expertise, influence and innovation in channel leadership. Rogers is senior vice president of alliances and strategic relationships at Impartner.

• **Rob Sergent**, Alpine Distilling founder and distiller, has received the honorary recognition as a “**Kentucky Colonel**” by Kentucky Gov. Andy Beshear. The commission of Kentucky Colonel is the highest title of honor



Rob Sergent

bestowed by the governor of Kentucky and it recognizes an individual's noteworthy accomplishments and outstanding service to the community, state and nation. Alpine Distilling is in Park City.

• **Pluralsight Inc.**, a Draper-based technology workforce development company, has been named a “**Leader**” in the “**IDC MarketScape: U.S. IT Training Vendor Assessment**” report. The IDC MarketScape vendor assessment model is designed to provide an overview of the competitive fitness of ICT (information and communications technology) suppliers in a given market. Pluralsight was recognized for several strengths. The Pluralsight excerpt from the report can be downloaded at <https://learn.pluralsight.com/reports/idc-marketscape>.

## RETAIL

• **Ross Dress for Less**, based in California, will open a new store at the corner of 700 East and 200 South, Salt Lake City, on March 5. The 23,000-square-foot store is located in the 2nd and 7th Marketplace Shopping Center. With this opening, Ross will operate 25 stores in Utah and a total of 1,631 locations.

## SCHOLARSHIPS

• **AES**, whose Clean Energy business unit is based in Salt Lake City, is funding a scholarship program in Utah. The program will provide funding to cover tuition for 20 Utah residents to enroll in solar workforce training courses. AES is partnering with **Solar Energy International (SEI)**, a solar training and educational nonprofit, for the program to stimulate increased participation in the solar industry. Utah residents can apply for scholarship support here: [www.solarenergy.org/scholarship-funds](http://www.solarenergy.org/scholarship-funds).

## TECHNOLOGY

• **Lucidpress**, a Salt Lake City-based provider of design and brand templating software for businesses, has hired **Mike Wille** as head of growth and **Lauren Hamberg** as head of



Mike Wille



Lauren Hamberg

product marketing. Wille will spearhead optimizing the product experience for current and future customers. He has years of experience in marketing and growth in startups, including Localfluence and Capshare (now Morgan Stanley). Hamberg will refine the go-to-market strategy while being the voice of the market in the product and the voice of the product in the market. She has many years of product marketing experience, most recently serving as a director of product marketing at Pluralsight.

• **ClickUp**, a San Diego-based productivity platform company, has opened an office in Salt Lake City. It is the company's second U.S. location and fourth in the world. ClickUp plans to add more than 250 employees to its Salt Lake City division over the next three years across sales, customer service, marketing and engineering. The office will be led by **Howard Baik**, a former executive at Instructure, InsideSales.com and Ivanti with more than a decade of experience in the Silicon Slopes.

• **Max Connect Digital**, Draper, has promoted three people to senior vice president: **Jeff Pearson**, **Kelly Holladay** and **Ryan Roblyer**. Pearson, senior vice president of healthcare and retail, has more than 20 years of experience leading national retailers such as Lids Sports Group with brick-and-mortar and e-commerce success. Holladay, senior vice president of home building and higher education, has more than seven years of specialization experience within

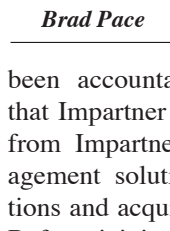
his assigned industries. Roblyer, senior vice president of automotive, has been instrumental in positioning Max Connect among automotive dealerships.

• **Impartner**, a Salt Lake City-based channel management platform and partner relationship management provider, has promoted **Brad Pace**, currently

the vice president of operations, to chief operating officer. He will oversee general operations, including customer success, customer support, implementation and project management, IT, and training and documentation. Pace has been with Impartner for six years and has been accountable for ensuring that Impartner customers benefit from Impartner's channel management solutions, sales operations and acquisition integration. Before joining Impartner, Pace held executive sales, customer service and analytics roles at EMC, most recently serving as vice president of sales operations and vice president of support operations for one of EMC's global operating units. Pace has also held leadership positions in the management consulting industry for A.T. Kearney. Pace's education includes a bachelor's degree from the University of Utah.

health and human services during President George W. Bush's administration. Leavitt co-chaired the Healthy Sail Panel, a group of experts across disciplines tasked with collaboratively developing recommendations for cruise lines to advance their public health response to COVID-19, improve safety, and return to a safe resumption of operations. The recommendations were adopted by the entire cruise industry and submitted to the U.S. Centers for Disease Control and Prevention (CDC), in response to a CDC request for public comment to inform future public health guidance and preventative measures relating to travel on cruise ships. Leavitt is the co-chairman of Health Management Associates, a healthcare consulting firm, and chairman of Leavitt Equity Partners, a private equity fund. His experience also includes serving as chief executive of The Leavitt Group and serving as administrator of the U.S. Environmental Protection Agency. He currently serves on the board of directors of American Express. Royal Caribbean Group has a fleet of 61 ships traveling to more than 800 destinations around the world.

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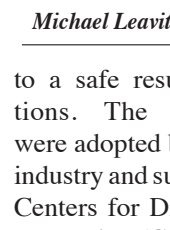
Brad Pace

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## TRAVEL & TOURISM

• **Royal Caribbean Group**, based in Florida, has announced the appointment of former Utah Gov. **Michael O. Leavitt** to its board of directors. Leavitt is a three-time elected governor of Utah and former secretary of

health and human services during President George W. Bush's administration. Leavitt co-chaired the Healthy Sail Panel, a group of experts across disciplines tasked with collaboratively developing recommendations for cruise lines to advance their public health response to COVID-19, improve safety, and return to a safe resumption of operations. The recommendations were adopted by the entire cruise industry and submitted to the U.S. Centers for Disease Control and Prevention (CDC), in response to a CDC request for public comment to inform future public health guidance and preventative measures relating to travel on cruise ships. Leavitt is the co-chairman of Health Management Associates, a healthcare consulting firm, and chairman of Leavitt Equity Partners, a private equity fund. His experience also includes serving as chief executive of The Leavitt Group and serving as administrator of the U.S. Environmental Protection Agency. He currently serves on the board of directors of American Express. Royal Caribbean Group has a fleet of 61 ships traveling to more than 800 destinations around the world.



