

ARMA International San Antonio Chapter Collaborator

Collaboration... people working together to solve the puzzle...

Navigating RIM the e-Way

March 2009

Monthly Meeting and Luncheon

Tuesday, March 17, 2009
11:00 am - 1:00 pm

Embassy Suites
7750 Briaridge
San Antonio, TX 78230

Program Cost: \$25.00 for Members
\$30.00 for Guests with Lunch Provided!

Reservations Requested
RSVP No shows will be billed
Call Shannon Lopez at 210-641-8400

RSVP via email to:
armasa@armasanantonio.org

Reservation Deadline
Friday, March 13, 2009 at 12:00 (Noon)

Our March Program is on:

Create and Implement an effective Email Policy

Most organizations are struggling to develop a comprehensive email policy and are paying the price in higher IT and litigation costs. The challenge starts with the many business reasons for email management and the fact that they are often at odds with one another, creating a stalemate on the requirements of an email policy. How do you break the barrier and develop a cross functional team

that will create requirements for email use, data retention and appropriate access that meet corporate obligations? Explore what technologies are available and how to bridge the gap between departments to meet the challenge. This session will explain how you can facilitate the creation and implementation of a consistent and comprehensive email policy that benefits the whole organization by reducing costs and risks while conforming to RIM best practices.

Our Presenter is:

Galina Datskovsky, Ph.D., CRM

Dr. Galina Datskovsky is senior vice president and general manager of the Information Governance business unit within the Governance group at CA, responsible for the CA Message Manager, CA Records Manager and CA File System Manager product lines. She is also recognized as a Distinguished Engineer at CA, and joined the company in 2006 with the acquisition of MDY Group International, where she served as founder and CEO. Datskovsky is a Certified Records Manager (CRM) and is recognized around the world as an expert in records management and associated technologies, including the convergence of records and document management, email and physical records management, and federated records management. She has been widely published in academic journals and speaks frequently for industry organizations such as AIIM-The Enterprise Content Management Association, Association of Legal Administrators, Gilbane Conferences, The Association for Work Process Improvement, LawNet/ILTA and Cohasset Associates/MER. Datskovsky also serves on the board of ARMA International, a not-for-profit Information Management education organization. Prior to founding MDY, Galina consulted for IBM and Bell Labs and taught at the Fordham University Graduate School of Business and the Graduate School of Arts and Sciences at Columbia University. She received her CRM certification in 2004 and earned doctoral and masters degrees in Computer Science from Columbia University.



Message From the President

My fellow San Antonio ARMA International and Chapter members,

Hopefully you were able to attend our two day track seminar held at Valero Energy Corporation last month.

The programs were outstanding. It was great to see people from our chapter taking advantage of this learning experience. We also had attendees that are new to records management and a few from our ARMA Southwest Region. The seminar's theme was "Navigating RIM the e-way" and our voyage started with a great motivational speech given by Susan Young. She encouraged us to "Get In Front" and explained that success is not an accident. She asked us to answer a couple of questions. What would you do if you knew you couldn't fail? And to write down 3 favorite excuses. Her stories were incredible and she encouraged us to stop making excuses and always be positive. You need to get in front of people so they can notice your abilities. She based this on a story about her son's hockey adventures. Susan's husband encouraged her son to be more aggressive while playing hockey. He told his son, you need to get in front in order to get closer to the puck. And this sparked Susan's "Get In Front" catch phrase.

Our VP of Professional Development, DeBe Wantzloeben, CRM, and her dedicated committee members who helped put this together did an outstanding job. Our attendees, including myself, took advantage of the free massages during the seminar.

And a big thanks to Fulbright & Jaworski, Global DCC, CA, Ink, Recall, Mimosa, SafeSite, Inc., Guidance Software, AIS, CASO, Inc and Iron Mountain for partnering with us on this event.

As you know, our U.S. president is offering stimulus packages to everyone. Well my version of "stimulus" is to continue bringing great speakers to San Antonio which will keep our travel cost down. In fact this month learn how to "Create and Implement an Effective Email Policy" from our presenter Galina Datskovsky, Ph.D, CRM.

I would like to extend a personal invitation to you to become part of the ARMA San Antonio Board of Directors for the 2009-2010 term. Let me know if you are interested or ask a current board about their current position. You can also start your leadership role by joining or leading one of our committees. I know we have several talented leaders in our membership so here is your chance to "Get In Front".

And always remember that "Success is a journey, not a destination if you are "Navigating RIM the e-way".

Ben Cantu

President
ARMA San Antonio Chapter



Our care bear donations continue to rise and so do the funds we have available to purchase bears.
Thanks to all who made donations to this very worthy cause.

