

Volume 12 | Issue 3



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The deadline for ad and article copy for CCRA Online is the first of the month prior to the scheduled publication date. Articles, ad copy, changes of address, complaints of nondelivery and subscription requests should be directed to CCRA, 65 Enterprise, Aliso Viejo, CA 95656 or call (949) 715-4682. Advertising inquiries also should be directed to the Association office. Photographs accompanying articles should be RGB color JPEG files with a resolution no less than 120 ppi.

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The Electronic Magazine of the California Court Reporters Association

#### **CCRA Online Committee**

Lesia J. Mervin
Debby Steinman
Connie Parchman, Editor
3275 Royalton Court
Pleasanton, CA 94588
Tel: (510) 853-5260
parchman1@aol.com

#### **Main Office**

CCRA 65 Enterprise Aliso Viejo, CA 92656 Tel: (949) 715-4682 Fax: (949) 715-6931 Email: staff@cal-ccra.org

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Early Langley early.langley@cal-ccra.org

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debby.steinman@cal-ccra.org

#### **CCRA MISSION STATEMENT**

The mission of the California Court Reporters Association is to advance the profession of verbatim shorthand reporting by promoting professional reporting excellence through education, research, and the use of state-of-the-art technology; establishing and maintaining professional standards of practice; and advocating before legislative and regulatory bodies on issues which impact the judicial system and others served by the court reporting profession of California.





## President's Message — Official and Freelance Action Kicks Hard at CCRA

By Early Langley, CSR, RMR CCRA President



From CCRA's Action Team: Announcing a grassroots campaign to Save Officials Now, S\*O\*O\*N. Under the direction of CCRA Board member Brooke Ryan-Henrikson, official in Sacramento County, we will be contacting every county court reporter's office via in-person meetings, YouTube videos, Skype or conference call. Please let us know a contact person for each county you are in. We will cover these topics:

- 1. Word Count: CCRA has contacted stakeholders in this matter, including unions, lobbyists, CAT software vendors, other associations, and legislative representatives. We are gathering and analyzing information and developing a strategy. A plan is in place to meet and confer with the stakeholders to discuss options for a resolution as quickly and efficiently as possible.
- 2. Assembly Bill 2076: Legislation to retain official court reporter fees in local courts. This will bring more revenue for court reporter services in our local court.
- 3. Assembly Bill 2657: Legislation designed to require transcripts produced by ER machines designate "unintelligible" or "inaudible." This will keep the transcribers "honest" and show the inaccuracies in the ER transcripts compared to our professional transcripts. Only live court reporters can stop the proceedings and ask the parties to restate a word not heard or understood because of external noise.
- 4. JOIN our Action Team's SAVE OUR OFFICIALS NOW.

Please e-mail Brooke Ryan at <a href="mailto:brooke.ryan@cal-ccra.org">brooke.ryan@cal-ccra.org</a>, or <a href="mailto:info@cal-ccra.org">info@cal-ccra.org</a>,

#### From the Technology Impact:

- 1. Technology Impact, a newly formed YouTube series developed by our very own nationally recognized technology expert and realtime writer Sandy VanderPol. This series is vital to all of us. Covered in the series:
  - a. Clips that feature such distinguished guests as Lesia Mervin and guest speakers from vendors will be coming out every other week.
  - b. Windows; realtime streaming of text, audio; realtime commands for attorneys; tips and tricks from master court reporters; Connectify; wireless realtime; cloud computing; backup of data; and applicable laws in California governing such issues.
  - c. What topics do you want to hear about? Please e-mail <u>techimpact@cal-ccra.org</u> with your questions and suggestions!

#### From the Student Impact:

Our Board member Linda Hart visited the Argonaut School in Sacramento and created a video on Deposition Procedures. For information on distribution, please e-mail info@cal-ccra.org.

CCRA is your resource. We educate the legal and political community on behalf of all court reporters. Our membership protects, promotes and advocates for the firm owner, the freelancer and official court reporter.





