BULKY DOCUMENTS

(Exceeds 300 pages)

Proceeding/Serial No: 91156321

Filed: 10-22-08

Title: REGISTRANT'S STIPULATED MOTION FOR LEAVE TO USE TRIAL TESTIMONY FROM OPPOSITION NO. 91156321 IN PROCEEDING <BOX 1>

Part 3 of 8

Processed by Curtis Puryear

UNITED STATES HISPANIC CHAMBER OF COMMERCE

"There are people in this blessed land who feel that expressions of love for country and family are old fashioned, but you know something—you won't find them in the United States Hispanic Chamber of Commerce. To every [illegible] who says the American dream [illegible] come in the Hispanic [illegible] Community [illegible] how [illegible] years of Hispanic descent [illegible] not just building new corporations they're building

[illegible] President Ronald Reagan during his address [illegible] Convention in Tampa, Florida

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USHCC Year in Review 2004

(from page 32)

States. Throughout 2003 and 2004, seminars were held in New York City, New York; Orlando, Florida; Fajardo, Puerto Rico and Corpus Christi, Texas as part of the Texas Association of Mexican American Chambers of Commerce 29th Annual Convention & Business Expo. A seminar is also scheduled for October 2004 in Miami, Florida as part of the Hispanic Association of Colleges and Universities 18th Annual Conference. Launched in 2000, the USHCC Procurement Networking Seminars have helped Hispanic businesses obtain close to $4.5 million in contracting opportunities. The seminars allow certified Hispanic or minority businesses to meet one-on-one with Hispanic suppliers from leading corporations and federal agencies.

HISPANICS TODAY

At the year end of 2003, *Hispanics Today*, the USHCC's nationally syndicated television show, reached a milestone when it sold all seven of its major advertising spots. *Hispanics Today* currently airs in 86% of Hispanic households and is increasingly viewed as a valuable marketing tool by corporations interested in reaching the Hispanic community. Current sponsors of *Hispanics Today* include AOL Latino, Cendant Corporation, FedEx, General Motors Corporation, New York Life Insurance Company, The Coca-Cola Company and Wal-Mart Stores, Inc. *Hispanics Today* is seen by more than 26 million viewers every week.

POLITICAL EMPOWERMENT AWARDS

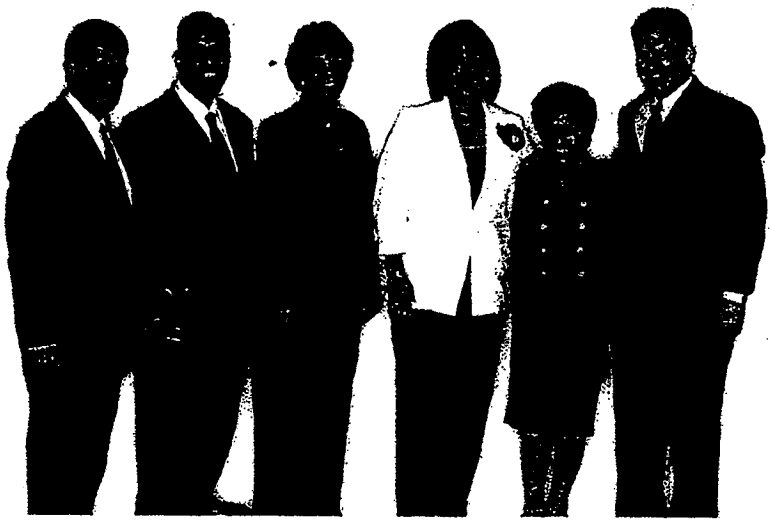
During the 14th Annual Legislative Conference, the USHCC launched a new program to recognize its member Hispanic chambers of commerce for their outstanding political advocacy efforts. Six recipients of the new Political Empowerment Awards were announced and featured at the conference. The awards recognize local Hispanic chambers that empower local Hispanic communities through effective government outreach programs. The winners included the Latin Chamber of Commerce of Nevada, Inc.; the New Mexico 8(a) and Minority Business Association; the McAllen Hispanic Chamber of Commerce; the Illinois Hispanic Chamber of Commerce; the New York State Federation of Hispanic Chambers of Commerce; and the Georgia Hispanic Chamber of Commerce. Cynthia Sakulenzki, President of the McAllen Hispanic Chamber of Commerce, was named the national winner.

WBENC-USHCC PARTNERSHIP

To meet the growing needs of Latina entrepreneurs, the USHCC forged a historic alliance with the Women's Business Enterprise National Council (WBENC). Among the key initiatives of the WBENC alliance is the "Women and Hispanic Business Virtual Exchange" (VE). The VE offers a low cost alternative to bridge the gap between corporate buyers, women and Hispanic businesses, via a virtual environment. This innovative technology provides a point-and-click method of matching the demand of corporations looking for qualified women and Hispanic-owned businesses. ■

For more information about USHCC programs and initiatives, please visit www.ushcc.com.

Political Empowerment Award Winners 2004



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As of 08/24/04

H03671

The [illegible] English [illegible] program [illegible] issues impacting [illegible] Latino community [illegible] business, entertainment, politics, [illegible] and sports.

Join host [illegible]guez every week on a journey through the triumphs and successes of Hispanics in America. He'll bring you the latest news about the issues that affect your world and interviews with leading Hispanic figures. Hear the beat and feel the energy of Hispanics in America.

Check local listings or log onto www.ushcc.com for show times in your area.

Hispanics Today is produced by the United States Hispanic Chamber of Commerce with the support of AOL Latino, Cendant Corporation, FedEx, General Motors Corporation, New York Life, The Coca-Cola Company and Wal-Mart.

H03672

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Arkansas		
Little Rock	KATC	ABC
Ft. Smith	KPBI	FOX
Arizona		
Phoenix	KAZT	IND
Tucson	KVOA	NBC
Yuma	KYMA	NBC
California		
Bakersfield	KGET	NBC
Fresno	KFSN	ABC
Los Angeles	KNBC	NBC
Monterey	KSBW	NBC
Palm Springs	KMIR	NBC
Sacramento	KMAX	NBC
San Diego	KNSD	NBC
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Santa Barbara	KCOY	CBS
Colorado		
Colorado Springs	KOAA	NBC
Denver	KUSA	NBC
Connecticut		
Hartford	WTNH/WCTX	ABC
Florida		
Ft. Myers	WINK	CBS
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Miami-Ft. Lauderdale	WTVJ	NBC
Orlando	WRDQ	IND
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Columbus	WLTZ	NBC
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Kansas		
Topeka	KSNT	NBC
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Kentucky		
Lexington	WDKY	FOX
Louisville	WYCS	IND
Paducah	KBSI	FOX
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New Orleans	WWL	CBS
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Lansing	WLAJ	ABC
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Marquette	WJMN	CBS

State/City	Station	Affiliate
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Cincinnati	WSTR	WB
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Dayton	WRCX	IND
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San Antonio	WOIA	NBC/UPN
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District of Columbia	WRC	NBC
Washington		
Yakima	KAPP	ABC
Wisconsin		
Green Bay	WFRV	CBS
La Crosse	KQEG	UPN
Madison	XTVW	UPN
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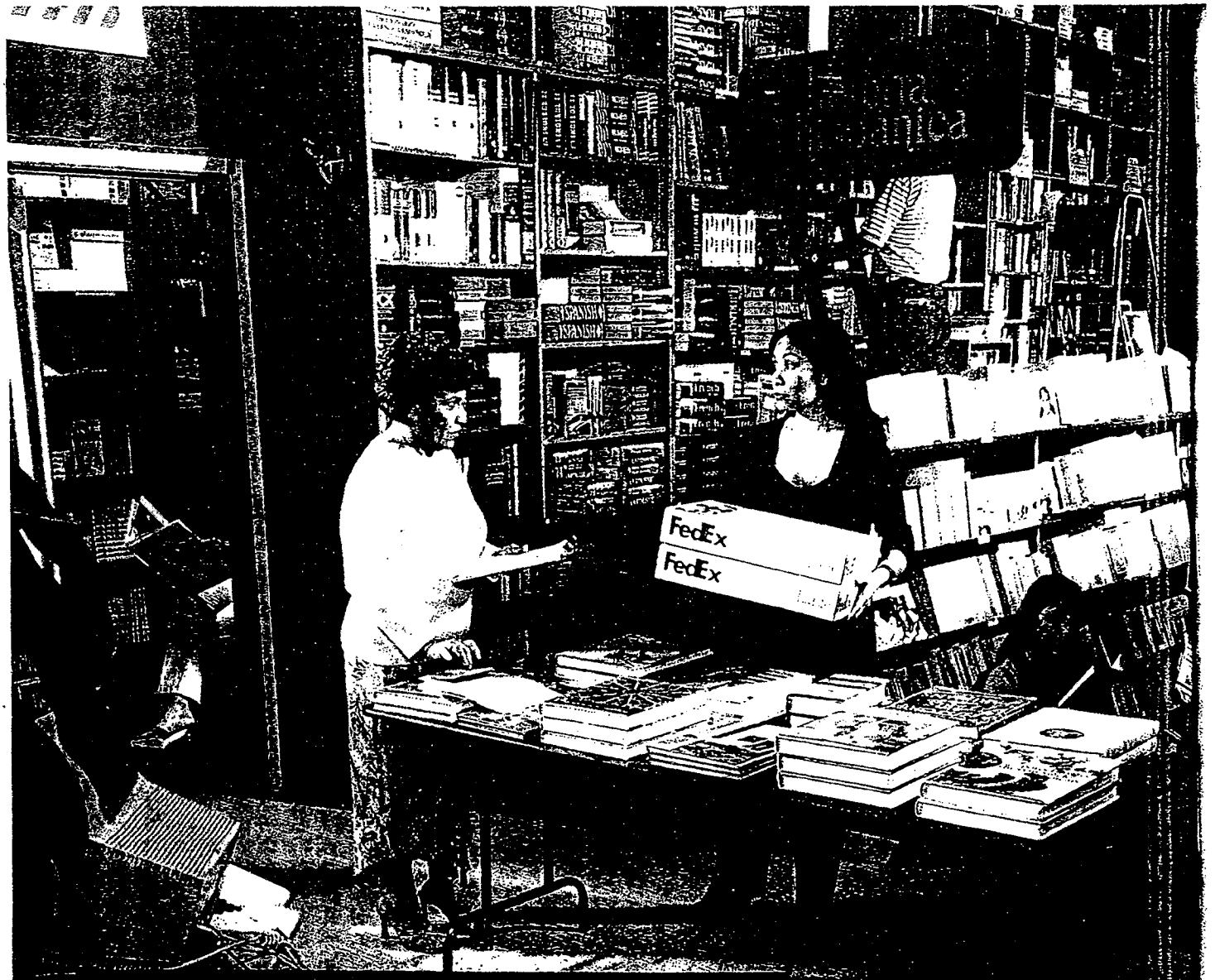

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Innovation comes from some very diverse places.

We believe that diversity in people provides diversity in ideas and perspectives. By establishing, maintaining and effectively managing a diverse workforce, we continue to increase innovation and drive creativity throughout our global businesses. Through our Supplier Diversity Program, the Altria family of companies has benefited from strong partnerships with women- and minority-owned businesses for over twenty years. Last year alone, over one billion dollars went to these partners. To learn more about Altria and our Supplier Diversity Program, visit www.altria.com/MWBE.

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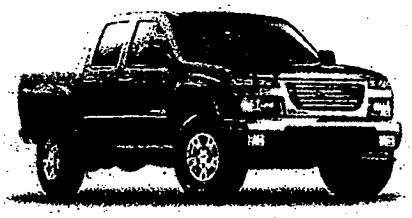

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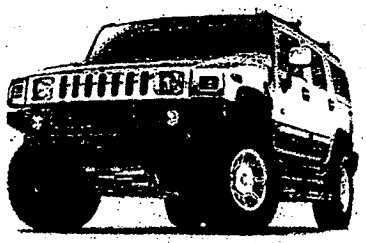

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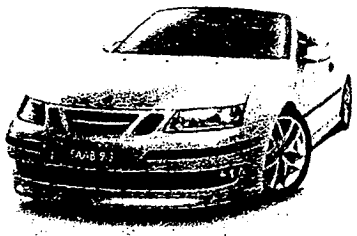

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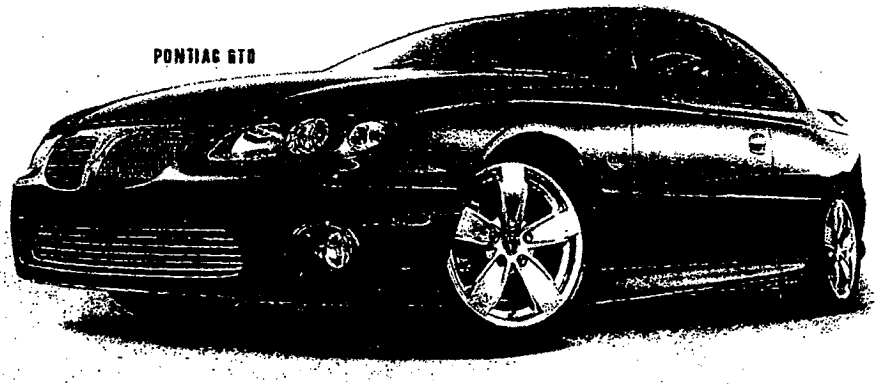

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H03680

A Message from

Gary L. Cowger

Estimados Amigos:

General Motors is proud to be a Diamond Sponsor of the 25th Annual U.S. Hispanic Chamber of Commerce Convention and Business Expo in Austin, Texas. We join the USHCC and its members in celebrating the Hispanic enterprise for the past 25 years, and their positive impact on American society. I am also personally honored to serve as Convention Co-Chair.

We feel privileged to be partners with an organization so dedicated to the advancement of the Hispanic community and its valuable contributions to American culture and society. GM shares your philosophy and mission, and is committed to being your partner in making the "American Dream" a reality for all Latinos, and to empower the Latino entrepreneurial spirit.

At GM, we have benefited in many ways from this entrepreneurial spirit through the contributions of both our dealers and suppliers. General Motors was the first domestic automaker to institute a Minority Dealer Development Program. We were also the first to being a supplier diversity program in 1968. Since then we have purchased more than $40 billion in goods and services from minority suppliers.

And we are compelled to continue our support, as each one of you serves as a testament to the unrelenting pursuit of progress and accomplishment by the Hispanic Community.

Again, on behalf of the men and women of General Motors, thank you for your support. We look forward to continue working with you to foster the advancement of Hispanic enterprises and entrepreneurs.

Felicidades y Saludos,

Gary L. Cowger
President, General Motors North America

GM

H03681

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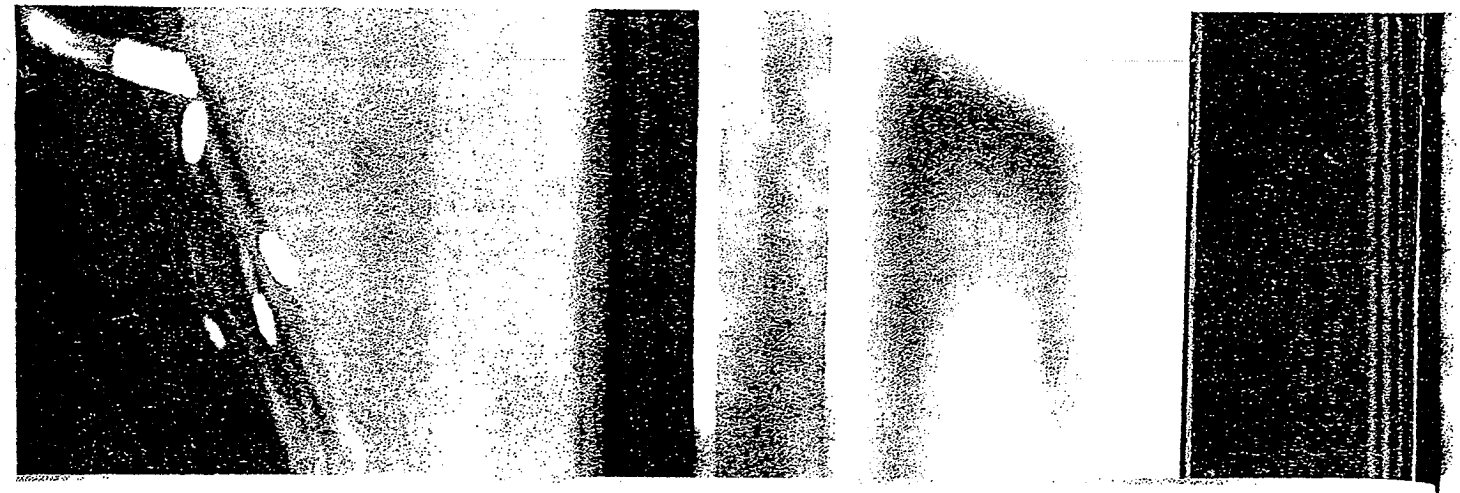

A Welcoming Hand is a Winning Hand.

For 25 years the USHCC has lent a hand to the economic growth of Hispanic-owned businesses. We applaud USHCC's achievements and remain committed to working and winning together.

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H03682

A Message from

J. Terrence Lanni

Greetings,

Welcome to the United States Hispanic Chamber of Commerce 25th Annual National Convention and Business Expo in this great city of Austin, Texas.

As Honorary Co-Chair and on behalf of the 40,000 men and women of MGM MIRAGE, I am honored to participate in this milestone event celebrating the 25-year history of the USHCC commemorating the innovation and accomplishments of Hispanic enterprise.

MGM MIRAGE shares the vision of USHCC, "To advocate, promote and facilitate the success of Hispanic businesses." Through our partnership with USHCC, we are able to expand the success of our own Diversity Initiative by building relationships and partnerships with the Latino business community.

We are proud to be widely recognized as a leader in the gaming and hospitality industry. We own and operate an unmatched collection of resorts and casinos in the U.S., including some of the most widely recognized brand names such as Bellagio, MGM Grand and The Mirage.

MGM MIRAGE recognizes the talent and opportunities that live within the USHCC membership. In this regard, I want to personally extend the following invitations to you:

- Explore business opportunities with us, either by visiting our USHCC Business Expo Booth or by accessing our supplier diversity website, www.mgmmiragediversity.com.
- Encourage people to consider a career in our dynamic and richly diverse industry. We offer many opportunities for advancement across different career paths, and information about our "The World Works Here" employment campaign is available at our booth and at our employment website at www.mgmmirage.com.
- Experience our resorts and casinos in Las Vegas, Biloxi, Detroit or Atlantic City for pleasure or business. We would be honored to provide you with our unparalleled guest service.

We look forward to our continued partnership with USHCC to strengthen relationships and opportunities between Hispanic-owned businesses and our fellow Fortune 500 companies among the corporate sector. Best wishes for a productive convention & business expo.

Sincerely,

J. Terrence Lanni
Chairman and Chief Executive Officer
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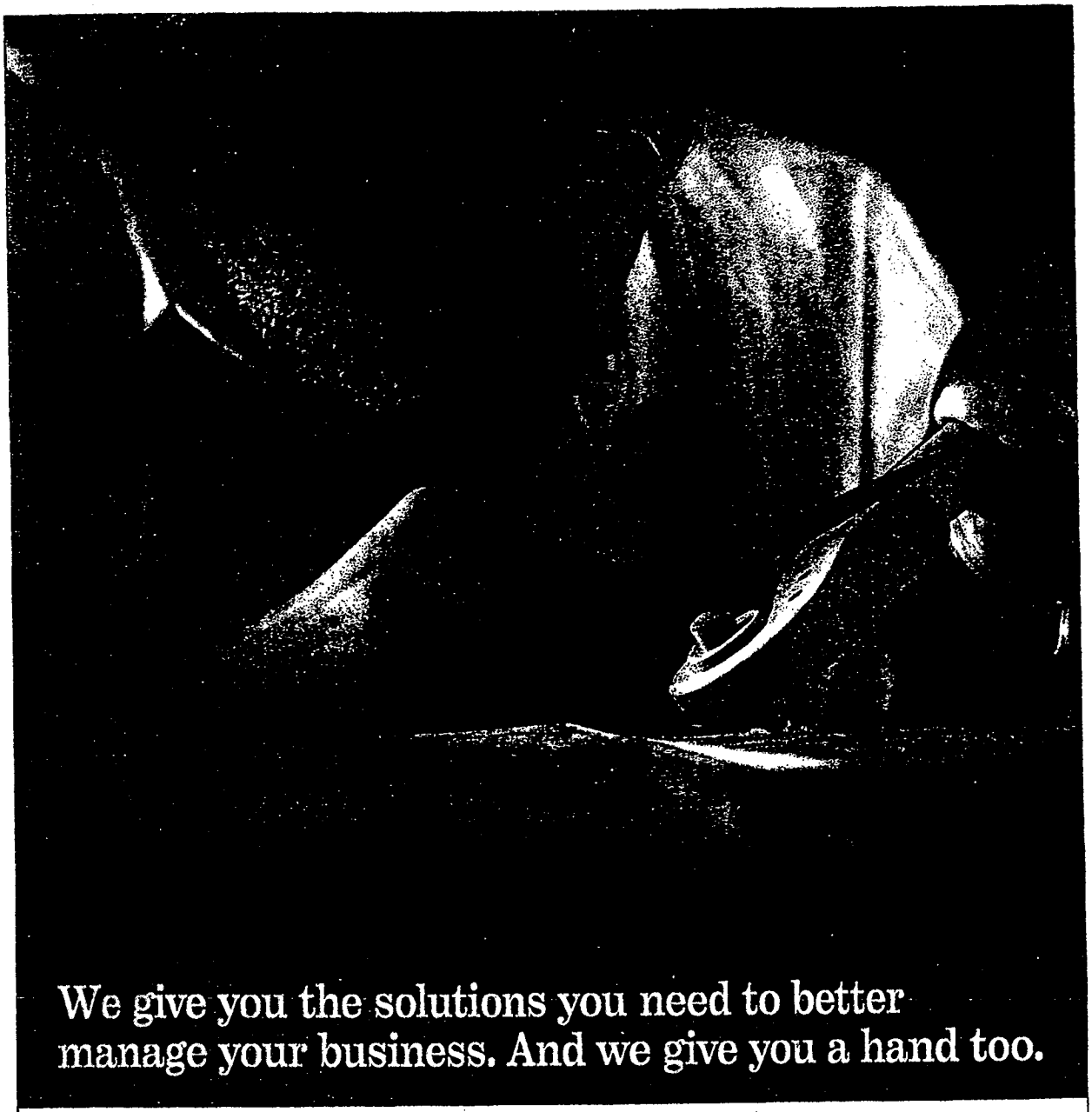
H03683



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A Message from

Lynn Pike

Dear Friends:

It's appropriate that the theme of the 25th anniversary of the United States Hispanic Chamber of Commerce is "Celebrating Hispanic Enterprise."

Hay *mucho que celebrar*. There is, indeed, much to celebrate. Hispanic small business has come a long way from where it was a quarter of a century ago. The journey ahead looks even more exciting, as Hispanic business owners are gaining enormous momentum every day of the week.

The Hispanic-owned small business marker is not only vibrant; it is critical to the health of our country's economy. A recent survey from Hispanic Telligence reports that 55 percent of our country's economic growth in the next years will be attributed to Hispanic small businesses.

The USHCC should be proud of the important role they've played in the progress of the Hispanic entrepreneur, and for enhancing the Hispanic business environment for the past 25 years. This year's National Convention and Business Expo promises to continue the tradition of delivering a positive spirit, plus the kinds of tools and workshops that help business owners become more productive.

This year's event is projected to have the highest attendance in the history of the USHCC—and in many ways; it may be the most important event to date. More than 5,000 top corporate executives, as well as nationally and state-elected officials, will be on hand to address the pressing concerns of the day, to celebrate the last two and a half decades of growth and explore new opportunities for the future.

From our perspective at Bank of America, the growth of Hispanic business in America isn't just satisfying—it's extraordinary. As the nation's number one small business lender to Hispanics, we've had the pleasure of helping to ensure that the American Dream is being realized by thousands of individual entrepreneurs, and collectively by the Hispanic community.

We're honored to continue our commitment to small business in the Hispanic community by partnering with this great organization—the United States Hispanic Chamber of Commerce—particularly on the occasion of their 25th anniversary. Congratulations to all participants. You truly have a heritage and a business tradition of which to be proud.

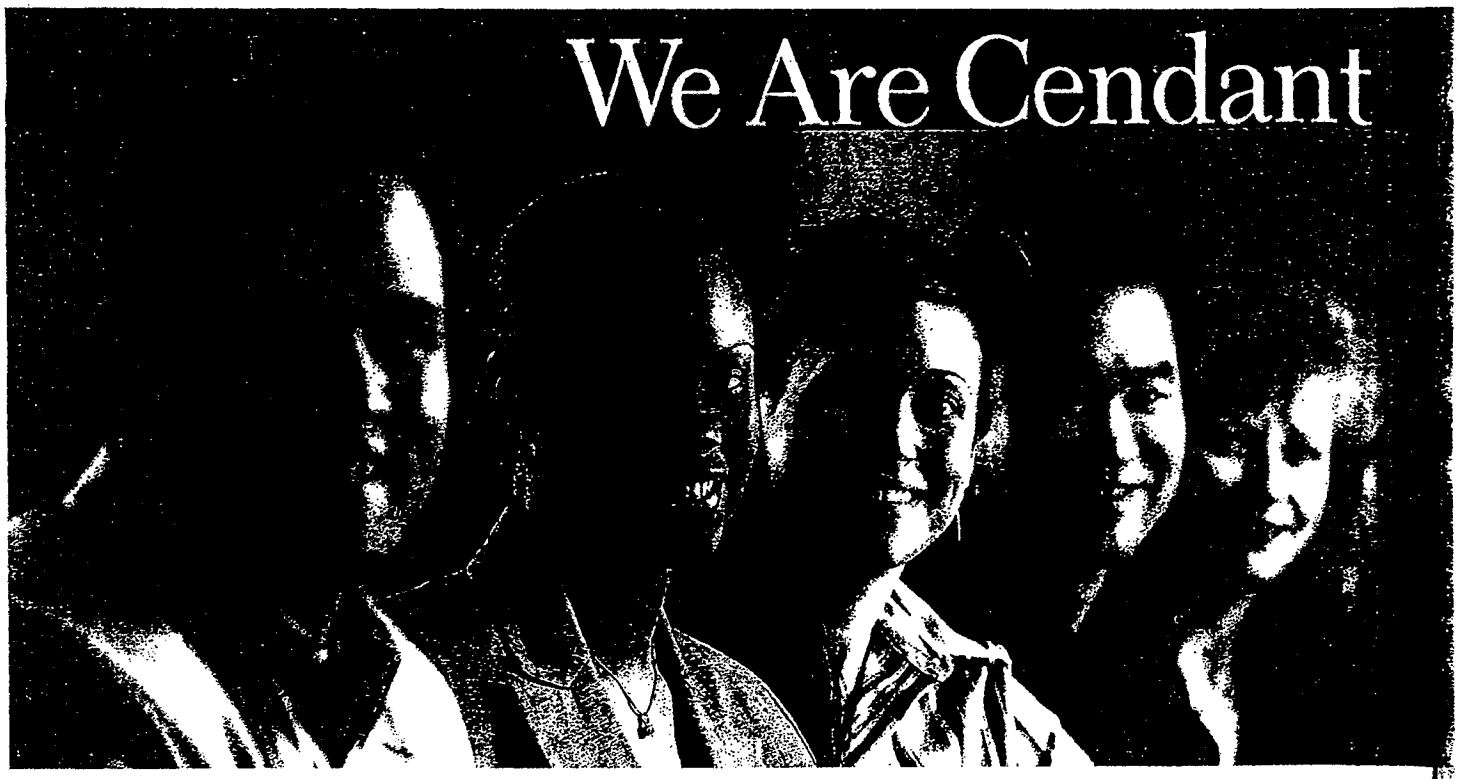
Sincerely,

Lynn Pike

Lynn Pike
President, Small Business Banking
Bank of America

Bank of America.

H03685



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Cendant is a proud sponsor of the USHCC's 25th Annual Convention and Business Expo.

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A Message from

Henry R. Silverman

Dear Friends,

On behalf of Cendant Corporation and its companies, I congratulate the United States Hispanic Chamber of Commerce on its 25th Annual Convention and Business Expo. This milestone marks 25 years of the USHCC serving Hispanic-owned businesses by bringing the issues and concerns of Hispanics to the forefront of the national economic agenda. Our partnership has helped us develop innovative business strategies, ideas and marketing plans as we look to strengthen our relationship with the Hispanic business community and consumers.

Cendant's Global Procurement Solutions alliances, minority business development programs and franchising efforts within our Real Estate and Hotel Divisions recognize that participation in the Hispanic business community represents a tremendous growth opportunity for our company.

In 2003, Cendant was recognized by the USHCC as Corporation of the Year. Our strong commitment to the Hispanic community's educational and economic growth is exemplified by our support of the USHCC Scholarship Fund. Furthermore, we continue to recruit and place Hispanics in key management positions, supporting diversity and cultural understanding.

We are particularly proud of our ongoing relationship with the USHCC and look forward to a mutually prosperous relationship with this prestigious organization and its members. We invite you to stop by our exhibit to learn more about supplier and franchising opportunities with Cendant.

Please accept my best wishes for an enjoyable and successful convention.

Henry R. Silverman

CENDANT

Henry R. Silverman
Chairman, President and CEO
Cendant

H03687

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H03688

A Message from

Tony Brown

Dear Friends and Members of the U.S. Hispanic Chamber of Commerce:

Happy Silver Anniversary USHCC!

On behalf of Ford Motor Company and our 318,000 employees worldwide, I am pleased to congratulate and salute the United States Hispanic Chamber of Commerce on 25 years of dedicated service. We are delighted to be a part of this year's convention as the chamber "Celebrates Hispanic Enterprise."

As a proud member of the USHCC, Ford supports the mission to advocate, promote and facilitate Hispanic business success. Through its many programs and initiatives, the USHCC is helping Hispanic businesses compete by providing them with the necessary tools to be leaders in their communities. This year, Ford is particularly proud of our new partnership with the USHCC Foundation as together we encourage our youth to become entrepreneurs.

Our founder, Henry Ford, was an innovator whose vision put the world on wheels. A man ahead of his time, Henry Ford was also one of the first to establish a workforce that truly represented the communities it served. Today, under the leadership of our CEO, William Clay Ford, Jr., Ford's partnership with USHCC helps to provide opportunities to everyone who lives and works in the communities where we do business.

With the more than 39 million Hispanic individuals in the U.S. -- the country's largest minority population, Ford recognizes the vital economic contributions being made by Hispanic businesses to the nation's economy. By working with USHCC, we continue to build a strong diverse supplier base that assists us in producing the best cars and trucks in the world.

Congratulations USHCC! As you celebrate 25 years of success in Hispanic enterprise, we wish you many more prosperous years and a productive annual convention.

Sincerely,

Tony Brown

Tony Brown
Vice President, Global Purchasing
Ford Motor Company

Ford Motor Company

H03689

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H03690

A Message from

Sam Verdeja

Dear USHCC Members and Friends,

Once again, Hispanic Publishing Group is honored to be a proud Platinum Sponsor of this year's United States Hispanic Chamber of Commerce's Annual National Convention and Business Expo.

As we celebrate this 25th year milestone, we congratulate the Chamber on its many accomplishments that have contributed to the creation and ongoing success of over 1.6 million Hispanic-owned businesses. Since its inception, almost two decades ago, *HISPANIC* Magazine has been in the forefront of Hispanics' journey as they strive for recognition and a vital position in the national economic agenda. As we continue growing as the largest segment of the U.S. economy, *HISPANIC* Magazine salutes you and invites you to continue to forge lasting business relationships based on trust while strengthening our community.

HISPANIC Magazine, the largest English-language publication serving the Latino community is part of Hispanic Publishing Group, which also owns HispanicOnline.com, and *Hispanic Trends*, a strategic partnership with the United States Hispanic Chamber of Commerce.

Congratulations on a great year and I wish you a successful convention.

Sincerely,

HISPANIC MAGAZINE

Sam Verdeja
Publisher & CEO

H03691

Inspired by our history, united by our future.

At Sprint, we understand that it's our customers who help us see the world with a broader perspective. And it's important to them that we deliver solutions that strengthen the way their businesses communicate. That's why Sprint is proud to support the U.S. Hispanic Chamber of Commerce's 25th Annual Convention.

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A Message from

Gary Forsee

Dear Friends and Members of the U.S. Hispanic Chamber of Commerce,

As a leading global communications company, Sprint has long supported local Hispanic chambers and the United States Hispanic Chamber of Commerce. We are proud once again to offer our support to this prestigious organization during the 25th National Convention and Business Expo.

Sprint is widely recognized for developing, engineering and deploying state-of-the-art network technologies to serve our wireline, wireless and Internet customers, many of whom live in Hispanic communities throughout the United States and the District of Columbia. We are also proud to recognize thousands of Hispanic American associates within the Sprint family.

At Sprint, we embrace a culture of diversity and inclusion that brings to bear the best of every employee. Sprint values and leverages different points of view and collective wisdom. Through diversity, we promote creativity and innovation to sustain a competitive advantage, fuel growth, and achieve superior market performance.

By making this level of commitment to our employees, we are making a similar commitment to our customers and partners. Most of our partnerships and sponsorships with the USHCC have supported the USHCC Foundation, which places significant value on youth development - a value shared by Sprint and its 65,000 associates.

Sprint is pleased to focus on youth leadership development through a series of scholarships to help Hispanic youth attend college. This year, we are also sponsoring the winners from the Kansas City "BizFest" youth competition to attend the convention along with five executive directors from Hispanic chambers throughout the country.

On behalf of Sprint's associates, best wishes for a productive convention and expo. We look forward to building our relationship with you.

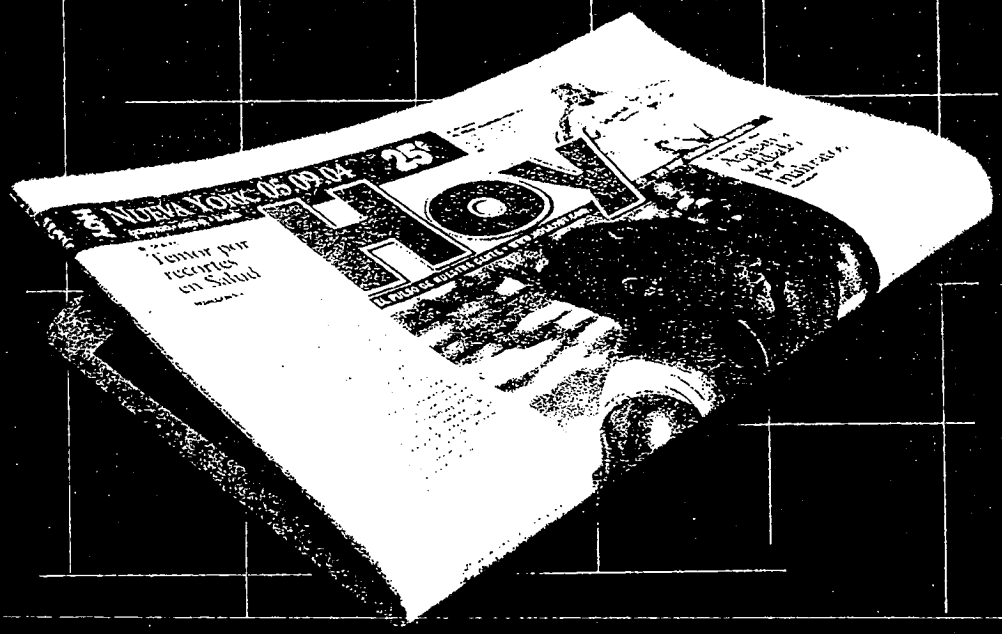
Sincerely,

Gary Forsee
Sprint Chairman and Chief Executive Officer

Sprint

H03693

Connecting People
Connecting Communities
Making a Difference



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TRIBUNE PUBLISHING

H03694

A Message from

Digby Solomon Diez

Dear U.S. Hispanic Chamber of Commerce Members and Friends:

Hoy is proud to serve as a platinum sponsor for the 25th Annual United States Hispanic Chamber of Commerce National Convention and Business Expo.

We congratulate the USHCC on an outstanding year and salute your accomplishments in Hispanic business development, international trade and legislative and government affairs.

Since the last conference, *Hoy* launched new editions in Chicago last fall and in Los Angeles in March, bringing a new voice to two more of the nation's largest Hispanic markets. *Hoy* continues to attract new readers and advertisers because of the high quality of our journalism and our dedication to the diverse Hispanic community. In Chicago and in Los Angeles, as in New York, *Hoy* will support the Hispanic community through sponsorship of arts, cultural, and educational activities and institutions.

Earlier this year, *Hoy* and Telemundo entered into an exclusive content sharing and cross-promotional partnership in New York, Chicago and Los Angeles. Through this partnership, we have combined the power of television and print journalism to deliver top local, national and international news and special features to Hispanics in each city.

We at *Hoy* and holaHoy.com look forward to meeting you and introducing you to *Hoy*'s New York, Chicago and Los Angeles papers.

Felicidades y que tengan mucho éxito en Austin.

Digby Solomon Diez
Interim Publisher

Hoy
EL PULSO DE NUESTRA GENTE

H03695

H03696

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A Message from

E. Neville Isdell

Dear Friends,

The Coca-Cola Company is proud of the relationship we have shared for over 20 years with the United States Hispanic Chamber of Commerce (USHCC). We are honored to support the USHCC as it celebrates its 25th Annual National Convention and Business Expo in Austin, Texas.

The USHCC plays a vital role in helping the Latino community realize greater economic, cultural and societal empowerment. We share in their important mission of encouraging the development and growth of Hispanic businesses. It is through the work of USHCC and the participants gathered here in Austin, that local communities receive the support needed to thrive.

We congratulate the USHCC on reaching this milestone celebration and on another successful year. We look forward to continuing to strengthen the special relationship we share.

Best wishes for continued success.

Sincerely,

The Coca-Cola Company

E. Neville Isdell
Chairman & Chief Executive Officer

H03697

GROW WITH US

At Toyota, we believe that when you focus on adding value, you plant the seeds for growing strong business partnerships. Ask about the challenges we face; consider how your products or services can help meet those challenges; then begin planting ideas that demonstrate how, together, we can become a more productive, more effective team.

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H03698

A Message from

Yuki Funo & Atsushi Niimi

Greetings Friends, Sponsors, and Members of the U.S. Hispanic Chamber of Commerce.

On behalf of Toyota in America, we would like to welcome you to the United States Hispanic Chamber of Commerce's National Convention and Business Expo and congratulate the USHCC on celebrating its 25th year of hosting this premier event.

Over the last four decades, Toyota has worked to establish a new industry standard in corporate responsibility and product quality. Our company is founded on the principles of continuous improvement and respect for people - reasons why we are so committed to becoming an industry leader in corporate diversity.

Toyota continues to play an active role in the Hispanic community, and supports such organizations as the Hispanic Scholarship Fund, Bilingual Foundation of the Arts, National Council of La Raza, Committee for Hispanic Children and Families, Hispanic Federation, 100 Hispanic Women, and Repetorio Español.

In February 2003, we announced the establishment of a manufacturing facility in San Antonio, Texas to build fullsize trucks, beginning in 2006. To demonstrate our commitment to economic growth in minority communities, we set a 20% minority spending target for construction of the San Antonio facility. This venture represents an opportunity for us to do more in the area of minority business development and to increase our contribution to the communities in which we build and sell our products.

Each year we host Opportunity Exchange (OE), a unique event that provides opportunities for MBEs to network directly with Toyota suppliers. This year's event will be held on November 4, 2004.

Toyota applauds the USHCC and the Hispanic-American entrepreneurs of America. As we reflect on our long-standing partnership, we celebrate the many contributions the USHCC has made to this dynamic community.

We congratulate the USHCC on this 25th anniversary.

Warmest regards,

Yukitoshi Funo

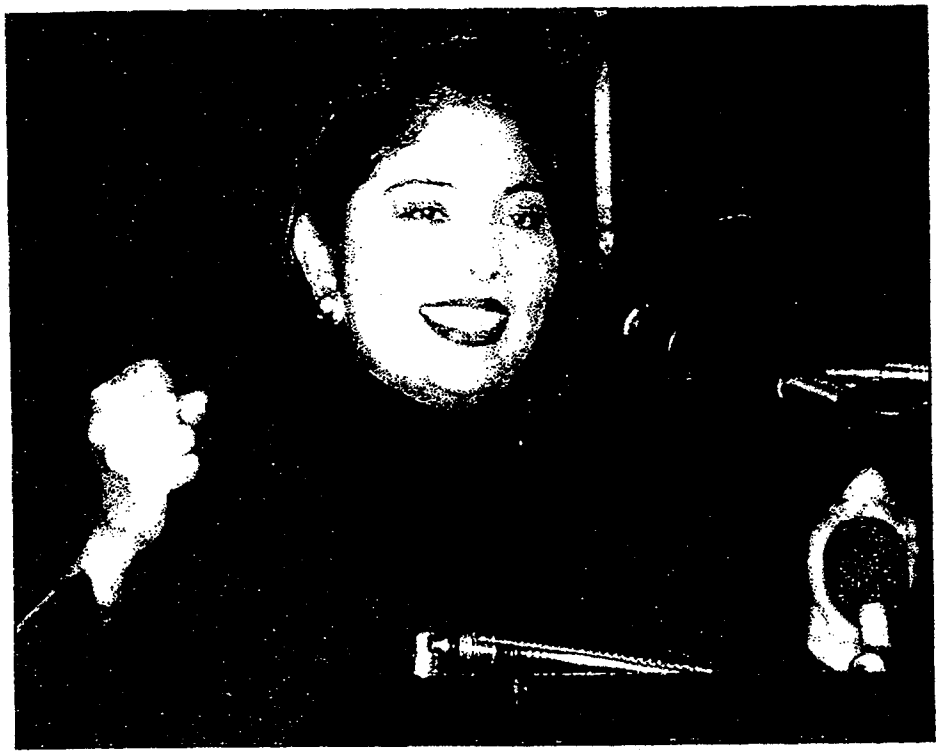
Yuki Funo
President and Chief Executive Officer
Toyota Motor Sales, U.S.A., Inc.

A. Niimi

Atsushi Niimi
President and Chief Executive Officer
Toyota Motor Manufacturing North America, Inc.

TOYOTA

H03699



Anna Maria Arias Memorial Business Fund

Dedicated to the memory of
Anna Maria Arias (1960 – 2001)
Publisher, Businesswoman and
Champion of Latina Entrepreneurship

In recognition of Anna Maria Arias' mission to promote Latina entrepreneurship, Wells Fargo collaborated with LATINA *Style* Magazine and the United States Hispanic Chamber of Commerce in 2002 to establish the Anna Maria Arias Memorial Business Fund. The Fund is a tribute to her dedication and commitment. Through this program, cash grants of $5,000 will be awarded to ten Latina business owners from across the nation who exemplify those business practices and support principles that Anna Maria championed. For more information or to apply, please visit wellsfargo.com/biz, latinastyle.com or ushcc.com.

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LATINA*Style*

This public service announcement is made possible through an alliance among Wells Fargo, United States Hispanic Chamber of Commerce and LATINA *Style* Magazine in support of the Anna Maria Arias Memorial Business Fund.

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H03700

A Message from

Dick Kovacevich

Once again, Wells Fargo is proud to partner with the USHCC as a leading sponsor of this year's Convention and Business Expo. Our long friendship with the USHCC is an important way for us to meet all the financial needs of Hispanic businesspeople and to help them succeed financially.