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# Calendar

Calendar listings are provided as a free service to our readers. Information about upcoming events may be sent to [brice@slenterprise.com](mailto:brice@slenterprise.com). The submission deadline is one week before publication. Because of COVID issues, events may be postponed or canceled. Contact the event organizers to determine whether events will take place.

## **Feb. 22, 9 a.m.-1:30 a.m.**

**“Day on the Hill,”** presented by the South Valley Chamber Women in Business and the U.S. Small Business Administration. Location is Utah State Capitol, 350 State St., Salt Lake City. Registration can be completed at [Eventbrite.com](https://eventbrite.com).

## **Feb. 22, 11 a.m.-1 p.m.**

**“Sweet Success: Growing into Small Businesses,”** a Women’s Business Center of Utah event. Speaker is Shaun Banda, owner of the Nothing Bundt Cake. Location is Women’s Business Center of Utah, 201 S. Main St., No. 2300, Salt Lake City. Details are at [wbcutah.org](https://wbcutah.org).

## **Feb. 22, 11:30 a.m.-1 p.m.**

**Women in Business Luncheon,** an Ogden-Weber Chamber of Commerce event. Location is Jeremiah’s Restaurant, 1307 W. 12th St., Marriott-Slaterville. Cost is \$20 for WIB members and first-time guests, \$30 for nonmembers. Details are at [ogdenweberchamber.com](https://ogdenweberchamber.com).

## **Feb. 23, 9-11:30 a.m.**

**“One-Page Business Plan,”** part of the 10-week Key Bank Business Accelerator program presented by the South Valley Chamber and Suazo Business Center. Presenter is Winthrop “Win” Jeanfreau, CEO of iMPact Utah. Location is Salt Lake Community College, Free Enterprise Building, 9750 S. 300 W., Sandy. Cost for the 10-week program is \$500 (must be a chamber member to apply). Details are at [southvalleychamber.com](https://southvalleychamber.com).

## **Feb. 23, 10 a.m.-4 p.m.**

**MAPR’s Annual Southwest Regional “Meet the GCs Event,”** a face-to-face construction business networking event presented by the Mountainlands Area Plan Room. Supply chain subs and suppliers can meet general contractors and key vendors from all over the region in an open-house-style opportunity. Location is Hilton Garden Inn next to the Dixie Convention Center, St. George. Free. Details are at [MeetTheGCs.com](https://MeetTheGCs.com) or (801) 288-1188.

## **Feb. 23, noon-1 p.m.**

**“Solve the Business Puzzle:**

**How to be a Leader People Will Want to Follow,”** a Women’s Business Center of Utah event. Presenter is Illens Dort, Maximum Impact Council. Event takes place online via Zoom. Free. Details are at [wbcutah.org](https://wbcutah.org).

## **Feb. 23, 6-7 p.m.**

**“Teamwork Trifecta: Building a Powerhouse Team,”** a Small Business Development Center (SBDC) event that takes place online. Details are at <https://clients.utahsbdc.org/events.aspx>.

## **Feb. 24-25**

**38th Annual Investors Choice Capital Conference,** a VentureCapital.Org event featuring 20-plus startups pitching their companies to an investor audience. Ski day and investor reception take place Feb. 24 at Solitude Ski Resort. Keynote speaker is Randy Garn, best-selling author, partner at High-Performance Institute and entrepreneur. Panel discussion topics include “The Past, Present, and Future of Capital in the Intermountain West” and “The Economic Outlook and Liquidity over the Next Three Years.” Conference takes place Feb. 25 at the Grand America Hotel, 555 S. Main St., Salt Lake City. Virtual option for conference is available. Costs vary. Registration can be completed at [Eventbrite.com](https://eventbrite.com).

## **Feb. 24, 7:45 a.m.-5 p.m.**

**Utah’s SBDC’s Employer Tax Workshop,** a Small Business Development Center (SBDC) event. Location is Salt Lake Community College, MCPC 101, Sandy. Details are at <https://clients.utahsbdc.org/events.aspx>.

## **Feb. 24, 8:30-11 a.m.**

**ConnectShare B2B Networking Event** designed for business leaders and decision-makers. Location is the Miller Conference Center, 9750 S. 300 W., Sandy. Details are at [www.connectshare.com](https://www.connectshare.com) or by contacting Randy Hunt of the ConnectShare Advisory Board at [randy@clearpath-strat.com](mailto:randy@clearpath-strat.com).

## **Feb. 24, 11:45 a.m.-1 p.m.**

**“Lunch & Learn: Social Media 101,”** a Point of the Mountain Chamber of Commerce event. Location is Fat Cats, 212 W. Pioneer Crossing, Saratoga Springs. Cost is \$10. Details are at [thepointchamber.com](https://thepointchamber.com).

## **Feb. 24, noon-1:15 p.m.**

**“Icons in Architecture: Leading the Way in Design and Leadership,”** a ULI (Urban Land Institute) Utah Women’s Leadership Institute event. Speakers are Darlene Carter, CEO,

C.W. Group; Julie Berreth, principal, Architectural Nexus; Peggy McDonough, president/design principal, MHTN Architects Inc.; Becky Hawkins, founding partner and CEO, Method Studios Inc.; and Jill Jones, president, ACJ Architects. Event takes place online via Zoom. Free for ULI members, \$10 for nonmembers. Details are at <https://utah.uli.org/events-2/>.

## **Feb. 24, noon-1 p.m.**

**Women in Business Meeting,** a Box Elder Chamber of Commerce event. Contact the chamber for meeting location. Cost is \$10. Details are at [boxelderchamber.com](https://boxelderchamber.com).

## **Feb. 24, 5-7 p.m.**

**Business After Hours,** a Salt Lake Chamber event. Location is The Millrock Business Lounge, 6510 S. Millrock Drive, Holladay. Cost is \$10 for members, \$15 for nonmembers. Details are at [slchamber.com](https://slchamber.com).

## **Feb. 24, 5-6 p.m.**

**Legal Clinic** (in English and Spanish), a Small Business Development Center (SBDC) event that takes place online. Details are at <https://clients.utahsbdc.org/events.aspx>.

## **Feb. 24**

**Silicon Slopes Hall of Fame and Awards Program,** a black-tie-and-sneakers gala. Hall of Fame inductees are Warren Osborn (posthumously), Todd Pedersen and Astrid S. Tuminez. Location is Grand America Hotel, 555 S. Main St., Salt Lake City. Details are at [siliconslopes.com](https://siliconslopes.com).