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Brooke Ryan

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# From the Desk of the California Court Reporters Board: "Inaudible" in transcripts: Right or Wrong?

Is there anything wrong with a California Certified Shorthand Reporter putting in the word "inaudible" in a transcript? If it is wrong, why shouldn't a CSR do that? What codes and Standards of Professional Conduct and definitions of a CSR apply?

Pursuant to Business and Professions Code section 8017, the practice of shorthand reporting is a verbatim record of any oral court proceeding, deposition, court ordered hearing or arbitration, or proceeding before any grand jury, referee, or court commissioner and the accurate transcription thereof. Parenthetical use of 'inaudible' in a transcript to signify that something was said, but the court reporter did not hear it is unacceptable and could

subject the court reporter to citation and/or discipline for violating Business and Professions code section 8025(d) as incompetence (for not informing the parties that the testimony was inaudible) and for violating section 8025(j), violation of this chapter or the statutes, rules, and regulations pertaining to certified shorthand reporters.

In addition, the Professional Standards of Practice, outlined in 16 CCR section 2475(b) (3) require a court reporter to perform professional services within his/her scope of competence. The Board interprets this regulation to further place the duty on a court reporter to inform parties that testimony is inaudible.



# **Board Members Linda Hart and Pam Katros represented CCRA at the Judicial Council Meeting**







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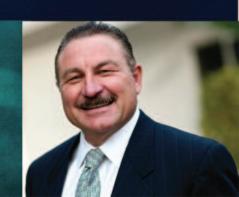
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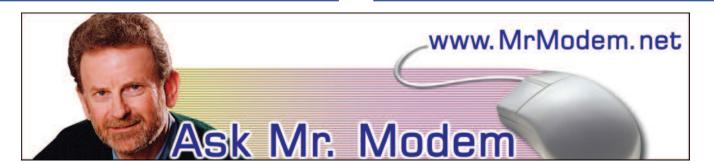
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#### Windows 8: Ready or Not?

- Q. Now that Windows 8 has been released, have you tried it? If so, what do you think?
- A. Windows 8 has not been released commercially yet, though the Consumer Preview Edition made its debut on February 29th. As a card-carrying geek with chronically nerdy tendencies, I have been using it since that time. Windows 8 introduces many new features and constitutes a significant change from Windows 7. I have a few concerns, though overall I like it. My complete review can be read at <a href="http://bit.ly/yl3RBx">http://bit.ly/yl3RBx</a>.
- Q. I am thinking about buying a Kindle or Kindle Fire reader, in part because I would like to read your eBooks, but I have a few questions first: What formats are supported by eReaders? What is the typical battery life of an eReader? Does using an eReader hurt one's eyesight? Thanks, Mr. M.
- A. TXT and .PDF files are supported by all eReaders, as are basic image files such as .GIF and .JPG. Beyond these fundamental formats, supported formats vary depending on the eReader.

As far as the typical battery, displaying pages of a book in an eReader uses very little power. The most power is used when turning pages. Battery life is normally listed as 7,000 to 8,000 page turns, which would constitute several weeks of heavy reading, or about 36 minutes if you're Evelyn Wood.

Regarding any harm to one's eyesight, according to my ophthalmologist, Dr. Jerry "Squinty" Anderson, absolutely not. In fact, compared to a computer screen, there is less eyestrain with an eBook reader because it will generally have a

higher resolution and refresh rate resulting in the absence of screen flicker.

- Q. I receive the following security warning when I open my Gmail: "Do you want to view only the Web page content that was delivered to you securely?" How can I prevent this from appearing? I'm using Internet Explorer, if that makes any difference.
- A. That type of warning is not emanating from Gmail, but rather from your browser. Gmail itself has no strong feelings about what you view. It will be happy to display anything you click.

You didn't mention what version of Internet Explorer you're using, so try this — and if the wording isn't precise for your version, it should be close enough that you can locate the appropriate settings: Go to Tools > Internet Options > Security > Security tab > Custom Level button.

In the Miscellaneous section, change Display Mixed Content to Enable, then save and exit. That should take care of it.