Wells Fargo has a long history in Texas, and first opened our doors in Austin in 1886. With more than 500 banking locations throughout the state, we are committed to helping Texas' thriving small business owner community build and grow their businesses.

It's fitting that the USHCC's 25th anniversary event is being held in Texas. With more than 240,000 Latino-owned small businesses, Texas accounts for 16% of this country's Latino-owned firms. This number reaffirms Texas' position as one of the country's small business hubs.

This year, we are again excited to showcase our Latino Business Services program – an education and outreach program with a goal to lend $3 billion over 10 years to Latino-owned businesses. We are well on our way toward achieving that goal, and since the program's inception in 1997, we have lent almost $2.5 billion to Latino-owned businesses.

Latina-owned small businesses are among our nation's fastest growing, increasing by almost 40 percent from 1997 through 2002. In partnership with the USHCC and *LATINA Style* Magazine, we will again recognize Latina entrepreneurs by presenting the 3rd annual Anna Maria Arias Memorial Business Fund winners. Wells Fargo will award cash grants of $5,000 each to 10 Latina businesswomen who best exemplify the entrepreneurial spirit and drive for Latina empowerment championed by the late Anna Maria Arias.

Wells Fargo is proud to support the growth of Latino small businesses in Texas and throughout the nation.

Nuestro negocio es el éxito de su negocio.

Sincerely,

Dick Kovacevich
Chairman & CEO
Wells Fargo & Company

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H03701

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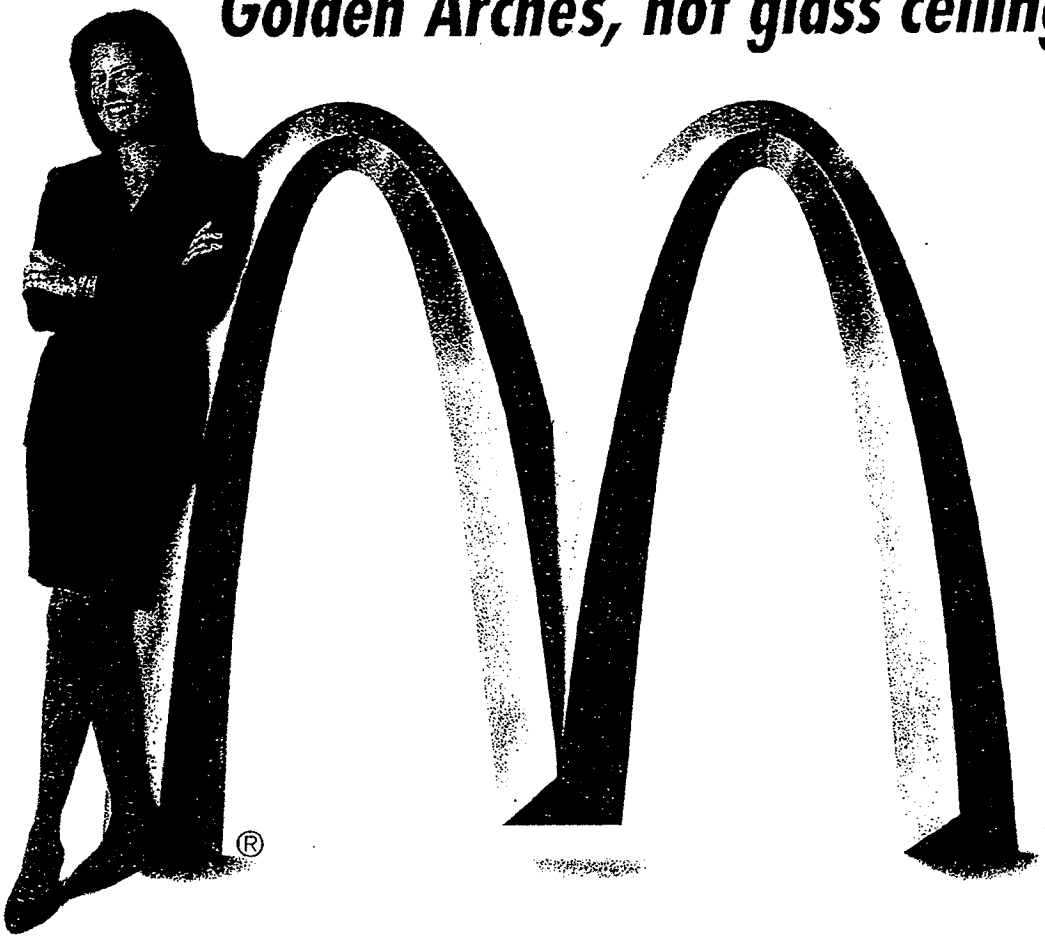

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The Honorable Lincoln Diaz-Balart (R-FL)
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The Honorable Grace Flores Napolitano (D-CA)
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H03703

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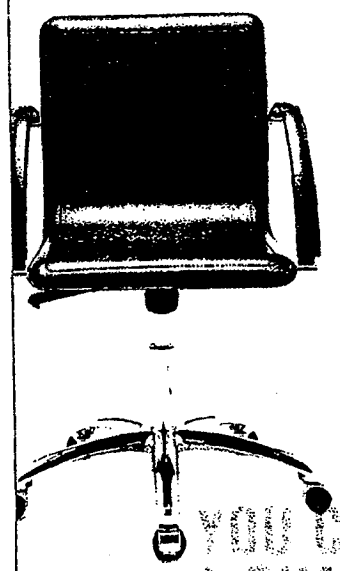

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The Honorable Ed Pastor (D-AZ)
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The Honorable Ciro D. Rodriguez (D-TX)
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The Honorable Loretta Sanchez (D-CA)
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The Honorable José E. Serrano (D-NY)
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The Honorable Patrick Toomey (R-PA)
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F. (202) 226-0778

The Honorable Nydia M. Velázquez (D-NY)
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F. (202) 226-0327

H03705

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ALABAMA

Alabama Hispanic Chamber of Commerce
Birmingham, AL
P (866) 763-3667 F (205) 322-2045

ARIZONA

Arizona Hispanic Chamber of Commerce
Phoenix, AZ
P (602) 279-1800 F (602) 279-8900

Border Trade Alliance
Phoenix, AZ
P (602) 266-7427 F (602) 266-9826

Nogales Santa Cruz County Chamber of Commerce
Nogales, AZ
P (520) 287-3685 F (520) 287-3688

Tucson Hispanic Chamber of Commerce
Tucson, AZ
P (520) 620-0005 F (520) 620-9685

CALIFORNIA

Antelope Valley Hispanic Chamber of Commerce
Palmdale, CA
P (661) 538-0607 F (661) 538-1057

California Hispanic Chambers of Commerce
Sacramento, CA
P (916) 444-2221 F (916) 669-2870

Camara De Comercio De Marin
San Rafael, CA
P (415) 456-9379 F (415) 507-2101

Central California Hispanic Chamber of Commerce
Fresno, CA
P (559) 485-6640 F (559) 495-4811

Coachella Valley Mexican American Chamber of Commerce
Indio, CA
P (760) 347-9402 F (760) 406-4288

Fontana Hispanic Chamber of Commerce
Fontana, CA
P 909-428-6797 F 909-428-6797

Fresno Area Hispanic Chamber of Commerce
Fresno, CA
P (559) 222-8705 F (559) 222-8706

Gilroy Hispanic Chamber of Commerce
Gilroy, CA
P F (408) 846-6598

Greater Corona Hispanic Chamber of Commerce
Corona, CA
P (909)371-0955 F (909)737-5668

Greater Riverside Hispanic Chamber of Commerce
Riverside, CA
P (909) 682-7422 F (775) 890-8520

Greater Stockon Hispanic Chamber of Commerce
Stockton, CA
P (209) 943 6117 F (209) 466-5271

Hispanic Chamber of Commerce Alameda County
Oakland, CA
P (510) 536-4477 F (510) 536-4320

Hispanic Chamber Alliance of California
Los Angeles, CA
P (213) 239-0984 F (213) 612-3616

Hispanic Chamber of Commerce of Contra Costa County
Pleasant Hill, CA
P (925) 281-2623 F (925) 281-2623

Hispanic Chamber of Commerce of the City and County of Merced
Merced, CA
P (209) 384-9537 F (209) 723-5051

Hispanic Chamber of Commerce of Marin
San Rafael, CA
P (415) 721-9686 F (415) 454-0102

Hispanic Chamber of Commerce of Orange County
Santa Ana, CA
P (714) 953-4289 F (714) 953-0273

Hispanic Chamber of Commerce of Silicon Valley
San Jose, CA
P (408) 213-0320 F (408) 213-0329

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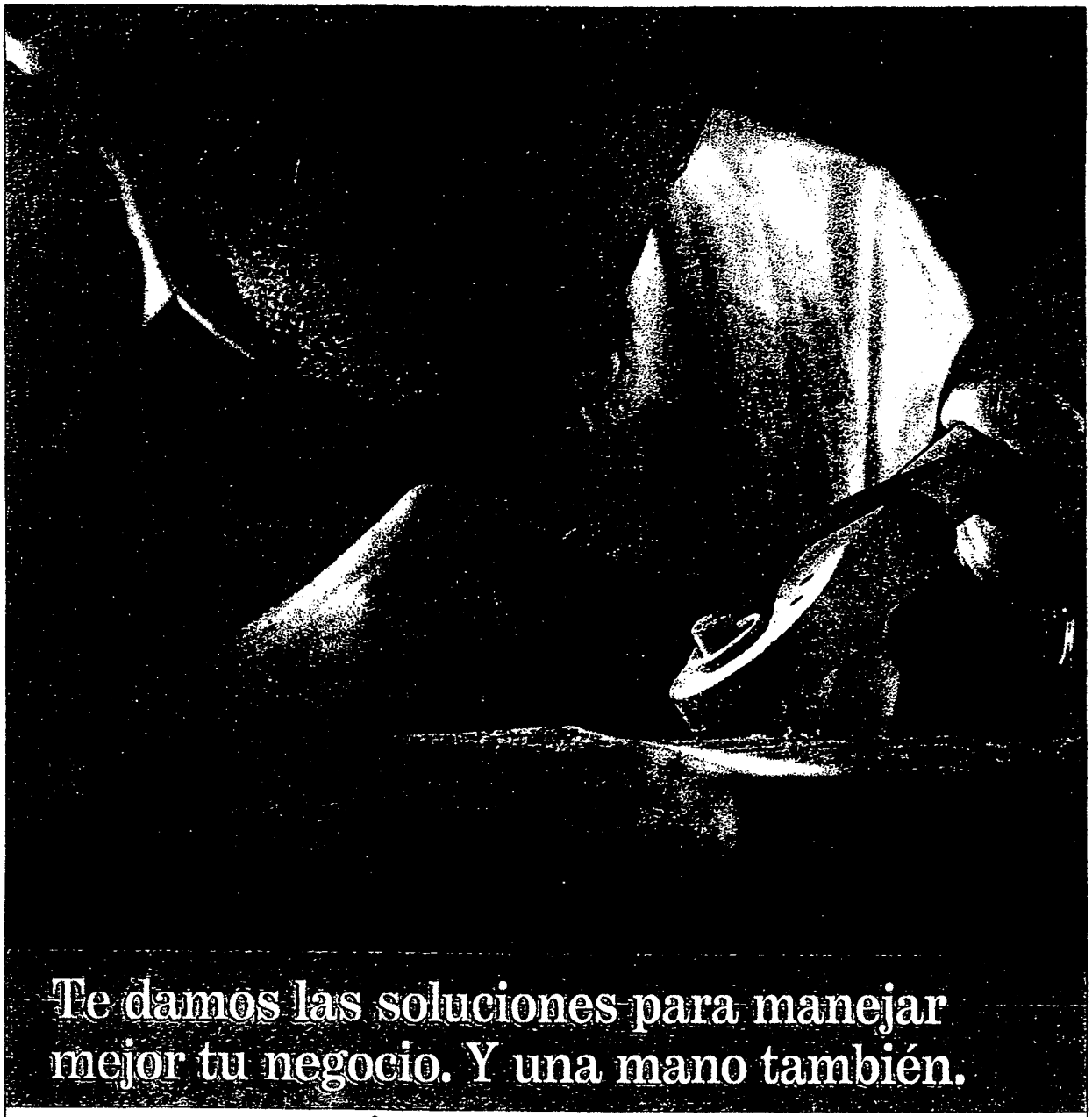

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Fairfield, CA
P (707) 643-5037

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P (530) 666-5335 F (530) 406-8880

Hispanic Chamber of Monterrey County
Salinas, CA
P (831) 757-1251 F (831) 757-1246

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P (909) 888-2188 F (909) 888-1151

International Chamber of Commerce of San Ysidro
San Ysidro, CA
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Kern County Hispanic Chamber of Commerce
Bakersfield, CA
P (661) 633-5495 F (661) 633-5499

Latin Business Association
Los Angeles, CA
P (323) 721-4000 F (323) 722-5050

Latino Chamber of Commerce of Compton
Compton, CA
P (310) 639-4455 F (310) 639-4455

Latino Engineers, Architects and Developers Society
Los Angeles, CA
P (213) 353-9438 F (213) 353-9735

Madera Hispanic Chamber of Commerce
Madera, CA
P (559) 674-8821 F (559) 674-9084

Mexico-USA Economic Partnership Council
Glendale, CA
P (323) 255-2083 F (323) 255-0040

Perris Valley Chamber of Commerce
Perris, CA
P (909) 657-3555

Pomona Valley Latino Chamber of Commerce
Pomona, CA
P (909) 469-0702 F (909) 469-0604

Regional Hispanic Chamber of Commerce
Long Beach, CA
P (562) 597-7298 F (562) 597-7298

Sacramento Hispanic Chamber of Commerce
Sacramento, CA
P (916) 486-7708 F (916) 486-7728

Santa Barbara Hispanic Chamber of Commerce
Santa Barbara, CA
P (800) 790-8969 F (888) 560-1686

San Benito County Hispanic Chamber of Commerce
Hollister, CA
P (831) 638-1163 F (831) 638-1026

San Diego County Hispanic Chamber of Commerce
San Diego, CA
P (619) 702-0790 F (619) 696-3282

San Francisco Hispanic Chamber of Commerce
San Francisco, CA
P (415) 278-9611 F (415) 861-2606

San Mateo County Hispanic Chamber of Commerce
Millbrae, CA
P 650-839-1369 F 650-588-2009

South Bay Latino Chamber of Commerce
Los Angeles, CA
P (310) 676-2568 F (310) 676-2568

South San Joaquin Hispanic Chamber of Commerce
Manteca, CA
P (209) 239-4424 F (209) 825-7162

Stanislaus County Hispanic Chamber of Commerce
Modesto, CA
P (209) 571-6480 F (209) 549-1140

Stockton San Joaquin County Mexican American Chamber of Commerce
Stockton, CA
P (209) 943-6117 F (209) 943-0114

The Bolivian-American Chamber of Commerce
San Jose, CA
P (408) 272-2494 F (408) 272-2494

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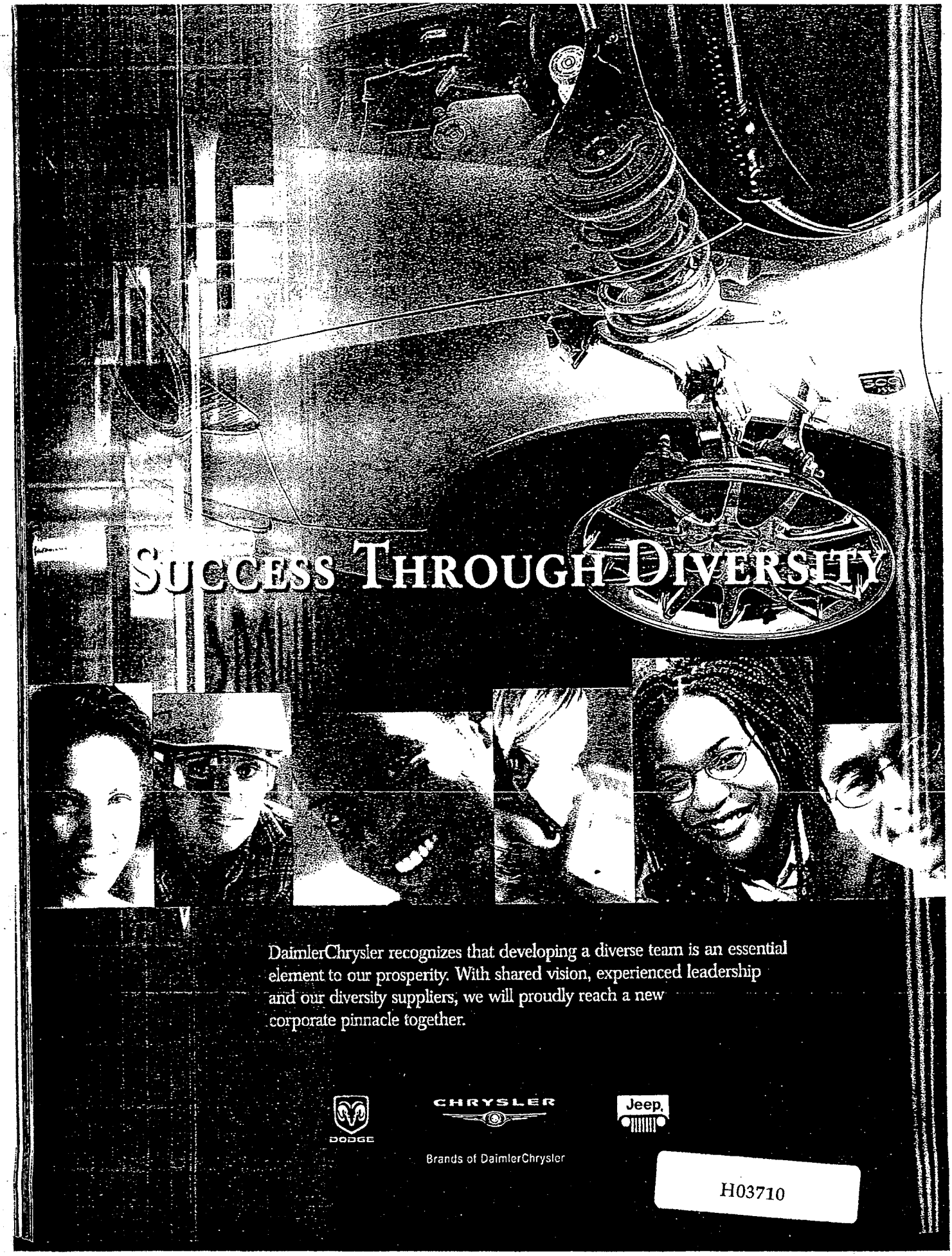
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Tulare Kings Hispanic Chamber of Commerce
Visalia, CA
P (559) 734-6020 F (559) 734-6021

The National Association of Hispanic Real Estate Professionals
San Diego, CA
P (619) 686-4050 F (619) 297-3229

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Colorado Association of Hispanic Real Estate Professionals
Denver, CO
P (303) 458-1345 F (303) 458-0757

Denver Hispanic Chamber of Commerce
Denver, CO
P (303) 534-7783 F (303) 595-8977

Hispanic Contractors of Colorado
Denver, CO
P (303) 893-3893 F (303) 893-2877

Hispanic Chamber of Commerce of Colorado Springs
Colorado Springs, CO
P (719) 635-5001 F (719) 635-6311

Latino Chamber of Commerce of Pueblo
Pueblo, CO
P (719) 542-5513 F (719) 542-4657

CONNECTICUT

Greater Stamford Hispanic Chamber of Commerce, Inc.
Stamford, CT
P (203) 359-2050 F (203) 359-4153

Hispanic Chamber of Commerce of Greater Waterbury, Inc.
Waterbury, CT
P (203) 759-0939 F (203) 596-2276

DISTRICT OF COLUMBIA

Greater Washington Ibero-American Chamber of Commerce
Washington, DC
P (202) 728-0352 F (202) 728-0355

Latin American Management Association
Washington, DC
P (202) 546-3803 F (202) 546-3807

United States-Mexico Chamber of Commerce
Washington, DC
P (202) 842-4328 F (202) 842-3283

FLORIDA

American Venezuelan Business League
Miami, FL
P (305) 894-4811 F (305) 436-7698

Argentine-Florida Chamber of Commerce
Miami, FL
P (305) 858-1516 F (305) 858-3767

Asociación Hispanoamericana de Mujeres Profesionales y de Negocios
Orlando, FL
P (407) 977-6722

CAMACOL
Miami, FL
P (305) 642-3870 F (305) 642-0653

Colombian American Chamber of Commerce U.S.A.
Coral Gables, FL
P (305) 446-2542 F (305) 398-0545

Florida State Hispanic Chamber of Commerce
Jacksonville, FL
P (786) 221-2199 F (786) 221-2199

Gulf Coast Latin Chamber of Commerce
Sarasota, FL
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P (407) 428-5872 F (407) 428-5873

Hispanic Chamber of Commerce of Collier County, Inc.
Naples, FL
P (239) 774-4300 F (239) 263-2800

Hispanic Chamber of Commerce of Metro Orlando
Orlando, FL
P (407) 428-5870 F (407) 428-5871

Hispanic Chamber of Commerce of Palm Beach County
West Palm Beach, FL
P (561) 832-1986 F(561) 832-1891

Latin Chamber of Commerce of Broward County
Plantation, FL
P (954) 625-6616 F (954) 625-6693

Latin Chamber of Commerce of Lower Key West
Key West, FL
P (305) 294-6156

Nicaraguan American Chamber of Commerce
Miami, FL
P (305) 599-2737 F(305) 220-1841

Puerto Rican Chamber of Commerce of South Florida
Miami, FL
P (305) 571-8006 F (305) 571-8007

South Florida Hispanic Chamber of Commerce
Miami Beach, FL
P (305) 534-1903 F (305) 534-8365

Southwest Florida Hispanic Chamber of Commerce
Fort Myers, FL
P (239) 418-1441 F (239) 418-1475

Tampa Bay Hispanic Chamber of Commerce
Tampa, FL
P (813) 414-9411 F (813) 414-0811

The Spain-U.S. Chamber of Commerce
Miami, FL
P (305) 358-5988 F (305) 358-6844

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GEORGIA

Georgia Hispanic Chamber of Commerce
Atlanta, GA
P (404) 929-9998 F (404) 929-9908

HAWAII

Hawaii Hispanic Chamber of Commerce
Honolulu, HI
P (808) 545-4344 F (808) 521-1496

ILLINOIS

47th Street Chamber of Commerce
Chicago, IL
P (773) 579-1200 F (773) 579-1986

Aurora Hispanic Chamber of Commerce
Aurora, IL
P (630) 264-2422 F (630) 892-8013

Cermak Road Chamber of Commerce & Industry
Chicago, IL
P (773) 843-9738 F (773) 893-9739

Cuban American Chamber of Commerce
Chicago, IL
P (773) 248-2400 F (773) 248-6437

Guatemalan Chamber of Commerce
Chicago, IL
P (773) 227-7330 F (773) 227-7379

Hispanic American Construction Industry Association
Chicago, IL
P (312) 666-5910 F (312) 666-5692

Hispanic Business Association of the Cicero Chamber of Commerce
Cicero, IL
P (708) 863-6000 F (708) 863 8981

Illinois Hispanic Chamber of Commerce, DBA
Chicago, IL
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Little Village Chamber of Commerce
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Puerto Rican Chamber of Commerce of Illinois
Chicago, IL
P (773) 486-1331 F (773) 486-1340

U.S. Mexico Chamber of Commerce, Mid-America Chapter
Chicago, IL
P (312) 729-1355 F (312) 729-1354

IDAHO

Hispanic Business Association
Nampa, ID
P (208) 463-4226 F (208) 442-6801

INDIANA

Indianapolis Hispanic Chamber of Commerce
Indiannapolis, IN
P (317) 464-2254 F (317) 464-2217

Indiana State Hispanic Chamber of Commerce
Indianapolis, IN
P 317/547-0200 F 317/547-0210

Greater Fort Wayne Hispanic Chamber of Commerce
Fort Wayne, IN
P (206) 422-6697 F (206) 426-7232

Michiana Hispanic Chamber of Commerce
South Bend, IN
P (574) 289-6846 F (574) 289-6873

KANSAS

Wichita Hispanic Chamber of Commerce
Wichita, KS
P (316) 265-6334 F (316) 265-6334

LOUISIANA

Hispanic Chamber of Commerce of Louisiana
Metairie, LA
P (504) 885-4262 F (504) 887-5422

MASSACHUSETTS

Central Massachusetts Hispanic Chamber of Commerce, Inc.
Worcester, MA
P (508) 393-8600 F (508) 919-0007

Hispanic-American Chamber of Commerce
Boston, MA
P (617) 261-4222

Massachusetts Latino Chamber of Commerce
Springfield, MA
P (413) 272-2221 F (413) 731-5399

Merrimack Valley Chamber of Commerce
Lawrence, MA
P (978) 686-0900 F (978) 794-9953

MARYLAND

Carlsbad Hispano Chamber of Commerce
Carlsbad, MD
P 505-887-6127

Hispanic Chamber of Commerce of Montgomery County
Rockville, MD
P (240) 453-0606 F (240) 453-0066

Maryland Hispanic Chamber of Commerce
Baltimore, MD
P (410) 558-3510 F (410) 558-3513

MICHIGAN

Greater Lansing Hispanic Chamber of Commerce
Lansing, MI
P (517) 487-6340 F (517) 484-6910

Michigan Hispanic Business Alliance
Detroit, MI
P (313) 962-6422 F (313) 965-6513

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Hispanic Chamber of Commerce of Minnesota
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Hispanic Contractors of America, Inc.
Kansas City, MO
P (816) 421-3626 F (913) 621-4354

Hispanic Chamber of Commerce of Greater Kansas City
Kansas City, MO
P (816) 472-6767 F (816) 472-1252

Hispanic Chamber of Commerce of Metropolitan St. Louis
St. Louis, MO
P (314) 771-4788 F (314) 771-4790

Hispanic Economic Development Corp.
Kansas City, MO
P (816) 221-3442 F (816) 221-6458

Kansas City Hispanic Association Contractors Enterprise (KCHACE, Inc.)
Kansas City, MO
P (816) 841-0135 F (816) 474-4070

NORTH CAROLINA

Latin American Chamber of Commerce of Charlotte
Charlotte, NC
P (704) 347-5882 F (704) 347-5899

North Carolina Hispanic Chamber of Commerce
Raleigh, NC
P (919) 484-0225 F (919) 645-1699

NEW JERSEY

Camara de Comercio Latina de Elizabeth
Elizabeth, NJ
P (908) 289-0677 F (908) 289-6833

Ecuadorian-American Chamber of Commerce
Hackensack, NJ
P (201) 342-5741 F (201) 457-1683

Greater New Brunswick Hispanic Chamber of Commerce
New Brunswick, NJ
P (732) 904 1398

Hispanic American Chamber of Commerce of Essex County
Newark, NJ
P (973) 621-5649 F (201) 621-5453

Hudson County Hispanic Chamber of Commerce
West New York, NJ
P (201) 662-0052 F (201) 662-8485

Morris County Hispanic Chamber of Commerce
Morristown, NJ
P (973) 644-3093 F (973) 984-3360

Spanish Mercantile Federation
Union City, NJ
P (201) 865-1570 F (201) 865-1570

Statewide Hispanic Chamber of Commerce of New Jersey
Jersey City, NJ
P (201) 451-9512 F (201) 451-9547

NEW MEXICO

Albuquerque Hispano Chamber of Commerce
Albuquerque, NM
P (505) 842-9003 F (505) 764-9664

Asociacion de Comerciantes Latinos de Albuquerque
Albuquerque, NM
P 505/247-9222-480-4155 F 505/247-2557

Clovis Curry County Hispanic American Chamber of Commerce
Clovis, NM
P (505) 762-5365 F (505) 769-8236

Hispano Chamber of Commerce
Belen, NM
P (505)306-5912 F (505) 861-8208

Hispano Chamber of Commerce de Las Cruces
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New Mexico 8(a) & Minority Business Association
Albuquerque, NM
P (505) 843-7114 F (505) 242-2030

Raton Colfax County Hispano Chamber of Commerce
Raton, NM
P (505) 445-8242 F (505) 445-8242

Roswell Hispano Chamber of Commerce
Roswell, NM
P (505) 624-0889 F (505) 624-0538

The New Mexico Hispano Chamber of Commerce Del Norte
Santa Fe, NM
P (505) 982-3094 F (505) 982-3094

NEVADA

Hispanic Chamber of Commerce of Northern Nevada
Reno, NV
P (775) 786-4100 F (775) 786-4112

Latin Chamber of Commerce of Nevada, Inc.
Las Vegas, NV
P (702) 385-7367 F (702) 385-2614

NEW YORK

Asociacion de Comerciantes Hispanos
Brooklyn, NY
P (718) 875-1214 F (718) 875-1280

Bronx Hispanic Chamber of Commerce
Bronx, NY
P (718) 918-0039

Caribbean American Chamber of Commerce & Industry
Brooklyn, NY
P (718) 834-4544 F (718) 834-9774

Deli & Grocery Store Owners Association of the U.S.
New York, NY
P (212) 928-0252 F (212) 928-0252

Dominican-American Chamber of Commerce of New York, Inc.
New York, NY
P (212) 709-0218 F (212) 709-0248

Dominican Chamber of Commerce
Bronx, NY
P (718) 583-1900 F (718) 583-8021

East Harlem Chamber of Commerce, Inc.
New York, NY
P (212) 966-2288 F (212) 722-3066

El Barrio Chamber of Commerce
New York, NY
P (212) 860-2455 F (212) 876-5079

Hispanics in Information Technology and Telecommunications
New York, NY
P (718) 601-8199 F (253) 322-5719

Hispanic Chamber of Commerce Queens
Jackson Heights, NY
P (718) 899-4418 F (718) 899-5998

Long Island Hispanic Chamber of Commerce
Lynbrook, NY
P (516) 256-2483 F (516) 256-2463

Long Island Hispanic Chamber of Commerce
Kings Park, NY
P (631) 544-0462 F (631) 544-5141

Manhattan Hispanic Chamber of Commerce
New York, NY
P (212) 683-5955 F (212) 683-5999

Mexican American Chamber of Commerce of Northeast USA
New York, NY
P (212) 531-0552 F (212) 531-0064

National Hispanic Business Group
New York, NY
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Hispanic Chambers of Commerce

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South Bronx Board of Trade
Bronx, NY
P (718) 292-9530 F (718) 585-2114

The Argentine-American Chamber of Commerce
New York, NY
P (212) 698-2238 F (212) 698-2239

Westchester Hispanic Chamber of Commerce
White Plains, NY
P (914) 328-7181 F (914) 861-1978

OHIO

Greater Dayton Hispanic Chamber of Commerce
Dayton, OH
P (937) 836-1585 F (937) 836-9974

HBA/Hispanic Chamber of Commerce for Ohio
Cleveland, OH
P (216) 281-4422 F (216) 281-4222

Hispanic Chamber of Commerce of Greater Columbus, Inc.
Columbus, OH
P (614) 737-8793 F (614) 449-9421

Hispanic Chamber of Commerce of Greater Cincinnati
Cincinnati, OH
P (513) 458-6649 F (512) 3458-6610

OKLAHOMA

Greater Oklahoma City Hispanic Chamber of Commerce
Oklahoma City, OK
P (405) 616-5031 F (405) 616-0600

Greater Tulsa Hispanic Chamber of Commerce
Tulsa, OK
P (918) 664-5326 F (918) 384-0096

OREGON

Hispanic Metropolitan Chamber
Portland, OR
P (503) 222-0280 F (503) 292-3790

The Hispanic Chamber of Commerce of the Rogue Valley
Medford, OR
P (541) 535-6277 F (541) 535-6277

PENNSYLVANIA

Delaware Valley Hispanic Chamber of Commerce
Olyphant, PA
P (617) 856-8201

Greater Philadelphia Hispanic Chamber of Commerce
Philadelphia, PA
P (215) 790-3723 F (215) 790-3601

Pennsylvania Latino Chamber of Commerce
Harrisburg, PA
P (717) 920-9920 F (717) 920-9921

Pittsburgh Metropolitan Area Hispanic Chamber of Commerce
Pittsburgh, PA
P (412) 201-9140 F (412) 201-9149

PUERTO RICO

Cámara de Comercio del Oeste de Puerto Rico
Mayaguez, PR
P (787) 832-3749 F (787) 832-4287

Cámara de Comercio de Ponce y Sur de Puerto Rico
Ponce, PR
P (787) 844-4400 F (787) 844-4705

Cámara de Comercio de Puerto Rico, Inc.
San Juan, PR
P (787) 721-6060 F (787) 723-1891

Cámara Oficial Española de Comercio en Puerto Rico
San Juan, PR
P (787) 729-0099 F (787) 729-0092

Centro Unido de Detallistas de Puerto Rico
San Juan, PR
P (787) 641-8413 F (787) 641-8406

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Hispanic American Chamber of Commerce of Rhode Island
Providence, RI
P (401) 331-2615 F (401) 331-2822

TENNESSEE

Hispanic Business Alliance
Memphis, TN
P (901) 266-2999 F (901) 379-0825

Nashville Area Hispanic Chamber of Commerce
Nashville, TN
P (615) 332-9777 F (615) 332-9378

Tennessee Hispanic Chamber of Commerce
Hermitage, TN
P (615) 833-8850 F (615) 889-9352

TEXAS

Arlington Hispanic Chamber of Commerce
Arlington, TX
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Centex Hispanic Chamber of Commerce
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P (254) 754-7111 F (254) 754-3456

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Greater Hispanic Chamber of Commerce of Cornal County
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Harlingen, TX
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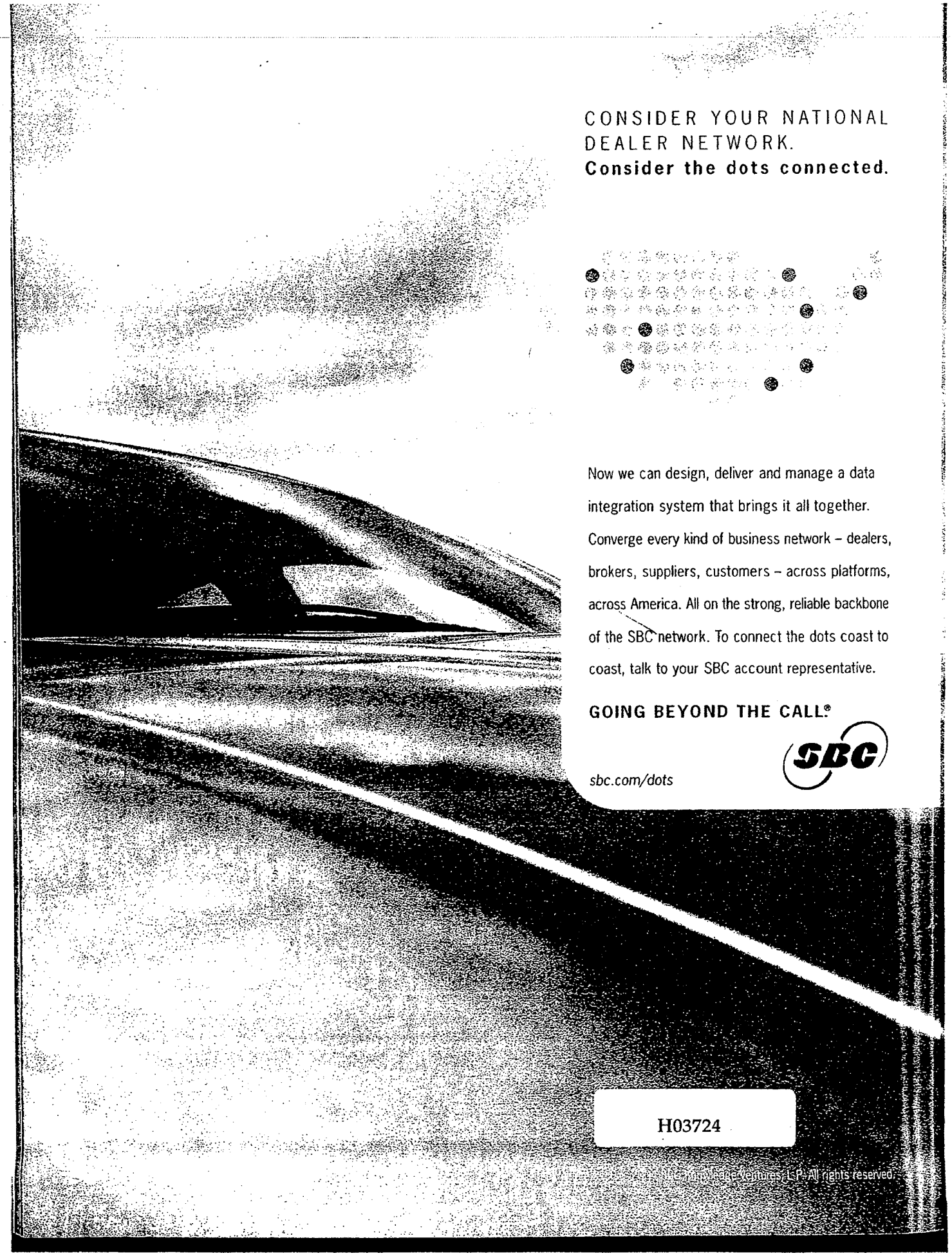
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Pleasanton, TX

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San Marcos Hispanic Chamber of Commerce
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TAMACC
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P (512) 444-5727 F (512) 444-4929

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Baytown, TX
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Utah Hispanic Chamber of Commerce
Salt Lake City, UT
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Richmond, VA
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Yakima, WA
P (509) 248-5123

Hispanic Chamber of Commerce of Yakima County
Yakima, WA
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Othello Hispanic Chamber of Commerce
Othello, WA
P 509/989-1147 F 509/488-3857

Red Mountain Multi Cutrual Chamber of Commerce
Benton City, WA
P (509) 588-4443 F (509) 588-5402

Tri-Cities Hispanic Chamber of Commerce
Pasco, WA
P (509) 542-0933 F (509) 543-9935

Washington State Hispanic Chamber of Commerce
Seattle, WA
P (206) 441-8894

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Hispanic Business & Professionals Assoc., Inc.
Racine, WI
P (262) 681-9730 F (262) 681-9730

Hispanic Chamber of Commerce of Wisconsin
Milwaukee, WI
P (414) 643-6963 F (414) 643-6994

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Sergeant Marvin Kelley, Infantryman, U.S. Army.

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Celebrate the Flavors of Hispanic Culture with Goya

Spain, Mexico, the Caribbean, Central & South America

Arroz con Pollo – Chicken and Rice

- Goya Adobo All-Purpose Seasoning with Pepper
- 1 3 1/2- 4 lb chicken cut into pieces
- 3 tablespoons Goya Olive Oil
- 1 1/2 teaspoons Goya Minced Garlic or 3 cloves fresh garlic, minced
- 1 cup diced onion
- 1 cup diced green pepper
- 1 packet Goya Sazón with Coriander and Annatto
- 1 packet Goya Cubitos – Powdered Chicken Bouillon
- 3 cups water
- 1 1/2 cups Canilla Extra Long Grain Rice or Golden Canilla Parboiled Rice

Garnish: Goya Fancy Pimiento, cut in strips

1. Shake Adobo on chicken pieces. In a large pot, heat oil on medium. Cook chicken until brown on both sides.
2. Stir in minced garlic, onion and green pepper and cook for 5 minutes until vegetables are tender.
3. Stir in water, Sazón and Cubitos. Raise heat, and bring to a boil.
4. Add the rice and stir. Cover, reduce heat to low, and simmer for 25 minutes or until rice is tender.
5. Fluff rice and garnish with pimiento strips.

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H03729

BUSINESS DIVERSITY. WE WOULDN'T HAVE IT ANY OTHER WAY.

We at Marriott International have proven our commitment to supplier diversity by spending more than $150 million with minority- and women-owned businesses in the year 2003 alone. We've strengthened our commitment by building relationships with more than 10,000 such enterprises. And we've even encouraged our general market suppliers to spend an additional $50 million with our second-tier vendors. In fact, we're the first worldwide hospitality company to have established a formal supplier diversity program with senior management accountability. At Marriott®, we aggressively seek to build partnerships with quality minority- and women-owned vendors across a broad range of industries. That's our commitment, and we prove it every day.