## **Feb. 25-27**

**“Becoming an Outdoors Woman,”** a Utah State University Extension event. BOW is a non-profit educational program offering hands-on workshops to adult women ages 18 and older. The BOW workshop is a three-day, multi-course event where women have the opportunity to learn a variety of outdoor skills. Location is Holmstead Ranch Resort, 1000 E. Holmstead Ranch Road, Central. Costs range from \$250 to \$400. Registration can be completed at [Eventbrite.com](https://eventbrite.com).

## **Feb. 25-26**

**2022 Be Ready Utah Expo,** a Utah Division of Emergency Management event that offers classes, an interactive center, and exhibitor booths for emergency preparedness, health and safety. Location is Mountain America Exposition Center, 9575 S. State St., Sandy. Cost is \$5 each day, \$9

for both days. Registration can be completed at [Eventbrite.com](https://eventbrite.com).

## **Feb. 25, 5:30-7:30 p.m.**

**“Business After Hours,”** a Murray Area Chamber of Commerce event. Location is A Bar Named Sue, 3928 S. Highland Drive, Millcreek. Details are at [murrayareachamber.com](https://murrayareachamber.com).

## **Feb. 26, 11 a.m.-5 p.m.**

**Utah Black Business Expo,** presented by K&A Events and featuring more than 20 black-owned businesses. Theme is “Representation.” Location is the Utah Museum of Contemporary Art, 20 S. West Temple, Salt Lake City. Free, and open to all. Registration can be completed at [Eventbrite.com](https://eventbrite.com).

## **March 1-2**

**2022 Intermountain Deal-Source Summit and Ski Event,** an ACG (Association for Corporate Growth) Utah event featuring middle-market deal flow content, multiple networking and meeting opportunities and activities. Theme is “Celebrating Utah Dealmakers.” Location is Pendry Hotel Park City, 3720 N. Sundial Court, Park City. Details are at <https://www.acg.org/utah/events/2022-intermountain-deal-source-summit-and-ski-event>.

## **March 1, 8:30-11 a.m.**

**“Financial Statements,”** part of the 10-week Key Bank Business Accelerator program presented by the South Valley Chamber and Suazo Business Center. Location is Salt Mine Productive Workspace, 7984 S. 1300 E., Sandy. Cost for the 10-week program is \$500 (must be a chamber member to apply). Details are at [southvalleychamber.com](https://southvalleychamber.com).

## **March 1, 9 a.m.-noon**

**“Value That Attracts Customers,”** part of the nine-week “First Step to Next Step” program presented by the Women’s Business Center of Utah. Event takes place online via Zoom. Free. Details are at [wbcutah.org](https://wbcutah.org).

## **March 1, 1-3:30 p.m.**

**“Managing the Health of Your Risk Pool: How to Develop a Winning Health Plan in the Wake of COVID, and Strategies for Managing Mental Health & Stress in the Workplace,”** a Brown & Brown “Whiteboard Event” featuring information about the true costs associated with healthcare and how to make more informed decisions in 2022. Presenters are professor Dave Ross and Sherri Wittwer, mental health expert. Location is Loveland Living Planet Aquarium, 12033

Lone Peak Parkway, Draper. Details are at (801) 505-6500.

## **March 1, 6:30-8 p.m.**

**WordPress Workshop,** a Small Business Development Center (SBDC) event that takes place online. Details are at <https://clients.utahsbdc.org/events.aspx>.

## **March 2-May 4**

**Executive Certificate of Global Business Management,** presented by The Mill Entrepreneurship Center at Salt Lake Community College. The 10-week course takes place Wednesdays, 5:30-8:30 p.m., at 9690 S. 300 W., Sandy. Cost is \$995. Registration deadline is Feb. 23. Details are available by emailing [venita.ross@slcc.edu](mailto:venita.ross@slcc.edu).

## **March 2, 11:30 a.m.-1 p.m.**

**Business Alliance Luncheon.** Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Registration is required. Details are at [davischamberofcommerce.com](https://davischamberofcommerce.com).

## **March 2, 11:30 a.m.-1 p.m.**

**“Lunch & Learn: What is Integrative Medicine?”** a Park City Chamber/Bureau event. Dr. Jeanne Falk, an integrative medicine physician, will address integrative medicine and its benefits. Location is Blair Education Center at Intermountain Park City Hospital, 900 Round Valley Drive, Park City. Details are at <https://www.visitparkcity.com/members/chamber-bureau-events/rsvp/>

## **March 3, 9-10 a.m.**

**Morning Speaker Series,** an Ogden-Weber Chamber of Commerce event. Event takes place online via Zoom. Free for chamber members and first-time guests. Details are at [ogdenweberchamber.com](https://ogdenweberchamber.com).

## **March 3, 10-11 a.m.**

**“What Utah Businesses Must Do for Data Privacy and Security,”** a Salt Lake Chamber event. Speaker is Kevin Taylor, cybersecurity fellow, Comcast. Event takes place online. Details are at [slchamber.com](https://slchamber.com).

## **March 3, 6-7:30 p.m.**

**“Schedule for Success” Workshop,** a Small Business Development Center (SBDC) event that takes place online. Details are at <https://clients.utahsbdc.org/events.aspx>.

## **March 4, 5-7 p.m.**

**“First Friday,”** a Utah Black Chamber of Commerce network-

## CALENDAR

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ing event. Location is The Shop, 350 E. 400 S., Salt Lake City. Cost is \$10 for members, \$20 for nonmembers. Details are at [utah-blackchamber.com](http://utah-blackchamber.com).

### **March 4, 6-9 p.m.**

**2022 Cache Valley Awards Gala**, a Cache Valley Chamber of Commerce black-tie event. Opening reception is followed by dinner at 7 p.m. and program at 7:30 p.m. Location is Riverwoods Conference Center, 615 Riverwoods Parkway, Logan. Cost is \$90. Details are at [cachechamber.com](http://cachechamber.com).

### **March 8, 9-10 a.m.**

**“International Women’s Day Celebration: Utah Women Learn, Lead and Lift,”** an event that takes place online. Registration can be completed at [Eventbrite.com](http://Eventbrite.com).

### **March 8, 9 a.m.-noon**

**“Employers Workshop on Hiring and Retaining Individuals with Disabilities,”** presented by the Utah State Office of Rehabilitation. Event will feature information about recruiting, hiring, and retaining individuals with disabilities and current issues surrounding disability and employment. Event takes place online. Free, but registration is required. Details are at [Eventbrite.com](http://Eventbrite.com).