ARMA RIO GRANDE CHAPTER SEMINAR

Spring Conference

Information Management - Records Retention

Thursday, April 2, 2009

PNM Large Conference Room, 2nd Floor, AS-2

Alvarado Square,

www.armariogrande.com

Downtown Albuquerque

Sara Fordice

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\$50 per session, or \$100 for the day

Box lunch available for purchase - \$15

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Batter Women's Shelter

By Dora S. Martinez, CRM

Battered Women's Shelter- "Item of the Month."

Bar of Soap



Several articles have been published outlining the needs of the Battered Women's Shelter and we appreciate the many times you have brought your travel toiletry items to donate to such a worthy cause. However, in a time of economic hardship, it's time to renew our commitment to this cause and continue to bring our donations in for the women and children who find themselves residents of the shelter.

At our last Board Meeting, we brainstormed on how to better serve our community needs, in particular, the Battered Women's Shelter. Today we are launching our program by requesting that each member bring one item for the Battered Women's Shelter—our "item of the month." This month, we are requesting a bar of soap. Yes, let's help those in need by bringing a bar of soap to our next meeting! Think of the supplies this would provide for the shelter! We could have at least 50 bars of soap for them! Of course, we still welcome your travel toiletries. All the items will be delivered to the Battered Women's Shelter.

Each month, we will be asking for a different item. Be on the lookout for our "Item of the Month" in the next newsletters. Thank you for your continued support and don't forget your bar of soap!



ARMA Austin Presents

JOHN ISAZA, Esq.

Wednesday, April 1, 2009

8:00 am – 5:00 pm

UT J.J. Pickle Research Campus, The Commons Center

10100 Burnet Road, Austin, TX 78758

www.arma-austin.org

First Online Master's Degree in Archives and Records Administration

San Jose School of Library and Information Science Now Accepting Applications for the Fall 2009 Cohort

Patricia C Franks, Ph.D., CRM
MARA Program Coordinator
pfranks@slis.sjsu.edu

The first group of students to pursue a Master of Archives and Records Administration (MARA) degree through the San Jose School of Library and Information Science started their studies in August 2008. With the convenience and flexibility of a fully online format, students can live anywhere while enhancing their career options in a rapidly expanding field that will play an important role in the digital information age. MARA graduates will be among the few information professionals specifically trained to manage the irreplaceable, yet highly vulnerable digital materials now produced by corporate, government, and nonprofit institutions.

Students in the new MARA degree program learn how to help organizations preserve and provide access to their growing volume of digital assets. They focus on understanding the critical role electronic records play in preserving institutional memory and ensuring corporate accountability. They also prepare for successful completion of the certification exams administered by the Academy of Certified Archivists and the Institute of Certified Records Managers.

MARA graduates will be prepared to work in a variety of settings, including corporations, government agencies, libraries, museums, historical societies, archives, and other non-profit organizations.

Student Profiles

The first cohort of MARA students is a reflection of the wide range of individuals served by the program and their variety of career paths. For example, Connie Rodriguez currently works as a National Records Management Program Manager at Ernst & Young, an international accounting firm. Rodriguez and her colleagues are exploring new ways to consult with key stakeholders regarding management of her company's physical and electronic records. The MARA program is helping Rodriguez learn about emerging trends and best practices that impact her work.

MARA student Patricia Manning works as a Records Specialist at Baker Hughes, an oil field services company. She is helping her company develop a records retention schedule and create a records and information management system. She is the solo Records Specialist for her company, and she appreciates the professional networking that the MARA cohort provides.

MARA Curriculum and the Cohort Model

The MARA program is delivered in a cohort model, where a small group of students share the learning journey together. Cohort members start the program at the same time and stay together for the program's duration. Enrollment is limited to 25 students in each cohort.

Students take two courses a semester and graduate in just under three years. They take 14 courses (42 semester units) that focus on a range of topics, including records creation, appraisal, access, storage, retrieval, preservation, and security. As a culminating experience, students have the opportunity to prepare an electronic portfolio, participate in an internship experience, and complete a course focused on preparation for professional certification exams. All incoming students are also required to complete a brief emerging technology course, which prepares them for the online learning environment.

Sophisticated Online Learning Environment

By learning to use sophisticated technology as part of their coursework, MARA students are better prepared to successfully navigate a rapidly changing information landscape and apply technology in their professional lives. Students interact with peers and instructors through web conferencing, social networking platforms, and immersive environments. Students also learn to store and organize their own digital assets by uploading them to the School's learning management system, and by completing their electronic portfolio as their culminating experience.