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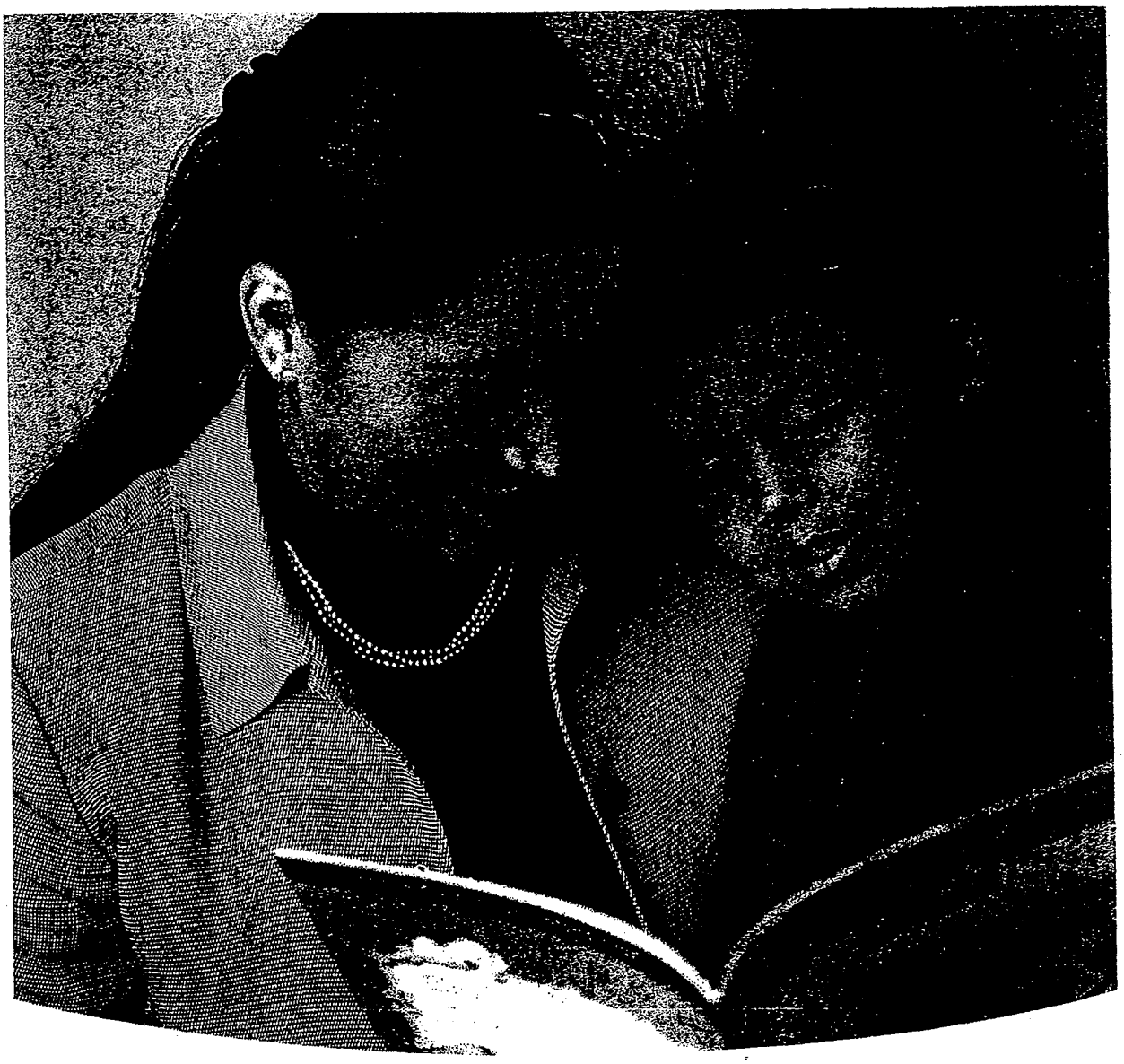

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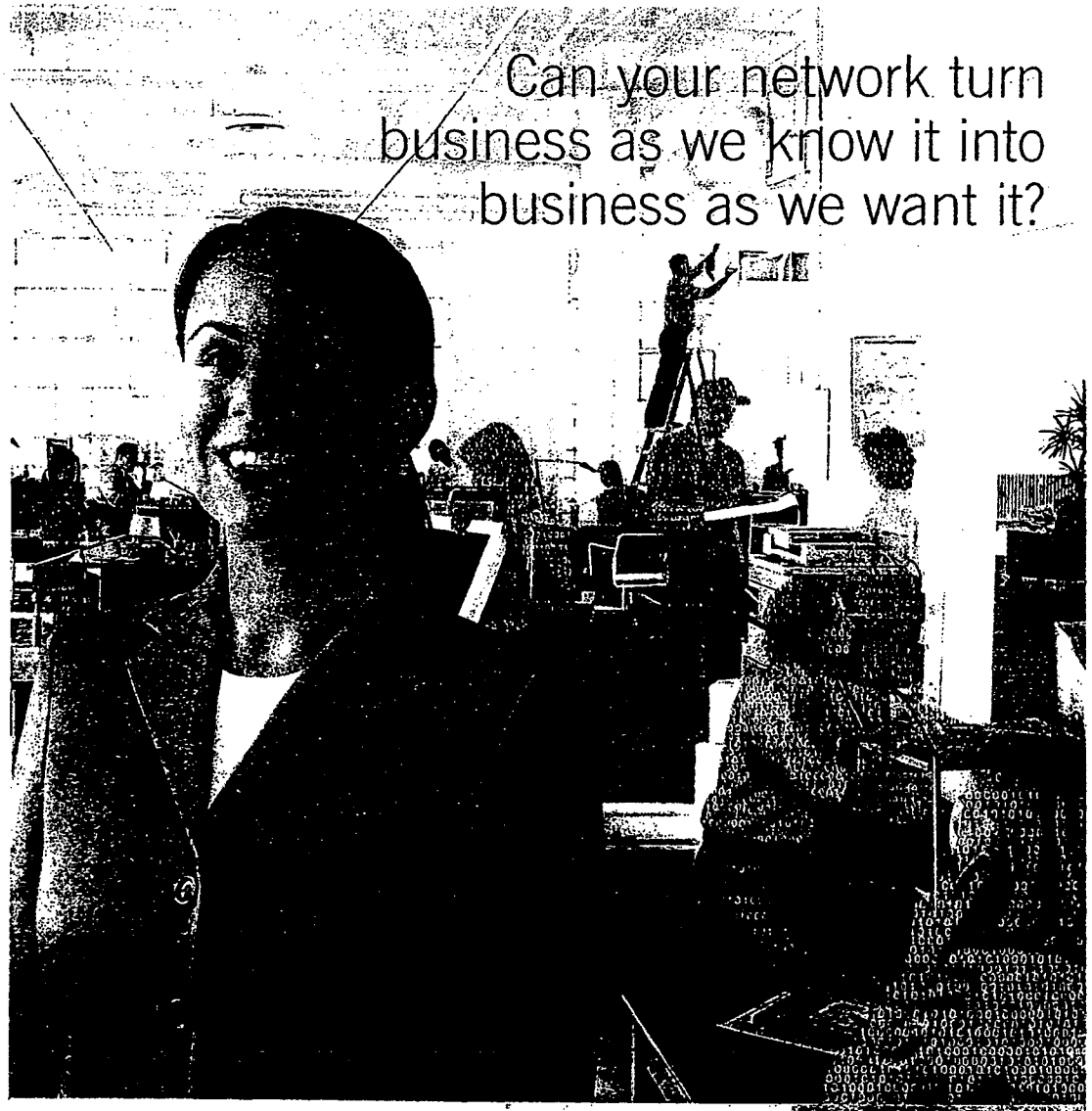

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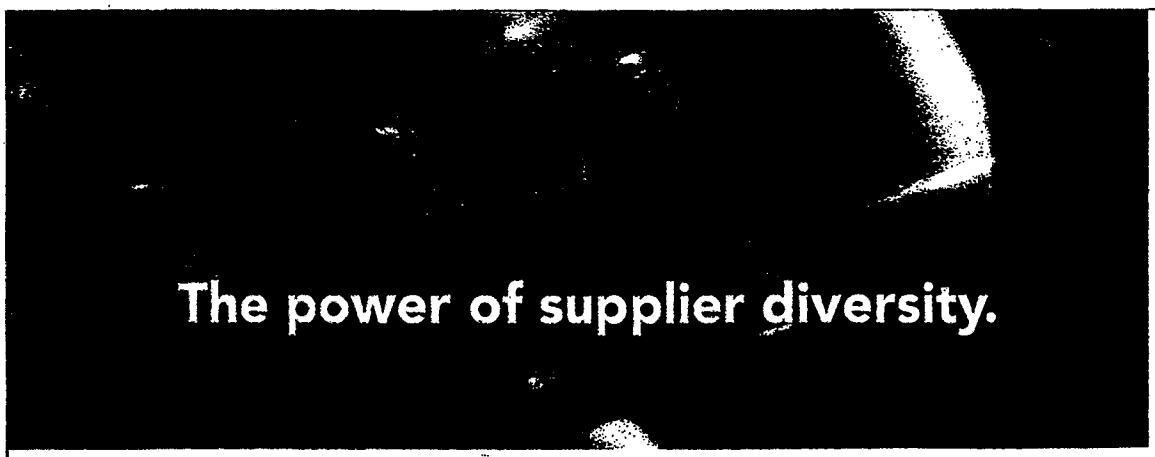

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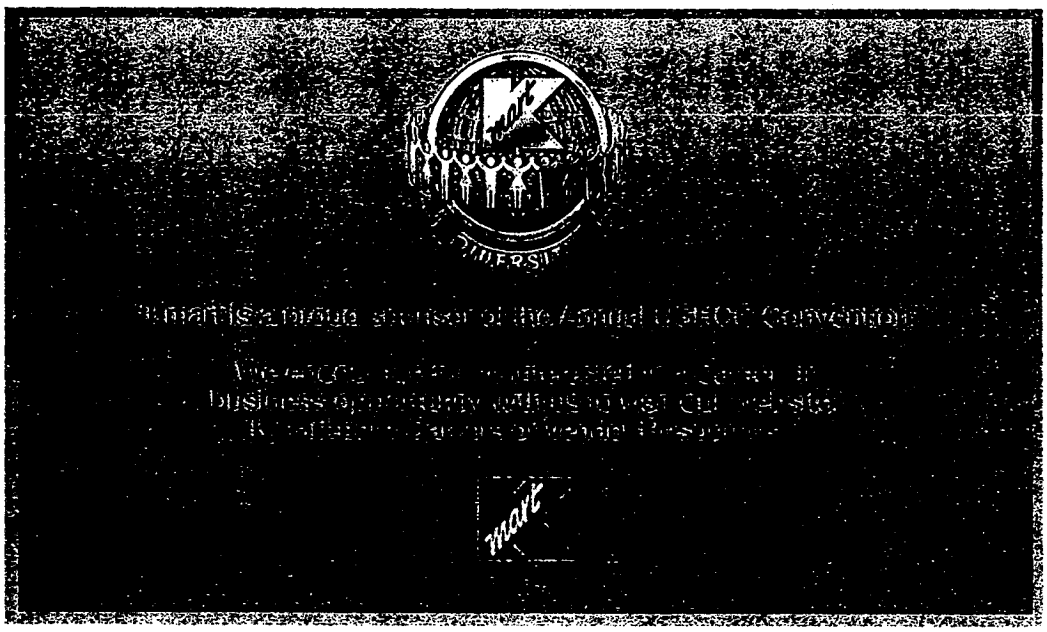

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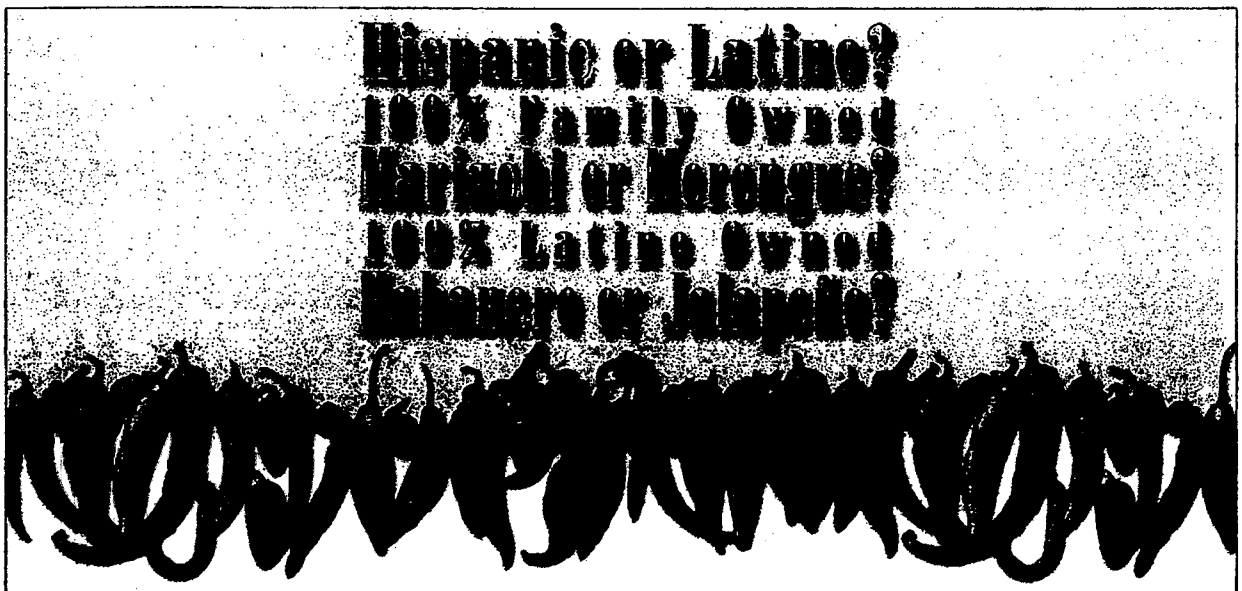

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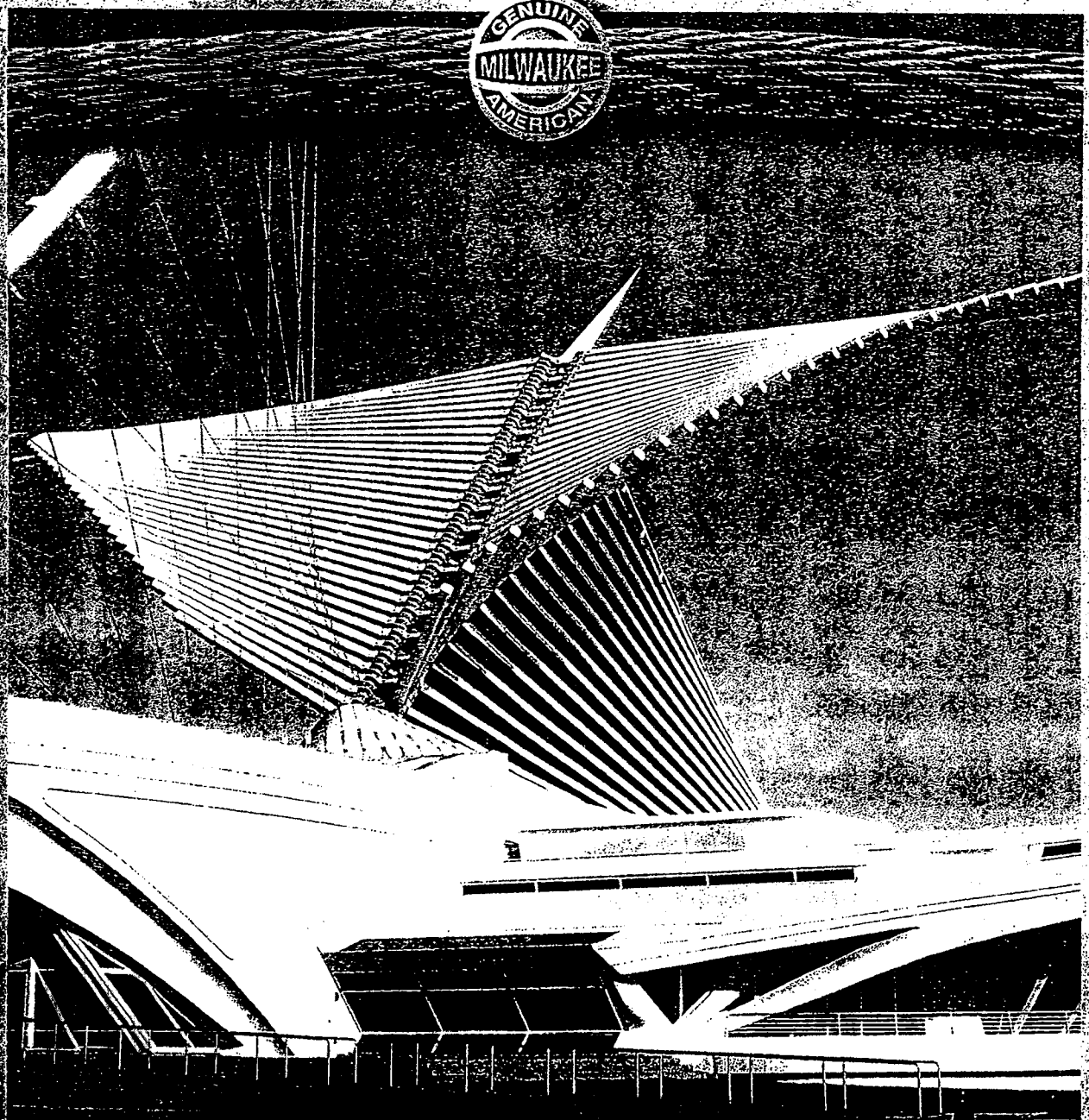

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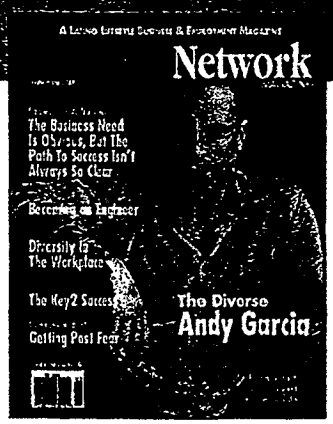

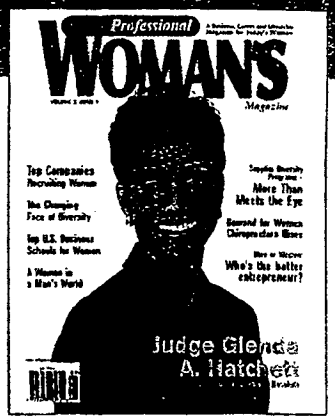

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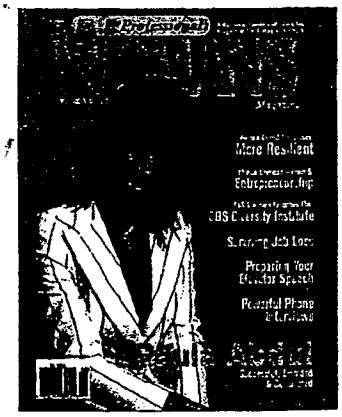

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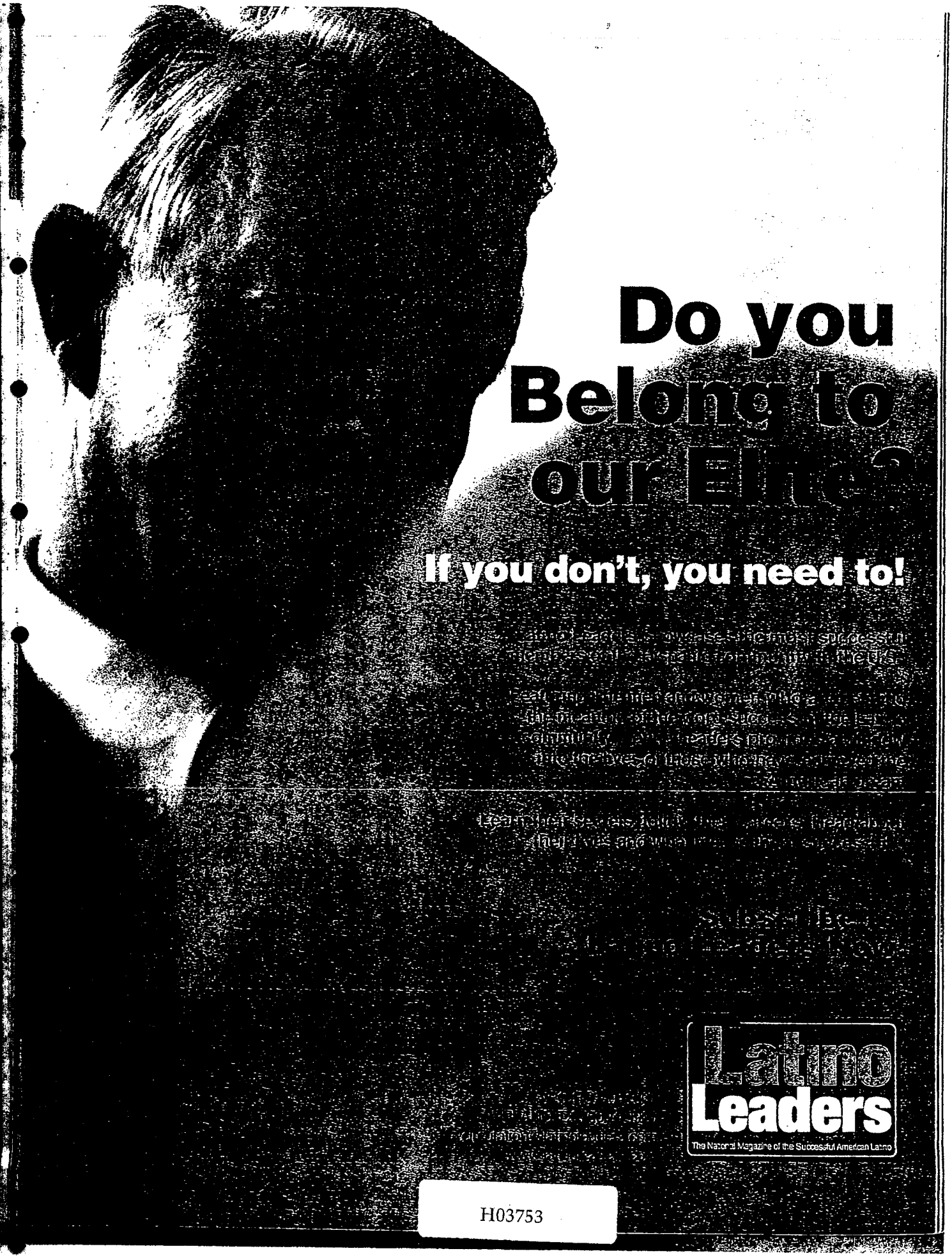
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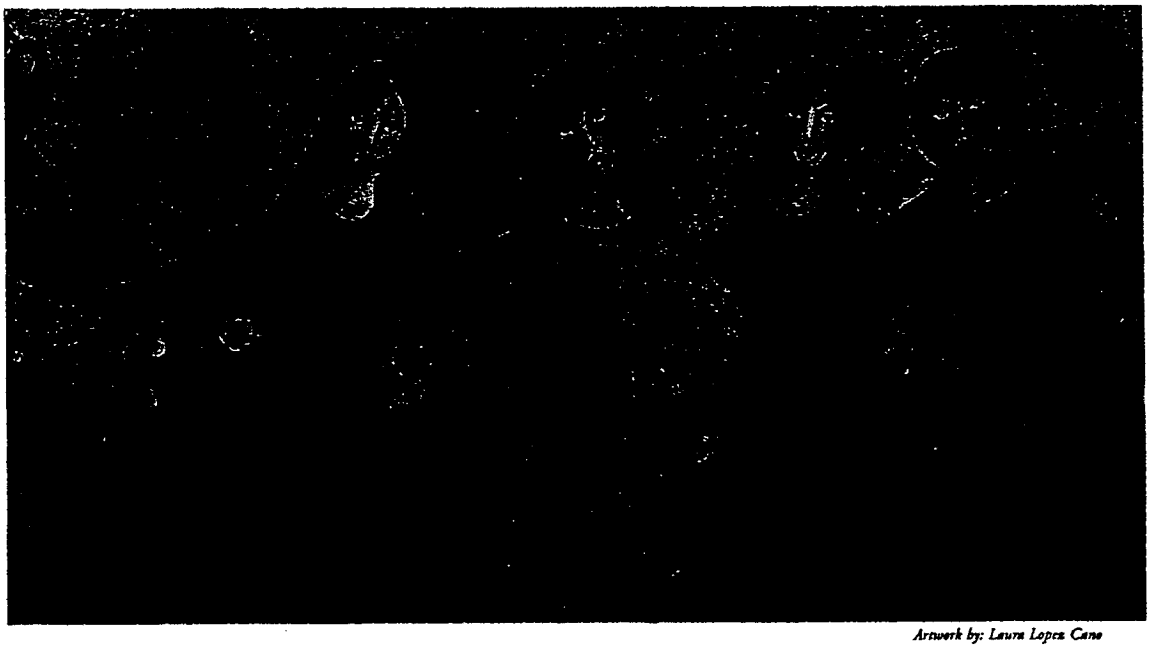

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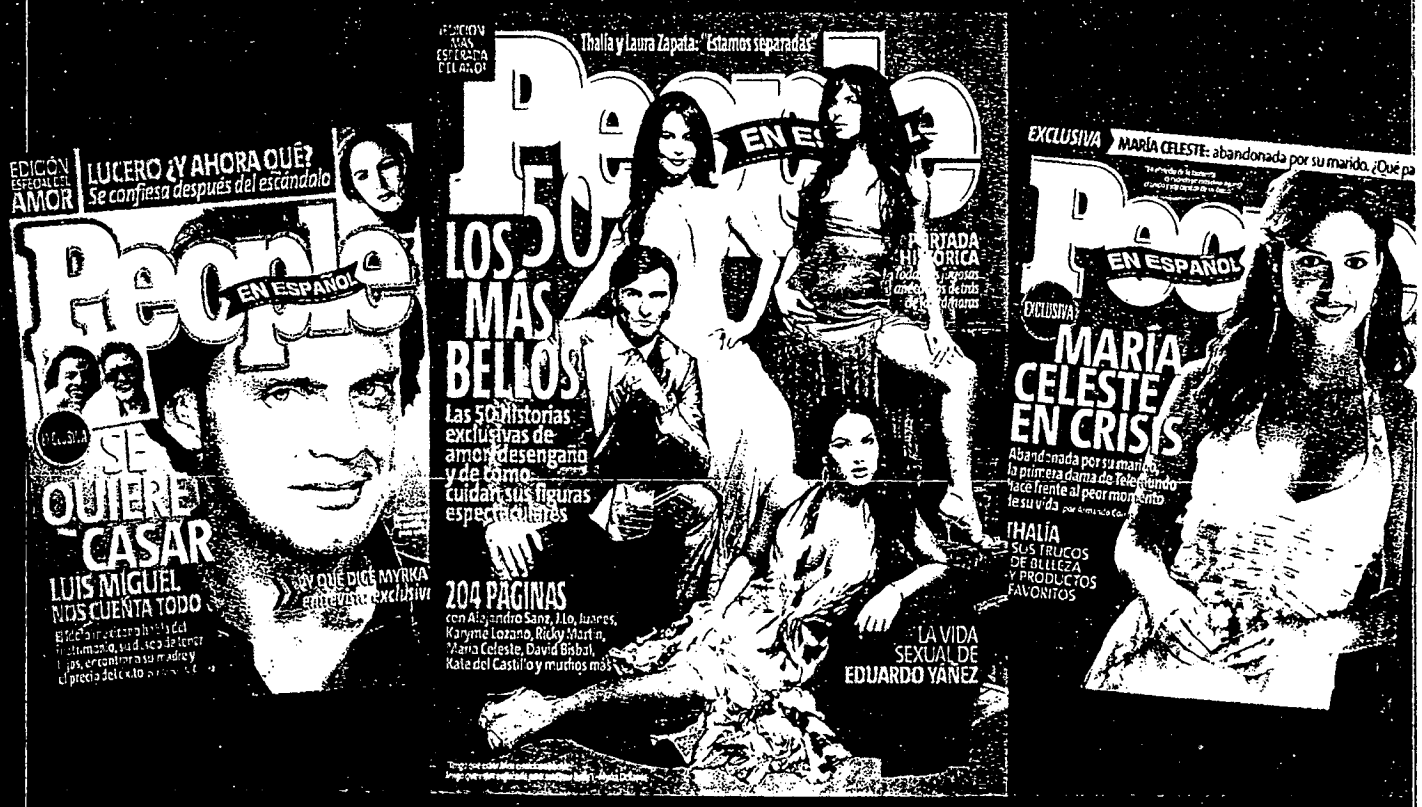

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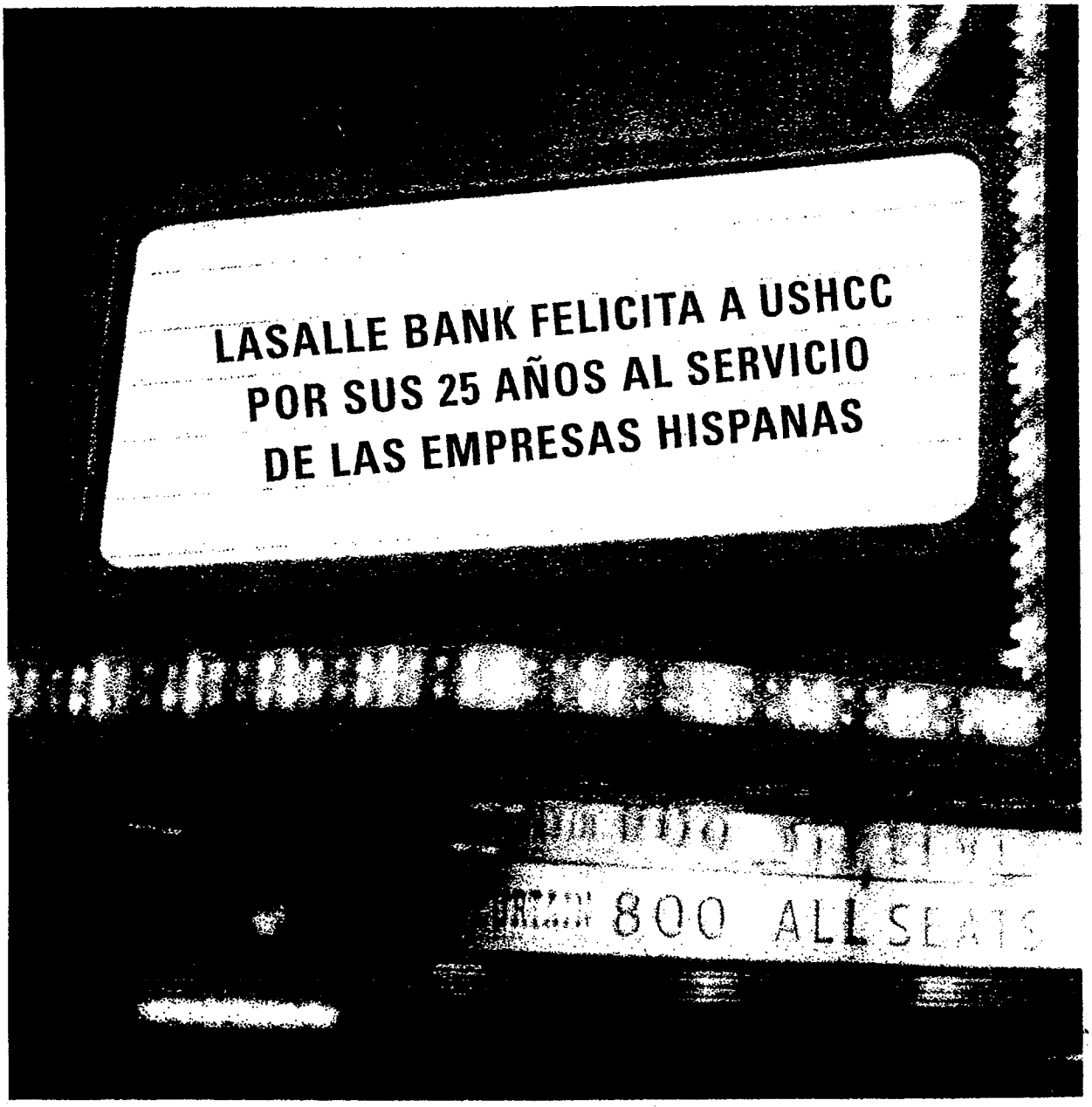

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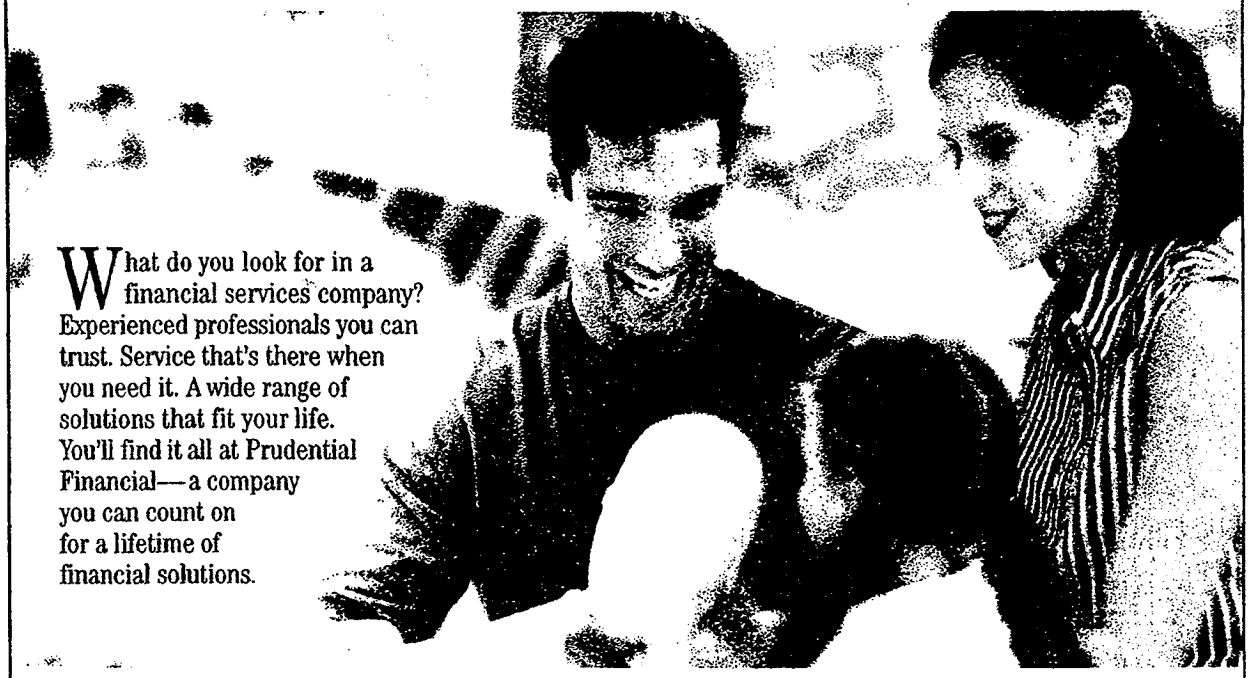

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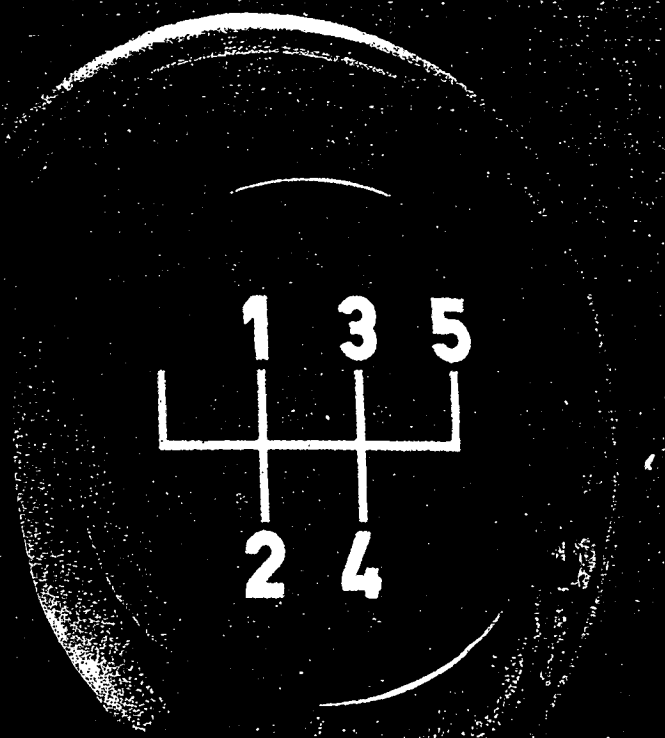

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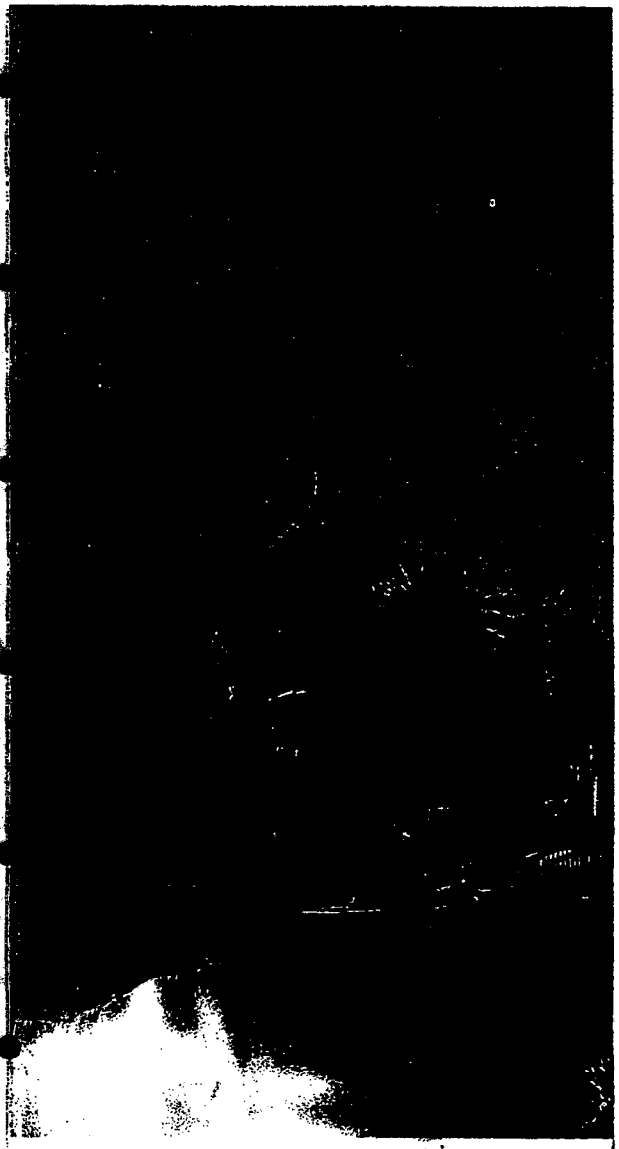

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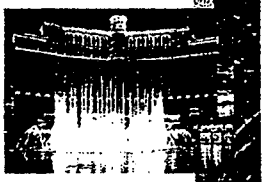

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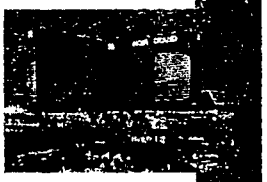

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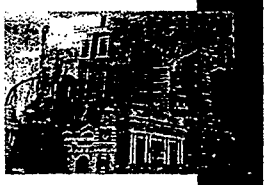

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Cancellation No.

92-045,876

EXHIBIT 2

[illegible] MOTION FOR LEAVE TO USE TRIAL TESTIMONY FROM OPPOSITION NO. 91-156,321 IN THIS PROCEEDING

dated July 3, 2008 (Cancellation No. 92-045,876)

1 NINO

2 Docket No. 27206-060

3 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

4 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

5

ORIGINAL

6 - x

7 In Re Application Serial No. 78/081,732 :

8 for U.S. HISPANIC CHAMBER OF COMMERCE :

9 FOUNDATION & Design :

10 :

11 THE CHAMBER OF COMMERCE OF THE : Opposition No.

12 UNITED STATES OF AMERICA, : 91-156,321

13 Opposer, :

14 vs. :

15 UNITED STATES HISPANIC CHAMBER OF :

16 COMMERCE FOUNDATION, :

17 Applicant. :

18 - x

19

20 DEPOSITION OF JOSE NINO

21

22 Washington, DC

23 Friday, February 22, 2008

24 REPORTED BY:

25 CARMEN SMITH

1 NINO

2 Deposition of JOSE NINO, called for examination pursuant
3 to notice of deposition, on Friday, February 22, 2008, in
4 Washington, DC, at the offices of Manatt Phelps & Phillips,
5 One Metro Center, 700 12th Street, Northwest, Suite 1100, at
6 9:42 a.m., before CARMEN SMITH, a Notary Public within and for
7 the District of Columbia, when were present on behalf of the
8 respective parties:
9
10 ANDREW ELISEEV, ESQ.
11 Manatt Phelps & Phillips LLP
12 11355 West Olympic Boulevard
13 Los Angeles, California 90064
14 310-312-4384
15 aeliseev@manatt.com
16 On behalf of Applicant
17
18
19
20
21
22
23
24
25 --continued--

1 NINO

2 APPEARANCES (Continued):

3

4 EDWARD COLBERT, ESQ.

5 Kenyon & Kenyon LLP

6 1500 K Street, Northwest

7 Washington, DC 20005-1257

8 202-220-4200

9 ecolbert@kenyon.com

10 On behalf of Opposer

11

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25

1 NINO

2 P R O C E E D I N G S

3 Whereupon,

4 JOSE NINO

5 was called as a witness and, having first been duly sworn, was

6 examined and testified as follows:

7 DIRECT EXAMINATION

8 BY MR. ELISEEV:

9 Q. Good morning, Mr. Nino. Please state your name for

10 the record.

11 A. Jose Nino.

12 Q. What is your educational background?

13 A. Educational background?

14 Q. Yes.

15 A. I'm a graduate of the University of Maryland.

16 Q. What did you major in?

17 A. I have a background in business. Fear the turtle.

18 Q. Are you employed?

19 A. I'm self-employed.

20 Q. What is the name of your company?

21 A. El Nino Group.

22 Q. What business is it in?

23 A. I deal in relationship marketing, international

24 relationship marketing.

25 Q. What is your title there?

A. I'm the president.

Q. Have you ever been affiliated with the United States Hispanic Chamber of Commerce?

A. I'm still affiliated.

Q. When did that affiliation begin?

A. 1981.

Q. What was the nature of that affiliation?

A. I was a member of the United States Hispanic Chamber of Commerce through the Latin American Chamber of Commerce and the Hispanic Federation of Chambers of Commerce.

Q. What is the United States Hispanic Chamber of Commerce?

A. United States Hispanic Chamber of Commerce is an umbrella organization of Hispanic chambers of commerce around the country, and it is an economic development -- economic business development organization.

Q. Are you familiar enough with the records of the United States Hispanic Chamber of Commerce to be able to state when it started and who started it?

A. Sure.

MR. COLBERT: I'm going to object to foundation.

I'll just periodically stick an objection in, just for the record.

THE WITNESS: For the record, hey.

MR. COLBERT: I just didn't want to interrupt you.

THE WITNESS: That's okay. Just jump right in. Doesn't bother me.

BY MR. ELISEEV:

Q. So you said you started in the United States Hispanic Chamber of Commerce in 1981; correct?

A. No. In 1980.

Q. In 1980. In what capacity?

A. 1980 -- let me back up. In 1980 -- in 19 -- I'm sorry, it's 1981 is correct. I was vice president of the Latin American Chamber of Commerce and treasurer of the Hispanic Federation of Illinois Chambers of Commerce in Chicago, and we paid membership fees to be a member of the United States Hispanic Chamber of Commerce.

And in 1981, Chicago was awarded the convention for 19 -- the annual convention for 1982. I was appointed to the convention committee of the U.S. Hispanic Chamber of Commerce, and I was the liaison between the Hispanic Federation of Illinois Chambers of Commerce and the USHCC on the promotion and the communications between both the organizations to do the event in Chicago.

Q. How long did you stay in that position?

A. One year.

Q. One year. What was your next position there?

1 NINO

2 A. I stayed on as a member of the U.S. Hispanic Chamber
3 of Commerce until currently today, with the exception of the
4 time that I was the national president. At that time, I
5 worked for the U.S. Hispanic Chamber of Commerce.
6 Q. Let's talk step by step, position by position. So
7 after you stayed as a liaison for a year, what was your next
8 position there?
9 A. I was a member -- just a member of the USHCC
10 from '82 to '85, and I attended all of the events that I
11 could. I definitely attended all the annual conventions and
12 at least one function here in Washington, D.C. a year and a
13 couple others around the Midwest, so on.
14 Q. Okay. How long did you stay in that position as a
15 member?
16 A. Well, from '82 to '84, I was in that capacity -- I
17 mean to '85. In 1985, I was elected to the national board of
18 directors of the United States Hispanic Chamber of Commerce at
19 the age of 28. And I was elected by the membership by the
20 board of the Illinois Hispanic Chambers of Commerce. There
21 were about 14 chambers of commerce from throughout Illinois,
22 and I remained on that board of directors.
23 While I was on the board of directors in 1985, my
24 first official duty was I was the sergeant-at-arms for the
25 board. In 1986, I was national secretary --

Q. Okay. What --

A. You asked me so I'm telling you.

Q. Okay. Let's go step by step. Sergeant-at-arms you said?

A. Yes.

Q. How many people were on the board when you joined the board?

A. 16 were on the board.

Q. Okay. What were your responsibilities as sergeant-at-arms?

A. Sergeant-at-arms, generally, it's security. It's security and to assist the president and chairman of the board to make sure that everybody adheres to the bylaws of the organization.

Q. What were your responsibilities as a member of the board?

A. At that time, we had two, since we were a volunteer board. One was policy formation on the board of directors and, two, we volunteered our services in different committees to do seminars, to speak, promote the organization around the country and to help stage the national convention.

We also did trade missions to other countries, and I supported it by attending and going. I also recruited other Hispanic chambers, and I helped develop other chambers for the

organization.

Q. How long did you stay in the position of sergeant-at-arms?

A. About a year.

Q. What was your next position?

A. National secretary.

Q. What were your responsibilities in that position?

A. To oversee the finances of the organization, to make sure that the accountant had all the financial information, review it, make sure that all the board members were able to get it, present it to the board so that they could make their decisions accordingly as to where we stood financially.