### **March 8, 11:30 a.m.-1 p.m.**

**“Sports, Military and Life: It’s Not Just a Man’s World Anymore,”** a ChamberWest Women in Business Professional Growth Series event. Speaker is Ashlee Byrge, a sideline reporter for the Utah Warriors and manager of the Junior Warriors youth rugby league. Location is Staybridge Suites, 3038 S. Decker Lake Drive, West Valley City. Cost is \$35. Details are at (801) 977-8755 or [chamberwest.com](http://chamberwest.com).

### **March 8, 11:55 a.m.-12:55 p.m.**

**Monthly Women in Business Luncheon**, a Cache Valley Chamber of Commerce event. Check website for location. Cost is \$14 for WIB members, \$16 for nonmembers. Details are at [cachechamber.com](http://cachechamber.com).

### **March 8, noon-1:30 p.m.**

**“Focused Business Conversations for Women,”** a Women’s Business Center of Utah event. Location is Sizzler, 199 N. Main St., Cedar City. Details are at [wbcutah.org](http://wbcutah.org).

### **March 9-10**

**Entrepreneur & Investor Life Sciences Summit 2022**,

presented by BioUtah, BioHive and the PIVOT Center at the University of Utah and designed to bring investors and innovators together to showcase Utah’s entrepreneurship. Summit takes place March 9 at the Peterson Eccles Alumni House on the University of Utah campus. Ski day is March 10. Details to be announced.

### **March 9, 11:30 a.m.-1 p.m.**

**“Let’s Do Lunch: The Future of Transportation,”** a South Valley Chamber event. Location is the South Valley Chamber, 9800 S. Monroe St., Sandy. Cost is \$10 for members, \$15 for nonmembers. Details are at [southvalleychamber.com](http://southvalleychamber.com).

### **March 9, 5-7 p.m.**

**“Business After Hours,”** an Ogden-Weber Chamber of Commerce event. Free for employees of chamber members and first-time guests, \$10 for nonmembers. Details to be announced at [ogdenweberchamber.com](http://ogdenweberchamber.com).

### **March 10, 11:30 a.m.-1 p.m.**

**Women in Business Luncheon**, a Davis Chamber of Commerce event. Cost is \$20 for members, \$30 for guests. Details to be announced at [davischamberofcommerce.com](http://davischamberofcommerce.com).

### **March 10, 6-8 p.m.**

**“Business Essentials,”** a Small Business Development Center (SBDC) event that takes place online. Details are at <https://clients.utahsbdc.org/events.aspx>.

### **March 14-16**

**Utah Recreation & Parks Association Annual Conference.** Theme is “Our Comeback is Stronger than Our Setback.” Location is Dixie Convention Center, 1835 S. Convention Center Drive, St. George. Details are at <https://www.urpa.org/calendar.html>.

### **March 15-April 5, 8 a.m.-5 p.m.**

**Lean Six Sigma – Green Belt**, a Salt Lake Community College Employee Development Workshop taking place on Tuesdays. Participants will learn methodologies for waste reduction and process improvement skills and apply problem-solving and quantifiable tools through Lean Six Sigma strategies. Location is SLCC’s Westpointe Campus, 1060 N. Flyer Way, Salt Lake City. Cost is \$1,450. Details are at <http://www.slcc.edu/workforce/courses/index.aspx>.

### **March 15, 8:30-11 a.m.**

**“Banking,”** part of the 10-week Key Bank Business Accelerator program presented by the South Valley Chamber and Suazo Business Center. Location is Salt Mine Productive Workspace, 7984 S. 1300 E.,

Sandy. Cost for the 10-week program is \$500 (must be a chamber member to apply). Details are at [southvalleychamber.com](http://southvalleychamber.com).

### **March 15, 9 a.m.-noon**

**“Culture That Attracts Talent,”** part of the nine-week “First Step to Next Step” program presented by the Women’s Business Center of Utah. Event takes place online via Zoom. Free. Details are at [wbcutah.org](http://wbcutah.org).

### **March 15, 11 a.m.-1 p.m.**

**“Women’s Equality in Utah: Why Utah is Ranked as the Worst State and What Can Be Done,”** a Business Women’s Forum event. Speaker Susan Madsen will discuss results of a white paper that analyzed a WalletHub report titled “2021’s Best & Worst States for Women’s Equality.” Location is Hilton Garden Inn Salt Lake City Downtown, 250 W. 600 S., Salt Lake City. Cost is \$30 for members, \$40 for nonmembers. Details are at [slchamber.com](http://slchamber.com).

### **March 15, 11:25 a.m.-1 p.m.**

**Leadership Luncheon**, a Cache Valley Chamber of Commerce event. Location is The Riverwoods Conference Center, 615 Riverwoods Parkway, Logan. Cost is \$16 for members and \$17 for nonmembers preregistered, \$20 for members and \$22 for nonmembers not preregistered. Details are at [cachechamber.com](http://cachechamber.com).

### **March 15, 11:30 a.m.**

**“Navigating Differences in the Workplace,”** a ChamberWest Professional Development Series event. Speaker Chris Redgrave, generational differences expert and professional speaker, will discuss generations, cultural characteristics and trends currently affecting the workplace. Location is TownePlace Marriott West Valley City, 5373 W. High Market Drive, West Valley City. Cost is \$25 for members by March 9, \$35 thereafter and for nonmembers. Details are at [chamberwest.com](http://chamberwest.com) or (801) 977-8755.

### **March 15, noon-1 p.m.**

**Local First Collab**, a Utah Black Chamber of Commerce event. Location is The Shop, 350 E. 400 S., Salt Lake City. Details are at [utahblackchamber.com](http://utahblackchamber.com).

### **March 15, 5-6 p.m.**

**Corporate Tour**, a Utah Black Chamber of Commerce event. Location is Zions Bank, 1 S. Main St., Salt Lake City. Details are at [utahblackchamber.com](http://utahblackchamber.com).

### **March 16, 7:15-9 a.m.**

**2022 Partners in Education Appreciation Breakfast**, hosted by the Ogden-Weber Chamber

of Commerce and its Partners in Education sponsors. Location is Ogden Eccles Convention Center, 2415 Washington Blvd., Ogden. Free. Registration deadline is March 4. Details are at [ogdenweberchamber.com](http://ogdenweberchamber.com).