- Q. The status bar on my screen is about an inch and a quarter wide, and I do not know how to make it smaller. Can you help?
- A. By "status bar," I'm assuming that you mean the Taskbar — the large bar that appears across the bottom of the screen. If so, that is designed to expand or contract, which can come in handy. I have a very large monitor, for example, so I keep my Taskbar about three times the normal size so I can see a multitude of open programs and windows.

To adjust the size of the Taskbar. First, right-click it and make sure it shows that it is Unlocked. Then





## Ask Mr. Modem! — www.MrModem.com

#### (continued from Page 7)

place your cursor on the top horizontal edge of the Taskbar until it (your cursor, not the Taskbar) turns into a double-headed arrow.

While pressing the left mouse button, slowly drag the bar down toward the bottom of the screen and it will "collapse" incrementally, in steps or tiers, to the size you want it to be.

When you're done, right-click and lock the Taskbar so it won't move or change in the future.

# Mr. Modem's DME (Don't Miss 'Em) Sites of the Month

#### **Airline On-Time Statistics**

Who among us hasn't had the experience of racing to the airport to catch a flight, only to get there and wait, and wait, and wait, and wait... but for how long? If you're flying into or out of any airport in North America, you now have access to statistics that may help answer that question. The Bureau of Transportation Statistics provides detailed information regarding airline punctuality, or lack thereof, current through December 2011.

http://1.usa.gov/aFON6k

#### **Polar Inertia**

Polar Inertia is a self-described "Journal of Nomadic and Popular Culture." This unusual online magazine is updated seasonally with visuals that record the ever-changing global landscape. My only criticism is that the default font used on this site is too small and my bifocals doth protest. If you experience the same problem, click View > Text Size (or your browser's equivalent wording), and increase the size of the display font.

www.polarinertia.com

#### **Road Sign Math**

A fun driving game that bored motorists can play to pass the time. Read the rules first so you understand what you're looking for, then start driving and try to find a road-sign equation worth submitting to the official Web site. On the site itself, select a state and when a road sign's description appears, click the "Read more" link located below the description to view the sign and its mathematical explanation.

www.roadsignmath.com

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# From the Court Reporters Board:

#### **CSR Test Results**

Please click on the links below to view the Examination Statistics — November 1, 2011 Thru February 29, 2012, and "Dictation Examination Statistics — February 2012," for the Court Reporters Board of California.

http://www.courtreportersboard.ca.gov/applicants/examstat 0212.pdf http://www.courtreportersboard.ca.gov/applicants/examstats 1111 0212.pdf

If you cannot reach the URL by clicking on the above link, please copy and paste it directly into your browser.

The PDF document requires the most current version of Adobe Reader to view. To download click on the following link. <a href="http://get.adobe.com/reader/">http://get.adobe.com/reader/</a>

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For information concerning this report or the information contained herein, you may contact California Court Reporters Association, Attn. Sandy Bunch VanderPol, CSR #3032, at 65 Enterprise, Aliso Viejo, California 92656 (949) 715-4682 or by e-mail at <a href="mailto:RealtimeCSR@calweb.com">RealtimeCSR@calweb.com</a>.

#### **AB 1208**

(Calderon, Charles [D]) Trial Courts: Administration. Status: 01/31/2012-In Senate. Read first time.

To Com. on RLS. for assignment. **Current Location:** 01/31/2012-S RLS.

Summary: The bill would prohibit the Judicial Council, or its designee, from withholding or expending any portion of the total funds appropriated for trial court operations by the Legislature for any statewide information technology or administrative infrastructure program that was not identified in the annual Budget Act, unless the Judicial Council, or its designee, first obtains the written approval of 662/3% of a proportional representation of all local trial courts. The bill would require the Judicial Council, or its designee, to allocate 100% of the funds appropriated for trial court operations according to each court's share of statewide operational funding. Existing law provides that the Judicial Council retains the ultimate responsibility to adopt a budget and allocate funding for the trial courts, as specified, and empowers the Judicial Council to authorize a trial court to carry unexpended funds over from one fiscal year to the next. This bill would delete those provisions and would instead provide that unexpended funds shall be the funds of that court, which may carry those funds over from one fiscal year to the next. The bill would prohibit those funds from being reallocated or redirected without the consent of the management of the trial court.