Q. How long did you stay in that position?

A. Stayed in that position for about a year.

Q. Afterwards?

A. After that, I became chairman of the bylaws committee, and I was chairman of the bylaws committee for the next two years.

Q. When did you become chairman of the bylaws committee?

A. 1987.

Q. What were your responsibilities as chairman of the bylaws committee?

A. I -- I helped house the bylaws. I also made

recommendations to the board as to how we were going to change the bylaws in the future to -- for the growth of the organization. I also made sure that the bylaws were in accordance with state records in New Mexico, where we were incorporated, and they were updated properly, so oversaw any amendments that were added to the bylaws to make sure that they were legally done. Therefore, I would converse with legal counsel on it.

I also held hearings, along with my president, across the country on the future of the organization, how they think our current bylaws were and should we change any of our bylaws or any amendments. Of course, we did two years later. We changed our bylaws to accommodate the wishes of the membership.

Q. How closely did you work with the president of the United States Hispanic Chamber of Commerce in your capacity as chairman of the bylaws committee?

A. We were -- we conversed at least every other week, and I always sent him messages on our status, what we were doing.

Q. Okay. What was your next position at the Chamber?

A. National treasurer.

Q. By the way, I'll call the United States Hispanic Chamber of Commerce as the Hispanic Chamber, just for this

testimony.

A. I was national treasurer.

Q. When did you become the national treasurer?

A. In 1988, I believe.

Q. What were your responsibilities as treasurer?

A. To oversee the finances of the organization, again, to make sure that they were properly done. As national secretary, I would make sure that all the minutes and everything were done. As national treasurer, I did the finances. As national secretary, I did the -- made sure that all the books were properly adhered to and that everybody -- all the board members received the proper information, notices, so on.

Q. How long did you stay --

A. I also oversaw all contracts and signed on contracts that the USHCC had at the time.

Q. All right. How long did you stay in that position?

A. A year.

Q. And then?

A. Then I left. I left in 1989.

Q. What did you do for that -- after you left the Hispanic Chamber?

A. I went back to being a member of the organization, and I also -- I also -- at the time I was chairman of the

board of the Illinois Hispanic Federation of Chambers of Commerce. All volunteer, of course. These are nonpaid positions.

Q. Okay. How long did that break last?

A. A year.

Q. And what happened afterwards?

A. In 1990, I was elected president and CEO of the United States Hispanic Chamber of Commerce. I stayed in that position as the president and CEO until 1998.

In 1998, I left the middle of '98 and I became a consultant for the next year to the U.S. Hispanic Chamber of Commerce.

In 1999, when that was over, I went back to being a member of the U.S. Hispanic Chamber of Commerce. I am such to this date. And in 2004, the president of the organization asked me if I would be his official advisor. I said yes.

In 2006, 2005, chairman of the board asked me if I would be an advisor to him, and I agreed. I don't get paid for it, but they can call on me on issues regarding the Hispanic community, the USHCC or history of the organization. And I've been assigned from time to time -- I took a trade mission for the U.S. Hispanic Chamber of Commerce in 2006 to China. I led that. And I also supported them and went on numerous trade missions with the organization to Mexico,

Puerto Rico, Dominican Republic as in that capacity.

While I was president of the chamber of commerce, I traveled the whole hemisphere.

Q. Okay. Well what was your responsibilities overall as the president and CEO of the Hispanic Chamber?

A. I ran the day-to-day operation of the organization. I administered the policies that the board set, and I ran the organization on a day-to-day basis, per the instructions of the board of directors.

Q. How big was the organization during your tenure as the president and CEO?

A. I took it from 30 chambers of commerce to 258 nationwide. I set them up all over the country. Some were already there; I recruited them. Others I created.

Q. How many --

A. I signed agreements with national organizations throughout the western hemisphere and Spain.

Q. How many employees did you have when you began as the president and CEO?

A. During my tenure as president, I had anywhere from four employees to a maximum of 40 employees. And I had interns, anywhere from two to 22 at any one time.

Q. Did you draft any documents while you were the president and CEO of the Hispanic Chamber?

A. Numerous documents.

Q. What kind of documents?

A. Anything from -- that the board directed me on policy issues to agreements of mutual cooperation between organizations to economic development, business development, franchising, so on. Normal day-to-day work that's done within a business association or chamber of commerce.

Q. So going back to the time when you just started with the Hispanic Chamber in 1981, the organization has obviously already existed; right?

A. Yes.

Q. Do you know when it was established?

A. Sure. The genesis of it, according to Nelson Rodriguez, who was our first president, began in Fort Worth, Texas, came out of the Texas-Mexican-American Chamber of Commerce, where they held their first meeting or one of their events. And he organized it.

Q. When was that?

A. You're going back to 1978 when they first started to talk about organizing. In 1979, they had their first function.

Q. How do you know about these things?

A. Sitting down with the members that were there that were the incorporating members of the board and the original

founders of the U.S. Hispanic Chamber of Commerce.

MR. COLBERT: Objection; foundation and hearsay.

BY MR. ELISEEV:

Q. Are you familiar with any documents that were drafted before you joined the Chamber, Hispanic Chamber?

A. Sure, yeah. I'm very familiar with them, because I had to read them all as to the history of the organization at the time -- because it was very young, only, when I first got there, maybe two or three years old -- and then afterwards, because I had different duties on the board, in order to make suggestions to improve it, to include others.

Q. And did it always have the same "United States Hispanic Chamber of Commerce"?

A. Yes, sir.

Q. So what is the mission of the United States Hispanic Chamber of Commerce?

A. Mission is to assist Hispanic business in their economic development and business development of their organization or their companies and Hispanic business in America for the growth of Hispanic business and its communities.

Q. Are you aware of the United States Chamber of Commerce?

A. Sure.

Q. What is your understanding of what this organization does?

A. The United States Chamber of Commerce?

Q. Yes.

A. It's a lobbying firm. It is the -- it's a policy-formation organization. They lobby on the Hill to create laws that affect business in America, primarily corporate America, but it also extends to other business among American business.

Q. And how do you know that?

A. I read it in their -- I've read it in their paperwork. I've also attended their seminars, and their leadership has told me. I've been dealing with the -- oh, let's see, with the U.S. Chamber of Commerce I've dealt first with their local affiliate in Chicago, which was CACI, Chicago Commerce and Industry Organization, then several other chambers that were either affiliated or partners of the U.S. Chamber of Commerce and then directly when I became president of the U.S. Hispanic Chamber of Commerce.

MR. COLBERT: Objection as to hearsay as to what he was told.

BY MR. ELISEEV:

Q. Have you discussed the mission of the United States Chamber of Commerce with anybody at that Chamber?

1 NINO

2 A. Sure. I discussed it with the former president of
3 the U.S. Chamber of Commerce, with the former Vice President
4 Workman of their international division and several members --
5 several of their members at the corporate level.
6 Q. What are the differences between the two
7 organizations, between the United States Chamber of Commerce
8 and the United States Hispanic Chamber of Commerce?
9 MR. COLBERT: Objection to foundation.
10 Sorry.
11 THE WITNESS: To my understanding, again, the U.S.
12 Chamber of Commerce is a policy/law formation organization,
13 that their main deal is to deal on the Hill and with the
14 administration to form policy on business in America and to
15 promote, you know, corporate American business and business in
16 general.
17 The USHCC is an economic business development
18 organization that deals directly with exclusively Hispanic
19 business in America.
20 I've always -- when I've had conversation with my
21 colleagues at the U.S. Chamber of Commerce, it always was that
22 we would not exist had they been servicing us, because
23 Hispanic business, when we formed, did not participate at any
24 level with their -- you know, with their locals or their -- or
25 with the U.S. Chamber of Commerce as far as governance,

hierarchy, policy formation, sit on any of their committees.

BY MR. ELISEEV:

Q. Okay. How does the Hispanic Chamber use its name, the United States Hispanic Chamber of Commerce?

MR. COLBERT: Objection to foundation.

THE WITNESS: How does it use its name? Well, it promotes itself around the country as the United States Hispanic Chamber of Commerce.

BY MR. ELISEEV:

Q. Excuse me, I'll interject. Let's talk about the period when you were employed at the United States Hispanic Chamber of Commerce.

A. Okay. '90 to '98.

Q. Yeah.

A. We -- it was mainly to advocate the issues of Hispanic business in America.

Q. But how did it use its name?

A. We promoted the name, put it up on big banners at all our events. We put it on our pins. We put it on our jewelry. That was our pin at the time that I was president (indicating). This was my ring (indicating), which is the H with the eagle.

We put it on our podiums any time we spoke. The United States Hispanic Chamber of Commerce would be on the

podium, either that or the eagle or the H with the eagle, or we'd have a banner that had the -- that had this right here or had this logo (indicating) and the United States Hispanic Chamber of Commerce written on it in big letters.

Q. You mentioned it was featured on banners. Where did banners hang?

A. The banners hung at any event we did. Any reception, any convention, any seminar, we would hang them there, both inside and outside of the place.

At our office, if you came to our office, it was always on our door. It had a big H seal and it said "the United States Hispanic Chamber of Commerce."

I had three different offices here in town over the years that I was president, and if you came to us, not only was it written downstairs so people could find us, it was written on the door as you came in. And after you came in, it was also written on the wall. Just like any other business, really, no different.

Q. Have the United States Hispanic Chamber of Commerce offices always been in Washington?

A. No. The -- I moved the offices from Kansas City to Washington, D.C.

Q. When?

A. In 1990, okay. Prior to that, they were in Kansas

City. But, if I recall, when the Chamber first started, it would have to have been housed in -- with the president at that time, which was Nelson Rodriguez, out of Fort Worth, Texas.

Q. When you first moved the offices of the Hispanic Chamber to Washington, where were they located?

A. We first came -- we already had a satellite office on Massachusetts Avenue, about four miles from the White House over here, maybe three and a half, four miles, could be five. I'm not that good with distance here. But I'd say about four miles, which is right before Union Station, so I don't know how far that is from here.

We had offices there, what was known as the union building. It's a black building that was there. We had maybe a quarter of this room.

When I came to Washington, D.C., since we were relocating all our offices here, I took an office maybe half the size of this floor.

Q. How long did the offices stay at that address?

A. At 2000 M Street, we were there about three years. And then we were about three years at 15th and L. And then we were -- while I was president, there was another two years on 19th and K. Of course, they had to move because they knocked the building down, so then they went to where the current

address is on K Street.

Q. Do you know where the offices of the United States Chamber of Commerce is located?

A. Sure. They're in front of the White House, across Lafayette Park.

Q. You said in 1993, you moved to 15th and L in Washington?

A. In 1990, we moved to 2000 M Street.

Q. 1993.

A. In 1993, 15th and L.

Q. How far is it from the United States Chamber of Commerce?

A. 2-1/2 blocks maybe.

Q. You said in 1996 you moved to a new location?

A. Sure.

Q. Where was that?

A. 19th and K.

Q. How far is that from the United States Chamber of Commerce?

A. One, two, three-and-a-half blocks maybe, four tops. And when we were at 20th and M, we were maybe five or six blocks from the organization. I used to walk there all the time.

Q. Are the Hispanic Chamber's offices still located at

19th and K?

A. No. They're on K Street and, I would say, 21st.

Q. Presently?

A. Presently.

Q. How do you know that?

A. I've been there many times.

Q. And how far is that address from -- how far is that location from the United States Chamber of Commerce building?

A. It's about anywhere from five to six blocks.

Q. You mentioned that you -- the organization -- the Hispanic Chamber used its name on all of its events. What events did it organize while you were the president and CEO of the Hispanic Chamber?

A. First of all, we organized an annual convention, held it around the country. We organized a legislative event here in town. We organized an international event here in town.

Q. Are those annual events?

A. Yes, those are annual events.

Q. Did they start in 1990 or before you started as president and CEO?

A. The annual convention was begun in 1980. I began the legislative forum, and I began the international one. I also participated in -- what we mutually did amongst the

Confederation of Chambers of Commerce Mexico, Canadian Chamber, the U.S. Hispanic Chamber of Commerce and the U.S. Chamber was the trilateral conference. We did those together, three countries -- Mexico, United States and Canada -- during the NAFTA programs that we were initiating.

Then we did seminars constantly around the country on anything from -- could be anything from franchising to small business, but those were all depending as needed, microbusiness, how to do business with the government, how to do business with corporate America, how to do your taxes and so on.

Q. Have you attended --

MR. COLBERT: Excuse me, I got a little confused. Could you read the question and answer back for me?

(The reporter read the record as requested.)

MR. COLBERT: Thank you.

THE WITNESS: That's pretty good.

Also, we did trade missions to other countries, but they were begun before my administration, and I participated in them also. First ones we did were to Mexico, Puerto Rico. There were some to Central America.

When I came in, we then expanded them to South America, Spain, Asia.

BY MR. ELISEEV:

Q. Have you attended any Hispanic Chambers' annual conferences?

A. All of them. This past year, in 2007, I attended my 25th annual USHCC convention in a row. Nobody else has --

Q. How many conferences were there overall?

A. There's been, like, 27 -- let's see. Yeah, 27, 27 of them. I didn't attend the first two. The first one was in New Mexico. Second one was in Kansas City. Those two I did not attend. But every one afterwards I attended. I attended every legislative event; I attended every international event that we did.

And, let's see --

Q. How many legislative conferences did you attend altogether?

A. I think I'm rolling like 17, going to my 18th one, maybe. I just -- yeah, I think I'm going to my 18th or 19th one, could be.

Q. How many trade missions did you attend, those organized by the Hispanic Chamber?

A. Including mine? Oh, let me see. Two dozen maybe? Maybe more. Have passport, will travel.

Q. Are you familiar with the United States Hispanic Chamber of Commerce Foundation?

A. Yes, I am.

Q. I will call it "the Foundation" at this deposition.

A. Excuse me?

Q. For brevity, I will call it "the Foundation."

A. Okay.

Q. What is the Foundation?

A. The Foundation is a youth educational program that I began in 199 -- around 1992, '91, '92. And then I incorporated it -- I used seed capital that was given to us by the UPS Employee Foundation. They were the ones that gave us the original $25,000 to get it going.

And my intent in putting the Foundation together to begin with was to bring Hispanic youth to Washington, D.C. as interns and have them have the experience of working in a business/political environment so they could understand the relationship between business and politics and how it ran.

They would help us in our economic development/business development programs with small business -- Hispanic business across America. And at the same time, whenever I had meetings -- I would try to send them over to -- once a week to have a meeting with the Washington Center, which is an internship organization that I sat on the board for 15 years. And they would bring in different members of Congress or the administration to talk to these youth on the relationship between business and politics.

1 NINO

2 I then afterwards incorporated the youth program to
3 include more business education into the Foundation so that
4 the youth could understand how to put together a business plan
5 for small business or start-up business, how to -- the things
6 that they needed to know to run a business.
7 I also taught them how to dress for success, and I
8 would put on seminars like dress for success, how to do
9 accounting, how does a corporation environment really work
10 like, what does -- how do you do international trade.
11 It was basically an educational program for Hispanic
12 youth in America, and it still is to this day.
13 Q. Did you have a position at the Foundation when you
14 started?
15 A. Right, yeah. I was the -- I was its president and
16 CEO. I ran it under a separate contract that we did. I
17 incorporated -- myself, my comptroller of the organization,
18 George Franchi and I, we incorporated the foundation back in
19 the early '90s.
20 Then once we were the incorporating arm, I presented
21 it to the board, and then the board elected a board of
22 directors to it.
23 And what we did was we tried to take one board
24 member from each of the six regions from across the country
25 and incorporate them into there and set up the bylaws, set up

the Foundation's foundation -- business. Then the organization started creating structure and so on.

In doing so, at the same time, when I became president, I put forth a business plan, one that would outline that I would grow the United States Hispanic Chamber of Commerce and its chamber member businesses, to grow Hispanic business in America. I would create a Foundation for youth. I would create an economic development corporation. I would create a television show, radio show. I would create a newsletter, create a magazine to promote the organization.

I would, of course, make agreements with other business organizations and community organizations to advance the efforts of the Hispanic business community, as our mission stated, and advocate the issues of Hispanic business before corporate America and the administration.

Q. In your understanding, what are the differences between the services offered by the Foundation and by the U.S. Chamber of Commerce?

MR. COLBERT: Objection as to foundation.

THE WITNESS: The U.S. Hispanic Chamber of Commerce is real clear. It supports the Hispanic chamber of commerce and its members, its Hispanic business members, to help them with their business and economic development. The Foundation is an educational institution that promotes, molds, enhances

the educational experience of Hispanic youth that is looking to go into Hispanic business or someday work in corporate America or government.

BY MR. ELISEEV:

Q. So how do the services of the Foundation differ from those of the U.S. Chamber of Commerce?

A. Well, first of all, the ones for the Foundation are exclusively for youth. Those of the U.S. Hispanic Chamber of Commerce is for existing business.

Q. No, I'm talking about the U.S. Chamber of Commerce.

A. Oh, the U.S. Chamber of Commerce. I've never seen the U.S. Chamber of Commerce give any educational classes to Hispanic youth in this country. Again, if they did, we wouldn't exist.

Q. Why do you say that?

MR. COLBERT: I'll object to foundation.

THE WITNESS: Because -- because the U.S. Chamber of Commerce is a policy/advocacy organization that, again, their main purpose is to influence law in this country, business law, not to teach Hispanic youth how to do business.

MR. ELISEEV: Let's take a five-minute break.

(Recess.)

MR. ELISEEV: I'm going to mark Exhibit 1 to the Nino deposition.

(Applicant's Exhibit 24 identified.)

BY MR. ELISEEV:

Q. Mr. Nino, can you please take a look at the document and tell me what it is.

A. It's the logo of the United States Hispanic Chamber of Commerce, the current logo.

Q. How do you know that?

A. It's right in front of me, and because I have one. The full membership was notified in '99, I think, the convention in '99, somewhere in that period of, time that they switched from this logo (indicating) to this logo (indicating).

Q. From which to which?

A. From the logo we had before with the H and the USHCC underneath it and the H and the United States Hispanic Chamber of Commerce next to it, to this logo (indicating).

Q. What does "H" stand for, in your understanding?

A. Hispanic.

Q. How do you know that?

A. I was on the committee in 1982 that created this logo. I was on the convention committee, and in 1982 in Chicago, Booth Sayer Noriega communications created this particular logo. They created this logo. They created --

Q. When you say "this logo," please --

A. They created the H with the eagle on it. They created the H with the eagle and the U.S. Hispanic Chamber of Commerce on it as it appears here. They created the H logo with the eagle and the words "United States Hispanic Chamber of Commerce" to the side of it. They created the logo, the H with the eagle and underneath the United States Hispanic Chamber of Commerce. I know that, and it was done because Wolf -- I met Wolf, but the guy that I knew best was Noriega and Sayers. Sayers was Gale Sayers, former running back of the Chicago Bears.

MR. COLBERT: Kansas Comet.

BY MR. ELISEEV:

Q. Before the Hispanic Chamber adopted the logo featured on Exhibit 24, you said it used the H in the middle as its logo; correct?

A. Correct.

Q. And how did it use this logo?

A. This logo was used on all letterheads, all stationery, all business cards, at the entrance of all our seminars, on boards, big banners. It was used on huge, huge banners at the entrance to the conventions that we had.

It was also used on the banners on the streets in the cities that we went to have conventions. Like most conventions, if you have a good relationship with tourism,

1 NINO

2 they will put banners and put them on the streets as you are
3 approaching the convention center or around on the street on
4 the outside. So they were done in several of the cities.
5 We did them in a bunch of cities. They were put
6 there on -- anywhere we had a reception at the entrance or
7 once you got inside. So any time we had an event, you saw
8 this (indicating).
9 My time was the biggest because prior -- when I
10 came, my big thing was I never -- I didn't want anybody else's
11 logo up there but ours, because it was our event. And
12 Coca-Cola went into our room one year in New York at the
13 Hilton, because the chairman of the board at Coca-Cola,
14 Roberto Goizueta -- may he rest in peace -- he was going to be
15 our keynote speaker. And his people came in and put Coca-Cola
16 signs everywhere.
17 So I told my people to tear them down, this is not a
18 Coca-Cola event. It's our event. They're just welcome to be
19 here. So we did. And we put the logos -- the United States
20 Hispanic Chamber of Commerce, real big, and we put the H on
21 that side. And on this side, we put a small Coke sign.
22 The podium, took off the Coca-Cola sign, put this H
23 with the USHCC on there. We did let them keep one of their
24 bears -- one bear on each table, but it also had United States
25 Hispanic Chamber of Commerce logo.

1 NINO

2 MR. COLBERT: I was going to say just for the
3 record, because the witness keeps saying look at this, look at
4 this, look at this, it's an H with the eagle cut out at the
5 bottom, USHCC at the bottom of that.
6 This is the pin you keep picking up.
7 THE WITNESS: It's the same logo as this one, as the
8 one you see in the middle here, only it has USHCC attached on
9 the bottom.
10 MR. COLBERT: I just wanted to make it clear because
11 we can't see it on the cold records.
12 THE WITNESS: Would you like to keep it?
13 MR. ELISEEV: I'll think about it. But I would like
14 to see it.
15 THE WITNESS: I will sell it to you.
16 MR. COLBERT: Off the record.
17 (Discussion off the record.)
18 BY MR. ELISEEV:
19 Q. Did the words "United States Hispanic Chamber of
20 Commerce" appear next to the H logo?
21 A. Always. It appeared at any event that we did. Any
22 time we put the H logo anywhere, whether it was on
23 letterheads, whether it was on business cards, whether it was
24 at an event, any time the H was there, next to it, it would
25 say United States Hispanic Chamber of Commerce. Or underneath

it, it would say the United States Hispanic Chamber of Commerce.

Q. Is the logo that appears on Exhibit 24 shown on the events organized by the Hispanic Chamber?

MR. COLBERT: Object to the form of the question.

THE WITNESS: All events that are currently being done by the United States Hispanic Chamber of Commerce that I have attended has had this logo on them. They have had it on the entrance when you come into the room. They have had them inside the room. They have had them on the podiums. They have had them on the banner. They have had them on huge backdrops. They have had them in lights, where they put this on a light and you shine it up against a wall and you see it there.

They have had it on screens. It's everywhere. You'd think you were at a NASCAR race.

BY MR. ELISEEV:

Q. Do you believe that the Hispanic Chamber logo is recognized as being associated with the Hispanic Chamber?

A. Everybody and anybody that talks about Hispanic business in this country, I don't care who it is, this is the logo of the U.S. Hispanic Chamber of Commerce. And as soon as they see it, it's ah, logo of the United States Hispanic Chamber of Commerce.

1 NINO

2 MR. COLBERT: Objection as to foundation.

3 BY MR. ELISEEV:

4 Q. You're referring to the logo appearing on Exhibit

5 24?

6 A. Yes, I am.

7 Q. Why do you believe so?

8 A. Because everybody that I've talked to, when they see

9 it, it's the Hispanic Chamber, United States Hispanic Chamber

10 logo.

11 Q. When you say "everybody I've talked to," who do you

12 mean?

13 A. I've talked to everybody -- anybody in business that

14 I've seen that are familiar with me, they know that's the

15 logo.

16 MR. COLBERT: Objection as to foundation.

17 THE WITNESS: And going back to -- with me, going

18 back to the original logo that I always wore, I wore that pin,

19 logo. When I was president of the U.S. Hispanic Chamber of

20 Commerce, whether I had a suit on or just a shirt, I always

21 wore that pin, no matter where I went.

22 I went to the White House. I went to the U.S.

23 Chamber. I went to see the president of Mexico. I went to

24 Canada. Wherever I went, I wore that pin. You can look at

25 any picture that you see me in, and 99.999 percent of the

time, I was wearing the pin.

BY MR. ELISEEV:

Q. What does the pin look like?

A. The pin is the H with the USHCC underneath it and the eagle carved to the bottom of it.

Q. Has the Hispanic Chamber ever used the phrase "spirit of enterprise" in its logo?

A. No, not to the best of my knowledge. No, we don't need it.

Q. Has the Hispanic Chamber ever used the word "spirit" in its logo?

A. No.

Q. Has the Hispanic Chamber ever used the word "enterprise" in its logo?

A. No.

MR. ELISEEV: I'm going to mark as Exhibit 25 -- this is Applicant's Exhibit 1.

BY MR. ELISEEV:

Q. Can you take a look at Exhibit 1 and tell me what it is?

A. That is the logo for the United States Hispanic Chamber of Commerce Foundation.

Q. How do you know that?

A. I'm familiar with it. It's got an H with a youth

and a mentor on it.

Q. How are you familiar with it?

A. It was introduced as a new logo for the Foundation in the early 2000s. And being a member of the U.S. Hispanic Chamber of Commerce, it was unveiled at the annual conference.

Q. Is the H in the logo on Exhibit 1 the same as the H in the logo at Exhibit 24?

A. They do have the same H with the eagle logo as the basis, along with the name of the United States Hispanic Chamber of Commerce. They just added "Foundation" to the Exhibit 1.

Q. And the meaning --

A. And they added the little guy and mentor.

Q. And the meaning of H is still the same as it was in the logo of the Hispanic Chamber?

MR. COLBERT: Objection to form.

THE WITNESS: Correct. The H in the logo for the Foundation is equal to the H with the eagle in the logo of the U.S. Hispanic Chamber of Commerce. Both of them refer to Hispanics.

BY MR. ELISEEV:

Q. How do you know that?

A. I helped create it.

Q. Do you know how the Foundation uses its logo?

1 NINO

2 A. The Foundation uses the logo on all its -- on all
3 its stationery, its business cards, its pins. It's on all
4 their marketing programs, on their Web site, their Web page.
5 They use it on any event that they have, any seminars, at the
6 national convention, the annual convention. They will use it
7 there.
8 When you walk into their section of where the youth
9 is having their programs and seminars, you see the huge
10 banners. When you approach the convention site, you will also
11 see their banner that they are there that day to educate the
12 youth.
13 Q. Has the Foundation ever used the phrase "spirit of
14 enterprise" or the word "spirit" or "enterprise" in its logo?
15 MR. COLBERT: Objection to foundation.
16 THE WITNESS: No, not that I know of.
17 BY MR. ELISEEV:
18 Q. Let's talk about the United States Chamber of
19 Commerce. When was your first interaction with the United
20 States Chamber of Commerce?
21 A. Directly with the organization or its affiliates?
22 Q. Let's talk about the affiliates first.
23 A. With the affiliates, my first interaction with the
24 affiliates was in Chicago through CACI, which is the Chicago
25 Chamber of Commerce and Industry. I went to see them. They

recruited me to be a member of their organization because they wanted me to attend their -- because I attended their seminars.

I wanted to see what kind of seminars they had on international trade and what kind of information they had in that arena.

Q. What year was that?

A. 1981, '82. I also approached them to see if they wanted to get involved and come and visit our seminars at the Latin American Chamber of Commerce.

Q. Were you interacting with them as someone from the U.S. Hispanic Chamber?

A. Any time that I did anything in Hispanic business for the association in Chicago, the United States Hispanic Chamber of Commerce was automatically involved, because we were dues-paying members of the USHCC. So therefore, any time I promoted the Latin American Chamber of Commerce, the federation, we always told everybody that we were members in good standing of the United States Hispanic Chamber of Commerce and that we were affiliated to them.

Q. Okay. And when was your next interaction with the U.S. Chamber of Commerce?

A. What I recall right now, when I moved to Washington, D.C., I went around to meet everybody in 1991.

Q. 1991?

A. 1991. I moved here officially at the end of 1990. In 1991, I started first to go see all the Hispanic organizations that were in town, three or four of them, NCLR, National Council, so on. And then I also went to visit to introduce myself to the business organizations.

I went to NFIB, the National -- National Federation of Business. I went to the manufacturers association, the -- I went to the U.S. Chamber of Commerce.

And basically, I just walked up there and knocked on their door and said, "Hi, my name is Jose Nino, new president and CEO of the United States Hispanic Chamber of Commerce. This is my card. I just wanted to introduce myself to you and see if we can work together in the future on mutual programs." I left --

Q. Who was the person you introduced yourself to at the U.S. Chamber of Commerce?

A. At the U.S. Chamber, I first introduced myself to the security guard at the door, at the entrance. They ushered me in to see a gentleman by the name of Workman, who was their vice president of international. Good man.

He introduced me to their current president at that time. And subsequently, anybody else I ever met at the U.S. Chamber of Commerce while he was there he introduced me to,

including their current president, Mr. Donohue.

Q. Tell me about that first meeting with Mr. Workman.

A. I went in, gave him my card. And I said, "Hi, my name is Jose Nino, president and CEO of the United States Hispanic Chamber of Commerce. This is my card. We're down the street. We're neighbors now."

Q. What card did you give him?

A. I gave him a card that said president and CEO, Jose Nino, had the logo of the U.S. Hispanic Chamber of Commerce and the eagle with the H on it, and next to it it said the United States Hispanic Chamber of Commerce, our address, 2000 M Street, phone number, so on. No e-mail. Didn't have e-mails back then.

I introduced -- he gave me his card, introduced me to some of his folks. He walked me in to visit his president and say hello. He introduced me to him. His name escapes me right now. I'm having a little block there. Said hello, and I left a packet of information that we were doing our convention in Chicago and they were invited, we would like to work with them as we moved forward. And they said okay, thank you.

I left him my info, he gave me his, and I left. I went on over to the International Franchising Association, NFA -- IFA. I went over to the pharmaceutical association.

They're down over here on 15th and L. We wound up finally three years later moving across the street from them. So I went and introduced myself to them also.

Q. Okay.

A. And over the years I worked with a lot of them, you know, a lot of them, to the point that the International Franchising Association would put me on their advisory board, and so did some of the other organizations.

Q. When you became president and CEO of the Hispanic Chamber, was the Hispanic Chamber a member of the United States Chamber of Commerce at the time?

A. Sure.

Q. How do you know that?

A. I signed the check.

Q. What check?

A. The United States Hispanic Chamber of Commerce had been a member of the U.S. Chamber of Commerce for several years, to the best of my knowledge.

Q. By the time you started in 1990?

A. By the time I started, it's my belief, going back to 1981. '80, '81.

Q. What is your belief based on?

A. Number one, because I saw the logos of the U.S. Chamber of Commerce that says that we're partners, you know,

we're a partner. They have categories. You're a member in good standing, I believe it's called, and they give you a little capital thing next to your chamber. Or you're partnering -- a partnering federation or something like that. And that's the one that has the two Cs and the hands shaking in the middle.

So we had that logo that they sent us, and we used it. And also, I would get invoices or I'd get a call from someone -- you know, I remember several times getting a call from someone from the U.S. Chamber of Commerce, salesman or something, saying, "Listen, Jose, you haven't paid your invoice this year for the U.S. Chamber of Commerce, you know, as a member."

And I said, "Sure, send over the invoice, and I'll tell my guy to send you a check." I'd sign the check and we'd send it over.

Q. Did the Hispanic Chamber remain a member of the United States Chamber of Commerce throughout your tenure?

A. While I was there, it was my belief we were members up until the time I left, because we had very good relationships, worked together on many projects.

Q. And who was sending the checks with membership dues to the United States Chamber of Commerce?

A. George Franchi, our accountant. Sometimes I'd sign

it, sometimes I'd tell him to sign it, because I gave him authority to sign checks I think up to -- by himself he could sign I think maybe up to a thousand. If he needed -- if he needed 10,000, he needed two signatures, and I put somebody else that could also in case I was traveling, could also -- they needed my stamp and somebody else's signature type of thing.

Q. Were you receiving any correspondence from the U.S. Chamber?

A. Sure.

Q. What kind of correspondence?

A. We would -- besides the invoice, we would always -- we would receive paperwork on the type of things that they were doing on the Hill, you know, bills that they were looking at, things that they were looking to vote on.

I'd also receive information -- invites to go to the Chamber on receptions or lunch or dinners that they were having. And they would ask me to participate, and I'd go and participate. I would fund some of them myself, send them a check. I'd send them 10,000, 20,000 bucks, whatever it was.

Q. What for?

A. I'll give you an example. When the presidents of Mexico came, first there was Zedillo, another time it was Fox. Let's see, it was Fox, Zedillo -- let me think here. It was

Zedillo, and it was Salinas. With both of those presidents, I sent checks over to them. And I took a table at one. I took two tables at the other one.

When they would have speakers, whether it be the Secretary of Commerce of Mexico or the -- what do you call it, the -- their equivalent of our -- their foreign minister, I'd also buy a table from them and I'd support the U.S. Chamber by doing that.

I'd go and call my board members and I would sit my board chairman at the head table with Tom Donohue or with his predecessor.

Q. Who is Tom Donohue?

A. He is the current president of the U.S. Chamber of Commerce.

Q. And what did the Hispanic Chamber bank checks look like?

A. All our checks had the H logo with the eagle, and next to it it said the United States Hispanic Chamber of Commerce. And then I would sign it on the bottom. It's like a regular check. And so we would -- you know, they had these events. We would go over there.

They would have events where they would invite different people. For example, when Vicente Fox became president.

Q. President of?

A. Of Mexico, the Chamber -- I was called because I was the former president of the U.S. Hispanic Chamber of Commerce. I was asked to be there. And even after I left, they would still call on me to participate in events, even after I left as president of the Chamber. That's how good our relationship was and all the friends that I had made there. Because they're real good people there.

Q. You mentioned earlier that you -- when you became president and CEO of the Hispanic Chamber, you started organizing legislative conferences.

A. Yes, I did. I did the --

Q. When was the first one?

A. First one was -- I want to say it was 1991 or '92, in that area.

Q. Who were the attendees of the legislative conference in that year?

A. Well, we had members -- the Hispanic business members were, you know, the attendees. And then we had invited guests from the administration and from the Hill.

We also invited, you know -- Jack Kemp showed up, Secretary of HUD. Secretary Manuel Lujan showed up, Interior, Secretary of the Interior. Members from Congress showed up, Senator Al Gore. Senator -- what's his name. He wound up

being treasurer under Clinton. That would be Senator -- oh, God, what's his name? It escapes me right now. He was the president of the Senate, I believe, at one time. It will come to me. Big tall white guy, great guy. He was United States Senator.

We had the mayor that showed up here. And then we had -- our friends showed up from the pharmaceutical association, from the U.S. Chamber of Commerce, from FIB, from different organizations in town, they would show ups.

From the Chamber, their Vice President Workman showed up.

Q. Which chamber?

A. The U.S. Chamber of Commerce. He showed up and supported us.

Q. How did he know about this conference?

A. I sent him an invitation and called him and invited him.

Q. The invitation was addressed directly to him?

A. To him, yeah, at the U.S. Chamber of Commerce.

Q. And you wrote the letter to him?

A. One of my assistants wrote it.

Q. Who signed it?

A. I did. And we sent it to him, and he showed up.

Q. What was his title at the U.S. Chamber as far as you

1 know?

2 A. He was vice president of international. He ran the

3 international division. We started working afterwards,

4 because we were working on NAFTA and we were --

5 Q. Did you see him at that conference?

6 A. Sure.

7 Q. Did he come with anybody else from the U.S. Chamber?

8 A. He had somebody with him. I don't recall exactly

9 who it was, though. It wasn't until years later that I recall

10 that Hirschmann started accompanying him a couple years later.

11 Q. Did you talk to Mr. Workman at the conference?

12 A. Sure, introduced him to our people.

13 Q. Who did you introduce him to?

14 A. Our chairman of the board. I introduced him to

15 different members -- of course, he already knew the different

16 politicians.

17 Q. Do you recall where this event was held?

18 A. This particular event was held --

19 Q. In Washington, D.C.?

20 A. Oh, it was in Washington, D.C., but I don't recall

21 that well if it was the Radisson or Marriott. Because we

22 always used -- we did so many events, so many of them, some of

23 them I did at the Marriott, some at the Capital Hilton, some

24 at the Radisson. Some I did at the Hinckley Hilton over there

25

where Reagan got shot.

Some I did at the -- what's it called, the Organization of American States. Others I did at Congress itself. There's a room over there. You go there and you get a room.

Q. And how were the conference rooms decorated at that event?

A. We used a theme of the color, for whatever theme it was that year that we were pushing. But nonetheless, at all the events, we always had our H with the eagle on it and the United States Hispanic Chamber of Commerce.

Q. Were there any printed materials prepared for the conference?

A. All of them. All of them had -- not only did they have invitation printed, but at the conference, we had -- we would give out a notebook to all the attendees with our logo on it, and it said United States Hispanic Chamber of Commerce. And we would give out -- and we would give out a program. We had a program.

Usually they looked like this (indicating), with the H and said United States Hispanic -- I used this one.

Q. Can you describe it since we don't have a copy?

A. Our colors were maroon and gold, colors of the United States Hispanic Chamber of Commerce. And it's solid.

It's a gold -- what do you call this? What do you call this? A gold sheet. It's not paint. It's not paint. It's gold. It's like a gold.

MR. COLBERT: Leaf?

THE WITNESS: Leaf or something. I don't know what they call it, but it's -- but this is our logo. And this is the way we always used it, no matter how big or small. We would put the H, United States Hispanic Chamber of Commerce, and it would be in big banners and everywhere.

Now, if it was something like this and we had other things written up here, for example, the first, the second annual legislative banquet, the international conference, the whatever seminar, and at the bottom it would have this (indicating).

Then others would just have the H up here in big, and on the bottom, it would say the United States Hispanic Chamber of Commerce.

BY MR. ELISEEV:

Q. Okay. And you said it appeared on banners?

A. Banners. We would give out -- this is what we would give out, a notebook.

Q. Please describe what it is.

A. What do you call this, a notebook? Or what would you call it? This is --

Q. A folder?

A. A folder. A folder with -- and inside, we would have material, whatever material we're promoting at the time. And we would put in there the agenda. We would put in there the bios of everybody that was speaking.

Q. And when would these materials be given out to the attendees?

A. They were given out either when they registered or they were given out -- they were at everybody's seat when they went in to sit at the dinner. If it was a reception, then they were given a smaller booklet type of information. And every one of them always promoted our next event, and every one always promoted the annual conference.

Q. Were there podiums used?

A. All the podiums were -- there was podiums used for everything, and all the podiums always had our logo and the United States Hispanic Chamber of Commerce on the podium. And behind it, on a big banner, it would have the name United States Hispanic Chamber of Commerce and the eagle inside the H.

And we would always promote whatever event we were doing at the time. You know, for example, they would have something in there that would look like this (indicating). This is the cover for one of our national conventions. And

the invitation that we would send out or that we would either mail out, whether it be a brochure, whether it be a pamphlet, nonetheless, at the legislative or at our international conference or any seminar, we would have a notebook like this (indicating).

In there would have the agenda, speakers, information, what was going on, and all of them would also have a brochure or a promotional piece of material that said -- that would have the H. It would have the United States Hispanic Chamber of Commerce, our address and whatever the theme of Hispanic business was that year.

And it always said "Hispanic business," because that's what we promoted and that's who we were.

Q. I see. Okay. So we were talking about the first legislative conference organized by the Hispanic Chamber. And that was an annual event?

A. They have been concurrent to this date. There has been about, I don't know, 17 of them since then. They will have another one next month. It will be at the Ronald Reagan Building, same one -- and throughout them, members of the U.S. Chamber of Commerce have attended, whether it was Workman, whether it was some of the other guys.

And at some of them, the employees or leadership of the U.S. Chamber of Commerce spoke. They addressed the

convention or -- they addressed the members of the U.S. Hispanic Chamber of Commerce and the attendees.

Q. Did at that conference Mr. Workman ever tell you that the U.S. Chamber of Commerce objects to the Hispanic Chamber's use of its name or its logo?

MR. COLBERT: Object to compound.

THE WITNESS: No, no. As a matter of fact, no one from the U.S. Chamber of Commerce ever objected to the name of the United States Hispanic Chamber of Commerce, our logo, our H or any of it, because they all, number one, knew we were Hispanic and that's what we were promoting, Hispanic business.

And at the time, they didn't know -- to this day, they don't know how to reach Hispanic business or how to really find us, which is, again, as I've said it many times, the reason we exist is because organizations like the U.S. Chamber of Commerce or its members, the Greater Dallas Hispanic -- the Greater Dallas Chamber, the Greater El Paso Chamber, the Chicago Commerce and Industry, they weren't servicing the Hispanic business community.

They weren't servicing us at all, and that's why we were able to create all these chambers nationwide, all these Hispanic chambers, to the point that in some cities, the Hispanic chamber of commerce is not only larger than what they call a greater chamber, because we're no lesser, and number

two, in some cities, our organization, our chamber of commerce, has been there longer than theirs. San Antonio, Los Angeles, San Diego, New Mexico, Arizona.

MR. COLBERT: Objection to foundation.

BY MR. ELISEEV:

Q. How do you know this information?

A. I have visited all those organizations in those areas that I just mentioned, spoke to their leadership at the time. I know their current leadership today. I was even addressed by members of those so-called greater chambers and told why am I doing this, when the greater chamber exists.

And I said I'm doing this because if your greater chamber exists, you think lesser of us because you don't come and see us at all. So therefore, I have to create a lesser chamber to you, because you're not servicing our community. When you do extract dollars from our community, you don't reinvest it in our community. And when you do take -- you do talk to a chamber or Hispanic businessowner and talk them into being a member, you don't service him, you don't put him in your governance, they're not on your board. You just want their money, but you give no value back to them. And if you did, we wouldn't be who we are.

Q. Does the Hispanic Chamber have any offices abroad?

A. Sure.

Q. Where?

A. We have one office in Mexico City. I created that office also.

Q. When was it opened?

A. I opened it, let's see, going back, going back -- if you have -- I would say I did it around 1993. My first director there was Hector Porres, who I had here working as my assistant, and I sent him down there because he was single, he had international background. He had been with me for quite some time, and he knew the relationship between Hispanic business in America and down there.

And we opened the offices with CONCANACO, which is the Confederation of Chambers of Commerce. We opened it up in their offices, and I sent my guy. They paid for the office. I just paid for the phone line. But I paid for the guy that I sent there, and they gave us a secretary to assist that guy.

Q. Were you at the reception --

A. Well, hold on. In return, I opened up an office inside my offices for the Confederation of Chambers of Commerce of Mexico. They sent up a director to manage that office. I gave him an assistant to support him and help him, and I paid for everything else.

This came about from the trilateral conference of 1993 in which we signed a memorandum of understanding that we

would work together, and I signed a memorandum of understanding with the Chamber of Commerce of Mexico. And then we started working together with the U.S. Chamber of Commerce, the Canadian Chamber of Commerce, the Hispanic Chamber of Commerce of Canada and CONCANACO, Confederation of Chambers of Mexico, CANACO, Chamber of Commerce of Mexico City, which is the largest chamber of commerce in the western hemisphere, and the CONCAMIN, Confederation of Industry and Manufacturers of Mexico, I believe is what it's called.

Q. Why is it called the trilateral conference?

A. Trilateral conference was begun by the governments. It was begun by the governments of the United States, Canada and Mexico.

Originally, our first trilateral conference, there was a trilateral conference done by George Bush, George Herbert Walker Bush, father, in San Antonio, along with Prime Minister Mulroney of Canada and Carlos Salinas, the retiring president of Mexico, and it was to sign the original agreement that we were moving the three countries forward on a North American Free Trade Agreement.

Of course, I was there representing, you know, us. All the other countries sent their chambers, including the U.S. Chamber sent their representatives there. We all met in San Antonio, and we started working toward that end.