### **March 16, 8 a.m.-4 p.m.**

**“Business Writing,”** part of the Salt Lake Community College Frontline Leader Workshop Series. Participants will consider critical writing skills to achieve clarity, organization, readability and accuracy in business messaging. Location is SLCC’s Westpointe Campus, 1060 N. Flyer Way, Salt Lake City. Cost is \$250. Details are at <http://www.slcc.edu/workforce/courses/index.aspx>.

### **March 16, 11:30 a.m.-1 p.m.**

**Business Alliance Luncheon.** Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Registration is required. Details are at [davischamberofcommerce.com](http://davischamberofcommerce.com).

### **March 16, noon-1 p.m.**

**“Fire Up Your Funding Traditional & Lender Panel,”** a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC Center at Utah Valley University. Details are at <https://clients.utahsbdc.org/events.aspx>.

### **March 16, 5:30-6:30 p.m.**

**Tax Planning Clinic**, a Small Business Development Center (SBDC) event that takes place online. Details are at <https://clients.utahsbdc.org/events.aspx>.

### **March 16, 6:30-7:30 p.m.**

**QuickBooks Workshop**, a Small Business Development Center (SBDC) event that takes place online. Details are at <https://clients.utahsbdc.org/events.aspx>.

### **March 17, 11:30 a.m.-1 p.m.**

**Chamber Luncheon**, a Davis Chamber of Commerce event. Details to be announced at [davischamberofcommerce.com](http://davischamberofcommerce.com).

### **March 18, 8 a.m.-12:30 p.m.**

**Box Elder Business Summit**, a Box Elder Chamber of Commerce event with the theme “Leadership in Today’s Business World.” Keynote speakers include Wendy Williams, vice president of propulsion systems for Northrop Grumman Space Systems, and Cody Vaibell, entrepreneur and investor. Panel discussions will focus on topics including workforce and diversity and inclusion. Location is USU Brigham City Regional Campus, 989 S. Main St., Brigham City. Cost is \$40. Details are at [boxelderchamber.com](http://boxelderchamber.com).

### **March 22, 9 a.m.-noon**

**“Generating Revenue/Marketing,”** part of the nine-week

“First Step to Next Step” program presented by the Women’s Business Center of Utah. Event takes place online via Zoom. Free. Details are at [wbcutah.org](http://wbcutah.org).

### **March 22, 11:30 a.m.-1 p.m.**

**Women In Business Luncheon**, a South Valley Chamber event. Speaker is Jodi Orgill Brown, an anti-fragility expert, nonprofit consultant, keynote speaker, corporate trainer and bestselling author. Location is Hilton Garden Inn, 277 W. Segoe Lily Drive, Sandy. Cost is \$10 for members, \$15 for nonmembers. Details are at [southvalleychamber.com](http://southvalleychamber.com).

### **March 22, 2-5 p.m.**

**Utah Valley Job Fair**, a Utah Valley Chamber event. Location is Utah Valley Convention Center, 220 W. Center St., Exhibit Hall A, Provo. Details are at [thechamber.org](http://thechamber.org).

### **March 22, 6-9 p.m.**

**Birds and the Bees Spring Event**, a Utah Black Chamber of Commerce event. Location is Tracy Aviary and Johnson River Nature Center, 589 E. 1300 S., Salt Lake City. Cost is \$40. Details are at <http://business.utahblackchamber.com/events/calendar>.

### **March 23-April 13, 8:30 a.m.-4:30 p.m.**

**PMP Certification Exam Prep**, a Salt Lake Community College Employee Development Workshop taking place on Wednesdays. This intermediate course prepares participants to successfully pass the PMP exam by reviewing the concepts and principles of project management. Students will study project management methods in accordance with PMI requirements and a syllabus to study for the 2021 200-question PMI PMP examination. Location is SLCC’s Miller Campus, 9750 S. 300 W., Sandy. Cost is \$1,195. Details are at <http://www.slcc.edu/workforce/courses/index.aspx>.

### **March 23, noon-1 p.m.**

**“Solve the Business Puzzle,”** a Women’s Business Center of Utah event that takes place online. Free. Details to be announced at [wbcutah.org](http://wbcutah.org).

### **March 23, 4-8 p.m.**

**16th Annual Wasatch Front Materials Expo**, a Utah SAMPE Chapter event that is a trade-show for the advanced materials community. Location is Salt Lake Community College’s Miller Campus, Karen G. Miller Conference Center, 9750 S. 300 W., Sandy. Registration can be completed at [Eventbrite.com](http://Eventbrite.com).

## Going into business with a loved one? Tips for running a successful enterprise

For nearly all Utah small-business owners, business ownership is a labor of love. Yet running a business with your loved one can bring on additional challenges that may take all the romance out of business ownership.

The challenges that face a typical business owner — working 24/7, operating on tight budgets and wearing many hats — are often intensified when a spouse or significant other is a business partner. Yet many couples have achieved success both personally and professionally working together and offer lessons that can be applied by all small-business owners.

Here are four tips that every pair who runs a business can put in place to help ensure their entrepreneurial partnership is as successful as their romantic one:

### Define Roles and Responsibilities

It's important to define roles and responsibilities in every business partnership, particularly for couples who operate a business together. The old saying "opposites attract" can often mean that each person brings a unique set of skills and strengths to a relationship, something that should be harnessed in a business partnership.

As you're developing your business plan, take time to identify your respective strengths and passions and divvy up the business operations from there. For example, if you're highly organized and love crunching numbers, yet your partner is more energized working with people, then it probably makes sense for you to run the books while they manage customer relations and new business efforts. Make sure to clearly outline and document the agreed-upon company structure, responsibilities for each role and each individual's ownership stake.

Commit to regularly revisiting your business plan to ensure the structure is still working and adjust roles as needed. A well-thought-out, updated business plan will help keep you focused on company goals and objectives and track your progress.

### Focus on Communication

Communication is essential in all areas of life. It lies at the foundation of a happy marriage and a successful business relationship. But running a business with your spouse could entail difficult conversations. You might not want to upset them if their performance isn't as good, or there could be bad news you're afraid to reveal to your partner. Whatever it is, you need to develop effective communication

with your spouse. This will help you handle problems in the long run, and could also help strengthen your relationship at home, too.