#### **AB 1582**

(Wagner [R]) Civil Actions: Telephone Appearances. Status: 02/17/2012-Referred to Com. on JUD. Current Location: 02/17/2012-A JUD.

Summary: Existing law authorizes a court to permit parties to appear by telephone in designated conferences, hearings, and proceedings in civil cases and to require, at its discretion, a personal appearance in those matters if it would assist in the determination of the proceedings or in the management or resolution of the case. Under existing law, the Judicial Council was required to adopt rules by January 1, 2008, prescribing

the notice for telephonic appearances and the procedure for conducting those appearances. This bill would require a court to permit a telephonic appearance by parties and their attorneys and would expand the types of hearings, conferences, and proceedings where those telephonic appearances must be permitted by the court. The bill would specify that this requirement is subject to the court's discretion, which may require a personal appearance under the circumstances specified in existing law. The bill would extend the time for the Judicial Council to prescribe the notice and procedure for telephonic appearances to July 1, 2013.

#### **AB 2073**

(Silva [R]) Courts: Electronic Filing and

**Service of Documents.** 

Status: 03/08/2012-Referred to Com. on JUD.

Current Location: 03/08/2012-A JUD.

**Summary:** This bill would authorize a trial court, by order and at the discretion of the presiding judge, to require parties to eligible civil actions, as specified, to electronically file and serve documents, subject to rules adopted by the Judicial Council and other specified conditions.

#### **AB 2076**

(Ma [D]) Official Court Reporter Fee.

Status: 03/08/2012-Referred to Com. on JUD.

Current Location: 03/08/2012-A JUD.

**Summary:** This bill would permit the court in which the official court reporter fee was collected to retain that fee. The bill also would repeal the above-described reporting requirement of the Judicial Council.





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#### **AB 2119**

(Nielsen [R]) Courts: Information Technology Projects.

Status: 02/24/2012-From printer.
May be heard in committee March 25.
Current Location: 02/23/2012-A PRINT

**Summary:** This bill would make nonsubstantive changes to the provisions requiring review of judicial information technology projects, including the California Case Management System, by correcting obsolete cross-references to the State Chief Information Officer and the office of the State Chief Information Officer.

#### **AB 2372**

(Hill [D]) Service of Process: Attorneys. Status: 03/15/2012-Referred to Com. on JUD. Current Location: 03/15/2012-A JUD.

Summary: Existing law provides for service of process and other notices by various means, including by mail or in person, and specifies the conditions for those various means of service of process. This bill would provide that, notwithstanding any other law, service of process by a client, former client, or officer of the court is effective upon an attorney if mailed to the address for the attorney appearing on the attorney's profile on the Internet Web site of the State Bar.

#### **AB 2657**

(Calderon, Charles [D]) Electronic Court Reporting. Status: 03/19/2012-Referred to Com. on JUD. Current Location: 03/19/2012-A JUD.

Summary: Existing law regulates official court reporters in the superior courts. Under existing law, a court may use electronic recording equipment in a limited civil case, a misdemeanor or infraction case, or for the internal purpose of monitoring judicial officer performance. If electronic recording equipment is used, a transcript created with that equipment may be used whenever a transcript of court proceedings is necessary. This bill would require transcripts created with electronic recording equipment to designate as inaudible or unintelligible any sections that cannot be

transcribed verbatim because those sections are not clearly recorded.

#### **ACR 47**

(Davis [D]) Courts: 50th Anniversary of Service by African American Justices.

**Status:** 05/11/2011-From committee chair, with author's amendments: Amend, and re-refer to committee. Amended and re-referred to Com. on RLS.

Current Location: 05/11/2011-S RLS.