1 NINO

2 When George Bush did not get reelected, when Clinton
3 came in, first thing he did, he assigned Secretary Brown, who
4 was the former director, I believe, of the DNC prior to that,
5 or chairman of the DNC. He assigned him to carry on with the
6 trilateral and promote it and to also have him and I think at
7 the time Mickey Cantor was the trade representative, and they
8 had them both participate in doing -- adding to the North
9 American Free Trade Agreement a program on labor, on labor and
10 the environment.
11 Q. What was the nature of your participation in that?
12 A. I participated in all the committees for the Free
13 Trade Agreement. I wrote a lot of stuff on how they should
14 include Hispanic business in each of the things that they're
15 writing. The U.S. Chamber of Commerce was involved in every
16 single committee.
17 Q. How do you know that?
18 A. I saw them there and because they were.
19 Q. Who did you see there from the U.S. Chamber of
20 Commerce?
21 A. Well, Workman, or he always had other people with
22 him that were assigned to work those different areas.
23 Q. Did you work with Workman and other people from the
24 U.S. Chamber during that --
25 A. It's not the fact that I worked. It's that we

collaborated on the same issue to get the North American Free Trade Agreement passed, and we would talk amongst us as to which -- which members of Congress were in favor of the North American Free Trade Agreement.

Q. And how long did this collaboration last?

A. The day I left -- even after I left, I told you they invited me to sit on the committee on lifting the embargo on food and medicine to China, and I was on that with them.

Q. I'm talking about the trilateral conference.

A. It lasted several years. It went on to -- the last time that we did anything as a trilateral was 1997, in Houston, and Hirschmann attended on behalf of the U.S. Chamber.

Q. What was Mr. Hirschmann's first name?

A. I believe it's David Hirschmann. Great guy, great guy. I mean, very knowledgeable about international trade.

Q. Do you know what was his position on the U.S. Chamber at the time?

A. It was my understanding that he was, like, an assistant in the international department. Today he's got a promotion, somewhere else, but he still works for the Chamber, to the best of my knowledge.

Q. When did you first meet Mr. Hirschmann?

A. I would like to say it was '94 maybe.

Q. What were the circumstances of the meeting?

A. He was accompanying his chairman of the board to one of the trilaterals. He accompanied his chairman to the trilateral in Mexico. He accompanied his chairman to the trilateral in Canada.

Q. Do you remember the name of the chairman of the board of the United States Chamber of Commerce?

A. I don't recall his first name, but his last name was Little. And Little -- because my last name is Nino, which means small child, kid, and his name was Little.

And at that time, the president of the Retail Association of Puerto Rico, which is the largest Hispanic Chamber in the hemisphere or in the United States -- 19,000 strong more or less -- his last name is Jose Chico. So chico and little, same thing. And they would kid each other about their names, one being small and the other being chico.

Q. Did you meet Mr. Little?

A. Sure.

Q. When?

A. Back then in '94, '93/'94. And he traveled with us to Canada, I told you. He brought his wife with him and -- you know.

Q. What was happening in Canada at the time?

A. It was the trilateral. It was a continuation of

implementing and supporting the North American Free Trade Agreement and to support our membership to trade with each other.

Q. And you collaborated with the U.S. Chamber --

A. Yeah.

Q. -- at the time?

A. Sure, we did.

Q. Specifically with Mr. Little?

A. Yeah, sure, with Little, with Workman and with Hirschmann and --

Q. Can you describe the nature of the collaboration?

A. We would sit around a big table, all the leadership of the chambers of commerce, and we would talk about how we're supporting each other in different areas and what areas still needed more support from us.

For example, to this day, the trucking issue has always been a big problem. They don't let the trucks come in and out of Mexico. Everybody says it's a safety issue, but it's really a union issue.

Q. And how many times did you sit around the table and discuss these issues?

A. With the trilateral, at least once a year. Minimum once a year, sometimes twice a year. We did it definitely once a year, '93 to '97 more or less. And I left, like I

said, the middle of '98.

But I would always invite all of them to our annual event, and sometimes they came, sometimes --

Q. When you were sitting around the table with Mr. Little and would discuss these issues regarding NAFTA, did Mr. Little know who you were?

A. Yeah.

Q. How do you know that?

A. Number one, I introduced myself to him.

Q. When?

A. '93, I believe it was. Definitely in '94 he had already known me because he traveled with me to Canada.

Q. Did Mr. Little know who you represented?

A. Sure.

Q. What organization you represented?

A. Sure. As a matter of fact, we had a lot of conversations, because both Mr. Little and I are from Chicago. He ran his business, family-owned business, in Chicago for the longest time. And we talked about, you know, I went to Kelvyn Park High School. He was talking about his high school. We were talking about common things, Chicago Bears, the Cubs, things that you do.

So yeah. And we also had at that time Mario Moreno, who sat on our board of directors, which I introduced him to

1 NINO

2 Mr. Little and asked him for his support for Mario, because
3 Mario was running for Cook County commissioner in Chicago and
4 he was going to be the first Mexican-American ever to hold
5 that title, should he win.
6 Of course he won, and today he is the president pro
7 tempore of the county, which means he is number two guy in
8 Cook County, second largest county in America.
9 And I had already introduced Mario to him in a
10 previous time. When did I introduce them? I introduced them
11 before. I'm trying to remember -- it wasn't Canada because
12 Mario did not go to Canada. But I introduced them and asked
13 support for him again in Canada because he was getting elected
14 that fall.
15 And Mario even -- I gave Mario the information to
16 invite him to his reception and all that. Mario would have to
17 speak to that because I don't know if he showed up or not.
18 Q. What is your understanding of Mr. Little's position
19 at the U.S. Chamber of Commerce at the time?
20 A. He was the boss. When you're chairman of the board,
21 you're the boss. Board of directors -- board of directors is
22 the boss of any nonprofit organization. I mean, I know quite
23 a bit about association management. I've taken a lot of
24 classes in association management, you know. I've read a lot
25 about it.

1 NINO

2 I am a who's who among American -- I am on who's who
3 in the American -- ASA, American Society of Association
4 Executives. I was among who's who there, and so was several
5 of the other folks of the other associations. You can go
6 online and get it.
7 Q. How many meetings did you participate in which
8 Mr. Little also participated within the framework of the
9 trilateral conferences?
10 A. I would say two.
11 Q. And where did they take place?
12 A. Canada was one. Canada was one, and the other one
13 that I dealt with him was Mexico.
14 Q. One in Canada and one in Mexico?
15 A. Uh-huh.
16 Q. Any of them took place in the United States?
17 A. Yeah, they did, but he wasn't there. Somebody
18 else -- Workman showed up for that, and somebody else showed
19 up. I forget who it was. And mostly when we did the
20 trilateral things, we were the ones that usually did a lot of
21 the events. Because again, they were economic or business
22 development events, and the U.S. Chamber of Commerce didn't do
23 those kind of events.
24 Sure, they held dinners and receptions, but they did
25 not do a business or economic event. We did. And, you know,

they would attend. Sorry.

Q. In those meetings that were conducted in connection with the trilateral conferences, what other activities did you participate with Mr. Little, aside from sitting around the table and discussing issues?

MR. COLBERT: Objection to foundation.

THE WITNESS: Went to dinner together. Went to a dance together. He brought his wife. You know, just stuff -- like, for example, in Canada, there was all kinds of events for us, Mexico, dinner events. You see a show, you do stuff like that. And we were there. And we would have an adult beverage or two.

BY MR. ELISEEV:

Q. Did Mr. Little ever object to Hispanic Chamber's use of its name or logo?

A. No.

Q. As far as you're aware, did Mr. Little ever object to Hispanic Chamber's use of its name or logo to other representatives of U.S. Hispanic Chamber of Commerce?

A. No.

Q. And if he did, would you know about it?

MR. COLBERT: Objection; foundation.

THE WITNESS: Sure.

BY MR. ELISEEV:

1 NINO

2 Q. Why?

3 A. Because if he would -- if he would object to a

4 Hispanic businessowner about it or Hispanic Chamber, they

5 would tell me because I was their president. He would say

6 this guy is dogging you or something.

7 MR. COLBERT: Objection to foundation.

8 BY MR. ELISEEV:

9 Q. You said there were other representatives of U.S.

10 Chamber of Commerce who participated in the trilateral

11 conference events aside from Mr. Little.

12 A. Uh-huh.

13 Q. Who were they?

14 A. I don't know.

15 Q. Do you know any of those names?

16 A. Hirschmann was one. Hirschmann was one who

17 participated. Workman participated several times, and there

18 was some others. I don't recall their names because they were

19 not in charge.

20 Q. Regarding Mr. Hirschmann, when did he participate?

21 A. As I said, beginning in 1994, every one of them from

22 then on.

23 Q. What about Mr. Workman?

24 A. He participated in several of them. He was not in

25 Canada, but he did participate, you know, in Mexico and here

with us, and until the time he retired. I believe he retired maybe in '97, I'd say.

Q. Did you interact with Mr. Hirschmann during those events?

A. Sure.

Q. What was the nature of the interaction?

A. I'm a good guy. We talked about anything from how his family is doing. Unlike other people at this table, he speaks very good Spanish, very well, and he is very well educated in that arena.

Q. Did Mr. Hirschmann know that you represented the U.S. Hispanic Chamber of Commerce?

A. Sure.

Q. How did he know that?

A. I gave him my card. Mr. Workman introduced me as the president of the United States Hispanic Chamber of Commerce to him, and he was -- he told them to work with me.

Q. When did he introduce you to Mr. Hirschmann?

A. '93, '94. It was '93, in that area.

Q. Did he introduce you as the president of the U.S. Hispanic Chamber of Commerce?

A. Sure, yeah. Introduced me as president of the U.S. Hispanic Chamber of Commerce. And let me tell you, both great guys, did good business and very knowledgeable people. Very

good people.

Q. Going back to the opening of the Hispanic Chamber's Mexico City office, was there an event associated with the opening of the office?

A. Sure. When we -- when we opened the office in Mexico City, we had an opening event to let the world know that we now had an office in Mexico City.

The Mexicans did the same thing here in Washington, D.C. to let everyone know that they had an office here in Washington, D.C.

At the event in Mexico City, I believe the AMCHAMs belonged to the U.S. Chamber of Commerce. The AMCHAMs are the American chambers. They are very close together. And they had representatives there from the AMCHAMs.

Q. What is your understanding of the affiliation between AMCHAMs and the U.S. Chamber of Commerce?

A. Well, the AMCHAMs are the American chambers in all foreign countries, and they are affiliated to the U.S. Chamber of Commerce. And whenever -- they work really close together and so on.

Q. How do you know that?

A. Because they told me so.

Q. Who told you?

A. The folks here at the International Department of

the Chamber of Commerce and the folks at the chamber of commerce in Mexico and Argentina, in Colombia. I met a whole bunch of them throughout the western hemisphere.

MR. COLBERT: Objection to foundation.

BY MR. ELISEEV:

Q. You mentioned --

A. And I always invited the American chamber of commerce, in any foreign country that I went to do an event in or whenever we took a trade mission, I always invited them to collaborate with Hispanic business delegation that I took, and they usually would brief us as to what was going on in the country, or they helped us with the commercial attache of the United States and the embassy, to help us with a briefing on the status of commerce in that country at the time.

Q. Were you personally involved in that briefing?

A. Most of them, yes.

Q. Where would the briefing take place?

A. They would either take place at our hotel or at the embassy or at a location that we mutually agreed to.

Q. And who would be present from the U.S. Chamber of Commerce?

A. Well, I don't know from U.S. Chamber, but from the AMCHAMs, whoever their president -- their director was in the field or whoever their business advocate was.

1 NINO

2 Q. You mentioned that AMCHAMs representatives were
3 present at the opening event for the Hispanic Chamber's Mexico
4 City office.
5 A. Yes.
6 Q. How did they find out about this event?
7 A. We sent them an invitation.
8 Q. Who sent them the invitation?
9 A. I did. My office in Mexico City sent them an
10 invitation with my signature on it. They showed up. They all
11 showed up.
12 Q. Did that event feature the name United States
13 Hispanic Chamber of Commerce?
14 A. Yes, it did. Like any other event, we put up the
15 logo, United States Hispanic Chamber of Commerce logo, the H
16 with the eagle. As I stated earlier, our brochures and our
17 folders with the names and everything, everybody was given
18 one.
19 Everybody received a briefing on who we are, what we
20 do, what is our intention, everything, a list of everybody
21 attending the delegations and so on. The list of our board of
22 directors was in every single package, where they're from,
23 what kind of business they run and what is their position with
24 the U.S. Hispanic Chamber of Commerce.
25 MR. ELISEEV: I would like to take a break, a lunch

break.

MR. COLBERT: Lunch?

MR. ELISEEV: Yes, if it's not too early.

MR. COLBERT: 11:30?

THE WITNESS: It's 11:30.

MR. ELISEEV: So?

MR. COLBERT: Why don't you just keep going? What are you looking at having left? If we do that --

THE WITNESS: We can take a break.

MR. COLBERT: If you've got, like, an hour, we can break at 12:30 like we did yesterday.

MR. ELISEEV: Yeah, let's take 10 minutes.

(Recess.)

MR. COLBERT: Let the record reflect that we've been on a break for 35 minutes and been informed by counsel, Mr. Eliseev, that in order to enable them to make copies of documents brought by the witness today.

MR. ELISEEV: Yes, and Mr. Nino had to make a personal phone call, so it took longer than expected.

THE WITNESS: I apologize. Mostly because it was out of the country and it was all in Spanish -- you guys are getting paid here. I'm doing this and taking care of clients. Otherwise I'll lose them.

MR. ELISEEV: I would like to mark this as Exhibit

25.

(Applicant's Exhibit 25 identified.)

THE WITNESS: "Networking."

BY MR. ELISEEV:

Q. Yes. Mr. Nino, can you take a look at this and tell me what it is.

A. "Networking" is a newsletter of the United States Hispanic Chamber of Commerce. I was a publisher and editor of this particular newsletter for about eight years, nine years.

Q. Do you know when the first issue was published?

A. Of "Networking"?

Q. Yes.

A. I don't remember. I believe it was published in the '80s. I would think it was the middle to later part of the '80s, when "Networking" was first done. I was on the board at the time.

Q. You said you were the publisher of the "Networking." What did you mean by that?

A. I was the editor. I approved all the copy, everything that was -- the pictures, the writings that went into it. I also suggested stuff to be put in there. And at one time, I was even doing -- I was laying copy for it, when we didn't have -- I know how to do that. I have a background in that.

Q. Okay. And who is this magazine distributed to?

A. The United States Hispanic Chamber of Commerce "Networking" newsletter, number one, goes to the membership of the U.S. Hispanic Chamber of Commerce, but it's also used as a marketing tool to all its friends and potential recruits.

Q. Can you please turn to page 7 of the magazine.

A. Page 7, yes.

Q. First of all, what is the date of this magazine?

A. May/June 1998, last century.

Q. Can you read the heading on page 7?

A. Page 7. "USHCC Hosts Second International Conference."

MR. COLBERT: Just for clarity, by "7," do you mean 5957 or some other thing?

MR. ELISEEV: Well, I meant the page 7 of the magazine, but it's Bates stamped at H 05958.

MR. COLBERT: Okay. Because it says -- okay. Because there's no page number on it. I didn't see it. Thank you.

BY MR. ELISEEV:

Q. Did you attend that conference?

A. Yes, I did.

Q. What kind of conference was it?

A. International conference. It was international

conference on trade, and it was put together by the United States Hispanic Chamber of Commerce on how to do business internationally.

Q. Do you remember where it took place?

A. Yes. It took place at the Capital Hilton.

Q. Actually, I believe it says over here, first column, it's not Capital Hilton.

A. Washington Marriott? Let me see, Capital Hilton. The Capital Hilton was 1998. Let's see. Yes. Yeah, it was the Marriott, I'm sorry.

Q. Do you remember how many days did the conference last?

A. Best of my understanding, it was a one-day conference. Could have been two, but I was only there one day.

Q. Do you remember how many people attended the conference?

A. I saw several hundred.

Q. And are those attendees all by invitation?

A. To the best of my knowledge, yes.

Q. And who did the invitation come from?

A. First invitation to it came from me, okay, at the earlier part of the year for this particular conference.

Q. You as the president and CEO?

1 NINO

2 A. As president and CEO of the United States Hispanic
3 Chamber of Commerce. The second invitation would have come
4 from either Roxana Chahin, who was one of our vice presidents,
5 or Ms. Farenenti, Flavia Farenenti, director of international
6 for the USHCC.
7 Q. Can you please take a look at the picture in the
8 middle column on page 7 of the magazine.
9 A. Yes.
10 Q. And read what's written underneath.
11 A. Sure. "Left to right, ambassador of Bolivia,
12 Marcelo Perez Monasterios; Ambassador Dominican Republic,
13 Bernardo Vega; managing director of the western hemisphere,
14 U.S. Hispanic Chamber of Commerce, David Hirschmann; and
15 Ambassador of El Salvador, Rene Leon, participate in Marketing
16 of the Americas business session."
17 Q. Is that Mr. Hirschmann that you were talking about
18 earlier?
19 A. Yes.
20 Q. Do you recall seeing Mr. Hirschmann at the
21 conference?
22 A. Sure.
23 Q. Do you recall speaking to Mr. Hirschmann at the
24 conference?
25 A. Yes, I did.

1 NINO

2 Q. Do you remember if he gave a speech at the
3 conference?
4 A. He was one of the panelists. He was one of the
5 panelists on this particular seminar.
6 Q. Do you remember how many panelists were there
7 altogether?
8 A. Four -- could have been five, but I think it was
9 four. Could have been five.
10 Q. Do you remember if there was anybody else present at
11 the conference from the U.S. Chamber of Commerce?
12 A. No, I don't remember.
13 Q. Do you remember what seminar was that that
14 Mr. Hirschmann was a panelist on?
15 A. Marketing of the Americas.
16 MR. COLBERT: Objection; asked and answered.
17 BY MR. ELISEEV:
18 Q. Pardon me?
19 A. Marketing of the Americas.
20 Q. And do you know how Mr. Hirschmann would know about
21 this conference?
22 A. I invited him.
23 Q. How did you invite him?
24 A. Sent him a letter, and it was followed up
25 afterwards -- had to have been followed up by Ms. Chahin

afterwards or Flavia, because we had a repetitive on all our speakers and the invitees. We sent out several mailings.

Q. Did the attendees have to pay any fee to attend the conference?

A. The attendees, yes. The speakers, no.

Q. Okay. And would Mr. Hirschmann have to pay a fee to participate?

A. No, not this particular one.

Q. Was this conference decorated the same way other U.S. Hispanic Chamber of Commerce conferences were decorated, as you described earlier?

A. It should -- it was. It had the logo of the U.S. Hispanic Chamber of Commerce on its podium. And outside, as you walk in, it had the -- a banner, and it had an easel that had a sign that said U.S. Hispanic Chamber of Commerce, and it would say what session it was, Marketing to the Americas session.

Q. Was there any printed materials given out to the attendees at the conference?

A. Yes, there was. There was printed material given out in a folder, in a maroon and gold folder.

Q. Okay. Did the name United States Hispanic Chamber of Commerce appear on the materials?

A. Yes, it did.

1 NINO

2 Q. At that conference, did Mr. Hirschmann object to you
3 in any way of the Hispanic Chamber's use of its name or the
4 logo?
5 A. No.
6 MR. COLBERT: Objection to foundation.
7 BY MR. ELISEEV:
8 Q. Did the Hispanic Chamber ever receive a letter from
9 the U.S. Chamber of Commerce after this conference in which
10 the U.S. Chamber objected to the use of the name United States
11 Hispanic Chamber of Commerce or its logo?
12 A. I would not know that.
13 Q. Because?
14 A. I left after that. I left in the middle -- at the
15 end of April officially. April '98 I officially left the U.S.
16 Hispanic Chamber of Commerce. I became its consultant for a
17 year. As its consultant, I was not given any information on
18 it.
19 Q. When you say you were not given any information,
20 what do you mean?
21 A. I was not given any information as to the fact if
22 the U.S. Chamber of Commerce would have sent any letter at
23 all.
24 Q. I see.
25 A. I was not involved day to day.

1 NINO

2 Q. You were still participating in conferences of the
3 Hispanic Chamber?
4 A. I participated in the conferences. I was a
5 consultant to the organization, its president, its board of
6 directors, its chairman. And they paid me for it, you know,
7 but I -- but I wasn't involved day to day.
8 Q. Is it unusual that Mr. Hirschmann, as a
9 representative of the U.S. Chamber of Commerce, was a panelist
10 on a Hispanic Chamber event?
11 MR. COLBERT: Objection to foundation. Objection to
12 the form of the question. Sorry.
13 THE WITNESS: It's not unusual at all. It's not
14 unusual for Hirschmann to be a panelist to the organization.
15 He had -- was very aware of the organization, had been
16 participating with us for quite some time, several years, as a
17 matter of fact, and had attended several of our conferences or
18 annual event. As a matter of fact, that same year, in '97, he
19 was also at the legislative event.
20 Q. And did you speak with him at that event?
21 A. Sure.
22 Q. Was there anybody else from U.S. Chamber of
23 Commerce?
24 A. I don't recall.
25 Q. Do you know who Mr. Kovacs is?

A. Sure.

Q. Who is he?

A. He works for the U.S. Chamber of Commerce.

Q. Do you know in which capacity?

A. He's the environmental guy.

Q. Have you met Mr. Kovacs?

A. Yes.

Q. When did you first meet him?

A. I don't recall when I first met him, but he spoke at the legislative conference for the U.S. Hispanic Chamber of Commerce.

Q. When did he speak at that event?

A. '96 -- I'm sorry, 2006, 2007, over at the Ronald Reagan Building.

Q. Did you see him speak there?

A. Uh-huh, yes.

Q. Can you describe to me that event at which you saw Mr. Kovacs speak?

A. Yeah, that's the event to which the President of the United States showed up to speak to us.

Q. You said it was in the Ronald Reagan Building here in Washington?

A. In Washington, D.C. at the International Ronald Reagan Building, Pennsylvania Avenue, I believe it is.

1 NINO

2 Q. How long did the event last?

3 A. A day, one day, and then they had a dinner that

4 evening.

5 Q. How many people were in attendance?

6 A. I estimate about four or 500 people were in

7 attendance.

8 MR. COLBERT: Objection; foundation.

9 BY MR. ELISEEV:

10 Q. How do you know that?

11 A. I have done so many of these that I just need to

12 take a look at the room, I could tell you more or less how

13 many people are in there. Usually either rounds of eight or

14 rounds of 10 -- the tables, called rounds of eight or rounds

15 of 10. If there are rounds of 10, you look around, there's

16 five, 10, 15, 20, just multiply. Because I did so many of

17 them, I can look at a room and tell more or less what it is.

18 Q. Did you speak with Mr. Kovacs at that conference?

19 A. No.

20 Q. How was the conference hall decorated?

21 A. It had the USHCC logos on it, United States Hispanic

22 Chamber of Commerce. As you walk in, you had them on easels;

23 you had them on the booklets that they gave you. Booklets

24 were white, white and blue, I believe it was, white and blue,

25 the folders which they gave you the agenda and information,

who was speaking, backgrounds and so on.

Q. Was the Hispanic Chamber Foundation's logo featured anywhere in the conference hall?

A. Yes, it was.

Q. Where?

A. It was in the literature. That's where I saw it. And it was also posted in different areas.

Q. Do you recall --

MR. COLBERT: I'm sorry, could you read the question and answer back, please?

(The reporter read the record as requested.)

MR. COLBERT: Thank you.

BY MR. ELISEEV:

Q. Do you remember how the podiums were decorated?

A. Podium had the logo the United States Hispanic Chamber of Commerce, it was behind -- first it was -- they do it real big up here (indicating), and then they have smaller --

Q. "Up here." Where is that?

A. On the wall, behind the speakers. It's like -- what do you call it -- a backdrop maybe.

Q. And what is on the backdrop?

A. It was the logo of the United States Hispanic Chamber of Commerce and the wording the United States Hispanic

Chamber of Commerce.

Q. During your tenure as president and CEO of the Hispanic Chamber, did you participate in the organization of the Hispanic Chamber's events?

A. Did I participate --

Q. In organizing the Hispanic Chamber events?

A. Oh, yes, I organized -- I participated in organizing every single event that the United States Hispanic Chamber of Commerce did during the time that I was president and CEO. I had the final decision on what would be done at each one of them.

Q. How close did you work with people who were dealing with the details of the organization?

A. My event services department spoke to them almost on a daily basis.

MR. COLBERT: This looks like an original. Maybe you want this one. I think -- unless it's a letter addressed to me.

UNIDENTIFIED SPEAKER: I think it is a letter addressed to him.

MR. COLBERT: I didn't want to look at it until after Andrew looked at it first. Just wanted to do that because Andrew was a little nervous there.

Thank you.

1 NINO

2 Just for the record, I've been handed a whole stack
3 of documents marked with production numbers in the middle or
4 actually very close to the end of today's deposition, long
5 after the close of discovery, which continues the practice of
6 producing documents, which started last week, just prior to
7 the commencement of the depositions.
8 This looks like it's number 77694 through 77961.
9 Haven't had a chance to look at them yet. Thank you.
10 MR. ELISEEV: We'll break for lunch so you can get a
11 chance to look at them.
12 MR. COLBERT: Right. So if we can finish up, I'll
13 take a break at lunch and see what we've got here.
14 MR. ELISEEV: Can you read the last question and
15 answer, please?
16 (The reporter read the record as requested.)
17 MR. ELISEEV: We can break now. We'll take a break;
18 you will be able to look at the documents. After the break, I
19 will introduce the documents and, shortly afterwards, I'll
20 finish my portion.
21 MR. COLBERT: Okay. I'm going to render my
22 objection now. I'll obviously, at the time that you offer
23 these documents, do it again. But I'm going to object to the
24 continuing practice of producing documents at the last second
25 when discovery has been closed for months.

1 NINO

2 I object to what I consider to be an effort to
3 string out the deposition to the point where I cannot
4 adequately conduct my cross-examination this afternoon because
5 I'm surprised with documents in the middle of the deposition.
6 So I have a continuing objection not only to the
7 documents but the continuation and use of this deposition at
8 all. Thank you.
9 And when do you want to be back here at, 2:00?
10 MR. ELISEEV: I'll respond to you. These documents
11 date back -- some of them date back to early '90s, so they
12 were just discovered by Mr. Nino. So this is the first
13 occasion when we could produce them to you.
14 MR. COLBERT: And I'll respond to that. My response
15 is it's the obligation of the organization which controls
16 these documents, not Mr. Nino's obligation. He had no
17 obligation in this case; it was yours, and your failure to
18 make production. That's just for the record.
19 MR. ELISEEV: We can break until 1:20.
20 MR. COLBERT: No, let's make it until 2:00 if I'm
21 going to look at these documents.
22 (Whereupon, at 12:21 p.m., the deposition was
23 recessed, to be reconvened at 2:00 p.m. this same day.)
24
25

1 NINO

2 AFTERNOON SESSION (2:02 p.m.)

3 Whereupon,

4 JOSE NINO

5 resumed the stand and, having been previously duly sworn, was

6 examined and testified further as follows:

7 MR. COLBERT: I would like to ask a question before

8 we get started. I see the package of materials you produced

9 to me just before the lunch break -- is Jill here?

10 MR. ELISEEV: Jill is here, yes.

11 MR. COLBERT: Thank you.

12 MR. ELISEEV: All set?

13 THE WITNESS: Yes, yes, sir.

14 MR. ELISEEV: I would like to mark as Exhibit 26 --

15 you have your copy; right?

16 MR. COLBERT: What you gave me today?

17 MR. ELISEEV: Yes.

18 MR. COLBERT: Will you produce another copy to me

19 later of this? What does it look like?

20 MR. ELISEEV: The dark one, that's it.

21 MR. COLBERT: Begins H 07899?

22 MR. ELISEEV: Yes.

23 (Deposition Exhibit 26 identified.)

24 BY MR. ELISEEV:

25 Q. Mr. Nino, can you take a look at the document and

tell me what it is?

A. You're asking me?

Q. Yes.

A. Yes. This is a copy of the Second Annual Convention and Trade Fair Magazine of the United States Hispanic Chamber of Commerce.

Q. Have you attended the Second Annual Convention and Trade Fair?

A. No.

Q. Are you familiar with this magazine?

A. Yes, I am.

Q. How?

MR. COLBERT: Object. Object to the characterization of the testimony as inaccurate.

Answer.

BY MR. ELISEEV:

Q. Go ahead.

A. I am familiar with this copy of this magazine because it was given to me by the president of the United States Hispanic Chamber of Commerce, volunteer at that time, in 1991, sometime around November, when they came to Chicago.

And I was appointed to the USHCC convention committee for the convention that was going to be put -- it was going to be done in Chicago for 1982. And they gave it to

me as a reference of what we needed to put together for the national convention.

Q. Can you tell me, what is that logo that appears on the front page?

A. The logo with the two Cs, one on top of the other, and in the middle, two hands shaking, that is for the chamber of commerce, and that is kind of like the good house seal of approval.

Q. When you said it's for the chamber of commerce, which chamber of commerce?

A. This is given to any chamber of commerce that pays its money to the U.S. Chamber of Commerce, because they -- they own it, and they -- if you're a chamber of commerce or you're an affiliate federation of theirs, they give you the rights to use this logo, but you've got to pay for it.

Q. Who gives the rights?

A. The U.S. Chamber of Commerce will give you this if you are a member in good standing or a member that pays their money to them. They will let you use this and let -- and this lets everybody know that you are a chamber of commerce -- part of the U.S. Chamber of Commerce or that the U.S. Chamber of Commerce recognizes you as a U.S. Chamber of Commerce.

Q. So does it mean that this stamp appears on this magazine, that United States Hispanic Chamber of Commerce was

a member of the United States Chamber of Commerce?

MR. COLBERT: Foundation. Objection; foundation.

THE WITNESS: Not only does it mean that the U.S. Hispanic Chamber of Commerce was a member of the U.S. Chamber of Commerce, but it also means that you are recognized by the U.S. Chamber of Commerce as a chamber of commerce.

BY MR. ELISEEV:

Q. How do you know this information?

A. It was told to me by the chamber of commerce. I have been working within the chamber system and association management for many years. It's common knowledge in the industry.

MR. ELISEEV: I would like to mark as Exhibit 27 --

MR. COLBERT: I have a photocopy of the original that's in your hand. Begins with document production number H 07740?

MR. ELISEEV: That's correct.

(Deposition Exhibit 27 identified.)

BY MR. ELISEEV:

Q. Can you take a look at the document and tell me what it is?

A. This document in front of me right now is a copy of the United States Hispanic Chamber of Commerce convention magazine for 1993, which was their 14th annual national

1 NINO

2 convention, held in New York City.

3 Q. Okay. Did you attend this convention?

4 A. Not only did I attend this convention, I organized

5 it, I billed it, I sold it, I paid for it.

6 Q. Did you in any way participate in preparing this

7 issue and publishing it?

8 A. Yes, sir. The ultimate word on the layout and the

9 content of this document was mine.

10 Q. Can you please turn one page -- two pages?

11 A. This would be one page, two pages, okay.

12 Q. And read the designation on the bottom, please.

13 A. Are we talking --

14 Q. H --

15 A. H 07742. It's got a handsome picture of a guy named

16 Jose Nino.

17 Q. Who is that?

18 MR. COLBERT: Looks like your younger brother.

19 THE WITNESS: That is I, without a beard.

20 (Laughter.)

21 What a handsome guy.

22 BY MR. ELISEEV:

23 Q. What appears to the left of the picture?

24 A. To the left of the picture is "Bienvenidos Amigos a

25 Neuva York." It's a welcoming letter to the New York

convention, signed by me.

Q. This is your signature on the bottom?

A. Correct.

Q. Could you please turn to the page showing Bill Clinton on it?

A. Bill Clinton, President of the United States.

Q. Could you please read the designation on the bottom?

A. H 07747.

Q. Yes. What does appear on this page?

A. This page is a welcoming letter or a greeting letter from the President of the United States to those attending the 14th Annual National Convention, an expo of the United States Hispanic Chamber of Commerce, September of 1993.

Q. And so you included this letter in the magazine?

A. Correct. It was a letter addressed from the President of the United States to our members and our attendees, William Jefferson Clinton, the honorable.

Q. Can you tell me what appears on the next page?

A. Next page is a letter, in Spanish, addressed, in Spanish, to the chamber of commerce -- the United States Hispanic Chamber of Commerce. And this letter is a greeting letter by the President of Mexico, Carlos -- the Honorable Carlos Salinas de Gortari, to those members attending the 14th Annual National Convention in New York City.

1 NINO

2 Q. Can you tell me what appears on the page after that
3 letter?
4 A. The following letter is a letter of -- a letter from
5 Kimberly -- the Honorable Kimberly Campbell, prime minister of
6 Canada. It is a letter addressed to those attending the
7 United States Hispanic Chamber of Commerce 14th Annual
8 National Convention. It is a greeting by the prime minister
9 to the membership and those attending the convention.
10 Q. Now, did any of these presidents actually
11 participate in the conference?
12 A. None of these three actually attended the event in
13 New York City.
14 Q. Why did they send the letters?
15 MR. COLBERT: Objection; foundation, form.
16 THE WITNESS: They sent the letters because of our
17 involvement with the North American Free Trade Agreement and
18 the trilateral conference.
19 BY MR. ELISEEV:
20 Q. Whose involvement?
21 A. The United States Hispanic Chamber of Commerce and
22 its membership.
23 Q. Can I see it for a second? I'm going to show you
24 page 115 of the magazine and Bates stamped H 07856.
25 A. Okay. I am seeing --

1 NINO

2 Q. Can you read the heading on the page, please?

3 A. H 07856, the heading of this page -- excuse me?

4 MR. COLBERT: I'm just trying -- got to catch up

5 with you. I'm just a little behind you, sorry.

6 THE WITNESS: It says page 115, H 07856.

7 The heading reads "the USHCC Board of Directors on

8 Their Visit to Mexico."

9 BY MR. ELISEEV:

10 Q. Did you participate on that visit?

11 A. Yes, I did.

12 Q. What was the purpose of the visit?

13 A. Purpose of this visit was the inaugural trilateral

14 conference between the United States, Mexico and Canada, in

15 which the Honorable Ron Brown, Secretary of Commerce of the

16 United States, went and met personally with the Honorable

17 Dr. Janie Serra Puche, Secretary of Commerce of Mexico.

18 Q. When was it?

19 A. It was held on March 18 and 19, 1993 in the city of

20 Monterey in the state of Neuvo Leon in Mexico.

21 Q. Did anybody from the U.S. Chamber participate on the

22 same visit?

23 A. Yes, they did.

24 Q. Who participated?

25 A. In this particular visit, one of them was

1 NINO

2 Mr. Workman, and I forget the name of the other people.

3 Q. Did you meet with Mr. Workman on that visit?

4 A. Yes, we greeted each other, said hello.

5 Q. Okay. That's not -- that was not the first time you

6 met Mr. Workman?

7 A. No, it's not.

8 MR. ELISEEV: We'll mark as Exhibit 28 the document

9 Bates stamped H 07707.

10 (Applicant's Exhibit 28 identified.)

11 BY MR. ELISEEV:

12 Q. Can you take a look at it and tell me what it is?

13 A. This is a copy of the 1992 Legislative Forum and

14 Banquet of the United States Hispanic Chamber of Commerce.

15 Q. Who is it published by?

16 A. I did, United States Hispanic Chamber of Commerce.

17 I published it for them.

18 Q. Did you approve the publication of this document?

19 A. Yes, I did. Publication, the layout, the wording,

20 all of it.

21 Q. Did you participate in this event?

22 A. Yes, I did.

23 Q. Did anyone from the -- did any representatives from

24 the U.S. Chamber of Commerce participate in this event?

25 A. Yes.

Q. How did they know about this event?

A. I sent a letter of invitation to the United States Chamber of Commerce.

Q. Who was it addressed to?

A. It was addressed to the -- initially, it was addressed to the president at that time, but also to their vice president of international, Mr. Workman.

Q. And who appeared at the conference from the U.S. Chamber of Commerce?

A. Mr. Workman was at the conference.

Q. Okay. And did that -- did this conference -- was this conference decorated similarly as other conferences that we discussed earlier today?

A. Yes. There was also a couple other people from the U.S. Chamber, but I don't remember their name. I did not interact with them.

MR. ELISEEV: I would like to mark as Exhibit 29 a document starting with H 07699.

(Applicant's Exhibit 29 identified.)

MR. COLBERT: What's the numbers?

THE WITNESS: H 07699.

MR. COLBERT: I have no such document.

MR. ELISEEV: Do you mind if I look?

MR. COLBERT: I have this and this. That's what you

gave me. I think they all started in 77, I think. If it starts with a number of 76, it's not one of the ones in the group that you gave me.

MR. ELISEEV: That's it.

MR. COLBERT: There it is, okay. Thank you.

BY MR. ELISEEV:

Q. Can you tell me what this document is, please?

A. This is a copy of the 1995 Fifth Annual Legislative Forum and Banquet invitation.

Q. Who was it published by?

A. United States Hispanic Chamber of Commerce.

Q. How do you know that?

A. I approved it.

Q. You approved the publication of the document?

A. Yes, I did.

Q. Did you attend this document?

A. I did attend this event.

Q. Did anybody from the U.S. Chamber of Commerce attend this event?

A. Yes.

Q. How did they know about this event?

A. I sent an invitation to the U.S. Chamber of Commerce for this event.

Q. Do you remember who it was addressed to?

A. No, I don't remember.

Q. Do you remember who from the U.S. Chamber of Commerce attended?

A. David Hirschmann and Mr. Workman.

Q. And this event was decorated similarly to other U.S. Hispanic Chamber of Commerce conferences?

A. Yes, it was.

Q. With the name of the Hispanic Chamber and the logo appearing on the materials?

A. Correct.

MR. ELISEEV: We'll mark as Exhibit 30 the document starting with H 07694.

(Applicant's Exhibit 30 identified.)

BY MR. ELISEEV:

Q. Can you tell me what this document is?

A. This document is a copy of the United States Hispanic Chamber of Commerce Third Annual Legislative Forum and Banquet, held at the Capital Hilton in Washington, D.C.

Q. Who is this document published by?

A. United States Hispanic Chamber of Commerce.

Q. And did you approve the publication of this document?

A. Yes, I did.

Q. Did you participate in organizing this event?

1 NINO

2 A. Yes, I did.

3 Q. Did you attend this event?

4 A. Yes.

5 Q. Did anybody from the U.S. Chamber of Commerce attend

6 this event?

7 A. Yes.

8 Q. How did they know about this event?

9 A. I sent them an invitation.

10 Q. Who was it addressed to?

11 A. I don't remember.

12 Q. Do you remember who from the U.S. Chamber of

13 Commerce appeared at the event?

14 A. Mr. Workman.

15 Q. And this conference was decorated and had materials

16 featuring the United States Hispanic Chamber of Commerce name

17 and logos like any other events?

18 A. Yes.

19 MR. ELISEEV: I would like to mark as Exhibit 31 a

20 document starting with H 07727.

21 (Applicant's Exhibit 31 identified.)

22 BY MR. ELISEEV:

23 Q. Can you tell me what this document is?

24 A. This is the First Annual International Conference

25 Gala Banquet of the United States Hispanic Chamber of

Commerce.

Q. Who was this brochure published by?

A. United States Hispanic Chamber of Commerce.

Q. Did you participate in publishing this document?

A. Yes, I did.

Q. In which way?

A. I approved it.

Q. Did you participate in organizing this event?

A. Yes, I did.

Q. How large was this event? How many attendees?

A. This particular event we had over -- I believe we had over 600 people, maybe -- yeah, well over 600 people attend.

Q. Did anybody from the U.S. Chamber of Commerce attend this event?

A. Yes.

Q. How did they know about this event?

A. I sent them an invitation.

Q. Do you recall who the invitation was addressed to?

A. No, I don't recall.

Q. Do you recall who attended the event from the U.S. Chamber of Commerce?

A. David Hirschmann.

Q. Okay. And the -- this banquet was decorated and the

materials associated with the banquet contained the name "U.S. Hispanic Chamber of Commerce" and the logo --

A. Yes, sir.

Q. -- of the Hispanic Chamber, like any other events?

A. Yes, sir.

MR. ELISEEV: I would like to introduce and mark this as Exhibit 32.

(Applicant's Exhibit 32 identified.)

MR. ELISEEV: H 07739.

MR. COLBERT: Just a single sheet; correct?

MR. ELISEEV: Yes, yes.

BY MR. ELISEEV:

Q. Can you tell me what it is, Mr. Nino?

A. This is a letter from the Minister of Economic Development and Tourism, the deputy premier from Alberta, Canada. It's addressed to myself, Jose Nino, president, chief executive officer, United States Hispanic Chamber of Commerce, Washington, D.C., by Ken Kowalski, deputy premier minister.

Q. Do you know why you received this letter?

A. Yes, I do.

Q. Why?

A. I met him at the third trilateral conference in Banff, Alberta, Canada. And he was just sending a thank you very much for having been there and hoped that our goals were

achieved regarding the North American Free Trade Agreement and the framework of the Commercio.

Q. Did anybody from the U.S. Chamber of Commerce participate in this event?

A. Yes, sir.

Q. Who?

A. Chairman of the board, Mr. Little, and David Hirschmann.

Q. Did you have any interaction with either Mr. Hirschmann or Mr. Little at this event?

A. Both. With both of them I -- number one, we dined together, parted bread together. We attended reception together, dinner. We also sat at a roundtable session with members and the leadership of the Canadian Chamber, Canadian Hispanic Chamber, the Confederation of Chambers of Commerce of Mexico, CONCANACO, and ourselves.

Q. Do you know if Mr. Hirschmann and Mr. Little know that you represent United States Hispanic Chamber of Commerce?

A. Yes, sir.

Q. How do you know that?

A. We had already done several conferences together. This was just the third in line. We'd already done one in the United States, Mexico, and it was Canada's turn. And we were trying to rotate them so that we would support each other's

1 NINO

2 chambers of commerce in Canada, United States and Mexico.

3 Q. Did either Mr. Little or Mr. Hirschmann object at

4 this event or after that event to Hispanic Chamber's use of

5 its name or its logo?

6 A. No, sir.

7 MR. COLBERT: Objection; foundation.

8 BY MR. ELISEEV:

9 Q. Were you present at the signing of the NAFTA

10 agreement?

11 A. Yes.

12 Q. Where was the signing to take place?

13 A. It was multiple. I was present at the one here in

14 the United States.

15 Q. Who was actually signing the agreement?

16 A. There was two agreements signed. First agreement

17 was signed by President -- first program of the North American

18 Free Trade Agreement was signed by President Bush, President

19 Carlos Salinas de Gortari, and Prime Minister Mulroney. They

20 were the first ones in the involvement.

21 Afterwards, President Clinton became a party to it

22 when he won election over George Bush to the presidency of the

23 United States.

24 Q. Did you attend both signings?

25 A. I was at both when they were signing the paperwork.

1 NINO

2 Q. Where was the first signing to take place?

3 A. There was multiple signings. One was here in the

4 United States, down in San Antonio, where they signed. They

5 signed another one here in Washington. They did ceremonials

6 in Mexico and Canada. I did not attend.

7 Q. Do you remember if many people attended the signing

8 of the NAFTA agreement?

9 A. Yeah, there was a lot of people at these signings.

10 Q. How many would you estimate?

11 A. I don't know. Lots. I mean, the whole country --

12 everybody came out to them. There was a lot of people at the

13 events. However, due to security reasons, only so many people

14 were allowed in the actual signings.