The San Jose School of Library and Information Science is a recognized leader in making effective use of leading edge technologies for distance learning. *US News and World Report* named it the #1 e-learning service provider in its discipline. In addition, the School received the 2007 Faculty Innovation Award from the Association of Library and Information Science Education in recognition of the School's leadership in applying emerging technologies in a web-based learning environment.

More Information

Applications are now being accepted for the next MARA cohort, which will begin their studies in August 2009. The application deadline is April 1. To learn more about the MARA program or apply, visit <http://slisweb.sjsu.edu/mara/index.htm> or contact Dr. Patricia Franks, MARA Program Coordinator at pfranks@slis.sjsu.edu.

Patricia C. Franks, Ph.D., CRM, has a doctorate in Organization and Management with an e-business emphasis. Dr. Franks is a member of ARMA International's Standards Development Committee, and she has served on various committees and task forces for both ARMA and AIIM. She is an adjunct instructor and MARA program coordinator for San Jose State University and an independent consultant in records and information management and business process analysis.

Preservation Notices

by Rosemary R. Williams

As records managers, one of our goals is to create and monitor an effective records management schedule. A good records system provides for the retention of the organization's paper and electronic records to meet business needs and legal requirements, and for the destruction of records when they are no longer needed or required. This process is designed to streamline business functions and increase efficiency. Sometimes, however, circumstances arise which require the suspension of the normal retention/destruction cycle, in order to comply with the organization's duty to preserve relevant evidence. This is where preservation notices, or "litigation hold" letters, come into play.

When should a preservation notice be issued?

The legal duty to preserve is triggered when litigation, a government investigation or audit, or a third-party subpoena is pending or is reasonably anticipated. The duty can arise even before the lawsuit is filed or the notice of investigation or subpoena is received. While there is no "bright line" rule, if a party receives information indicating, from credible facts and circumstances, that litigation or a government inquiry is likely to occur, this will trigger the duty to preserve. At this point, senior management, in-house counsel, records management personnel, and IT personnel should coordinate with outside counsel to identify the types of records and other material that may be relevant to the litigation or investigation, the employees likely to have potentially relevant materials, and the period of time that should encompass potentially relevant material. This information will determine both the scope and content of the preservation notice.

What type of information needs to be preserved?

Note that the duty to preserve extends beyond documents that are identified as "records" and may include information sources as disparate as cell phones, text messages, instant messages, personal web mail, voicemail, Blackberry devices, "blogs," and other emerging technologies. However, not every email, voicemail, or document needs to be retained in every case. The scope of preservation should be reasonable, taking into account the specific facts known at the time, rather than simply ordering the preservation of all materials. Issuing overly broad preservation notices, and preserving too large a universe of material, can result in substantial and unjustified costs to the organization. The preservation notice should be crafted to describe the scope of information that is potentially relevant to the litigation or investigation, while not painting in such broad strokes as to encompass too much information.

Who should issue the preservation notice?

The preservation notice should put employees on notice that the matters addressed are serious in nature, and that the duty to preserve is an obligation, not an option. For this reason, and because courts seem inclined to place great responsibility—and blame—on senior management, the preservation notice should be issued by someone at the organization's senior management level. Where appropriate, notices may be issued in the name of the lead in-house attorney for the matter. Outside counsel for the organization should supervise the process as well. Both the legal department and senior management should stress the importance of complying with the preservation notice. The organization's legal department should track distribution of preservation notices, acknowledgement of receipt of the notices, and related communication.

Who should receive the preservation notice?

The organization should make reasonable efforts to reach all individuals likely to have relevant materials. The preservation notice should be sent directly to all employees considered "key players" in the litigation or investigation as soon as they are identified. Beyond this core group, reasonable investigation and research is necessary to identify who else is likely to have possession of relevant materials. When the duty to preserve materials arises, the lead attorney in the organization should interview those who may be considered by the court to be key players, either in person or over the phone, to gain understanding of how materials are maintained and to identify who else may have possession of relevant materials. Records coordinators in each business unit can also play an important role in identifying relevant materials and key players and should be included in the distribution list. As additional individuals with relevant information are identified, they should also receive the preservation notice. In potentially significant matters, the IT department needs to be involved to some degree in the preservation process. A specific notice or memorandum can be issued to IT personnel, or they can be copied on the preservation notice.

What information should be included in the preservation notice?

The purpose of the preservation notice, of course, is to inform persons within the organization of the need to preserve potentially relevant materials and the means by which to do so. The notice should impress upon recipients the importance of preserving evidence and the potential adverse ramifications of noncompliance. The notice should "command the attention" of the recipients.