Summary: This measure would acknowledge the 50th anniversary of service by African American justices in the California Courts, and would encourage all Californians to share in statewide and local celebrations throughout the year to recognize the contributions and diversity of these and other judicial trailblazers. The bill would also call upon the leadership of the judicial, legislative, and executive branches of government, and the greater legal, educational, and justice communities, to sponsor and participate in educational and outreach activities that highlight the work of the justices of the California Courts of Appeal and the California Supreme Court.

#### **SB 326**

(Yee [D]) Court records: public access.

**Status:** 09/01/2011-From committee with author's amendments. Read second time and amended.

Re-referred to Com. on APPR.

Current Location: 09/01/2011-A APPR.

Summary: Existing law requires the Judicial Council to adopt rules of court to establish the standards and guidelines for the creation, maintenance, reproduction, and preservation of court records, and requires that these standards and guidelines reflect industry standards for each medium used, ensure the accuracy and preserve the integrity of the records, and ensure that the public can access and reproduce the records. Specifically, unless access is otherwise restricted by law, court records created, maintained, preserved, or reproduced under specified provisions are required to be made reasonably accessible to all members of the public for viewing and duplication, and electronic court



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records must be viewable at the court, whether or not they are accessible remotely. Additionally, rules of court require courts to provide public access to electronic records, as specified. This bill would require the Judicial Council, in consultation with stakeholder groups, and within 18 months of the date of enactment of this act, to adopt a rule of court to require courts that have fully implemented the California Case Management System to provide the public, to the extent possible and practicable, with same-day access to case-initiating civil and criminal court records, as defined.

**SB 1428** 

(Blakeslee [R]) Legislative Meetings: Recording and Transcription. Status: 02/27/2012-Read first time. Current Location: 02/24/2012-S PRINT

Summary: This bill would require each house of the Legislature to make an audio, or audio and video, recording of every open and public meeting of a house of the Legislature or a committee thereof, and would require those recordings to be transcribed. The bill would specify that the transcriptions shall be legislative records for purposes of the Legislative Open Records Act and require that the Legislative Counsel make the transcriptions available to the public in electronic form. The bill would require each house of the Legislature to make the transcriptions in a manner that utilizes the best available technology in audio transcription software in order to minimize costs.

**SB 1489** 

(Harman [R]) Courts: Destruction of Court Records. Status: 02/27/2012-Read first time.

Current Location: 02/24/2012-S PRINT

Summary: Existing law authorizes the court clerk to destroy court records after notice of destruction, if there is no request and order for transfer of the records, upon the expiration of specified time periods after final disposition of the case. Court records in capital felony cases are required to be retained permanently, unless the charge is disposed of by acquittal or a sentence less

than death, in which circumstance the case is reclassified and different time periods for retention apply. This bill would permit the destruction of court records in capital felony cases one year after the execution or death of the defendant while awaiting execution.

**SB 1514** 

(Anderson [R]) Death Sentences: Automatic Appeal. Status: 02/27/2012-Read first time.

Current Location: 02/24/2012-S PRINT

Summary: This bill would remove the automatic appeal to the State Supreme Court in cases where a judgment of death is rendered and would instead provide that an appeal may be taken to an appellate court in the same manner as an appeal where a judgment of death is not rendered in a murder case, except as required by the above provisions of law pertaining to the expeditious resolution of capital cases. The bill would make conforming changes. The bill would become operative only if Senate Constitutional Amendment \_\_\_\_ of the 2011-12 Regular Session is approved by the voters.

**SB 1551** 

(Vargas [D]) Child Abuse and Neglect: Mandated Reporting.

Status: 02/27/2012-Read first time.

Current Location: 02/24/2012-S PRINT

Summary: Existing law, the Child Abuse Neglect and Reporting Act, makes certain persons mandated reporters. Under existing law, mandated reporters are required to report whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Failure of a mandated reporter to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor. This bill would make technical, nonsubstantive changes to these provisions.





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**SB 1574** 

(Committee on Judiciary) Discovery: Electronically Stored Information.