### Put in Place a Suitable Exit Strategy

One area of business operations that is frequently overlooked is the exit strategy. Winding down is a crucial stage of the business lifecycle and something that should be addressed early on. This is especially true when owning a busi-

ness with your loved one, as emotions can sometimes get in the way of tough business decisions. While it's uncomfortable to think about things going south, an exit strategy will lay out a clear process to follow if an unfortunate situation occurs.

This strategy should outline what will happen if one partner decides to leave the business to pursue other opportunities, or there is a need to close the business for other reasons. Whether the business is sold to an external buyer or liquidated, a business banker

or tax advisor can help establish a plan that works for you.

### Separate Work from Personal Life

One final tip for couples in business together is to take time for each other outside of the business. Most small-business owners will tell you that the line between work and home is often blurred — and this applies even more to couples who work together. To ensure a healthy work-life balance, set clear business hours and respect them. And carve out time away from work to do things that you love.

Going into business with a loved one is hard work. However, many couples who have found success will tell you that the benefits of being in business together are worth it. By laying the proper foundation in the beginning, having strong communication and setting clear boundaries, owning a business with your loved one can be an incredibly rewarding experience.

Brandon Meredith is the Wells Fargo Bank small-business leader in Salt Lake City.



BRANDON MEREDITH



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## STACKLINE

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Mondelez and Levi's.

"One of the challenges for our company has been trying to find not only the right people but the right location to significantly invest in our growth plans," Helmreich said. "The past couple of years have been challenging for a number of us in the world, but what it has created is a unique opportunity for our business as we help brands scale in online and in e-commerce and overall in the commerce ecosystem."

Stackline, he said, works with 70 of the top 100 brands "and will continue to grow that footprint."

Marlin Eldred, Lehi's economic development director, described Stackline as a growing tech company that will fit well in the city. "We are so excited to have Stackline located in Lehi," Eldred told the Go Utah board. "We do consider ourselves kind of the heart of Silicon Slopes, and they're just a wonderful addition to our community."

The project incentive is a tax credit of up to \$194,956 over five years. The project is projected to

generate new state tax revenue of about \$1.3 million and new overall wages are projected to be nearly \$34.5 million during that time. The new jobs are expected to pay an average of \$81,694.

"We're excited to welcome Stackline to Lehi," Dan Hemmert, Go Utah's executive director, said in a prepared statement. "Stackline's platform provides valuable business insights for e-commerce everywhere. With year-after-year growth in e-commerce — and with Stackline's unique and expanding tools — we anticipate successes in the future."

"We're excited to see Stackline select Lehi for its new operation," said Theresa A. Foxley, president and CEO of the Economic Development Corporation of Utah. "It's a perfect location because of the concentration of tech and talent to be found there. The company will find Silicon Slopes to be a productive location for an expansion."

Go Utah does not provide upfront cash incentives. Each year that the company meets the obligations in its contract with the state, it will qualify to receive a portion of the new state taxes the company paid to the state.

p.m. Location is the Maverik Center in West Valley City. Details to be announced at chamberwest.com.

"Evening In Harlem," a Utah Black Chamber of Commerce event, originally scheduled for Feb. 4, has been postponed until April 1, 6-11 p.m. Location is The Leonardo, 209 E. 500 S., Salt Lake City. Cost is \$50. Details are at utahblackchamber.com.

**2022 Athena Leadership Award Ceremony & Luncheon**, an Ogden-Weber Chamber of Commerce event, originally scheduled for Jan. 25, has been postponed until April 26, 11:30 a.m.-1 p.m. Location is Timberline, 1701 Park Blvd., Ogden. Award recipient is Raquel Da Silva, executive director of Family Promise of Ogden. Cost is \$30. Details are at ogdenweberchamber.com.

**Utah Manufacturers Association Annual Awards Banquet** at the Little America Hotel in Salt Lake City, originally scheduled for Jan. 29, 6-9 p.m., has been postponed until a date in November to be determined.

### MISCELLANEOUS

**Business Alliance Lunches** originally scheduled for March 2 and March 16 had been canceled but have since been reinstated. They take place 11:30 a.m.-1 p.m. at Boondocks Fun Center, 525 Deseret Drive, Kaysville. Lunches are also scheduled for April 6, April 20, May 4 and May 18. Details are at davischamberofcommerce.com.

## CALENDAR

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### March 24, 8:30-11 a.m.

**ConnectShare B2B Networking Event** designed for business leaders and decision-makers. Location is the Miller Conference Center, 9750 S. 300 W., Sandy. Details are at [www.connectshare.com](http://www.connectshare.com) or by contacting Randy Hunt of the ConnectShare Advisory Board at [randy@clearpath-strat.com](mailto:randy@clearpath-strat.com).

### March 24, noon-1 p.m.

**Women in Business Meeting**, a Box Elder Chamber of Commerce event. Contact the chamber for meeting location. Cost is \$10. Details are at [boxelderchamber.com](http://boxelderchamber.com).

### March 24, 5-6 p.m.

**Legal Clinic** (in English and Spanish), a Small Business Development Center (SBDC event) that takes place online. Details are at <https://clients.utahsbdc.org/events.aspx>.

### March 24, 5:30-7 p.m.

"In the Know: Cryptocurrency Series," a South Valley Chamber event. Location is Salt Lake Community College, Free Enterprise Building, 9750 S. 300 W., Sandy. Details are at [southvalleychamber.com](http://southvalleychamber.com).

### March 24, 6-7 p.m.

**Intellectual Property Clinic**, a Small Business Development Center (SBDC) event that takes place online. Details are at <https://clients.utahsbdc.org/events.aspx>.

### March 24, 6-8 p.m.

"Entrepreneur 101," a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC Center at Utah Valley University. Details are at <https://clients.utahsbdc.org/events.aspx>.

### March 24, 6-8:30 p.m.

"Birds & Brews: Light Out Event," a Utah Black Chamber of Commerce event. Location is Tracy Aviary and Johnson River Nature Center, 589 E. 1300 S., Salt Lake City. Cost to be determined. Details are at <http://business.utahblackchamber.com/events/calendar>.

### March 29, 8:30-11 a.m.

"Management," part of the 10-week Key Bank Business Accelerator program presented by the South Valley Chamber and Suazo Business Center. Location is Salt Mine Productive Workspace, 7984 S. 1300 E., Sandy. Cost for the 10-week program is \$500 (must be a chamber

member to apply). Details are at [southvalleychamber.com](http://southvalleychamber.com).