Two very important sections of the preservation notice are the matter description and the identification of types of material to be preserved. The notice should include a description of the subject matter of the claims or the investigation. Where applicable, the notice should describe the elements of the claim and any reasonably foreseeable claims that may be included later. The description of potentially relevant materials should balance the need to be understandable and inclusive with the need to avoid describing so many documents that the organization is unnecessarily required to preserve irrelevant, voluminous materials at great expense.

In addition, the notice should identify the parties to the litigation or investigation, and it should identify the most significant witnesses and key players. It should be dated, indicate the relevant time period for the materials at issue, and state the duration of the reservation obligation. It should contain guidelines for what kinds of materials should be maintained and the actual steps that should be taken to

preserve them, making clear that the preservation obligation extends to all potentially relevant material, regardless of where it is located. The notice should provide contact information for the persons responsible for collecting the information, as well as a request to contact that person if the recipient is aware of other persons who may have responsive material or information.

Finally, the notice should include a requirement of acknowledgement of its receipt by each recipient. Acknowledgements should be systematically tracked by the persons responsible for coordinating the collection of relevant materials (where applicable, the organization's legal department). The notice should require an immediate response, in order to increase compliance with the acknowledgement provision.

The preservation notice may be reissued periodically during the pendency of the litigation or investigation, so that new employees are aware of it and so that it stays fresh in the minds of all employees. If a merger or acquisition occurs, case law suggests that the organization should evaluate which (if any) new employees may possess potentially relevant information and should be added to the preservation notice distribution list.

When should the preservation notice be terminated?

Preservation notices should remain in effect until a matter is concluded. A matter is determined to be "concluded" when (1) a final settlement agreement and release has been signed by all parties; (2) a dismissal with prejudice has been entered as to all parties and the time to appeal has expired; or (3) a final judgment has been entered as to all parties and has become final, and the deadline for any further appeals has expired. At this point, the organization should issue a preservation termination notice as official written notice that the duties under the original preservation notice (and any amended or supplemental notices) are ended. The termination notice informs employees that they can and should resume routine document destruction in accordance with the organization's records retention schedule. It should be treated with the same level of importance as the original preservation notice. Disregarding a preservation termination notice and retaining materials for indefinite amounts of time can expend unreasonable amounts of resources and cost the organization unnecessary—even exorbitant—expense. It can also create the prospect for needing to search, preserve, review, and/or produce such materials in future litigation. Note, however, that some materials may fall under multiple preservation notices and may need to be retained under a notice that is still in effect, even if another notice has terminated.

Conclusion

Preservation notices temporarily suspend normal document retention periods and destruction schedules. They are a "necessary evil," as they disrupt normal business practices as regards the organization's records. With careful crafting and management, however, an organization can use preservation notices to efficiently identify, retrieve and produce relevant evidence while maintaining an effective and organized records retention system.

Author's Note: The information contained in this presentation includes the opinions of the author as to statutory and regulatory interpretation, case law, and related issues. The reader is advised that other persons may reach different conclusions based on their interpretations of case law, statutes, and regulations. The author does not warrant that the conclusions or opinions stated herein will be adhered to by a court or regulatory agency that investigates or rules on these matters. The reader should seek independent legal advice before undertaking any activity that falls or may fall within the scope of the matters discussed herein.

The author would like to acknowledge the assistance of Keith Angle, Senior Counsel, Fulbright & Jaworski L.L.P., for his assistance in the preparation of this article.

Position Available

ARMA SA Newsletter Editor

Would you like to play an active, visible role in the San Antonio ARMA Chapter by providing one of the primary sources of communication between members? Would you like to be a volunteer but can't be away from home at night? ARMA has a great opportunity for you to be involved with local records professionals while sitting at your home computer or with a laptop on a beach! Position Description: Responsible for planning, producing and distributing the San Antonio Chapter Monthly Newsletter from September – June. Approximately 4-6 hours/month (using current format)

"Ready to publish" articles, advertisements, and announcements are submitted to the Editor by Board Members, Committee Chairpersons, Scholarship Winners, Vendors, and members-at-large on a monthly basis according to established deadlines. Editor organizes, adds graphics and distributes through email and the ARMA San Antonio webpage.

Skills Required: Competent computer skills, strong written communication and proofreading skills, excellent attention to detail, and passion for creativity.

PERKS! One year membership to ARMA International & San Antonio ARMA (\$200), if commitment is through June 2010.

Please contact Isabel Carreon @ Isabel.Carreon@Valero.com for more details.