15 Q. Do you recall if anybody from the U.S. Chamber of

16 Commerce was present at the signing of the NAFTA agreement?

17 MR. COLBERT: Objection to the form of the question.

18 THE WITNESS: Only at the one down in San Antonio.

19 BY MR. ELISEEV:

20 Q. Do you remember who from the U.S. Chamber of

21 Commerce was present?

22 A. I remember Mr. Workman.

23 MR. COLBERT: Mr. Who? I'm sorry.

24 THE WITNESS: Mr. Workman.

25 MR. COLBERT: Thank you.

1 NINO

2 BY MR. ELISEEV:

3 Q. Did you interact with Mr. Workman that day?

4 A. We greeted each other.

5 Q. At the ceremony?

6 A. Uh-huh, yes.

7 MR. ELISEEV: I would like to mark as Exhibit 33

8 articles of incorporation. It's the document Bates stamped H

9 07896.

10 (Applicant's Exhibit 33 identified.)

11 BY MR. ELISEEV:

12 Q. Can you please take a look at the document and tell

13 me what it is?

14 MR. COLBERT: Just a moment, just a moment.

15 THE WITNESS: Yes.

16 MR. COLBERT: Just a moment.

17 BY MR. ELISEEV:

18 Q. Can you read again the number on the bottom, please?

19 A. H 07896.

20 MR. COLBERT: H 078896?

21 THE WITNESS: Yes.

22 MR. COLBERT: Maybe you can work your magic again

23 and find it in here, Andrew. I don't see it. I have two sets

24 of the bylaws, but I have no articles of incorporation.

25 MR. ELISEEV: Can you give this to Mr. Colbert,

please?

MR. COLBERT: Don't you want the witness to -- you -- I think the witness is going to have to look at the original exhibit if he is to testify. Or do you want to mark the original? Do you want me to look at the book?

MR. ELISEEV: Yes, you should look at the book.

MR. COLBERT: That's fine. I'll follow on this one, if you don't mind. I just don't want to have the questions and him not looking at the same thing.

BY MR. ELISEEV:

Q. Can you tell me what this is?

A. These are the Articles of Incorporation of the United States Hispanic Chamber of Commerce Foundation, Inc.

Q. Did you participate in drafting them?

A. Yes, I did.

Q. Can you read for me what's designated as "third," on the first page?

A. "Third. Purpose for which this corporation is organized are to advance the costs of minority economic and business development, in particular as it refers to promoting the early leadership development of youth, individuals and families and the promotion of self-reliance and entrepreneurship to exercise, possess and enjoy all rights and powers which now or at any time hereafter may be granted or

exercised by the corporation organized under the Nonprofit Corporation Act of Washington, D.C., section 501(c)(3) of the Internal Revenue Code."

Q. Did you participate in drafting this particular provision?

A. Yes.

Q. Is that consistent with the mission of the organization?

A. Yes.

MR. ELISEEV: I would like to mark as Exhibit 34 -- I'll take the book back.

(Applicant's Exhibit 34 identified.)

BY MR. ELISEEV:

Q. Can you please tell me what this document is?

A. Bylaws of the United States Hispanic Chamber of Commerce Foundation.

Q. Have you participated in drafting this document?

A. Yes.

Q. How many other people participated in drafting this document?

A. It was several, along with legal counsel, of course.

Q. Can you turn to the last page --

A. Yes.

Q. -- and look at the signatures on the bottom.

1 NINO

2 A. Yes.

3 Q. Is any of these signatures yours?

4 A. Yes, the last one.

5 Q. And in what capacity did you sign this document?

6 A. I was one of the original incorporators of the

7 organization.

8 Q. Thank you. Do you know who Steven Bokat is?

9 A. Yes.

10 Q. Who is he?

11 A. Legal counsel, former legal counsel of the U.S.

12 Hispanic -- of the U.S. Chamber of Commerce.

13 Q. Have you met Mr. Bokat?

14 A. Yes, I have met him before.

15 Q. When did you meet him the first time?

16 A. Met him during one of the visits of the President of

17 Mexico.

18 Q. When was that?

19 A. It had to be sometime around 1994, 1995 maybe.

20 Yeah, around '95.

21 Q. What event was that?

22 A. At the U.S. Chamber of Commerce -- U.S. Chamber of

23 Commerce held a function in which President of Mexico came to

24 speak at their office.

25 Q. And were you invited to attend the event?

A. Yes, I was.

Q. Who were you invited by?

A. President of the Chamber of Commerce.

Q. President of the United States Chamber of Commerce?

A. Yes.

Q. Did anybody from the United States Hispanic Chamber of Commerce appear with you?

A. Yes, a lot of us. We bought two tables to support the event, for about $10,000 each or something like that. It was upwards of those numbers.

Q. And how did you pay that fee?

A. I wrote out a check, a U.S. Hispanic Chamber of Commerce check, and I sent it over to their international department to pay for it.

Q. When you say "United States Hispanic Chamber of Commerce check," what do you mean by that?

A. A check of the United States Hispanic Chamber of Commerce, from one of our bank accounts, had our logo on it, the name written on it, United States Hispanic Chamber of Commerce, and it was a legal document. I forget who we were banking with at the time.

Q. What amount was it for?

A. It was over 10,000 bucks, between 10 and 20,000, I believe.

1 NINO

2 Q. And what are the circumstances surrounding your
3 meeting Mr. Bokat at that event?
4 A. We met with the President of Mexico, and there was a
5 reception that he was at, and everybody attended, from --
6 their hierarchy attended, ours attended, and we were also
7 introduced to each other.
8 Q. How did you introduce yourself to Mr. Bokat?
9 A. I was introduced to him as president of the United
10 States Hispanic Chamber of Commerce.
11 Q. Who introduced you to Mr. Bokat?
12 A. Mr. Workman.
13 Q. Do you recall having a badge on you?
14 A. Yes.
15 Q. Do you recall what it looked like?
16 A. Senor Nino, United States Hispanic Chamber of
17 Commerce.
18 Q. Did Mr. Bokat object at that event to United States
19 Hispanic Chamber of Commerce's use of its name or logo?
20 A. He did not object to that nor to receiving our
21 money.
22 Q. Have you gotten -- have you received any letters
23 from Mr. Bokat following that event that in any way objected
24 to Hispanic Chamber of Commerce's use of its name or logo?
25 A. No, sir.

Q. Was there any other occasions on which you saw Mr. Bokat?

A. I can't remember.

Q. So that's one event hosted by United States Chamber of Commerce that you attended. Were there any other events?

A. Several. I went to several lunches and several receptions at the U.S. Chamber of Commerce that were held by the leadership of the U.S. Chamber of Commerce. There was also -- and those functions were either for a minister of trade, a president of a country, a secretary of commerce or a committee meeting on whatever issue they were addressing at the time.

Q. Can you recall in detail one particular event?

A. Sure. When Secretary of Commerce Herminio Blanco of Mexico came, they had a function, a dinner for him -- or luncheon for him. We participated. We paid for it also, sent the check over, and we joined them.

Q. How did you receive an invitation from the U.S. Chamber of Commerce?

A. They sent over an invitation.

Q. By letter?

A. They sent a letter, yeah, on their letterhead that they were having an event.

Q. And there was a membership fee associated with it?

A. No, there was -- there was a fee associated with it, but it was not a membership fee.

Q. Yes, I misspoke.

A. It was a food fee.

Q. Food fee, right. Do you remember the amount?

A. No, I don't. But I could tell you one thing, that all the meal events that we ever had there, they all -- it was over several thousand bucks. I always had to pay. I mean, even today if you -- if they hold a luncheon and they invite you, it's a paid luncheon. Tickets are upwards -- you know, because we always buy a table from them. We support them by buying a table to the event. We're thankful they invited us.

Q. And would the table usually have a sign saying United States Hispanic Chamber of Commerce or not?

A. Sometimes it had the name United States Hispanic Chamber of Commerce. Other times it had USHCC. Other times it was just a number of the table, table number. Majority of the time, it's just table numbers.

Q. Can you recall from any other events hosted by U.S. Chamber of Commerce which you participated?

A. Sure. Minister of -- minister -- oh, another minister of Mexico was there. Let's see. I forget his name, but he was minister of foreign relations. He was there for a short time. I forget his name.

But I was there another time. Again, they have had several functions there, and I would be invited and I'd go.

Q. And how would the invitation come?

A. Usually, it came in the form -- on their letterhead, either by mail or through the fax machine.

Q. Would it be addressed directly to you?

A. Yes.

Q. At the United States Hispanic Chamber address?

A. Sure.

Q. Did you always interact with United States Chamber of Commerce representatives at those events?

A. Sure, always, at those events and at other events around town where they happened to be and I was at.

Q. When you were employed at the Hispanic Chamber of Commerce, did the Hispanic Chamber receive mail at its offices?

A. Yes.

Q. Have you ever seen any mail sent from the outside to the Hispanic Chamber that was addressed to the U.S. Chamber of Commerce?

A. No.

Q. If that happened, would you be made aware of that fact?

A. Yes.

Q. Why?

MR. COLBERT: Object to foundation.

THE WITNESS: Because I'm the guy in charge, and if something like that were to happen, they would show it to me, my staff would show it to me.

BY MR. ELISEEV:

Q. During your tenure at the U.S. Hispanic Chamber of Commerce, was there any e-mail address associated with the Hispanic Chamber?

A. Yes.

Q. Were there any e-mails received from the outside addressed to the United States Chamber of Commerce?

A. No.

Q. If there were any, would you be made aware of it?

A. Sure.

Q. Why?

A. My staff would have told me that somebody was trying to get hold of that organization, or if it was another organization, I would be told by them.

MR. COLBERT: Objection to foundation, form.

BY MR. ELISEEV:

Q. Why would they tell you?

A. So we could help them out and get them to the right place.

1 NINO

2 Q. Maybe they would tell somebody else and not you?

3 MR. COLBERT: Object to the form of the question as

4 leading.

5 THE WITNESS: No, they would always tell me. They

6 would tell somebody else, but eventually it comes to me. We

7 weren't that big of an -- of a staff.

8 BY MR. ELISEEV:

9 Q. How big was the staff at the time?

10 A. It averaged about 20.

11 Q. I assume the Hispanic Chamber's offices had

12 telephones?

13 A. Yes, we had telephones.

14 Q. Has the Hispanic Chamber offices ever received any

15 phone calls that were intended for the United States Chamber

16 of Commerce?

17 A. No, sir.

18 Q. If that happened, would you be made aware of it?

19 A. Yes, sir.

20 MR. COLBERT: Objection to foundation.

21 BY MR. ELISEEV:

22 Q. And why do you say that?

23 A. Because they would have told me if somebody was

24 looking for the U.S. Chamber of Commerce or any other

25 organization. That way we could help them get to the right

place.

Q. Have you been -- have you ever been made aware of any instances where the Hispanic Chamber organization was confused with U.S. Chamber of Commerce?

A. No.

MR. COLBERT: Object to the form of the question. Object to foundation.

BY MR. ELISEEV:

Q. If that happened, would you be made aware of that event?

A. Yes.

Q. Why?

A. Because I'm the president.

Q. Have you ever been made aware of any instances in which the Hispanic Chamber's name or the logo has been mistaken as identifying the U.S. Chamber of Commerce's name or logo?

MR. COLBERT: Object to the form of the question as compound. Object to foundation.

THE WITNESS: No, sir.

BY MR. ELISEEV:

Q. And if that happened, would you be made aware of it?

A. Yeah, I would.

MR. COLBERT: Object to foundation.

BY MR. ELISEEV:

Q. Why would you be made aware of it?

A. So we could help whoever is trying to get to the right organization, to help them out.

Q. Have you ever received or heard any comments from anyone asking if the Hispanic Chamber was a division or part of or any affiliate of the U.S. Chamber of Commerce?

A. Nope.

MR. COLBERT: Object to foundation.

BY MR. ELISEEV:

Q. Has anyone ever mistaken your employment and the Hispanic Chamber as being that of the U.S. Chamber of Commerce?

A. No way, not at my salary.

Q. Have you ever been told by anyone that worked at the Hispanic Chamber that there has been any confusion between the U.S. Chamber of Commerce and the Hispanic Chamber?

MR. COLBERT: Object to the form of the question, object to foundation.

THE WITNESS: No, sir.

BY MR. ELISEEV:

Q. Have you ever been told by anyone that worked for the Foundation that there have been any confusion between the U.S. Chamber of Commerce and the Foundation?

A. No, sir.

Q. Did anyone ever tell you that they had mistook the U.S. Chamber of Commerce for the Foundation?

A. No, sir.

Q. At all of the conventions that -- strike that.

At all the events that you attended that were hosted by the U.S. Chamber of Commerce, has anybody ever mistook you as being affiliated with the U.S. Chamber of Commerce?

MR. COLBERT: Object to the question; foundation.

THE WITNESS: No.

BY MR. ELISEEV:

Q. What was your answer?

A. No.

Q. How many people, on average, would you speak to at one-day conferences organized by Hispanic Chamber?

MR. COLBERT: Object to the form of the question.

THE WITNESS: There's two types of conferences, when you say a day like that, two types of conference. A conference where we wouldn't address no more than less than 100, and there's another type of conference that we would always address during that one day more than three to 400.

BY MR. ELISEEV:

Q. And how many people would you talk average at these kind of events?

MR. COLBERT: Object to the form of the question; vague.

THE WITNESS: Well, I would speak to everybody because I always spoke at every single one of them. And on a one-on-one, I always made it my business to try and greet everybody at the door. I was well known for that.

BY MR. ELISEEV:

Q. How many -- okay. And did you always have a badge on you?

A. Yes.

Q. Identifying that you were from United States Hispanic Chamber of Commerce?

A. Yes.

Q. What would the badge look like usually?

MR. COLBERT: Object to the form of the question as vague and compound.

THE WITNESS: I would have a badge with my name that says Jose -- "United States Hispanic Chamber of Commerce, Jose Nino, President, CEO."

BY MR. ELISEEV:

Q. And nobody ever mistook you as being affiliated with the U.S. Chamber of Commerce?

A. Nope.

MR. COLBERT: Object to foundation.

1 NINO

2 BY MR. ELISEEV:

3 Q. Are you aware of any instances where any of the

4 employees of the Hispanic Chamber were confused for somebody

5 working for U.S. Chamber of Commerce?

6 A. No.

7 MR. COLBERT: Object to the question as lacking

8 foundation.

9 BY MR. ELISEEV:

10 Q. If there ever were such instances, would you be made

11 aware of it?

12 A. Yes, I would be.

13 MR. COLBERT: Object; foundation.

14 Do you need to take a break?

15 MS. PIETRINI: No, no, I'm good.

16 BY MR. ELISEEV:

17 Q. Would it help the Hispanic Chamber if its members or

18 affiliates believed that the Hispanic Chamber was a division

19 or part of the U.S. Chamber of Commerce?

20 MR. COLBERT: Object to the question; form, calls

21 for speculation, lacks foundation.

22 THE WITNESS: No.

23 BY MR. ELISEEV:

24 Q. Why do you say that?

25 A. How would it help? I mean, the U.S. Chamber, to

this day, like anybody else, can solicit membership to anybody in this country. They never did it. When they did it, they didn't do it in any -- in any big way. If they did, we wouldn't be here today.

Q. Are you aware of any other chambers of commerce that we did not discuss today?

A. Sure, there's a lot of chambers of commerce, even within -- even there's a lot of national chambers around the country that are either affiliated to the U.S. Chamber of Commerce or are friends of others.

I mean, you have the U.S. Panama Chamber, the U.S. Mexico Chamber, the U.S. Guatemala Chamber, I mean, the U.S. Ecuadorian Chamber, the U.S. Asian Indian Chamber, the U.S. Indian Chamber of Commerce, the U.S. -- you've got the Black Chamber, you've got the U.S. small mom and pop chamber of commerce. You've got the Supermarket Association -- there's a lot of them.

Q. How do you know about that?

A. I've been in the business of association management in one way as a volunteer or employee for 20-some years, and to my career in that arena, at one time or another, I've met all of them that I spoke about.

Q. Are you aware how many Hispanic chambers of commerce are out there?

1 NINO

2 A. There's got to be close to 300 Hispanic chambers of
3 commerce out there today.
4 Q. How do you know that?
5 A. Number one, I created at least 200 of them, plus
6 others got created by others that had the opportunity to do
7 so.
8 Q. Can you give me examples of the names of these
9 chambers?
10 A. Sure. I mean, you could start with San Antonio
11 Hispanic Chamber of Commerce, San Diego Hispanic Chamber, El
12 Paso Hispanic Chamber, Latin Business Association, the
13 California State Hispanic Chamber of Commerce, Texas American
14 Chambers of Commerce, the New Jersey State Federation of
15 Chambers, the New York Federation of Hispanic Chambers of
16 Commerce, the Illinois Hispanic Chamber of Commerce, the
17 Mexican Chamber of Commerce of Chicago, Mexican Chamber of
18 Commerce of California, Mexican Chamber of Commerce of --
19 gosh, you can go on and on.
20 Denver Hispanic Chamber of Commerce, Hispanic
21 Chamber of Commerce in Albuquerque, the Tampa Hispanic Chamber
22 of Commerce, the Latin American Chamber of Commerce in Miami,
23 Michigan Hispanic Chamber, Wisconsin Hispanic Chamber, and you
24 can go on and on and on. There's like -- forever.
25 Q. In your knowledge, did Hispanic Chamber ever receive

a letter from the U.S. Chamber of Commerce wherein the U.S. Chamber objected to the use of the Hispanic Chamber's name or logo?

A. No.

MR. COLBERT: Objection; asked and answered and lack of foundation.

BY MR. ELISEEV:

Q. In your knowledge, did the Foundation ever receive a letter from the U.S. Chamber of Commerce or its attorneys in which they objected to the Foundation's use of its name and logo?

A. Not as long as I was there.

MR. COLBERT: Objection to foundation.

BY MR. ELISEEV:

Q. Pardon? What was your answer?

A. Not as long as I was around. As long as I was president, no.

Q. If there were any letters, would you be made aware of them?

A. Sure.

MR. COLBERT: Objection; lack of foundation. Object; asked and answered.

BY MR. ELISEEV:

Q. Why do you say that?

1 NINO

2 A. I'm in charge. I was the boss. Anybody that would
3 oppose anything to us would have to come to me.
4 MR. ELISEEV: I'm going to move the exhibits into
5 evidence, and that's the end of my part.
6 MR. COLBERT: I object to the introduction of all of
7 the exhibits produced subsequent to the close of discovery in
8 this case, which I believe -- let's see if I've got this
9 correct -- includes everything except the first two exhibits,
10 which I believe are Exhibit 24 and 25 were the only two
11 produced in a timely fashion. I object to the rest of them.
12 Object to the witness's testimony with regard to any of them
13 or the contents thereof.
14 MR. ELISEEV: I also want to state that in the
15 cancellation proceeding, the United States Hispanic Chamber of
16 Commerce will produce a 30(b)(6) representative on March 6
17 here in Washington.
18 MR. COLBERT: Okay. Well, I'll check our schedule,
19 because we need to coordinate and make sure somebody is
20 actually here to take it. But do you have any alternate dates
21 other than March 6, and would you identify who the witness is?
22 MR. ELISEEV: I will not identify who the witness
23 is, but March 6 actually is the only date I have.
24 MR. COLBERT: Is the only date you're willing to
25 give us or the only date you have at the moment? Because the

way it works, generally speaking, is the parties arrange a date that's mutually convenient. We've been trying to get this deposition since last July of 2007, and you haven't given us a single date until this minute.

So I'm asking you -- I will check the 6th, but I'm asking you to find out what other dates alternatives there may be, because I don't know whether anybody is available or we've got other depositions or plans on the 6th.

You can't just announce a date, Mr. Eliseev.

MR. ELISEEV: I'm not going to argue with you about this July 2007. I think we went through rounds of motions where it was absolutely clear why it wasn't our fault that it lasted that long.

MR. COLBERT: You've been ordered twice by the TTAB to produce a witness, and it's taken you two orders to do it. I'm going to check the 6th, and we may be available. But I want you to check other dates of availability as well, please, because that's actually the way courtesy works in the legal business or in any business, association or otherwise, Mr. Eliseev.

Let me finish. I'm a little tired of the games that you've been playing for about a year now with not producing documents or producing witnesses or making agreements with us to select dates at a mutually convenient time and telling us a

week or two before that we've got a single date, take it or leave it. That's not the way this is supposed to be conducted. This is a professional business, and parties work together to work these things out.

You won't even tell me the name of the individual, as you sit here today, although you obviously know who it is. You won't give me alternative dates. And we've been begging you for months to tell us a date, and you announce it now at the close of the deposition. I find it offensive, unprofessional, and I find it improper.

So I'm going to ask you again to check other dates, and we'll get back to you as soon as we can, maybe today, maybe Monday, whether we're available on the 6th or not. If not, we pick a date as close as possible, as convenient as possible for you and for your witness.

The witness is the one we're concerned about in terms of convenience. We don't want to inconvenience that person. It's hard enough to be involved in this sort of thing. And, quite frankly, this kind of behavior makes it much more difficult.

MR. ELISEEV: You absolutely know that I have no obligation to tell you the name of the witness, so don't ask it.

March 6 so far is the date we have. You should get

1 NINO

2 back to me if that date is not convenient to you. We'll check
3 about the other date. But it's my understanding that the
4 witness is very busy, and that's the only date we've got so
5 far.

6 MR. COLBERT: All right. Then I will go back and
7 check. If we -- we'll call you and find the closest
8 convenient date. We're trying to get this done as quickly as
9 possible, as you know.

10 MR. ELISEEV: March 6 is still at least 10 days away
11 so --

12 MR. COLBERT: This is not a circumstance, sir, where
13 you have presumptive minimal time for production of documents,
14 under subpoena or otherwise. This is a circumstance where the
15 parties are obliged to work together to set a convenient
16 schedule which everybody can attend to instead of just
17 announcing. This is just consistent.

18 We've worked with you every time you've had a
19 problem. Every time you had a problem with our dates, we've
20 given you other dates and other opportunities. We've
21 postponed our own depositions many times for your convenience.

22 I'm just asking you for courtesy. It may be that we
23 can do it on the 6th, but I don't know as I sit here. This is
24 the first time I've gotten the date from you.

25 MR. ELISEEV: Okay. And I don't know, maybe we will

be able to produce another date.

MR. COLBERT: Thank you.

MR. ELISEEV: But at this point, March 6 is the date.

MR. COLBERT: Thank you.

MR. ELISEEV: Your witness.

MR. COLBERT: I think it's probably time -- we've been going for an hour.

Mr. Nino, I think we should take about a five-minute break. I'll get organized and go on from here.

THE WITNESS: I will ask for 10 instead of five.

MR. COLBERT: Take 15 if you want.

THE WITNESS: Just five because I need to answer a call.

MR. COLBERT: Take the time you need, and I'll be here when you get back.

THE WITNESS: Thank you, sir.

(Recess.)

CROSS-EXAMINATION

BY MR. COLBERT:

Q. Senor Nino, I'm going to go over some testimony, ask you some questions and clarify some things in my mind. I won't be as organized as your counsel because I didn't know what we were going to say until I showed up today. I'll

probably work backwards, if that's okay, and we'll try and cover all the things. I'll begin with sort of where you left off in my notes, all right?

You were asked about whether there are other Hispanic chambers of commerce in the country. Do you remember that?

A. Yes, I was.

Q. You said there were, like, 300 of them or more, because you created 200; correct?

A. I created about -- I helped create about 200.

Q. Now, that was in the context at the same time you were also asked -- you were originally asked about other chambers of commerce, and you said -- I think you testified two groups. One were national chambers, and you said U.S. Panama, U.S. Mexico, U.S. Guatemala, U.S. Ecuador, things like that, and then talked about Hispanic chambers of commerce, started going through San Antonio, San Diego, et cetera.

What's the difference between those? Are those two different groupings of chambers of commerce?

A. They're both Hispanic chambers of commerce. The U.S. Panama Chamber of Commerce and the U.S. Mexico Chamber, the U.S. Panama Chamber, those are chambers that have Hispanics and non-Hispanics that want to do business with that particular country, such as Mexico, Panama, Ecuador, so on.

The other Hispanic chambers of commerce, those do business within the United States exclusively or 90-plus percent of the time, and they're Hispanic owned for the development of Hispanic business and Hispanic community.

Q. Okay. And those -- that was the distinction between the Hispanic chambers, the way you described, which were the ones that do business here, and the national chambers which do business with another country; is that correct?

A. Correct.

Q. I want to ask you a little bit about -- you were asked a lot of questions about receiving invitations to U.S. Chamber events and sending invitations out to U.S. Hispanic Chamber events, and I wanted to ask you a little bit how that worked.

When you would send invitations out to the convention or a legislative council or seminar, is that like you'd send out to more than one person? Were they sent to many people? How was this done?

A. It was sent to the Chamber list of communication that they had.

Q. So by "Chamber," you mean the U.S. Hispanic Chamber?

A. The U.S. Hispanic Chamber of Commerce. That's who you asked me about.

Q. You have a mailing list?

A. Yes, a mailing list.

Q. So you would create an invitation, for example, and that would go to everybody on the list?

A. Correct.

Q. Okay. So I'm just trying to understand how it worked. So when you say that I invited somebody from the U.S. Chamber of Commerce, it's because they were invited, they're on the list, as well as everybody else; correct?

A. Well, not only are they on the list; I made sure that certain people were always invited, people from here in town that I worked with, whether it be the U.S. Chamber of Commerce, the Business Roundtable, the Pharmaceutical Association, people that I worked with that I wanted to invite. So I always would tell my assistant to make sure that these folks got invited.

Q. That was a separate list?

A. Yes.

Q. But you maintained a list of people which were on a list, or how does that work?

A. And sometimes that individual would get two invitations, would get the invitation from the mailing list and my personal list.

Q. Now, when you got invitations to U.S. Chamber of Commerce events, were they individual or were they part of a

mailing list, do you have any idea?

A. I did not administer the mailing list of the U.S. Chamber of Commerce so I would not know.

Q. And they were addressed to you personally or addressed to the organization?

A. To both of us, to Jose Nino, president and CEO of the United States Hispanic Chamber of Commerce.

Q. Just trying to understand how this all works.

A. I'm just trying to tell you.

Q. That's why I'm asking.

Take your time. If you want to stand up to work out your legs.

A. That's fine, just getting something to drink. I'll take the liberty of standing up to relieve the pressure from my knee because it's injured. Thank you.

Q. Okay. Let's take a look at Exhibit 33.

A. Am I to find Exhibit 33? I see it.

Q. That would be the articles of incorporation of the Foundation; is that right?

A. United States Hispanic Chamber of Commerce Foundation.

Q. Right.

And I don't have a copy again still because you took yours back, Andrew. If you have your copy. Thank you.

1 NINO

2 You were asked to read part of this. And the
3 question I have is, I don't see it in here, but does the word
4 "Hispanic" appear in here, other than the name of the
5 organization?
6 A. Do you want me to look?
7 Q. I don't know if you know, because you said you
8 helped draft it.
9 A. Yes, sir. Outside of the title or in the body?
10 Q. You know, anyplace other than in the title of the
11 company, I mean. In other words, I see United States Hispanic
12 Chamber of Commerce Foundation, Inc. I was looking for the
13 word "Hispanic" other than that.
14 MR. ELISEEV: Take your time to look at the
15 document.
16 (Witness reviewed the document.)
17 THE WITNESS: Please repeat the question.
18 BY MR. COLBERT:
19 Q. I'm looking for whether or not the word "Hispanic"
20 is used in the articles of incorporation, outside of the name
21 of the Foundation.
22 A. I don't see it.
23 Q. Okay. The reason I ask is, when you testified about
24 that, my note indicates you said that the purpose or the
25 mission was to support or educate Hispanic youth.

A. Yes.

Q. And so I'm just trying to understand where that mission statement comes from, about being Hispanic youth as opposed to just -- because it doesn't say that.

A. As you and I know, this is a legal document. And a legal document is not a mission. In the mission is where we state that it is for Hispanic youth.

Q. Okay. And so that is the purpose of the Foundation is for Hispanic, not for other youth?

A. Correct, correct. Because as you and I know, we cannot be discriminatory, and we are not discriminatory in only putting together a foundation for someone. We are -- our mission is to educate Hispanic youth, but if someone else comes along that needs our help, we will help that individual.

Q. But do you solicit non-Hispanic youth?

A. We are -- we don't -- we do not discriminate against anybody. We just happen to be pro-Hispanic.

Q. We had some discussions the other day about what's Hispanic and what's not Hispanic, and someone was asked about Hispanic surnames. Do you have any opinion what a Hispanic surname is?

MR. ELISEEV: Objection; outside the scope of the direct.

THE WITNESS: I was not here or privy to that

information, so I would not know how to answer you, unless you want to ask me a different question.

BY MR. COLBERT:

Q. I'm asking if you, not anybody else, but if you have an opinion as to what an Hispanic surname is.

MR. ELISEEV: Same objection.

THE WITNESS: Yeah, I would know what a Hispanic surname is.

BY MR. COLBERT:

Q. Can you define it for the record?

MR. ELISEEV: I'll have a continuing objection on this line of questioning.

MR. COLBERT: I understand.

THE WITNESS: A Hispanic surname would follow the names of Hispanic ancestry from throughout, from originally came here to Espanola, and then migrated to the rest of the hemisphere.

BY MR. COLBERT:

Q. And I'm just trying to understand. But you can be Hispanic without having an Hispanic surname; correct?

A. Correct.

Q. So Gallagher could be Hispanic?

A. Definitely.

Q. And O'Higgins?

1 NINO

2 A. Yes, and Silkowski.

3 Q. And Richardson?

4 A. And O'Malley.

5 Q. Yes. Those would all be potentially Hispanics, but

6 you couldn't tell from the surname; correct?

7 A. Correct.

8 Q. So then I guess that gets back to the question.

9 When you earlier testified about the mission of the Chamber --

10 and I'm not talking about the Foundation now -- to support

11 Hispanic businesses, as an example, Hispanic chambers, how can

12 you tell if they're Hispanic or not?

13 A. The United States government says that in order to

14 be a minority-owned business, you have to be 51 percent

15 minority and prove it, okay. And they ask for you to go into

16 your lineage and show your birthrights, okay.

17 An Hispanic-owned business, you just have to be,

18 same thing, 51 percent Hispanic. If your father or mother was

19 Hispanic, then you qualify, okay. You are Hispanic. If your

20 father and mother were not but your grandparents -- one of

21 your grandparents was, according to the U.S. government,

22 you're still Hispanic.

23 And according to the definition of the United

24 States, they bring it down three to four generations. In

25 Native Americans, depending on the nation, it could be brought

down anywhere from four to 16 generations.

Q. So and I'm just trying to understand. The Chamber -- not talking about the Foundation, but the Chamber -- then has open to its membership to be a member, you must establish that you're Hispanic?

A. First of all, anyone can be a member of the Hispanic Chamber, anyone. We do not discriminate against anyone.

To be on the board of directors of the United States Hispanic Chamber of Commerce, you have to have -- be a 51 percent Hispanic-owned business. Outside of that, anyone can be a member of our local chambers.

Q. Now, looking at the U.S. Hispanic Chamber of Commerce, the national chamber, if we can look at that, are those only businesses that are members, or can individuals be members also?

A. What we do is we encourage individual members to go through the local chambers and be a member, because they could service them best. However, if someone wanted to be an individual member, they would be a nonvoting individual member, and we would help that individual too.

Q. To the best of your knowledge, when you were the president, did you have individual nonvoting members?

MR. ELISEEV: Objection; outside of the scope of direct.

1 NINO

2 THE WITNESS: We had a few.

3 BY MR. COLBERT:

4 Q. You testified about the signing ceremony for NAFTA,
5 and you said there were -- and your attorney asked a couple
6 times about the signing ceremony. I think you said that there
7 were lots of signing ceremonies.

8 A. Uh-huh.

9 Q. Just so we have it clear on the record, what do you
10 mean there were a lot of signing ceremonies? Can you describe
11 the process?

12 A. Well, there was different signing ceremonies that
13 the presidents showed up to. I mean, when the President of
14 the United States signed -- when Bush signed, he signed the
15 North American Free Trade Agreement with President Salinas and
16 minister of Canada, I was at that one down in San Antonio.

17 Then when President Clinton came in, if you recall,
18 they added two more line items to it, one for labor and the
19 other one for the environment, so they had to sign another one
20 to include those two into it. So they had another ceremony.

21 Q. So let's say the first agreement, was there more
22 than one signing ceremony? Did it move around the country or
23 just a single signing ceremony?

24 A. There was that single signing ceremony that I
25 attended.

Q. Could you pull out Exhibit 31, First Annual International Conference Gala Banquet.

A. 31.

Q. 31. What I would like to do, using this as sort of a jumping-off point, I believe you testified that you came and became president of the association in '90 or '91. Which was it?

A. 1990.

Q. 1990. And you were president through April of 2000 -- I mean of '98?

A. Correct.

Q. All right. Now, you testified that you -- you testified generally about starting a lot of different events.

A. Correct.

Q. Could you sort of run us through on the record, what are the first, say, seminars or educational meetings or things that you started while you were president?

A. Things that I started while I was president?

Q. Yes, please.

A. I opened up the office in Mexico City for the U.S. Hispanic Chamber of Commerce. I began the International Conference and Gala Banquet.

Q. That's the one that's represented the first annual by Exhibit 31?

1 NINO

2 A. Sure. I began the golf tournament, the annual golf
3 tournament. I started the Foundation. I started the
4 legislative banquet.
5 I started the Tribute to Women in Business Breakfast
6 and then later turned it into a luncheon.
7 Let's see. I did the preliminary work and met with
8 NBC for our television program. I did the preliminary work
9 for our -- for what I wanted to be our magazine.
10 Q. And what's the title of the magazine?
11 A. They changed the name, so I forget what the current
12 name of it is, but they changed it. So I -- I just received
13 it -- it just escapes me right now.
14 Q. And as we go through this, can you -- you said you
15 did the preliminary work. Do you know when the TV show
16 started?
17 A. Television show actually started in -- could have
18 been 2000 or 2001, I think, something like that. I was no
19 longer at the organization as their president and CEO when it
20 started. I told you I had the original preliminary meetings
21 for it. You know, I went to NBC and worked -- met with their
22 chairman and so on.
23 I started the Sanchez to Sanchez to Smith awards,
24 here for the U.S. Hispanic Chamber of Commerce.
25 Q. Can you describe what that is?

1 NINO

2 A. That's an award that we give to someone in the
3 international field that does business with Sanchez of Mexico
4 to do Sanchez -- business with Sanchez of the United States
5 and do business with Smith and vice versa. Facilitate it so
6 that non-Hispanics didn't have to reinvent the wheel in doing
7 business with Mexico or other Hispanic countries, thereby
8 putting a Hispanic-owned business in between that either
9 knew -- that either spoke the language, knew the business in
10 that country or had relatives in that country and knew the
11 same systems over here.
12 Case in point. If General Motors is manufacturing
13 engines here and they need to manufacture engines in Mexico,
14 yet they have taught Martinez how to manufacture engines in
15 the United States, well, then take Martinez to Mexico, joint
16 venture him with somebody in Mexico and do it through him.
17 And vice versa with a Mexican company coming to a Hispanic in
18 the United States to do business with Ford Motor Company or
19 whoever.
20 Q. All right. And when did that start?
21 A. Sometime in the early '90s. As a matter of fact,
22 the first time I mentioned that was in Chicago, 1991.
23 Q. Is that when you were doing the preliminary work or
24 it had already started?
25 A. That's when I did the first award in '91.

1 NINO

2 Q. Okay. And I want to go back a minute. When did the
3 magazine start? You told me when the TV started, you believe.
4 When did the magazine start? You talked about doing the
5 preliminary work on the magazine.
6 A. Yes, I did the preliminary work on the magazine.
7 When we first went to the magazine, we were dealing with
8 someone out of Hialeah, Florida, and we just weren't doing it
9 right. So instead, what we did is we took our "Networking"
10 publication, added more to it and put it out four times a year
11 kind of like a magazine, but the magazine was then perfected
12 once I left.
13 Q. Do you remember what the title of the magazine was
14 when you first did it?
15 A. No, I don't.
16 Q. Do you know what the title of the magazine was that
17 was perfected after you left?
18 A. No. I stated earlier, I don't remember.
19 Q. Okay. We left off with the Sanchez to Sanchez to
20 Smith, which sounds a little bit like Tinkers to Evers to
21 Chance. Are there any other firsts?
22 A. I'm sure there probably are. Oh, yeah. I did the
23 internship program. That was a first, with Hispanic youth.
24 I -- let's see, what else.
25 Q. What about the legislative? Was that started under

your --

A. I already addressed that.

Q. International golf tournament, the Foundation. Okay. Legislative -- okay. I have this one, annual conference and buffet. Let me take a look and see if we've got one here. This, for example, the --

A. Did the first one in 1991.

Q. Exhibit 28, is this what we're talking about, in '92?

A. Yes, it is.

Q. Okay. That would be the first or second? That's the second, I think.

A. It's the second. '91 was the first.

Q. So '91 you started that one?

A. Yes, I did.

Q. All right. Any other that you can think of?

A. Not at this moment.

Q. Let me ask you about the legislative forum. And those have been run every year since; is that correct?

A. Yes, sir.

Q. What was the reason for starting this particular program?

A. The reason to start that particular program was to thank those legislators that would actually come out to the

Hispanic community and promote us and work with us.

Q. So is it just a banquet?

A. It was a banquet -- at the beginning it was. It was just a banquet at the beginning, and we gave out an award to an administrative official, a government official, a Congressional person or something like that.

Q. Did it develop later into a broader range of services?

A. Yes, it did.

Q. Could you describe sort of the progress of this legislative forum over time, please?

A. Yeah. Later on, it became an information piece on how to do business with the federal government, how to -- how to register yourself for the 8A program, 7J, SBA loans and so on.

Q. Did any of it deal with legislation?

A. It was -- it promoted -- it promoted the North American Free Trade Agreement.

Q. What about -- were there, for example -- over time as it developed, were there -- was there tracking of bills or drafting of suggested legislation, or was there any other sort of general workshops, for example, on pending legislation of importance to the business community?

A. We didn't draft bills. We didn't have neither the

money nor the expertise to actually draft a bill. And we never submitted a bill to be drafted.

Q. Did any of these forums or -- did the name change from forum to something else later?

A. Not that I know of.

Q. Did any of these legislative forums, for example, comment on pending bills that may be important to the Hispanic business community?

A. As far as commenting, it would have to comment. It would promote it. Give you an example right now.

There is a -- if there is -- the CFTA was a bill that went through. That information would be given out to them that that bill is going through, through the House and Senate.

Q. Was there any the other way? At the outcome of any of these legislative forums, would there be, for example, resolution passed that the U.S. Hispanic Chamber, for example, would support or not support any particular legislation?

A. We supported the North American Free Trade Agreement. We supported the Chile Free Trade Agreement, but again, we did not craft legislation. You've got to be lawyers to begin with to do that.

Q. I guess the question, when you had one of these shops, would they last all day?

A. Yeah.

Q. And would there be breakout -- do you know what I mean by "breakout sessions"?

A. Sure.

Q. Breakout sessions to discuss pending legislation?

A. What it is, we would give information. For example, when the immigration bill was going through a couple years ago, they talked about the effects of what that would have on Hispanic business in America, you know, and how you would have to submit your paperwork.

For example, all of a sudden, they made us all cops. So if we hire somebody, we now have to get a Social Security number, get paperwork that these people are legal in this country and keep a file on it, how to keep a file on it, in case at the time it was INS came in and asked you, you know, who do you have in here, are you paying your taxes. So we would show them how to do those things.

Q. If you look at Exhibit 29, it's another legislative forum and banquet.

A. I see it. Which part?

Q. There is -- let's take a look at 7 -- if I have the right one here, this is 785 -- excuse me. Do you have Exhibit 29 or 28?

A. You told me Exhibit 29.

Q. My mistake, I'm sorry. I meant 28, the one we already had. My mistake.

A. Exhibit 28.

Q. If I've got this right -- I'm trying to find the one that the number is in. Sorry. One more. 7856, the big fat one with the Statue of Liberty on the cover.

A. Would that be Exhibit 27?

Q. Yes. Told you I'd go back.

A. No problem, chief.

Q. You were asked to look at page 7856 before.

A. 7856. Whereabouts is it? I see it.

Q. It looks like this (indicating).

A. I see it right here.

Q. There's a mention in here under "Corporate America," it talks about "the consumer buying power of Hispanics reaching in excess of 190 billion."

A. Yes.

Q. Do you see that?

A. Uh-huh.

Q. How do you keep track of that? Who gets that statistical information?

A. You get it from the Pew Hispanic Center, from one.

Q. From which?

A. You could get it from the Pew Hispanic Center, for

one, here in Washington, D.C. You could also get it from the United States Department of Commerce.

Q. Could you spell "Pew"?

A. Sure.

Q. Is it P-e-w?

A. Yes, sir.

Q. Do you know, did you track -- while you were the president of the U.S. Hispanic Chamber of Commerce or while you were serving on the board or as an officer, did you track the growth in Hispanic buying power?

A. Yes.

Q. Okay. During that period of time that you were involved with the U.S. Hispanic Chamber of Commerce, which I believe started back in '81 or '82 --

A. Yes.

Q. -- through the time left as president, can you tell us, what was the change in that buying power over that period of time?

A. We're talking about the buying power of the Hispanic community?

Q. Right. That's what it's talking about here, right.

A. Change in the buying power of the Hispanic community --

MR. ELISEEV: Objection; goes beyond the scope of

1 the direct.

2 THE WITNESS: The change in the buying power of the

3 Hispanic community. It was gauged by the United States

4 Department of Commerce through the census to begin with during

5 all that time.

6 BY MR. COLBERT:

7 Q. And you would rely on that information?

8 A. We would rely on the United States Department of

9 Commerce data and the independent -- both the independent

10 companies that took that data and made the predictions and the

11 think tanks that followed it, such as the Pew Center.

12 Q. Right. Do you have a recollection now as to what

13 that number was that changed between 1981 and 1998 when you

14 left?

15 A. As buying power? Yeah, it was in the billions. It

16 must have changed by about -- in 15 years -- let's see. 20

17 years. In 20 years, it changed by about 100-something

18 billion.

19 Q. So it would have gone from -- so this is in what

20 period? This is '93. So it's somewhere in the middle of the

21 period. So it would have gone from somewhere 90 billion to

22 over 190 billion during that period of time?

23 A. Sure, easy.

24 Q. Okay. Now, during --

25

A. Of course, I'd have to get the correct documents to take a look at them and verify them for you.

Q. I'm just asking for your present recollections as you sit here today. Can't ask for more than that.

A. Good.

Q. Now, I believe you testified that when you first came to become president of the U.S. Hispanic Chamber in '90, you had -- it was a total of four employees?

A. No.

Q. How many?

A. That was not the question. The question was how many employees did I have during my time, if I recall correctly.

Q. And you gave us a range?

A. Yes. I said from four employees to 40 employees. And the reason I said that is because when I became president, there was about 40 -- about 40 employees. I moved the organization that fall or that winter from Kansas City, Missouri to here. When I did that and relocated, all those people chose not to come with us because they had families there and instead got other jobs.

Only two people came with me. One person stayed in her job in California, and one person stayed in her job here in Washington. So when I say I had four to five people to

begin with, or from that -- that's how it got to that number.

Of course, I immediately after Christmas started hiring like crazy.

Q. Okay. Let me go back now. I want to set it in time. Let me go back to '81 when you first became associated with the U.S. Hispanic Chamber. Do you remember how many employees there were then?