### March 29, 9 a.m.-noon

"Keeping Customers Happy," part of the nine-week "First Step to Next Step" program presented by the Women's Business Center of Utah. Event takes place online via Zoom. Free. Details are at [wbcutah.org](http://wbcutah.org).

### March 29, 5-8:30 p.m.

**2022 Awards Gala**, a ChamberWest event. Event includes honoring Hall of Fame Award recipient Mayor Kristie Overson of Taylorsville and three finalists in five award categories. Theme is "The Wizard of Oz: There's No Place Like ChamberWest." Reception begins at 5 p.m., with dinner and program starting at 6:30 p.m. Location is the Maverik Center, 3200 S. Decker Lake Drive, West Valley City. Details to be announced at [chamberwest.com](http://chamberwest.com).

### April 1, 8:30 a.m.-5 p.m.

**Tech Law Symposium**, an ACC Mountain West Chapter event for in-house attorneys and their legal teams. Themes to be covered are "The Basics of Tech Law," "Hot Topics in Tech 2022," "Cybersecurity & CISA," "Tech Contracts" and "Communication (How to Talk to Engineers and Teams)." In-person location is Grand America, 555 S. Main St., Salt Lake City. In-person cost is \$75 for ACC members, \$100 for nonmembers. Webinar cost is \$75 for ACC members in Idaho, Wyoming and Montana, \$100 for nonmembers in those states. Registration can be completed at [Eventbrite.com](http://Eventbrite.com).

### April 1, 6-11 p.m.

"Evening In Harlem," a Utah Black Chamber of Commerce event. Location is The Leonardo, 209 E. 500 S., Salt Lake City. Cost is \$50. Details are at [utahblackchamber.com](http://utahblackchamber.com).

### April 5, 9 a.m.-noon

"Knowing Your Numbers," part of the nine-week "First Step to Next Step" program presented by the Women's Business Center of Utah. Event takes place online via Zoom. Free. Details are at [wbcutah.org](http://wbcutah.org).

### April 5, 6:30-8 p.m.

**WordPress Workshop**, a Small Business Development Center (SBDC) event that takes place online. Details are at <https://clients.utahsbdc.org/events.aspx>.

### April 6, 11:30 a.m.-1 p.m.

**Business Alliance Luncheon**. Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Registration is required. Details are at [davischamberofcommerce.com](http://davischamberofcommerce.com).

### April 7, 8-9 a.m.

"Coffee Chat with the CEO," a Park City Chamber/Bureau event. CEO Jennifer Wesselhoff will be available for friendly, informal conversation about how the chamber can most effectively serve businesses and the community. Location is Kimball Junction Visitor Information Center, 1794 Olympic Parkway Blvd., Park City. Free. Details are at <https://www.visitparkcity.com/members/chamber-bureau-events/rsvp/>.

### April 7, 9-10 a.m.

**Morning Speaker Series**, an Ogden-Weber Chamber of Commerce event. Event takes place online via Zoom. Free for chamber members and first-time guests. Details are at [ogdenweberchamber.com](http://ogdenweberchamber.com).

### April 7, 6-8 p.m.

"Entrepreneur 101," a Small Business Development Center (SBDC) event. Location is the Orem/Provo SBDC Center at Utah Valley University. Details are at <https://clients.utahsbdc.org/events.aspx>.

### April 8, 5-7 p.m.

"First Friday," a Utah Black Chamber of Commerce networking event. Location is 2200 S. Main St., Suite 200, South Salt Lake. Cost is \$10 for members, \$20 for nonmembers. Details are at [utahblackchamber.com](http://utahblackchamber.com).

### April 12, 8:30-11 a.m.

"Customers & Competitors," part of the 10-week Key Bank Business Accelerator program presented by the South Valley Chamber and Suazo Business Center. Location is Salt Mine Productive Workspace, 7984 S. 1300 E., Sandy. Cost for the 10-week program is \$500 (must be a chamber member to apply). Details are at [southvalleychamber.com](http://southvalleychamber.com).

### April 12, 9 a.m.-noon

"Managing Your Cash Flow," part of the nine-week "First Step to Next Step" program presented by the Women's Business Center of Utah. Event takes place online via Zoom. Free. Details are at [wbcutah.org](http://wbcutah.org).

### April 12, 11:55 a.m.-12:55 p.m.

**Monthly Women in Business Luncheon**, a Cache Valley Chamber of Commerce event. Check website for location. Cost is \$14 for WIB members, \$16 for nonmembers. Details are at [cachechamber.com](http://cachechamber.com).

### April 13, 4-5 p.m.

**Venture Capital Collab**, a

## UPDATES

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### POSTPONEMENTS

"Sports, Military and Life: It's Not Just a Man's World Anymore," a ChamberWest Women in Business Professional Growth Series event, originally scheduled for Feb. 8, has been postponed until March 8, 11:30 a.m.-1 p.m. Speaker is Ashlee Byrge, a sideline reporter for the Utah Warriors and manager of the Junior Warriors youth rugby league. Location is Staybridge Suites, 3038 S. Decker Lake Drive, West Valley City. Cost is \$35. Details are at (801) 977-8755 or [chamberwest.com](http://chamberwest.com).

"Navigating Differences in the Workplace," a ChamberWest Professional Development Series event, originally scheduled for Jan. 25, has been postponed until March 15, 11:30 a.m. Location is TownePlace Marriott West Valley City, 5373 W. High Market Drive, West Valley City. Cost is \$25 for members by March 9, \$35 thereafter and for nonmembers. Details are at [chamberwest.com](http://chamberwest.com) or (801) 977-8755.

**Zions Bancorporation's 2022 Biennial Investor Conference** for institutional investors and analysts, originally scheduled for March 3, has been postponed until a date to be determined.

**2022 Awards Gala**, a ChamberWest event, originally scheduled for March 8, has been postponed until March 29, 5-8:30

see CALENDAR next page

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## CALENDAR

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Utah Black Chamber of Commerce event. Location is The Shop, 350 E. 400 S., Salt Lake City. Details are at [utahblackchamber.com](http://utahblackchamber.com).

### April 13, 5-7 p.m.

**"Business After Hours,"** an Ogden-Weber Chamber of Commerce event. Free for employees of chamber members and first-time guests, \$10 for nonmembers. Details to be announced at [ogdenweberchamber.com](http://ogdenweberchamber.com).