ARMA San Antonio



Present the 6th Annual Swing & “Bear” It Golf Tournament

Monday, May 11 – 11:00 a.m.



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“Getting To Know You”

By Dora S. Martinez, CRM



Today I had the honor and privilege of having lunch with Laura Cuellar. As Laura got into my car, her infectious smile and upbeat personality were immediately evident. This lady is a dynamic and energetic woman who has dedicated 32 years of service to HEB. She recalled her first store assignments in San Antonio and smiled as she spoke about her early days as an employee of HEB. Her most memorable assignment, however, was working on the set up and opening of the HEB at Las Palmas, located in the middle of the west side of San Antonio. No sooner had the store opened and the needs of the elderly residents that frequented that store were recognized. Many came to cash their social security checks and Laura told me providing the money services and assistance for those individuals soon became a priority.

However, there were problems that surfaced and Laura spoke proudly of how HEB stepped up to the plate in order to assure that their customers were protected. After checks were cashed, some elderly customers were victims of theft. They'd return to the store frightened and, of course, without the money needed for the month. Soon, HEB, with Laura's lead, was setting up tables every month for their elderly clients and were providing services such as making their money orders payable to whatever utility or business needed so that the amount of cash carried by these individuals could be reduced. This monthly exercise soon expanded to HEB making a four year commitment to have a special event for the elderly during the holidays. Laura was instrumental in arranging special via transportation for her clients in December. The holiday program provided bus transportation every Tuesday during the month of December from senior activity centers to Las Palmas and back and the Tuesday before Christmas was transformed into a party that included mariachis, tamales, beans, rice and all kinds of goodies. Laura worked hard to make the holiday special for the elderly citizens of the west side. Laura became a little emotional as she spoke of how her grandfather, at 80 years of age, boarded one of those buses and joined his granddaughter in the Christmas celebration.

One does not have to spend much time with this lady without immediately realizing how dedicated she is to her family, to her community, and to HEB. Laura has a son Roger, daughter in law Natalie and two grandchildren Alexis and Lil Roger that are the love of her life. She divides her time between her family and giving back to the community. Laura is very involved with her church and participates actively in the ACTS retreats.

Laura's dedication and hard work did not go unnoticed. After her store assignments, she was asked to help start a Collections department in '89 which changed the manner in which HEB handled their returned checks. More recently, Laura was asked to merge two scanning departments into one. She has successfully handled that assignment and is now the Supervisor of HEB's Imaging Services Department. Laura is definitely a 'people person' and enjoys the interaction with her management, her peers, and the individuals that are lucky enough to have her as their boss.



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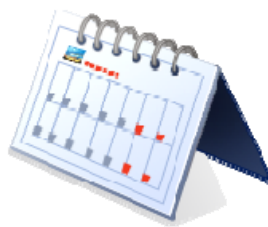
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ARMA-San Antonio Chapter 2008-2009 Programs Schedule

Date	ICRM Part #	Presentation	Speaker	Organization	Location
September 16	Part I	E-Discovery and Litigation Response Planning	Kathleen Sparks, CRM	Tyson	Embassy Suites
October 21	Part IV	Managing GIS Records	Lisa Derenthal	Gimmel Group	Embassy Suites
November 18	Part IV	Recovery of Vital Records After Extraordinary Events	Thomas McGuire	Munters	Embassy Suites
December		Holiday Program			TBD
January 20	Part I	Why a Certified Records Manager?	Dora Martinez, CRM	Consultant	Embassy Suites
February 19		Navigating RIM the e-Way Annual Seminar	Don Skupsky, JD, CRM Karon Teague, Gordon Hoke, CRM		The Vista @ Valero
March 17	Part II	Create and Implement an Effective Email Policy	Galina Datskovsky, Ph.D., CRM	CA, Inc.	Embassy Suites
April 21	Part V	Emerging Trends for Security in the Coming Decade: The Changing Face of Security and Privacy	Debbie Christofferson, CISSP, CISM	Apollo Group, Inc.	Embassy Suites
April 18		Shred Day			SACU
May 11		Swing & "Bear" It Golf Tournament	Presenting Sponsors Marshall Shred Advanced Services, Inc.	ARMA/SAPD	Olympia Hills Golf Club
May 19	Part I	Selling Yourself to Senior Management	Doug Allen, CRM	Global360	Embassy Suites
June 16		Awards Ceremony			TBD



Save the Date! May 11th
ARMA/SAPD SWING AND "BEAR" IT
GOLF TOURNAMENT
Olympia Hills Golf Club – 1:00 PM