A. No. I'm a volunteer at that time out of Chicago, and I sat on a committee for the convention committee in Chicago. I was not running the office in Kansas City, Missouri.

Q. So you really weren't involved in the day-to-day affairs until you became president?

A. Correct.

Q. All right. But while you were involved, did you know what the budget for the U.S. Hispanic Chamber was in '81?

A. No.

Q. When was the first time you had any direct responsibility -- or strike that, any knowledge of what the budget for the U.S. Hispanic Chamber was?

A. I first was privy to the budget when I was elected to the national board of directors in 1985.

Q. Do you remember what the budget was then?

A. Under a million maybe.

Q. And when you left in April of 1998, what was the budget of the Hispanic Chamber then?

A. Several million.

Q. By "several," three or four?

A. At least.

Q. So it was three or four times higher?

A. Uh-huh.

Q. Yes?

A. Yes.

Q. I don't ask because sometimes she gets the nod of the head on the record, so I wasn't sure what she was doing.

A. Yeah, I would say that.

Q. And then I think you also testified that over the period of time you were president, you averaged 20 employees; is that right?

A. Averaged about between 15 and 20 employees, depending on the time of the year.

Q. Now, between the time that you left in April of '98, which is now almost 10 years ago, and today, do you have any understanding what the budget of the U.S. Hispanic Chamber is today?

A. No, but if you want to know the budget, you could call it up, because they published it. It's a published budget.

Q. Where is it published?

A. It's published in their -- the paperwork that they presented at the convention.

Q. Do you know how many employees, I don't mean by volunteers, but employees there are at the time?

A. No, don't know.

Q. You can take your coat off too if you're more comfortable. I did.

A. I'm fine, thank you.

Q. You identified Exhibit 25, I believe, as the "Networking" magazine. Do you have that? Or newsletter?

A. I don't know, let me see.

Q. We'll see if I'm correct, Exhibit 25.

A. Exhibit 25 is the "Networking" newsletter, yes.

Q. And I'm noting this has got the H with the cut-out eagle at the bottom. That's the logo you identified before?

A. At the bottom? I see it at the top.

Q. At the top. And below that it says "Official Newsletter of the United States Hispanic Chamber of Commerce" along the left margin.

A. Yes.

Q. Was that the logo that was in use when you left as president?

A. Yes.

Q. Do you know when they changed their logo or -- well, strike that.

Do you know if they changed their logo?

A. Yes, I do.

Q. Do you know when they changed it?

A. I don't remember, but it had to be somewhere around the millennium.

Q. Year 2000 roughly?

A. Around the millennium, yeah. I don't know if it's on the north side or south side of it, but I would say around that time.

Q. So you weren't involved in that change?

A. No, sir.

Q. Do you know why they changed?

A. I wasn't there.

Q. And you didn't -- let me back up.

You say you served for a while as an advisor to the president after you left of the Hispanic Chamber; correct?

A. Correct.

Q. And you also served for a while as an advisor to the chairman?

A. Correct.

Q. For how long a period of time?

A. For the chairman, I don't know, maybe a couple

1 years. For the president, maybe a couple years.
2 Q. Okay --
3 A. But for those, it's recent.
4 Q. For those, what do you mean it's -- let me back up.
5 When did you become an advisor to the chairman?
6 A. Two years ago.
7 Q. So you are currently an advisor to the chairman; is
8 that correct?
9 A. From time to time, if he seeks my counsel, my
10 advice, I will give it to him.
11 Q. But you're under contract to be advisor?
12 A. No, I'm not. I do this for free.
13 Q. All right. And you are an advisor to the president
14 as well currently; is that correct?
15 A. If he asks me to do something for him or to give
16 advice on something, I will.
17 Q. Now, I'm trying to understand what -- strike that.
18 Do you have an official title or position or --
19 A. No, sir.
20 Q. -- designation?
21 And at any time from the time you first became
22 associated with the United States Hispanic Chamber of Commerce
23 back in '81 through the present, if the president or chairman
24 asked for your assistance, would you have given it?
25

1 NINO

2 A. Yes.

3 Q. What I'm trying to understand is, then, you said you
4 were specifically asked to be an advisor. How is that
5 different from the way you basically sort of helped the
6 organization all along?

7 A. Because I told you, if you look earlier, that when I
8 left the Chamber, I was a paid consultant, okay. I was a paid
9 consultant less than a year, was part of me leaving. When I
10 left, they paid my -- they gave me a certain fee and I advised
11 them. Of course, they really never came to me for a lot of
12 advice. They didn't ask me about this (indicating), so I
13 didn't advise on that.

14 Q. So when you said that you've been asked to be an
15 advisor, specifically advisor to the chairman or president,
16 I'm trying to understand how that's different from the way you
17 basically participated your entire life with doing -- helping
18 out any time you could.

19 A. It's no different, only now I know a lot more than
20 when I was 24 years old.

21 Q. But still a volunteer position?

22 A. Correct. I'm an old man. Yes.

23 Q. And so trying to pin it down, when you stopped being
24 a paid consultant, you were still using the H with an eagle
25 logo?

A. To the best of my ability or my understanding, yes.

Q. And when you became an advisor to the president or the chairman within the last two years, they had already switched to a new logo?

A. Sure.

Q. All right. So somewhere in between there?

A. Yes.

Q. Just trying to pin it down.

A. Yeah, no, go ahead.

Q. Did you attend meetings of the board of directors after you left in '98?

A. No.

Q. Do you recall getting a --

A. Excuse me.

Q. I'm sorry.

A. Excuse me. I attended one meeting when I left. At the very next meeting, I came to their meeting to say thank you.

Q. All right. Now, you'd said just a moment ago, you had said "they didn't ask me about this," and you meant --

A. By the logo.

Q. What did you mean by "this" when you said "about this"?

A. You asked me if I consulted on the logo change.

Q. Yes.

A. They did not ask me about consulting or my advice on the logo change.

Q. Just wanted to make sure what you meant by "this," that's all. You know, Bill Clinton.

A. Define Bill Clinton.

Q. It's hard to do.

Now, you testified about some relationships with CCCI, that's the Chicago -- can you say what that is again? It's an organization in Chicago called CACI?

A. Chicago Area Commerce and Industry.

Q. That is a chamber of commerce?

A. I think a chamber of commerce.

Q. And you believe that's a member of the U.S. Chamber of Commerce?

A. Yeah.

Q. And when did you first have dealings with CACI? I think it was '81 or '82.

A. In the '80s.

Q. In the '80s. Was that while you were with the U.S. Hispanic Chamber?

A. It was more while I was the vice president of the Latin American Chamber of Commerce. I went over there to see if they could guide me somewhere where I can get information

on association management, and they directed me to the American Association -- the American Society of Association Executives, which then directed me to Notre Dame, Oklahoma -- University of Notre Dame, University of Oklahoma. They gave classes in association management. There's only maybe two to four schools or universities at the time that did.

Q. All right. Now, what was -- now, you identified two organizations prior to being involved with the U.S. Hispanic Chamber. One was the Latin American Chamber of Commerce; is that correct?

A. Correct.

Q. What was that organization?

A. Latin American Chamber of Commerce was a Hispanic Chamber of Commerce in Chicago made up of Hispanic businessowners in the Chicagoland area.

Q. And you identified a second organization you were with, which is the Illinois -- Illinois Hispanic Federation of Chambers of Commerce? Can you define -- describe what that was.

A. The Latin American Chamber of Commerce along with the Little Village Commerce, Cermark Road Chamber of Commerce, Puerto Rican Chamber of Commerce, Cuban Chamber of Commerce. There was 11 or 14 chambers.

Amongst us all, we created a state association, and

we named it the Illinois Hispanic Federation of Chambers of Commerce. And it was a federation to group all the Hispanic chambers in the state of Illinois for the same common interests.

Q. So if I understand you, the Latin American would have been what you call a local chamber?

A. Right.

Q. And the Illinois Federation would have been like a state chamber?

A. State chamber.

Q. And was the Illinois State Chamber a member of the U.S. Hispanic Chamber of Commerce?

A. Yes.

Q. Okay. So that was the national chamber?

A. Correct.

Q. Did you ever refer to your local ones as local chambers?

A. Yes.

Q. And you still do today?

A. Yes.

Q. And you refer to organizations like the Illinois group as state chamber?

A. Correct.

Q. And you still do today?

A. Yes.

Q. And you refer to the U.S. Hispanic Chamber of Commerce as the national chamber; correct?

A. It's our national organization.

Q. And it's the national chamber; right?

A. Yes.

Q. And you still do today?

A. It's the national Hispanic Chamber of Commerce.

Q. And you occasionally refer to it just as the national chamber, don't you?

A. No. I always call it the United States Hispanic Chamber of Commerce.

Q. You never call it the national chamber?

A. I have, but not occasionally.

Q. All right. Then I guess -- but everybody -- in the context, everybody knew what you were talking about; right?

A. Yeah, I told them.

Q. I never knew Gale Sayers was Hispanic.

A. I never said he was.

Q. Okay. But he participated in helping you set up the Illinois -- I thought he helped you set up some organization? Or what was that about?

A. I never said that.

Q. What was Gale Sayers's involvement?

A. Gale Sayers was a business partner of Noriega Communications. Noriega Communications made our H, our logo.

Q. All right. So they helped design that logo?

A. Correct.

Q. And did you help -- you actually helped design that, then?

A. I didn't help design it. I was there to approve -- to help approve the different designs that they were making. They would present them to the committee and say this is our ideas of what we'd like to design. And I said, hey, great.

But the final decision was the board of directors', and I was not there for that.

Q. You testified about putting together some business plans for the U.S. Hispanic Chamber. Do you remember that?

A. Yes, I did.

Q. Were those written business plans?

A. Sure were.

Q. And they would be in the files of the U.S. Hispanic Chamber?

A. Should be.

Q. They were there when you left in '98?

A. Correct.

Q. I noted you brought a bunch of documents with you today. Where did those come from?

1 NINO

2 A. They were in a drawer in my house.

3 Q. When were you asked to look for them?

4 A. Pardon me?

5 Q. When were you asked to look for them and bring them?

6 A. I wasn't asked to look for them.

7 Q. All right. When did you gather them?

8 A. Last night.

9 Q. So at no time -- just so I'm clear, at no time prior

10 to showing up today were you asked to bring documents or look

11 for documents?

12 A. Not for today. I was asked to send documents here

13 quite some time ago, and I gave them that.

14 Q. Did you give them the same documents?

15 A. No. I didn't know where those were. I didn't know

16 where these were. I've moved and I have stuff everywhere.

17 Had I found those earlier, I would have sent them.

18 Q. What caused you to look for them last night?

19 A. I moved --

20 MR. ELISEEV: I'll warn you not to disclose any

21 communications with the attorneys here.

22 THE WITNESS: Okay.

23 MR. ELISEEV: But you can answer to the extent --

24 BY MR. COLBERT:

25 Q. You can answer the question whether you were asked

by counsel, but don't tell me the content of what you said.

A. Counsel didn't ask me to look for them.

Q. The question is, what caused you to look for them?

A. I opened a drawer and they were there. I was looking for something else last night, and the drawer that I happened to look in, they were there.

Q. All right. And do you remember when you were asked to get documents for this case before?

A. I don't actually remember exactly when.

Q. Was it more than five years ago?

A. No.

Q. More than a year ago?

A. Last year.

Q. That could have been six weeks ago. Do you know if it was, like, 12 months?

A. Yeah, within 12 months ago.

Q. Within 12. So it could have been --

A. And I submitted them.

Q. Okay. To the U.S. Hispanic Chamber?

A. Yes.

Q. Do you remember if it was in the summer or the fall or when it was?

A. Don't remember.

Q. Is there any event surrounding it? I often try and

remember things like oh, yeah, I remember it was just before my wife's birthday because I was in trouble because I was late getting home. Is there any way you can pin down approximately when it was?

A. It wasn't around my wife's birthday. My wife's birthday was in November.

Q. It was before that?

A. It was before that, yeah.

Q. Do you know if it was before the Fourth of July?

A. Yeah, it was before the Fourth of July.

Q. Do you know if it was before Memorial Day?

A. No, I don't know.

Q. Do you remember who asked you to get those documents?

A. The U.S. Hispanic Chamber of Commerce.

Q. Do you remember specifically who?

A. Their leadership.

Q. Pardon?

A. Their leadership.

Q. Do you remember the individual?

A. Their chairman.

Q. Did the chairman tell you why he wanted them?

A. Yes.

Q. What did he say?

A. He wanted to have all -- any documents that I have referring to the United States Hispanic Chamber of Commerce. I told him I had some; I'd send it to him.

Q. And you did?

A. Yes.

Q. Is that all he said, or did you talk about the reasons why he needed them?

A. I already knew.

Q. Well, let me ask that. Okay. Backing up, when you said you already knew, what did you know about why he wanted them?

A. First of all, I know that any historical data that I have that belongs to the U.S. Hispanic Chamber of Commerce should be there.

MR. ELISEEV: Again, remember, do not divulge any information that -- any of the substance of your discussions with lawyers on this case.

MR. COLBERT: Would you go back and read two questions and answers ago? I just want to know exactly what the witness meant. I want to make sure we're talking about the same thing when he said "I already knew."

(The reporter read the record as requested.)

BY MR. COLBERT:

Q. The question is, what did you mean when you said, "I

already knew"? What did you know?

A. I mean any documentation that I have is historical data for the USHCC, and they were coming upon their 25th annual anniversary -- I'm sorry, yeah, their 25th annual anniversary from a friend of mine, and I sent them in.

Q. Did you talk about the fact that the U.S. Hispanic Chamber was involved in a proceeding with the U.S. Chamber of Commerce?

A. I already knew that.

Q. Did you talk about it with the chairman?

A. Yes, I did.

Q. What did you talk about?

A. That there was a dispute between the U.S. Chamber of Commerce and the Hispanic Chamber of Commerce over the use of their logo.

Q. And did you have any specific talk about why they needed the documents for the dispute?

A. No.

Q. Now, you said -- you also said you knew that there was already dispute at the time you had this discussion with the chairman.

A. Yeah, I already knew that.

Q. How long had you known?

A. Couple years maybe.

1 NINO

2 Q. Did you know about it in -- I'm just trying to pin
3 down a couple years. 2006, then, you knew about it?
4 A. Yeah, about 2006.
5 Q. Did you know about it in 2005?
6 A. I don't know.
7 Q. You don't remember or --
8 A. No, didn't.
9 Q. You did not know?
10 A. I did not know.
11 Q. So how did you first, then, learn about the dispute?
12 A. The street.
13 Q. Can you tell me what you mean by "street"?
14 A. Washington, D.C. is a very small town. I've been
15 living here for 19 years. People know I'm a member of the
16 United States Hispanic Chamber of Commerce. Your colleagues
17 told me. What I mean by "your colleagues," I mean other
18 lawyers.
19 Q. Good to know who my colleagues are.
20 So people told you. Did anybody from the U.S.
21 Hispanic Chamber of Commerce tell you about it?
22 A. Not until then.
23 Q. How -- then to whom at the U.S. Hispanic Chamber of
24 Commerce did you talk about it?
25 A. I talked to the chairman.

Q. Okay. That was in 2006?

A. Yes.

Q. Did you contact him or did he contact you?

A. Neither. We just happened to be together at one of the functions.

Q. All right. Then between that -- what did you talk about at that first function, the one where you first learned -- or first talked to the chairman about it?

A. When we first talked about it, I said say -- I asked him, "Hey, I heard there's a dispute between the U.S. Hispanic Chamber of Commerce and the U.S. Chamber of Commerce over the use of the logo."

And he says, "Yes, we're in litigation."

And I said, "Oh." And I said, "Why? I think it's dumb."

Q. Any other discussion you recall at that time?

A. Yeah. He says, "Why do you think it's dumb?"

And I said, "Because there's two separate organizations, totally different. We do two different things. And anybody can use the name 'United States.' I mean, anybody can use the name 'chamber of commerce'."

Q. Now, between that conversation and yesterday, did you have any discussions with anybody about this case? Whether it's from U.S. Hispanic Chamber or an attorney or

anybody else, did you have any discussions with anybody between that first discussion with the chairman and yesterday?

A. Not until -- not until about last summer, I guess.

Q. And what was that discussion? Strike that.

With whom was that discussion?

A. It was with the chairman.

Q. Again, last summer. That was when you got the documents?

A. Yeah.

Q. So in that discussion where you got the documents, you then discussed this litigation?

A. Yeah.

Q. And what did you talk about with regard to the litigation?

A. He said that if I have any other information or any other paperwork from the time that I was there, that they would appreciate to have it. And I said, "Sure, I'll send it, or come by the house and I'll give it to you."

Q. And it was specifically in the context of wanting it for this case?

A. Yeah. Well, not just wanting it for the case. They wanted it for historical evidence, because they are putting together a historical program. We're coming up on our 30th anniversary, and they're beginning to prepare for that.

Q. Now, on the trilateral conference, you identified four organizations that participated in the trilateral conference. Were there more than just four?

A. Yes.

Q. Do you know about how many organizations?

A. Depending on where we were at the time.

Q. Okay. The first one. Was the first one in the U.S. or is that Mexico?

A. Well, we were in Mexico for the first one.

Q. How many organizations were part of that?

A. I can only speak to the ones that went from outside of the country. There was four of us that came from outside of the country. The rest came from within Mexico, and I don't know them all.

Q. Then the one in Canada, how many organizations were part of that?

A. Again, four from out -- one, two, three, four from outside of the country. I don't know how many from Canada.

Q. And then the one in the U.S. Was there one in the U.S.?

A. Sure.

Q. And how many organizations were there who were at the one that took place in the U.S.?

A. Again, three to four from outside of the country.

The United States Chamber of Commerce, and I brought maybe 40 to 50 organizations, my membership Hispanic chambers of commerce.

Q. That was just you. Did other organizations participate as well as the ones you brought?

A. No, not the one in the U.S. Hispanic Chamber of Commerce, no.

Q. Okay. I'm talking about the one -- the trilateral took place. Did the Canadians bring organizations?

A. Two.

Q. Now --

A. Mexicans, two.

Q. Now, taking it in order, if we can, Mexico, Canada then the U.S., was that the sequence they took place in?

A. Yes.

Q. How many people, as opposed to organizations, attended the trilateral conference in Mexico?

A. In Mexico, there was over 1500 in Mexico.

Q. How many were in Canada?

A. About 500, four to 500.

Q. How many in the United States?

A. Over 2000.

Q. Where did -- the one in the U.S., where did that take place?

A. At our chamber event, at our annual event.

Q. The trilateral conference? There were 2000 people at the trilateral conference?

A. There were 2000 people at our national convention, and we also had a trilateral conference while we were there.

Q. Where was that?

A. San Francisco? No. Let me take a second. Let me think.

Q. And by the way, I know it's getting late and you're getting tired. Any time you want a break, just let me know.

A. It was either -- let's see. I know we had one -- San Francisco -- who was there. Miami. It was Miami.

Q. So you had your annual convention in Miami, and there was a trilateral commission --

A. That met also.

Q. -- in Miami; correct?

A. Yes.

Q. At the same location?

A. Yes.

Q. The same time or sequentially?

A. We made room for it, and Secretary Brown attended.

Q. Now, the NAFTA signing ceremony. I think it was San Antonio you said you attended. How many people were there?

1 NINO

2 A. There was a lot of people there. I don't -- it was
3 not our event, so -- it was done by the White House. It was a
4 White House sponsored event.
5 Q. You said before that you were pretty good at
6 guessing how many people were in a room?
7 A. Yeah, there was quite a lot of people there. I
8 would have to say there would have had to have been at least
9 five, 600 people, maybe more, easy.
10 Q. Where did it take place, in a convention hall or
11 something?
12 A. No, outside.
13 Q. Was it in front of the Alamo?
14 A. Pardon me?
15 Q. It was in San Antonio; correct?
16 A. Yes.
17 Q. Was it in front of the Alamo?
18 A. There's another location over there other than the
19 Alamo we went to. It was not the Alamo.
20 Q. You had used a term earlier in your testimony, you
21 used the term "franchising" in talking about activities of the
22 U.S. Hispanic Chamber of Commerce. What did you mean by
23 "franchising"?
24 A. When I used the term "franchising," I talked about
25 also the IFA, International Franchise Association, that were

one of our friends, like the U.S. Chamber. And with them, we took our folks over there to see how we could help Hispanic business get into the franchising of a business. And they taught us how to get a McDonald's, a Taco Bell, a Wendy's and so on.

And they would help us do seminars at our legislative function or at our annual function specifically on franchising, and Taco Bell would send in their people. Different -- IFA would send in people. You know, different franchising organizations would send them, looking for Hispanics to help Hispanics understand how they could get into those franchising opportunities.

Q. I'm looking at my notes here. You said when you first became president of the U.S. Hispanic Chamber, there were 30 members and you took it to 258; is that correct?

MR. ELISEEV: Objection; misstates the testimony.

THE WITNESS: When I became president and CEO, there were 100-something chambers, but only 30 of them were dues-paying chambers. So I went out and introduced myself to all of them, had them pay dues to us, grew the numbers.

BY MR. COLBERT:

Q. When you left, it was 258 dues-paying members?

A. Yeah, about 250, 258 dues-paying members, yeah.

Q. So do you have nondues-paying members still?

A. Yes. Well, I don't know if they still have them, but I had some. Just like the U.S. Chamber has some that are nondues paying. Oh, yeah.

Q. Oh, I know. I've got -- I understand.

How long did it take to go from the 30 dues-paying to the 258 dues-paying?

MR. ELISEEV: Objection; vague.

THE WITNESS: Three or four years.

BY MR. COLBERT:

Q. Do you know how many there are now?

A. No.

Q. Do you know if it's more or less?

A. I've not asked. You could call the office, though. They will tell you.

Q. Now, you talked about all the various moves, different locations. You talked about starting the Foundation. When the Foundation started, they were in the same suite of offices as the Hispanic Chamber?

A. Yes.

Q. Okay. And you were also, if I understand, the president of the Foundation?

A. Yes.

Q. Was that your title, or was there a different title?

A. Yes.

Q. Did the Foundation have its own employees when you were --

A. No.

Q. Actually, could you tell me how the Foundation then functioned when you were its president?

A. The Foundation and the USHCC -- the Foundation gave the USHCC a management contract to run the organization.

Q. Was it a written contract?

A. Yes, it was.

Q. Okay. And when was that contract entered into?

A. '93, '94.

Q. So if I understand, then, it would be U.S. Hispanic Chamber employees who would do -- who would carry out the needs of the Foundation under contract?

A. Correct.

Q. And so those people were paid by the Chamber?

A. United States Hispanic Chamber of Commerce.

Q. Did there come a time while you were with the Hispanic Chamber that they got their own employees?

A. No.

Q. So when you left, they still were all employees of the Hispanic Chamber, all the Foundation people?

A. Correct, correct. But we had two separate boards.

Q. You were asked a bunch of questions by your

counsel -- actually, it's not your counsel, excuse me.

A. Not my counsel.

Q. Oh, I corrected myself first. By Mr. Eliseev. You were asked a bunch of questions about whether anybody ever reported to you confusion. Do you remember that?

A. Yes, I do remember.

Q. Whole series of questions. When you were president -- and we looked at a range -- you said when you first came here in '90 or '91, you had three total employees, yourself and two others; is that correct?

A. Correct.

Q. And when you left in '98, how many employees were there?

A. 20-something.

Q. And did all those -- were those 20 people who worked for you, did they have authority within the scope of their job duties to do whatever it is they were required to do?

MR. ELISEEV: Objection; vague.

THE WITNESS: I don't micromanage.

BY MR. COLBERT:

Q. So they didn't have to come to you with everything if they thought they could handle it?

A. That is true.

Q. Now, you were also asked questions about whether or

not you were aware of anybody who worked for the U.S. Chamber of Commerce had ever been mistaken for an employee of the U.S. Hispanic Chamber?

A. I was not asked that question.

Q. Okay. Are you aware of any circumstance where someone who worked for or was associated with the U.S. Chamber of Commerce was mistaken as working for or being associated with the U.S. Hispanic Chamber?

A. No.

Q. You're not aware of any?

A. No.

Q. Would you expect that you would know that?

A. No.

Q. If I understand correctly, during the entire time you were president, the U.S. Hispanic Chamber was a member of the U.S. Chamber of Commerce? Did I understand that correctly?

A. Correct.

Q. And do you know how long prior to you becoming president they were a member of the U.S. Chamber of Commerce?

A. It is my understanding that they were a member since 1981, maybe 1980.

Q. Do you know if there came a time -- do you know if there came a time when the U.S. Hispanic Chamber ceased being

a member of the U.S. Chamber of Commerce?

A. I don't know.

MR. COLBERT: If you guys will give me about five minutes, I'll see where I am and see if we can't wrap this up.

THE WITNESS: That would be fine. Thank you.

(Recess.)

MR. COLBERT: Thank you. I have completed my examination of the witness. My objections to his testimony and the documents stand.

But thank you very much, sir.

I will respond to your earlier question. March 6 is clear. We will do the deposition on March 6. And I am assuming it will be 9:30 at our offices here in D.C.

I also want, since we're covering that, to cover other things, to go over the list with you to make sure we're still on, because these involve travel. Is the United States Mexico Chamber of Commerce deposition still on?

MR. ELISEEV: As of this moment, my understanding is that it is still on.

MR. COLBERT: Because it's for 9:00 Monday morning, so we're going to be showing up. If it doesn't happen -- we've already told you that we'll probably seek sanctions if we have to show up and it doesn't happen. I just don't want to show up if it's not there.

MR. ELISEEV: It's not our fault, but so far --

MR. COLBERT: No, it doesn't matter. Our position is -- you don't need to listen to this. You can stay if you want.

Our position is the subpoenas are improper. Therefore, if we show up and there isn't any deposition, it is your fault. I just wanted to make sure we're clear on the record.

MR. ELISEEV: This is your position, and I don't agree with you.

MR. COLBERT: I understand.

MR. ELISEEV: Go ahead.

MR. COLBERT: U.S. Women's Chamber, is that still on? 1:00, same day, Monday.

MR. ELISEEV: Again --

MR. COLBERT: You think?

MR. ELISEEV: Yes, I believe -- at this point, I believe that it's still on, yes.

MR. COLBERT: Okay. Then we've got 9:00 a.m. on the 25th in L.A., same day, different city, the Swedish American.

MR. ELISEEV: Still on.

MR. COLBERT: Okay. And then we've got the 26th, Tuesday, 9:00 a.m. in D.C., American Russian. Is that on?

MR. ELISEEV: That is not on.

MR. COLBERT: So it's going to be cancelled?

MR. ELISEEV: It's cancelled, yes.

MR. COLBERT: We've got on the 27th, 9:00 a.m. in D.C. with the United States Azerbaijan. Is that on or off?

MR. ELISEEV: I will get back to you on that. I'll write it down.

MR. COLBERT: Okay. Question mark on that one.

Then the next one is same day, 9:00 a.m., same time, different city, French American. Is that on or off?

MR. ELISEEV: That is off.

MR. COLBERT: Off?

MR. ELISEEV: French is off.

MR. COLBERT: Okay. Off. So I don't have to fly to New York to do this. Then we have the 27th at 12 noon in New York. We have Belgian American. On or off?

MR. ELISEEV: I will get back to you on that.

MR. COLBERT: Same day, 27th, different time, 3 p.m. in New York, Argentine American. On or off?

MR. ELISEEV: We'll get back to you on that.

MR. COLBERT: 28th of February, 9:00 a.m., New York, U.S. Austrian. On or off?

MR. ELISEEV: We'll get back to you.

MR. COLBERT: Los Angeles, California, Monica Danner, 28th. On?

1 NINO

2 MR. ELISEEV: Still on.

3 MR. COLBERT: Then same day, different city, New

4 York, Spain U.S. On or off?

5 MR. ELISEEV: It is on.

6 MR. COLBERT: It's definitely, or it's a get back to

7 me?

8 MR. ELISEEV: I'll get back to you.

9 MR. COLBERT: Okay. Do you have any idea when

10 you'll get back to us? You can send us e-mail. Obviously,

11 we'll be here for a little while today. Particularly for the

12 ones you have to get back to me on for Monday, we're going to

13 be leaving Sunday probably. I'll be here Sunday, going in

14 early. In D.C., I guess I'll be here so that's not an issue.

15 I need to know before -- as soon as possible because I don't

16 want to have to come.

17 MR. ELISEEV: Once we know, we'll let you know right

18 away.

19 MR. COLBERT: Okay. Then obviously, starting on the

20 27th, it involves people going to New York, L.A. and places

21 like that, so I want to make sure we know before we have plane

22 tickets. All right. Thank you very much.

23 Thank you, Madam Reporter.

24 MR. ELISEEV: I'll have more questions, though.

25 MR. COLBERT: Okay. I thought you were done.

1 NINO

2 REDIRECT EXAMINATION

3 BY MR. ELISEEV:

4 Q. Mr. Nino, it seemed there was a little confusion
5 about how you would get invitations from the U.S. Chamber of
6 Commerce for their events. What would the invitation usually
7 say and who would it be directed to?

8 A. The invitations I received were made out to Jose
9 Nino, president, CEO, United States Hispanic Chamber of
10 Commerce.

11 Q. Would it always say that?

12 A. Yeah. That was me.

13 Q. The United States Hispanic Chamber of Commerce
14 Foundation, who is the target audience for that organization?

15 A. Hispanic youth. All our marketing, all our
16 targeting is directed directly to Hispanic youth to bring
17 Hispanic youth and in turn to teach Hispanic youth business.
18 Somebody else comes up, I would not turn anybody away, but we
19 are directed to Hispanic youth 100 percent.

20 Q. When you said that "we don't discriminate," you
21 meant if somebody from a non-Hispanic background would come to
22 you, you would not turn him or her away; right?

23 A. No, not at all.

24 Q. But did you really target the non-Hispanic
25 audiences?

1 NINO

2 A. We target Hispanic youth exclusively. That was our
3 target. That is our target, Hispanic youth in America.
4 Q. Is that the mission of the Foundation?
5 A. Of the Foundation.
6 Q. Has the Hispanic Chamber ever participated in
7 lobbying activities?
8 A. We don't lobby. We are prohibited from lobbying,
9 like all 501(c)(3)s. What we do -- I mean, first of all, we
10 don't lobby. We don't have -- the USHCC does not have lawyers
11 on staff to lobby the Hill. We pay nobody to lobby the Hill.
12 We pay nobody to make legislation.
13 The USHCC doesn't make policy at the Congressional
14 level; the U.S. Chamber does. The U.S. Chamber pays lawyers
15 to create bills so they have to go lobby. We don't do that.
16 The U.S. Chamber participates in policy formation
17 for Congressional law; we don't.
18 Q. How do you know that information on the United
19 States Chamber of Commerce?
20 A. They have told me direct. They will say this is
21 what we do, and we have all these lawyers and all these people
22 working at the Hill every day.
23 MR. COLBERT: Objection; foundation, hearsay.
24 BY MR. ELISEEV:
25 Q. Does the Hispanic Chamber participate in any

lobbying activities for the state legislatures?

A. No. We are not a lobbying organization.

Q. You said that when you left Hispanic Chamber back in 1998, there were documents stored at the offices of the Hispanic Chamber. Do you know the current retention document policy of the Hispanic Chamber?

A. No, I do not know.

Q. Do you know whether, in fact, those documents are still stored there going back to 1998 and earlier?

A. I would not know.

Q. Why did you not submit the documents that you brought earlier this morning earlier?

A. I found them last night.

Q. Did you look for them earlier?

A. Yeah, I looked for any documents that I had.

MR. ELISEEV: That's it. No more questions.

MR. COLBERT: I have no questions. Do you want the same stipulation as Wednesday?

MR. ELISEEV: Yes, and so that Mr. Nino doesn't have to sign in front of a notary public, signing under --

(Continued on following page to include jurat.)

1 NINO

2 MR. COLBERT: He signs a declaration under penalty

3 of perjury but doesn't have to go to a notary public.

4 MR. ELISEEV: Yes.

5 (Whereupon, at 4:48 p.m., the deposition was

6 concluded.)

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JOSE NINO

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1 NINO

2 I HEREBY CERTIFY that I have read this transcript of my
3 deposition and that this transcript accurately states the
4 testimony given by me, with the changes or corrections, if
5 any, as noted.
6
7
8 X
9
10
11
12 Subscribed and sworn to before me this day of
13 , 20 .
14
15
16
17 X
18 Notary Public
19
20
21
22 My commission expires: .
23
24
25

1 NINO

2 C O N T E N T S

3

4 WITNESS

5 JOSE NINO DIRECT CROSS REDIRECT RECROSS

6 by MR. ELISEEV 4 181

7 by MR. COLBERT 125

8

9 E X H I B I T S

10

11 EXHIBIT NUMBER IDENTIFIED OFFERED

12 Exhibit 24 - USHCC current logo 29 121

13 Exhibit 25 - May/June '88 "Networking" magazine 70 121

14 Exhibit 26 - "Second Annual Convention and

15 Trade Fair Magazine of the USHCC 84 121

16 Exhibit 27 - USHCC 1993 convention magazine 87 121

17 Exhibit 28 - 1992 USHCC Legislative

18 Forum and Banquet 92 121

19 Exhibit 29 - 1995 Fifth Annual Legislative

20 Forum and Banquet invitation 93 121

21 Exhibit 30 - USHCC Third Annual Legislative

22 Forum and Banquet 95 121

23 Exhibit 31 - USHCC First Annual International

24 Conference Gala Banquet 96 121

25 --continued--

1 NINO

2 CONTENTS (Continued):

3 EXHIBIT NO.	IDENTIFIED	OFFERED
4 Exhibit 32 - letter from K. Kowalski to		
5 J. Nino	98	121
6 Exhibit 33 - USHCC Articles of Incorporation	102	121
7 Exhibit 34 - USHCC Foundation bylaws	104	121

8

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1 NINO

2 CERTIFICATE OF NOTARY PUBLIC & REPORTER

3

4 I, CARMEN SMITH, THE UNDERSIGNED CERTIFIED SHORTHAND
5 REPORTER, IN AND FOR THE DISCTRICT OF COLUMBIA, DO HEREBY
6 CERTIFY: THAT THE FOREGOING PROCEEDINGS WERE TAKEN
7 BEFORE ME AT 700 12TH STREET, NORTHWEST, SUITE 1100
8 WASHINGTON, DC ON FEBRUARY 22, 2008, BEGINNING AT 9:42 A.M.
9 AND ENDING AT 4:48 P.M., AT WHICH TIME THE WITNESS WAS
10 PUT UNDER OATH BY ME; THAT ALSO PRESENT WAS
11 COUNSEL FOR OPPOSER U.S. CHAMBER OF COMMERCE;
12 THAT THE TESTIMONY OF THE WITNESS AND ALL OBJECTIONS AT
13 THE TIME OF THE PROCEEDINGS WERE RECORDED
14 STENOGRAPHICALLY BY ME AND WERE THEREAFTER TRANSCRIBED
15 UNDER MY DIRECTION; THAT THE FOREGOING IS A TRUE RECORD
16 OF THE TESTIMONY AND OF ALL OBJECTIONS MADE AT THE TIME
17 OF THE PROCEEDINGS; THAT I HAVE NOT BEEN DISQUALIFIED
18 FROM TRANSCRIBING THE DEPOSITION UNDER FEDERAL RULE OF
19 CIVIL PROCEDURE 28.
20 IN WITNESS WHEREOF, I HAVE SUBSCRIBED MY NAME ON:
21 DATE: March 5th, 2008.
22
23 CARMEN SMITH
24
25

1 NAME OF CASE:

2 DATE OF DEPOSITION:

3 NAME OF WITNESS:

4 Reason Codes:

5 1. To clarify the record.

6 2. To conform to the facts.

7 3. To correct transcription errors.

8 Page _____ Line _____ Reason _____

9 From _____ to _____

10 Page _____ Line _____ Reason _____

11 From _____ to _____

12 Page _____ Line _____ Reason _____

13 From _____ to _____

14 Page _____ Line _____ Reason _____

15 From _____ to _____

16 Page _____ Line _____ Reason _____

17 From _____ to _____

18 Page _____ Line _____ Reason _____

19 From _____ to _____

20 Page _____ Line _____ Reason _____

21 From _____ to _____

22 Page _____ Line _____ Reason _____

23 From _____ to _____

24

25 _____

1 NINO

2 Docket No. 27206-060

3 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

4 BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

5

6 - x

7 In Re Application Serial No. 78/081,732 :

8 for U.S. HISPANIC CHAMBER OF COMMERCE :

9 FOUNDATION & Design :

10 :

11 THE CHAMBER OF COMMERCE OF THE : Opposition No.

12 UNITED STATES OF AMERICA, : 91-156,321

13 Opposer, :

14 vs. :

15 UNITED STATES HISPANIC CHAMBER OF :

16 COMMERCE FOUNDATION, :

17 Applicant. :

18 - x

19

20 DEPOSITION OF JOSE NINO

21

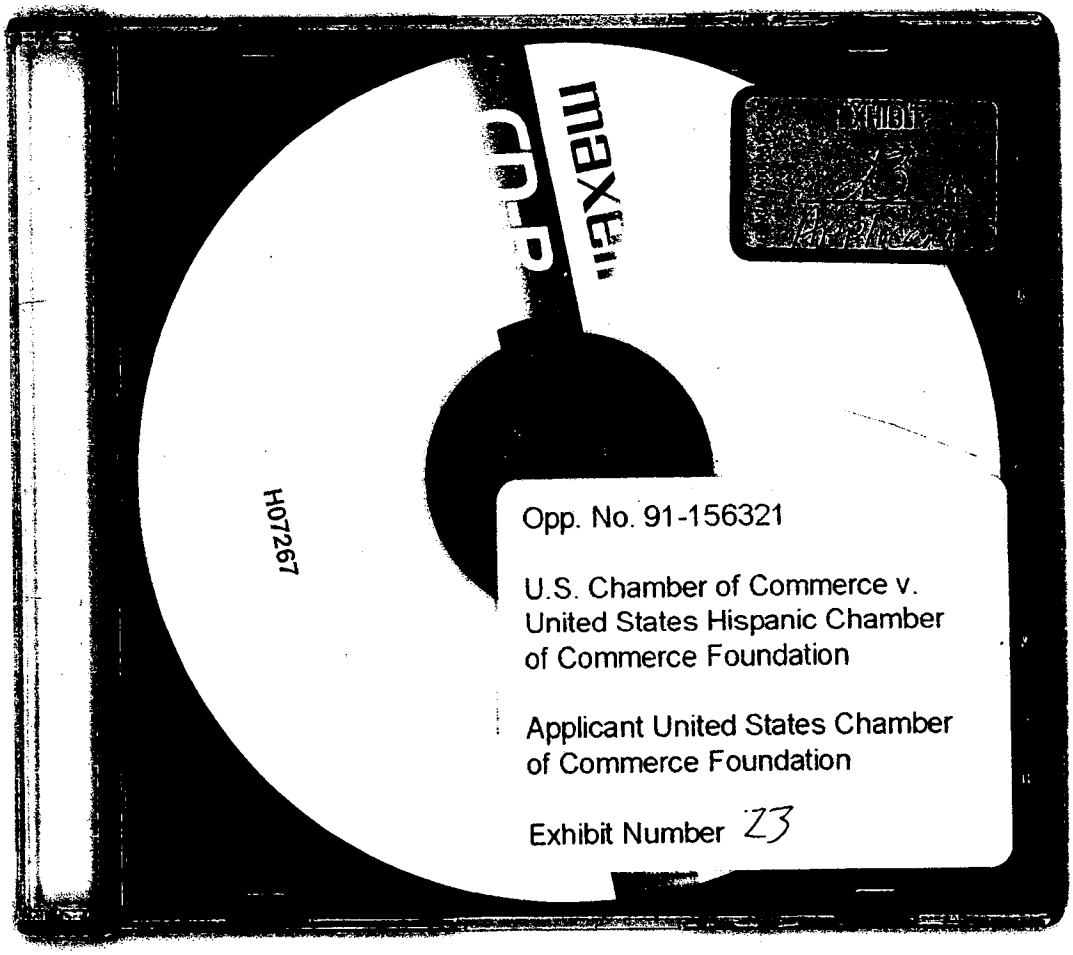
22 Washington, DC

23 Friday, February 22, 2008

24 REPORTED BY:

25 CARMEN SMITH

EXHIBITS



Opp. No. 91-156321

U.S. Chamber of Commerce v. United States Hispanic Chamber of Commerce Foundation

Applicant United States Chamber of Commerce Foundation

Exhibit Number 23

EXHIBITS

Serial Number:
78087678

Opp. No. 91-156321

U.S. Chamber of Commerce v.
United States Hispanic Chamber
of Commerce Foundation

Applicant United States Chamber
of Commerce Foundation

Exhibit Number 24

EXHIBITS

Opp. No. 91-156321

U.S. Chamber of Commerce v.
United States Hispanic Chamber
of Commerce Foundation

Applicant United States Chamber
of Commerce Foundation

Exhibit Number ZS

NETWORKING
OFFICIAL NEWSLETTER OF THE UNITED STATES HISPANIC CHAMBER OF COMMERCE

PARTNERSHIPS AIMED TO INCREASE CAPITAL

By Richard-Abraham Rugnao

Despite a purchasing power of over $200 billion, access to capital remains the major obstacle for Hispanic entrepreneurs. However, two partnerships made recently between the United States Hispanic Chamber of Commerce (USHCC) and Wells Fargo Bank, along with a separate agreement with the Small Business Administration (SBA), seeks to increase financial lending to Hispanic-owned businesses.

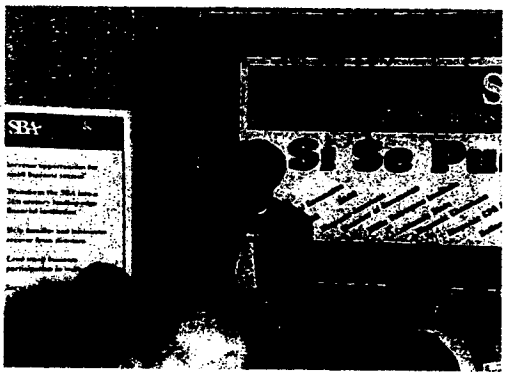
In efforts to understand the various financial obstacles facing Hispanic entrepreneurs, Wells Fargo Bank, last year, commissioned a study to explore these issues. The objectives of the study were to: determine the financial standing and demographic characteristics of Hispanic businesses; identify issues and obstacles in securing business capital; and learn how Hispanic business owners utilize capital for their business.

The study found that Hispanic entrepreneurs are much more likely than non-Hispanics to have less than $50,000 of credit currently available. Additionally, 32 percent of Hispanics reported being denied credit due to limited collateral.

In September 1997, Wells Fargo and the USHCC partnered and launched the Latino Loan Program to fund the growth of Hispanic-owned businesses across the country. Under the Program, Wells Fargo initiated a $1 billion loan program during a six year period. Since the initial announcement, Wells Fargo has recently reported that it has lent over $100 million to Hispanic small business owners nationally, exceeding expectations in the first six months of its Latino Loan Program.

"We are tremendously pleased with the early success of this program," said Mike James, executive vice president of the Banking Group at Wells Fargo. "We are on track, even ahead of schedule, to meet our $1 billion commitment. This is a great success for us, and a positive move to reduce historical barriers for the Latino community to secure business credit."