### April 14, 1-5 p.m.

**2022 Business 2 Business Expo**, a Davis Chamber of Commerce event featuring more than 70 exhibitors. Location is Davis Conference Center, 1651 N. 700 W., Layton. Free. Details are at [davischamberofcommerce.com](http://davischamberofcommerce.com).

### April 15, 5-7 p.m.

**Business After Hours**, a Utah Black Chamber of Commerce event. Location and other details to be announced at [utahblackchamber.com](http://utahblackchamber.com).

### April 19, 9 a.m.-noon

**"Cash Flow Projection Lab,"** part of the nine-week "First Step to Next Step" program presented by the Women's Business Center of Utah. Event takes place online via Zoom. Free. Details are at [wbcutah.org](http://wbcutah.org).

### April 19, 11:25 a.m.-1 p.m.

**Leadership Luncheon**, a Cache Valley Chamber of Commerce event. Location is The Riverwoods Conference Center, 615 Riverwoods Parkway, Logan. Cost is \$16 for members and \$17 for nonmembers preregistered, \$20 for members and \$22 for nonmembers not preregistered. Details are at [cachechamber.com](http://cachechamber.com).

### April 19, 5-6 p.m.

**Corporate Tour**, a Utah Black Chamber of Commerce event. Location is 34 S. State St., Salt Lake City. Details are at [utahblackchamber.com](http://utahblackchamber.com).

### April 20

**Utah Women's Entrepreneurial Conference**, an educational conference for Utah women business owners that features general sessions, breakouts and a grant pitching competition. Location to be announced. Details are at [www.utahwec.com](http://www.utahwec.com).

### April 20, 11:30 a.m.-1 p.m.

**Business Alliance Luncheon**. Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Registration is required. Details are at [davischamberofcommerce.com](http://davischamberofcommerce.com).

### April 20, 3:30-5 p.m.

**"Good Food in Bad Times,"** presented by P3 Utah and Impact Hub Salt Lake. Speakers are Kelly Lake, co-owner of Lux Events; and Jamaica Trinnaman, owner of Hello Bulk and The Neighborhood Hive. Details to be announced.

### April 21, 8:30-11 a.m.

**ConnectShare B2B Networking Event** designed for business leaders and decision-makers. Location is the Miller Conference Center, 9750 S. 300 W., Sandy. Details are at [www.connectshare.com](http://www.connectshare.com) or by contacting Randy Hunt of the ConnectShare Advisory Board at [randy@clearpath-strat.com](mailto:randy@clearpath-strat.com).

### April 21, 6 p.m.

**Annual Chamber Gala**, an Ogden-Weber Chamber of Commerce event. Details to be announced at [ogdenweberchamber.com](http://ogdenweberchamber.com).

### April 22, 5:30-9 p.m.

**Annual Banquet**, a Box Elder Chamber of Commerce event. Location is Box Elder County Fair Grounds, Fine Arts Building, 320 N. 1000 W., Tremonton. Details to be announced at [boxelderchamber.com](http://boxelderchamber.com).

### April 26, 8:30-11 a.m.

**"Systems,"** part of the 10-week Key Bank Business Accelerator program presented by the South Valley Chamber and Suazo Business Center. Location is Salt Mine Productive Workspace, 7984 S. 1300 E., Sandy. Cost for the 10-week program is \$500 (must be a chamber member to apply). Details are at [southvalleychamber.com](http://southvalleychamber.com).

### April 26, 9 a.m.-noon

**"Planning for Continuity,"** part of the nine-week "First Step to Next Step" program presented by the Women's Business Center of Utah. Event takes place online

via Zoom. Free. Details are at [wbcutah.org](http://wbcutah.org).

### April 26, 11:30 a.m.-1 p.m.

**2022 Athena Leadership Award Ceremony & Luncheon**, an Ogden-Weber Chamber of Commerce event. Award recipient is Raquel Da Silva, executive director of Family Promise of Ogden. Location is Timbermine, 1701 Park Blvd., Ogden. Cost is \$30. Details are at [ogdenweberchamber.com](http://ogdenweberchamber.com).

### April 28, 8:30 a.m.-1:30 p.m.

**Consumer Summit**, a Silicon Slopes event. Theme is "Transform." Event will bring together industry experts, successful business leaders and entrepreneurs, and funding partners to give insights and discussion on all things transformation. Activities include speakers, panels discussions and interactive product experiences. Location is Slopes EVNT Center, 14216 Bangerter Parkway, Draper. Cost is \$35. Details are at [consumersummit.org](http://consumersummit.org).

### April 28, noon-1 p.m.

**Women in Business Meeting**, a Box Elder Chamber of Commerce event. Contact the chamber for meeting location. Cost is \$10. Details are at [boxelderchamber.com](http://boxelderchamber.com).

### April 28, 5-6 p.m.

**Legal Clinic** (in English and Spanish), a Small Business Development Center (SBDC event) that takes place online. Details are at [clients.utahsbdc.org/events.aspx](http://clients.utahsbdc.org/events.aspx).

### May 3, 9 a.m.-noon

**"Action Plan Presentations and Graduation,"** part of the nine-week "First Step to Next Step" program presented by the Women's Business Center of Utah. Event takes place online via Zoom. Free. Details are at [wbcutah.org](http://wbcutah.org).

### May 4, 11:30 a.m.-1 p.m.

**Business Alliance Luncheon**. Location is Boondocks Fun Center, 525 Deseret Drive, Kaysville. Registration is required. Details are at [davischamberofcommerce.com](http://davischamberofcommerce.com).

### May 5, 5-7 p.m.

**Business After Hours Mixer**, a Park City Chamber/Bureau event. Location is Wicked Fast Internet, 4554 Forestdale Drive, No. D19, Park City. Details are at <https://www.visitparkcity.com/members/chamber-bureau-events/rsvp/>.

### May 10

**One Utah Summit 2022**, a biannual "super-summit" hosted by Gov. Spencer Cox that is a combination of the Economic Summit, Global Forum, Energy Summit and Rural Summit. Discussion topics include entrepreneurship, supporting refugees, the new state flag initiative, creating a more equitable and inclusive Utah, and what a future Olympic and Paralympic Games would mean for Utah. Location is Grand America Hotel, 555 S. Main St., Salt Lake City. Cost is \$320 until April 15, \$399 thereafter. Details are at [oneutahsummit.com](http://oneutahsummit.com).



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<sup>2</sup> Based on year-to-date 2021 average network availability excluding commercial power outage and planned maintenance.