With the growing emergence of Hispanic entrepreneurs, financial institutions, like Wells Fargo, have developed marketing strategies geared towards the Hispanic business community. "It is



Aida Alvarez, SBA Administrator, announces new SBA lending initiatives during USHCC's September 1997 Annual Convention.

our goal to ensure that financial institutions across the country continue to recognize the growing Hispanic buying power and its economic influence nationwide," maintains Ronald Montoya, USHCC chairman of the board.

At the Federal level, the SBA, in mid-May 1998, also joined the USHCC to increase lending to Hispanic entrepreneurs. The SBA/ USHCC partnership is part of the Administrations three-year "Outreach Initiative" designed to sharply increase the amount of financing and other technical assistance available to Hispanic-owned businesses.

"1998 International Conference Highlights" see page 7

H05952

continued on page 5

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INSIDE

PARTNERSHIPS AIMED TO INCREASE CAPITAL 1 & 5

CHAIRMAN'S MESSAGE 4

CHAMBER DIGEST 5, 7 & 9

Pitney Bowes Signs Agreement with USHCC

USHCC Hosts Second Annual International Conference

CORPORATE ENTERPRISE 10

"Dinero Seguro"-Building Trust in The Hispanic Market

INTERNATIONAL BUSINESS 11, 13, 14 & 15

Puerto Rico The Gateway Between The Americas

Mexico-U.S. Trade Up 23% in March

Chile: An Open Integrated Market

NAFTA: Strengthens Ties Between Mexico and U.S. Hispanic Market

Hispanic Entrepreneurs-Capitalizing in Latinamerica

HISPANIC MARKET 17

The Hispanic Market: Dynamic and Diverse

MEMBERSHIP APPLICATION 18

CALENDAR OF EVENTS 20

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Networking is sponsored by The United States Postal Service.

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The United States Hispanic Chamber of Commerce (USHCC) has build alliances with this country's leading financial lenders, in order to increase access to capital for Hispanic entrepreneurs. In September 1997, the USHCC partnered with Wells Fargo Bank in a Latino Loan Program aimed to loan one billion dollars to Hispanic-owned businesses within six years. Since the program was launched, Wells Fargo has awarded over $100 million in loans. Additionally, the USHCC has recently entered an agreement with the SBA to also increase the amount of financial lending to Hispanic entrepreneurs.

There is no doubt that the Hispanic business community continues to increase in numbers and status across the country. Through their entrepreneurial sprit, Hispanic businessmen and businesswomen have proven that when given the opportunity, they can produce quality goods and services. However, this growing business sector has a long ways to go. Therefore, the partnerships that the USHCC has developed with Wells Fargo Bank and the SBA are vital in assuring that the growth of our business community continues to rise.

Our goal is to continue to create corporate and government partnerships that will benefit local Hispanic chambers of commerce and our members. In the months ahead, the USHCC will unveil new affinity programs and other new services for our members.

Ronald E. Montoya

H05955

continued from page 1

"It is clear to me that the SBA has a major role to play in ensuring that economic opportunities are real for all Americans. That's why one of my major goals is to dramatically increase the SBA's financial, technical, and procurement assistance for women and minorities," claimed SBA Administrator Aida Alvarez. "The commitment we have made to Hispanic business will open doors of opportunities to come."

According to the SBA, lending to Hispanic-owned businesses has more than doubled under the current Administration. Over the next three years, the SBA plans to deliver $2.5 billion worth of loans to Hispanic-owned businesses by the year 2000, representing a tripling of SBA lending to Hispanic entrepreneurs.

"It is clear to me that the SBA has a major role to play in ensuring that economic opportunities are real for all Americans."

Under the agreement with the USHCC, the SBA intends to: strengthen links between the SBA and the USHCC on national and local levels; increase Hispanic business communityis access to capital and technical assistance; and assist small disadvantaged businesses interested in government and private sector contracting. "There is no doubt that there are more Hispanics starting their own business than never before. However, many cannot compete with the general market without the necessary capital," claims Montoya. "The USHCC's latest partnerships with Wells Fargo and the SBA will hopefully bridge the financial gap for Hispanic business."

For more information regarding the USHCC Wells Fargo SBA partnerships, please contact the USHCC at (202) 842-1212.

PITNEY BOWES SIGNS AGREEMENT WITH USHCC

Pitney Bowes Inc. and the United States Hispanic Chamber of Commerce (USHCC) have entered into a marketing affinity agreement for distribution of the Personal Post Office, a postal meter developed by Pitney Bowes to meet the mailing needs of small businesses. The partnership has been created to assist members of the USHCC in saving money as well as to increase. the efficiency of their businesses.

The Award-winning new Pitney Bowes product, the Personal Post Office, is a desktop, digital postal meter. Its built-in modern automatically refills the meter with postage after a 30 second, toll-free call eliminating trips to the post office for stamps. The standalone system resets the date automatically and protects postage funds with PIN security access numbers. It also comes with an electronic scale that helps small offices to save up to 20% in postage cost by applying accurate postage.

Pitney Bowes has agreed to offer the Personal Post Office to all members of the Hispanic chambers of comerce for a 90-day free trial. In addition, also included free, is the Mail Marketer CD-ROM, which shows how to put together, a cost efective, results driven direct mail campaign. Under this program, Hispanic chambers can obtain the Personal Post Office for a six-month free trial. After the free trial period, the Personal Post Office rents for $19.75 a month and the elctronic scale for $5.00 a month.

The Pesonal Post Office is a beneficial addition to small businesses, saving time and money with electronic weighing and instant postage refill. To obtain more information, call the USHCC Membership Services Department at (202) 842-1212. Local Hispanic chambers can place an order by calling 1-800-5-PITNEY (Program 5566), or find us at the USHCC web site (www.ushcc.com) under "what's new."

H05956

UNITED STATES HISPANIC CHAMBER OF COMMERCE

HISPANIC BUSINESS: A UNITED FRONT

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H05957

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USHCC HOSTS SECOND INTERNATIONAL CONFERENCE

By Rolando Rodríguez

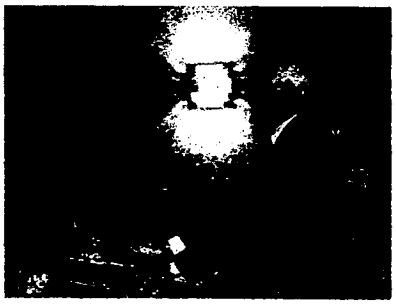
The United States Hispanic Chamber of Commerce (USHCC) held its Second Annual International Conference, June 4, 1998, at the Washington Marriott Wardman Park Hotel in Washington DC. The Conference brought together public and private sectors from throughout the Americas, creating a forum highlighting international trade and business opportunities in Latin America.

(left to right) USHCC Senior Vice President-Government Corporate Relations, Roxana Chahín, Frank Gómez of Philip Morris and U.S. Senator Charles Robb during the International Opening Reception.

"Conferences like this one that promote international trade particularly in Latin America have brought immeasurable benefits to the Hispanic community," said UN Ambassador Bill Richardson

(left to right) U.S. Senator Jeff Bingaman and USHCC Chairman of the Board, Ronald Montoya, discuss international business during the International opening reception.

during his Keynote Address at the international banquet. "Through the years the [USHCC] has been at the forefront of building a strategic



U.S. House of Representatives Jim Kolbe addresses attendees at the International Breakfast.

partnership between the emerging markets of Latin America and the United States."

The daylong event offered networking opportunities with corporate America, the Federal government, and Hispanic businesses in the United States. Business Sessions addressed issues related to international trade, finance and customs, and business opportunities in

(left to right) Ambassador of Bolivia, Marcelo Pérez Monasterios; Ambassador of the Dominican Republic, Bernardo Vega; Managing Director for the Western Hemisphere at the U.S. Chamber of Commerce, David Hirschmann; and Ambassador of El Salvador, Rene León participate at the *Marketing of Americas* business session.

Latin America. Small business owners exploring their companies into the Americas met with Government officials, Hispanic chambers of commerce, and business owners from Latin America at the end of each business session.

¡The number of companies moving into foreign markets have doubled in the last four years,¡ said Executive Vice President of the Association of American Chambers of Commerce in Latin America, David Hirchmann. The four session topic included: Marketing the Americas, NAFTA Update: A Look at Case Studies, Small Business in the International

The *Marketing the Americas* Business Session.

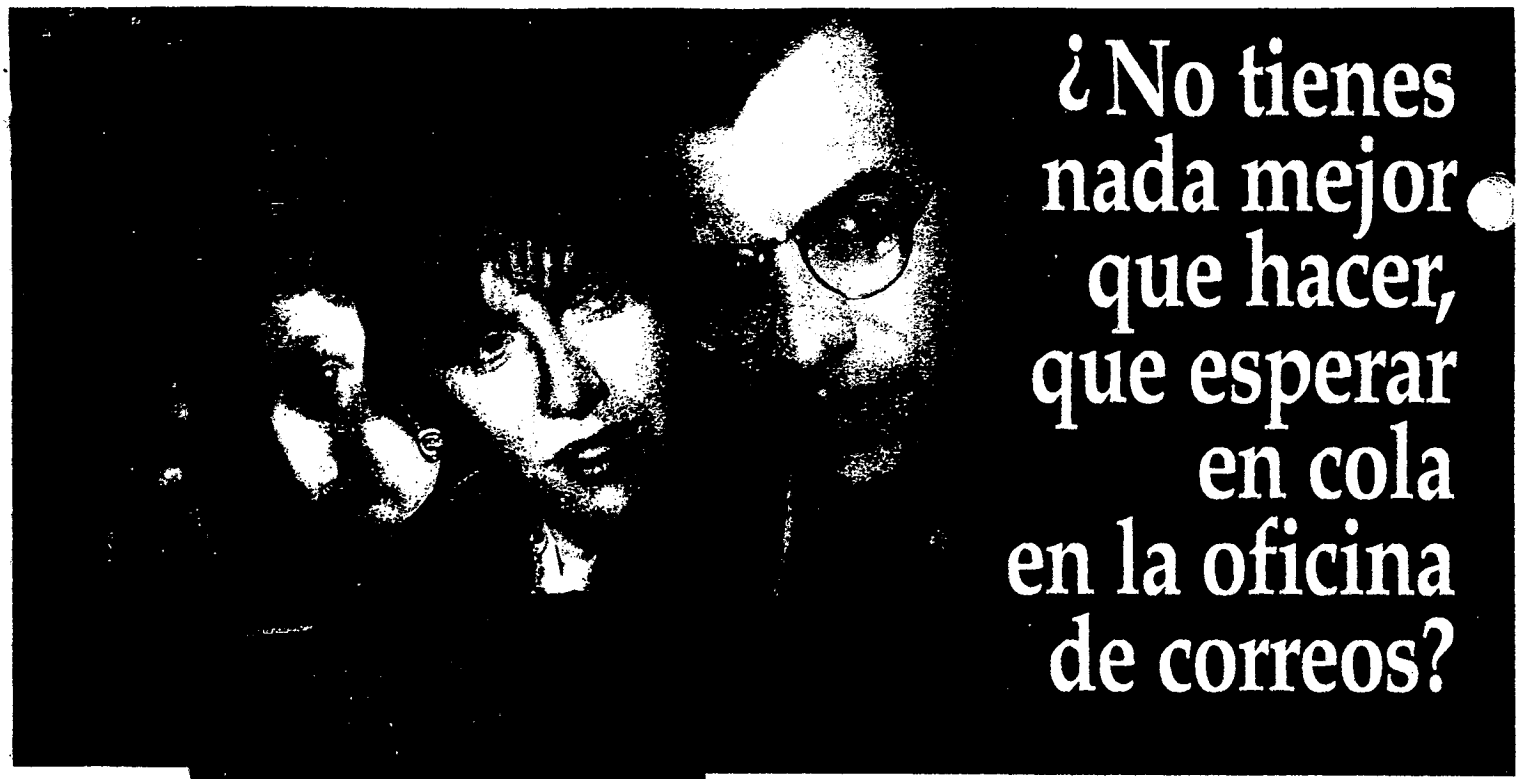
Arena: Obstacles and Challenges, and Access to Capital for International Investors.

The sessions focused to create a forum in which representatives of the private and public sectors of the U.S. could be informed of the vast business opportunities existing in the Latin American market, facts on how NAFTA has contributed to trade between the U.S.

(left to right) Minister-Counselor Commercial for the Canadian Embassy, Astrid Pregel, National Director of NADBANK, Greg Diercks, and Director SECOFI - NAFTA Office in Mexico, Luis F. de la Calle participated as panelist of the *NAFTA Update: A Look at Case Studies*.

continued on page 9

H05958



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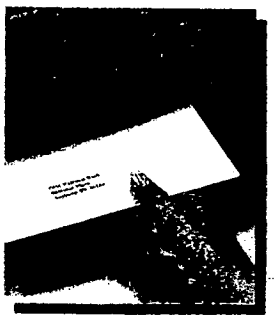
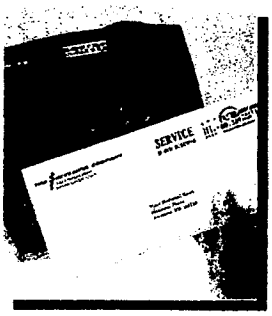
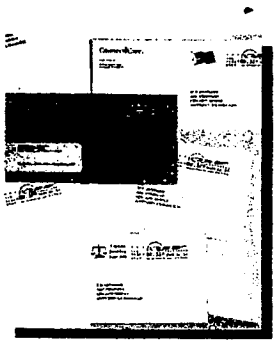


2. Insert envelope and admire instantly metered mail



3. Print a sales message or logo



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USHCC HOSTS SECOND INTERNATIONAL CONFERENCE

Carmen Ramos, President of Quality Management, shares her expertise in working in Latin America during an afternoon Business Session.

and Mexico, and how to look for financing when conducting business in Latin America.

Minister of Economy of El Salvador, Eduardo Zablah Touche delivered the Keynote Address during the International Luncheon, and dis-

Courtland Cox, Director, Minority Business Development Agency, discusses future trade missions with Conference attendees.

cussed the economic climate in El Salvador and future emerging markets in the region.

"El Salvador, after years of conflict, has embarked on a new era of peace and prosperity, that warmly welcomes foreign investments and acts decisively to improve the well-being of its citizens," Chairman of the Board of the USHCC, Ronald Montoya. "El Salvador has achieved remarkable sustained levels of economic growth over the past few years." The Pre-Gala Reception saw the Deputy Secretary for the U.S. Department of Commerce, Robert L. Mallett delivering the Keynote Address. During the Gala Banquet, the

Deputy Secretary for the U.S. Department of Commerce, Robert L. Mallett delivers the Keynote Address at the Pre-Gala Reception.

USHCC 1998 Sanchez to Sanchez to Smith Award recipients were honored. Each year the USHCC and Hispanic chambers of commerce across the United States and Puerto Rico, nominate Hispanic companies whose involvement in international trade has benefited both, the Hispanic and the international business communities. Sanchez to Sanchez award recipients were:

Region I: Manny Lopez, founder of ML Office Services, one of the fastest growing asset management companies in California.

Region II: Carlos J. Rondon, President of the

The Minister of Economy of El Salvador, Eduardo Zablah-Touche discusses the economic climat in El Salvador and future emerging markets in the region at the International Luncheon.

Gourmet Coffee Bean, a coffee business that imports Nicaraguan coffee beans.

Region III: Berta Banda, Owner and Manager of Mercado Gifts, a chain of specialty gift shops selling authentic Mexican items at the Dallas Forth Worth International Airport.

Region IV: Gabriel Torres, Chairman and CEO of Los Amigos International, a corporation of diverse businesses with five offices around the globe.

Region VI: Carlos R. Charur, CEO of Latin American Export & Import Inc., a Miami based company in the steel industry.

International awardees: Lic. Eduardo Solorzano Cuadra with EPACNIC Consultores of Nicaragua and Robert Delvalle with Azucarera Nacional , S.A. in Panama

The International Gala Banquet concluded with UN Ambassador Bill Richardson delivering the Keynote Address, as he touched upon topics concerning Hispanic business growth and

UN Ambassador, Bill Richardson, delivers the Keynote Address during the International Conference Gala.

the emergence of international trade with Latin America. "It can be no accident that Hispanic business ownership is growing at twice the rate of all U.S. firms. In fact, in most states, the number of Latino-owned businesses has doubled since 1993," said Richardson. H

H05960

"DINERO SEGURO"- BUILDING TRUST IN THE HISPANIC MARKET

As we become more market-driven in the Postal Service, we are working hard to create new products and services that are natural extensions of our traditional strengths but also incorporate new electronic technologies to meet our customersi needs in an effective and efficient manner.

Our research indicated that many of our customers had an unmet need for a convenient, safe, and secure means to send funds quickly from the United States to friends and family back home in Mexico. The Postal Service has an established relationship of trust with these customers through our money order and hardcopy delivery services. But we believed we could further build on that trust, and satisfy the need of customers for the speedy and secure delivery of funds to their homeland by augmenting our money order service with an electronic money-by-wire alternative.

Dinero Seguro (Sure Money is the productis name in English), is that service. Currently available to Mexico only, Dinero Seguro utilizes existing infrastructure to electronically transmit our customers' funds from the U.S. to one of over 1300 locations in Mexico within 15 minutes. Plans to expand the productis reach include other Latin American and Caribbean countries, the Asian market, and a domestic version of Sure Money that allows money transfers between post offices in the United States.

Dinero Seguro utilizes existing infrastructure to electronically transmit our customers' funds from the U.S. to one of over 1300 locations in Mexico within 15 minutes.

Dinero Seguro is a unique wire transfer service that is distinguishable from those provided by our major competitors because we guarantee our service and provide a free 3-minute phone card that can be used to call recipients in Mexico to tell them the funds are on the way. Also, our pricing is highly competitive. We are so certain of the reliability of this service that we offer a money-back guarantee of the fee if we fail to have the money available for pick-up in Mexico within 15 minutes.

Moreover, our customers of Mexican heritage have enthusiastically embraced Dinero Seguro, having recognized that Dinero Seguro is a way to make sure that their money arrives in Mexico every time, on time, and we deliver on that promise.

UNITED STATES POSTAL SERVICE

But this new service has also been good for the Postal Service. First, it permitted us to tailor a service to meet the explicit needs of a specific segment of the Latino community and, at the same time, gave us more insight into the diverse aspects of the Hispanic culture. Second, it allowed us to forge a relationship with local Hispanic media and Hispanic Chambers of Commerce, some of whom have praised the U.S. Postal Serviceis icommitment to raising the industry standards within the money-by-wire market".

Dinero Seguro is a wonderful example of our ability to identify the unmet needs of certain segments of our customers and meet those needs with new products and services. It also demonstrates that we can successfully adapt to the newest electronic technology and harness its power to serve a growing market which is international in scope. It's just one more way the U.S. Postal Service delivers for you.

For more information on Dinero Seguro, in Spanish or English, please call 1-888-ENVIOMX. H

H05961

PUERTO RICO THE GATEWAY BETWEEN THE AMERICAS

By Joyce Martinez

Puerto Rico has long been recognized for its strategic location in the heart of the Americas, serving as a halfway point between North and South America. Because of the island's geographic location, as well as its dynamic mixture of a proud and strong Hispanic culture, and status as a commonwealth of the United States, Puerto Rico has been regarded as an ideal location for companies interested in expanding their marketplace throughout the Americas.

Over the past 50 years, Puerto Rico has evolved as a high-tech economic culture with a diverse, technology-oriented manufacturing base. Its labor force consists of 1.3 million people, and many of the larger manufacturing plants on the island rank first in terms of productivity and quality compared with the same company plants in other destinations. In recent years, several manufacturing companies based in Puerto Rico have won global distinctions in productivity for such big name companies as Intel, Coca-Cola, Hewlett-Packard and, DuPontMerck.

As part of the New Economic Model for the island, Puerto Rico seeks aggressive economic growth in areas which include manufacturing, tou-rism, agriculture, information technology and service industries. Through-out the New Economic Model, the Puerto Rico Government has sought out ways to capitalize on the island's bilingualism, biculturalism, and U.S. monetary system, as well as its high technology, modern communications infrastructure and location to serve as a commerce and trade center for the Americas. The plan calls for companies to not only come to Puerto Rico to do business locally, but to use Puerto Rico as a base or hub to market and sell services and distribute wares throughout the Americas.

Much of the push behind the New Economic Model comes from the Puerto Rico Industrial Development Company, also known as PRIDCO. This organization has developed several strong incentives to assist investors who wish to set up business on the island. Incentives offered include grants for establishing manufacturing facilities, tax exemptions for service industry companies and venture capital initiatives designed to attract emerging, high-growth, technology oriented companies to the island.

With a highly educated and well-trained work force, over the past five decades, Puerto Rico has been transformed into a modern society with a large middle class and a high standard of living. This has produced a boom in the retail arena in Puerto Rico, having grown from five million square feet of retail shopping space to nearly 18 million in 1997. Now considered a major market for U.S. Mainland retailers, Puerto Rico's Plaza Las Americas is the largest shopping mall in the Caribbean and ranks in the top one percent of malls in all of the U.S. in sales per square foot. In addition, average sales in shopping centers on the island are nearly double the amount on the Mainland. Major retailers on the island include Wal-Mart, Office Max, Kmart, Sears, The Disney Store, Toys R Us and Pier 1, with JC Penney building its largest store in the world in Plaza Las Americas.

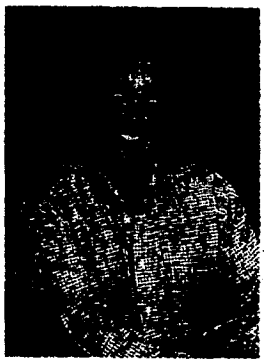
Through additional initiatives set forth in the New Economic Model, tourism is also thriving in Puerto Rico. As a result of a hotel development incentive program started in 1993 and a $40 million marketing campaign, Puerto Rico has drawn more than $1 billion in hotel investments, and over the past several years has attracted such upscale hotel names as Westin, Ritz-Carlton, Embassy Suites, Marriott and Wyndham, while maintaining a base of key industry players that include Hyatt, Hilton and Radisson. Furthermore, the government of Puerto Rico is undertaking a $1.2 billion waterfront project known as El Triangulo Dorado, the largest development of its kind in the history of the U.S. and its territories. In addition to expanded cruise ship terminals and a new home port area, El Triangulo Dorado will include museums and art galleries, restaurants, entertainment venues with retail, residential and commercial space, anchored by a new convention center scheduled to open in 2002.

Puerto Rico's tourism product is expected to continue to expand based on the persistent growth in the hotel sector, the construction of the new convention center and a flourishing island economy. As a result, Puerto Rico will be positioned to become one of the most sought after meeting and business travel destinations in the world, and one with distinctive elements of appeal for the Hispanic business market.

H05962

continued on page 13

Be Your Own Boss.



Gilberto Galceran, Mobil Dealer.
Loves the water. Enjoys boating, scuba diving waterskiing and fishing. Married.

Bertha Ruiz, Mobil Dealer.
Makes pottery and has mastered the art of cake decorating. Enjoys the water, especially jetskiing.

Carmello Coss, Mobil Dealer.
Sports enthusiast. Avid basketball player, marathon runner and billiards player. Married, 2 children.

Rafael Ruiz, Mobil Dealer.
Spends his spare time perfecting the art of wood-crafting. Also enjoys fishing and jetskiing.

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H05963

continued from page 11

Meeting the needs of the Hispanic group travel market has been one of the key areas of service provided by the Puerto Rico Convention Bureau. A non-profit organization that has been serving the group and meeting travel sector on the island for the past 35 years, the Puerto Rico Convention Bureau has worked to meet the needs of the Hispanic market to ensure the availability of an upscale tourism product and modern meeting facilities to handle both small and large scale meetings.

In its commitment to the Hispanic market, the Puerto Rico Convention Bureau continually seeks out opportunities to work with companies, entrepreneurs, associations and other Hispanic organizations. One of the most dynamic initiatives undertaken by the Bureau is its Hispanic Ambassadors Program. This program seeks to reach out to Puerto Ricans and other professional Hispanics interested in promoting the island. Aiming to encourage our Hispanidad the Puerto Rico Convention Bureau seeks to develop a network of communication with Hispanic professionals and companies interested in selling to the Hispanic market in hopes of raising awareness about the attributes of conducting business on the island.

Ambassadors of the program gain direct contact with other Ambassadors through networking events, newsletters, special functions and business opportunities in Puerto Rico; contacts with business executives worldwide, including several of the 250 Fortune 500 companies with offices in Puerto Rico, as well as free access to meeting planning services and promotional materials about the island.

Additional efforts to promote the Hispanic business and meetings market for Puerto Rico and the Ambassadors Program include dedicated representatives specializing in the Hispanic market, a direct mail campaign and the Bureau's active participation in Hispanic associations, organizations and other events.

> With a highly educated and well-trained work force, over the past five decades, Puerto Rico has been transformed into a modern society with a large middle class and a high standard of living.

To date, the Hispanic Ambassadors Program has attracted high profile Hispanic groups to meet in Puerto Rico, including the Puerto Rican Hispanic Genealogical Society, National IMAGE, the National Association of Hispanic Publications, the National Puerto Rican Coalition, the National Coalition of Hispanic Health & Human Services and the HCCN Red International de Comunicaciones.

For further information about the Puerto Rico and potential business opportunities, contact Joyce M. Martínez, director, Hispanic market, Puerto Rico Convention Bureau at 202-457-9262. H

Mexico-U.S. Trade Up 23% in March

In March 1998, Mexico remained the second-largest market worldwide for U.S. goods, after Canada, according to data from the U.S. Department of Commerce. During this period, U.S. worldwide exports grew by 2.3% while exports to Mexico were the fastest growing among all U.S. trading partners, increasing 27.5 % compared to march 1997. Thanks to NAFTA's preferential access U.S. and Mexican exports to each otheris market have been balance and have grown at a remarkable pace. In March, U.S. exports to Japan decreased almost 14% to Korea by 48 % and to Hong Kong by 15.5%. The United States sold $6.7 million worth of goods to Mexico in March, compared to approximately $5.2 billion to Japan and $1 billion to China.

In March, total U.S. imports grew 11.7% while U.S. purchases from Mexico increased almost 20% to reach $8.3 million. Mexicois non-oil exports to the United States amounted to $7.9 billion, which represents a 27.5% increase over the same month in 1997. The fast growth has contributed to Mexico remaining the third-largest supplier to the U.S. market after Canada and Japan.

H05964

NAFTA STRENGTHENS TIES BETWEEN MEXICO AND U.S. HISPANIC MARKET

On April 22-24, the "Acercamiento al Mercado Hispano de Estados Unidos 1998" forum brought together Mexican entrpreneurs and U.S. Hispanic business leaders to discuss trade and investment opportunities. As a result, participants negotiated more than $1 million worth of new business and expect to materialize more than $7 million of business by the end of the year. The meeting, organized by the Mexican Council for Hispanic business and the Mexican Solidarity Foundation, included panels on potential joint ventures and trade in the processed food, gift, furniture, textile and garment and tourism sectors. Keynote Speaker Dr. Herminio Blanco, Mexico's Secretary of Commerce and Industrial Development, encouraged Mexican and U.S. Hispanic firms to engage in business activities and take advantage of the trade and investment opportunities that NAFTA has to offer.

The economic strength of the Hispanic-American business community represents an important opportunity for small and medium size Mexican firms to establish strategic partnerships. Hispanic businesses in the United States continue to expand at a higher rate than evr before, with over 1.3 million firms generating nearly $200 billion in annual gross receipts.

This year's meeting attracted a record number of participants. With more than 270 Mexican and U.S. Hispanic entrepreneurs, the forum was a good opportunity for Mexican small and medium-size firms to learn about the potential of the Hispanic market value of $350 billion has increased its demand for Mexican products in recebt years. This market, which shares similar buying power and wants to buy high-quality and competitive Mexican products.

The Mexican Council for Hispani Busines, comprised of representatives from public and private Mexican institutions that promote internationalbusiness, coordinates different Mexican organizations that want to do business with the Hispanic community in the United States and facilitates the access of U.S. Hispanic businesmen into the Mexican market.

CHILE: AN OPEN INTEGRATED MARKET

Chile is one of Latin America's most dynamic and promising markets. In spite of its small size, it has become a trustworthy trade and investment partner due to its political and economic stability. Its solid macroeconomic performance of the last decade, coupled with its network of trade agreement, have transformed it into a great launching pad for businesses seeking access to rapidly growing Latin America. The opportunities are many and the risks few.

Chile's economic reforms focused on liberalization, in effect since the mid 1970's. The outcome is very promising: domestic savings rate of 23%; the doubling of income per capita in the last five years; unemployment and inflation rates which border 6% and budget and balance of payments surpluses. Economic growth has been fueled by exports and investment. For example, in 1997, exports grew by close to 10%, while investment flows were equivalent to 10% of the country's GNP.

Considering Chile's dependence on foreign trade (nearly 45% of its GNP), the negotiation of trade agreements has been a priority in the nineties. Today, Chile has signed or negotiated an accord with every country in the Americas, except the United States. In practical terms, this means that a U.S. exporter pays an 11% tariff entering Chile, at a disadvantage with exporters from the rest of the himisphere, which face much lower tariffs.

The opportunities for U.S. businesses abound. According to the U.S. Embassy in Chile, the leading sectors are mining, telecommunications, manufacturing, forestry, and financial services. Specific products that are facing a high demand include railway equipment, building materials, mining equipment, food processing and packaging equipment, pollution control equipment, processed foods and snacks. Chile is an open country, which welcomes and promotes foreign trade and investment.

H05965

HISPANIC ENTREPRENEURS-CAPITALIZING IN LATIN AMERICA

By Rolando Rodríguez Jr.

By all accounts, Latin America is flourishing with economic development and is the fastest growing foreign market. By the year 2010, the U.S. will be selling more products to Latin America, compared to Europe and Japan combined. With this growth, comes a wave of Hispanic-owned businesses, expanding their products and services to the Americas.

Esatel Telecommunications, a Washington D.C.-based telecommunications company offering voice data and internet service to international clients in 40 different countries, is one such company ventu-ring their sites abroad.

Esatel also found the Latin American market to be lucrative due to the lack of communication services based in the region. "Latin America holds tremendous opportunities for growth," said President/CEO of Esatel Dr. Louis Bransford. "There is about 70 to 80 phones per 100 people in the United States, as opposed to Mexico, where there are eight to fifteen phones per household."

Esatel finds these recently held statistics promising, and strongly believes phone related services, including internet and data services are where the demand is greatest. "In Brazil, for example, there is a waiting list of nearly 2 million people for cellular phones," said Carmen Ramos, President of Quality management Resources. In her presentation at the United States Hispanic Chamber of Commerce (USHCC) International Conference, Ramos reported, "In Guatemala there a four phones per 100 people."

Although the demand has always been present in Latin American countries for telecommunication services, Bransford noted that sturdy ties with Europe prior to the emergence of Latin America/U.S. business has made it difficult for U.S. based companies to sell their services. "Clearly, they [Latin America] were more willing to invest with Europe," said Bransford. "The competition was so slanted." However, Bransford maintains with the relaxing of regulations and inherent restrictions in Latin America, and

persistence on Esatel's part, makes the situation a profitable mix.

Despite the perceptional change of conducting business in Latin America, Bransford claims that failed telecommunication companies in the past have helped create a stereotype. "Long shot companies that did not come through definitely make you a suspect," claims Bransford.

However, according to the NAFTA Status Report, relations with the region continue to thrust forward as exports to Latin America have skyrocketed to $132 billion in 1997, up from $109 billion in 1996. Common language has proven to be a great asset in establishing a level of confidence with Latin America. "[Hispanic owned businesses] have the best of two worlds," said Camilo Fernandez, CEO of A.M. Capen's Co. Inc., a New Jersey based company that exports computer accessories, school supplies, and office paraphernalia to Puerto Rico, the Dominican Republic, Panama, and Mexico.

"First, there are no language barriers," Fernandez explains, a recipient of the USHCC 1998 Sanchez to Sanchez to Smith Award, an honor that is presented to Hispanic-owned companies whose involvement in international trade has benefited Hispanic and international business communities. "The other is the fact that Latin America is a tremendous market, and needs to be taken advantage of with great emergency. We should grab the opportunity as soon as possible since Latin America is a natural market for U.S. products."

Like most companies, taking advantage of Latin America's potential proved not so profitable at one time for Fernandez. Due to the

"There is about 70 to 80 phones per 100 people in the United States, as opposed to Mexico, where there are eight to fifteen phones per household."

H05966

USHCC Board Member Massey Villarreal presents Berta Banda the *Sanchez to Sanchez to Smith Award* for Region III.

Mexico-U.S. trade jumped 23% in March 1998, while U.S. purchases from Mexico increased almost 20% to reach $ 8.3 billion, and Mexico remained the second-largest market worldwide for U.S. goods.

currency devaluation in Mexico, Venezuela, and the Dominican Republic, the company suffered losses in the six digit margin. However, A.M. Capen's persevered and presently ranks 26th on the Hispanic Business Top 50 Exporters list, with sales totaling over $14 million, and one-third of those earnings resulting from Puerto Rico. Despite the roller coaster pattern in Latin America, exports continue to soar. The NAFTA Status Report indicates that exports to Mexico reached $70 billion, an increase of $28 billion from 1993.

For Berta Banda, Owner and Manager of Mercado Gifts, a small chain of specialty gift shops located at the Dallas Fort Worth International Airport, capitalizing on Mexican culture and folk art has proven to be key to her entrepreneurial success. "The selling is in my blood. My father was a successful entrepreneur, and he instilled the value of being my own boss," said Banda. By following in the footsteps of her father, has not seemed to be a complicated task, as her chain of stores generated $1.5 million in revenue in 1996, and recently opened a fourth store in April 1998.

Banda follows a strategy in which venturing out to the heart of Mexico, has not only benefited her but the artists and vendors who have helped catapult her business to the pinnacle of Hispanic entrepreneurship. "We eli-minate the middle man, and in return, we help the Mexican entrepreneur." said Banda. "That enables us to help the businessperson in Mexico live a better life by reducing the risk of confiscation at the border."

According to Banda, her line of sales is expanding tremendously, because of the increasing demand of original Mexican art. "It is new, fresh, handmade, original, and it is at a good price," said Banda. "People go crazy over it. It is almost one of a kind. They are hungry for that kind of stuff."

The wave of Hispanic owned businesses venturing into the regions of Latin America, has demonstrated that the ever-growing business relations with Latin America is not a trend, but a path Hispanic entrepreneurs will continue to follow.

NAFTA Works recently published an article showing Mexico-U.S. trade jumped 23% in March 1998, while U.S. purchases from Mexico increased almost 20% to reach $ 8.3 billion, and Mexico remained the second-largest market worldwide for U.S. goods.

"A new world, shaped by emerging technologies and the spread of democracy and open economies, is taking form," said Ambassador to the United Nations, Bill Richardson in his speech at the USHCC International Conference. "We, as Americans, must be at the forefront of modeling that future. In particular, we as Latinos must do our part to shape the new international economy and insure that our community is not left behind." H

H05967

THE HISPANIC MARKET: DYNAMIC AND DIVERSE

By Susana Rendon McHugh

The United States is the fifth largest Spanish-speaking country in the world, and the U.S. Hispanic population continues to grow five times faster than the general population.

The opportunities throughout Latin America mirror the market explosion within the U.S. borders. Aroused by the estimated $6 trillion in free trade between the U.S., Canada and Mexico as well as burgeoning trade throughout the rest of Latin America, the 700 million Spanish-speaking people of the Western Hemisphere continue to exert tremendous influence on the future of the U.S. Hispanic market.

With all its impressive size and growth statistics, however, the Hispanic market is no more a monolithic mass market than is the marketplace in general. It consists of foreign nationals and Americans of Mexican, Puerto Rican and Cuban decent, a growing number of newcomers from other Central and South American and Caribbean countries, and an abundance of cultural distinctions within each of these overall groups.

The successful development of highly focused and culturally relevant communications programs targeted to one or more of the Hispanic markets clearly requires a depth of special knowledge, skill, and understanding. Effective marketing to any group requires accurate intelligence concerning attitudes and consumer behavior patterns of the target market.

For many "brand loyalty" conjures up when defining the Hispanic consumer, yet by strict definition , brand loyalty means the repeat purchase of a brand or "brand continuity". The fact is Hispanic preference may also reflect habit (familiar with brand), lower price, or non availability of substitutes.

Whose brands and products are Hispanics most loyal to? Well, they may not necessarily be nationally advertised or popular brands. They also may not necessarily be American products.

It is interesting to ponder the implications of free trade since many U.S. companies

have products that are manufactured in Mexico, very often a brand that is closely associated with being "American" is made or assembled else where. As economies of the Western Hemisphere become integrated and brand choices increase exponentially for consumers, the importance of international or global brand building the goal of creating brand image, relevancy and loyalty consistently across many countries–will grow to be of utmost importance.

International trade has created a vast opportunity for the right products to make an effort to expand to the U.S. and specifically to target the U.S. Hispanic market.

Solid marketing tactics should include: Research (both qualitative and Quantitative) culturally relevant creative, a variety of mediums that include television, radio, out door, print or even direct marketing. Today's Hispanic consumer is best targeted and reached using a good media mix. Add to the fact that Spanish language media vary in both quality and availability from market to market–depending on the product a media planner will consider local spot buying or a network approach. Other tactics to consider are the use of public relations and promotions. Public relations provides credibility, expands messages, educates the consumer and enhances a brand or company's image. Promotions can stimulate short-term sales and be the basis for an advertising campaign.

The growth of concentrated efforts to target Hispanic consumers will continue, in short we are witnessing the "Hispanization" of the U.S. The changing composition of the Hispanic population will make enormous difference in how we advertise and sell products to this important niche market.

Susana Rendon McHugh is president of AdRendon, a full service public relations & advertising agency specializing in the U.S. Hispanic Market.

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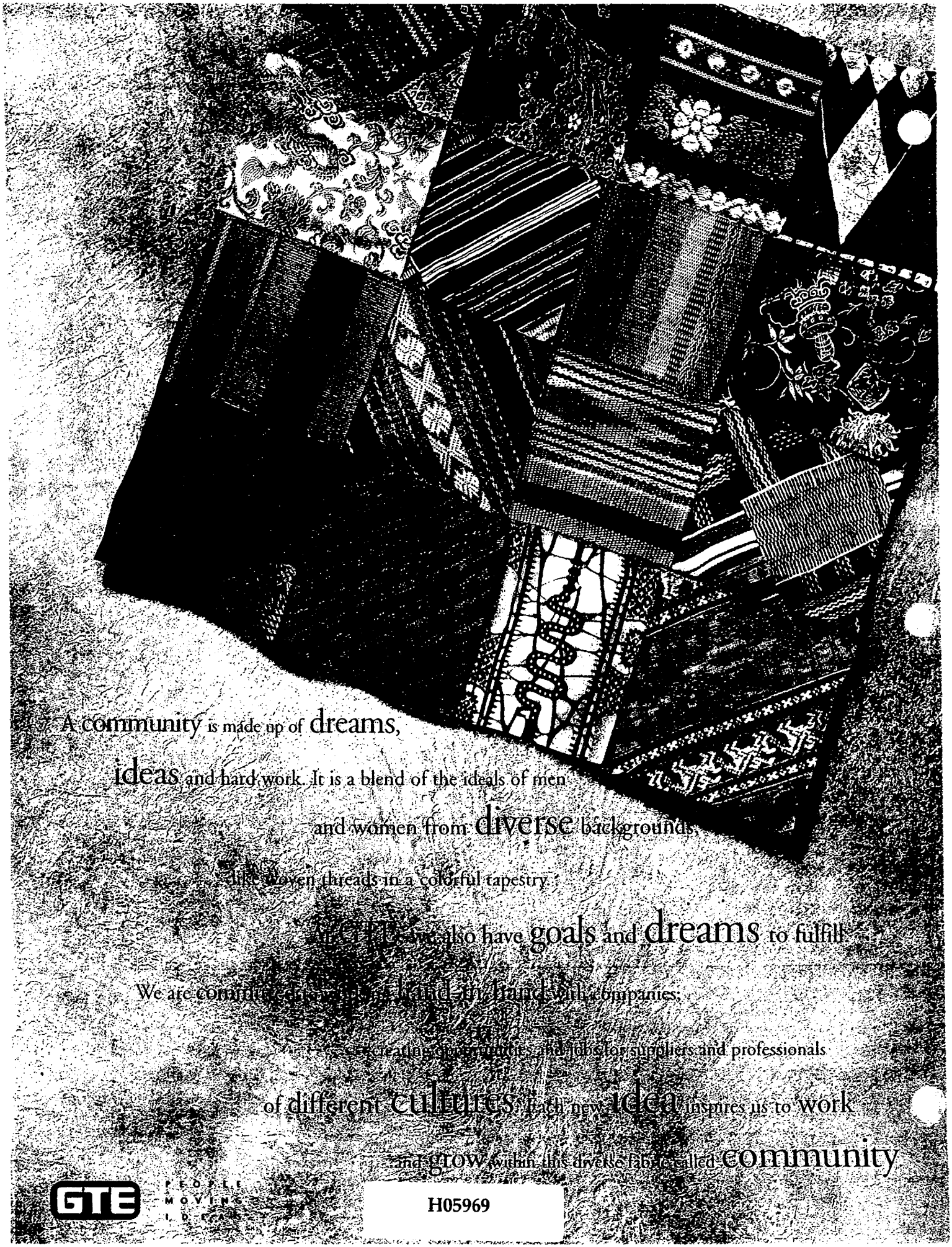
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1. MEMBERSHIP INFORMATION

❑ New ❑ Renewal

Name | Title

Company/ Organization | Year Established

Address | City | State | Zip

Phone | Fax | E-Mail Address

Average Number of Employees | Type of Business | Annual Sales

Primary Market Areas | Primary SIC Code | Secondary SIC Code

Certifications (SBA 8(a), Regional Purchasing Council etc.)

Do you Import or Export? | Products or Services | From/ To

Is you firm a Hispanic business enterprise? (At least 51% Hispanic-owned and operated) ❑ Yes ❑ No

2. MEMBERSHIP CATEGORIES

Please indicate your membership category:

General Membership

- ❑ Hispanic Business Enterprise (Annual sales below $500,000) $250
- ❑ Hispanic Business Enterprise (Annual sales $500,000-$1 million) $450
- ❑ Hispanic Business Enterprise (Annual sales $1-$5 million) $950
- ❑ Hispanic Business Enterprise (Annual sales above $5 million) $1500
- ❑ Non-Hispanic Business Enterprise (Annual sales above $5 million) $1500

Association Membership: Voting Member *

- ❑ Hispanic Chamber of Commerce ~~$250~~ 100
- ❑ Hispanic Trade Association/ Hispanic Business Organization $250

Association Membership: Nonvoting Member

- ❑ Hispanic Organization (agenda non-business) $250
- ❑ Government Agencies $500
- ❑ Foreign Trade Association/ Chamber of Commerce $750

Affiliated/ Professional Membership

- ❑ Student $25
- ❑ Individual $175

Corporate Membership

- ❑ Associate (Annual sales below $10 million) $2,500
- ❑ Partner (Annual sales between $10-$50 million) $5,000
- ❑ Sustaining Partner (Annual sales above $50 million) $10,000

* Please note: Hispanic Chambers of Commerce, Hispanic Trade Associations and Hispanic business organizations are eligible to send delegates to the Annual National Convention to Vote on Directors the USHCC Board, provided that the chamber/ organization is a member in good standing at the time of the convention and that the chamber/ organization satisfactory meets all eligibility requirements. A list of eligibility requirements is sent to each Voting Member prior to the convention.

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