Status: 03/09/2012-From printer.
May be acted upon on or after April 8.
Current Location: 03/08/2012-S PRINT

Summary: The Civil Discovery Act authorizes the use of certain types of technology, as defined, in conducting discovery in a complex case. This bill would delete those provisions, and instead generally provide that when any method of discovery permits, compels, prevents, or limits the production, inspection, copying, testing, or sampling of documents or tangible things, the same method would also apply to electronically stored information. The Civil Discovery Act requires any documents produced in response to an inspection demand to be produced as they are kept in the usual course of business, or be organized and labeled to correspond with the categories in the demand. This bill would make this provision applicable, in addition, to the production of electronically stored information. The bill would also provide that if a party responding to a demand for production of electronically stored information objects to a specified form for producing the information, or if no form is specified in the demand, the responding party shall state in its response the form in which it intends to produce each type of information. In

general if a demand for production does not specify a form or forms for producing a type of electronically stored information, the responding party would be required to produce the information in the form or forms in which it is ordinarily maintained or in a form that is reasonably usable, but need not produce the same electronically stored information in more than one form.

**SCR 38** 

(Price [D]) Courts: 50th Anniversary of Service by African American Justices.

Status: 05/02/2011-Referred to Com. on RLS.

Current Location: 05/02/2011-A RLS.

Summary: This measure would acknowledge the 50th anniversary of service by African American justices in the California Courts, and would encourage all Californians to share in statewide and local celebrations throughout the year to recognize the contributions and diversity of these and other judicial trailblazers. The bill would also call upon the leadership of the judicial, legislative, and executive branches of government, and the greater legal, educational, and justice communities, to sponsor and participate in educational and outreach activities that highlight the work of the justices of the California Courts of Appeal and the California Supreme Court.

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# **Useful Links:**

Make sure that the 3,000 most commonly used words in English are in your CAT dictionary and that you can write them with as few strokes as possible — preferably one stroke.

http://www.paulnoll.com/Books/Clear-English/English-3000-common-words.html

From Sue Terry:

http://www.theglossarist.com

Type in a subject matter and a glossary pops up!







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Thank you so much for your generous contributions to sponsor student membership to CCRA. These students will benefit from receiving our *CCRA Online* publication and the many other programs that we offer to students, some of which require being a member to participate, such as the scholarship program and being sponsored to the convention.

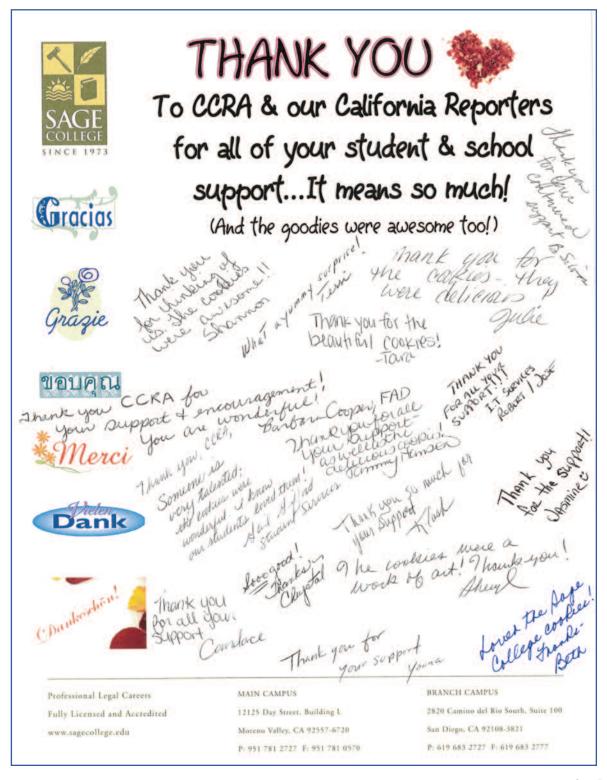
CCRA Members, if any of you would like to sponsor a student membership, it's very easy to do so. Just go to our website, under the "Students" tab, and click on "Sponsor a Student Membership." It only costs \$30 and you can pay for it online as well.





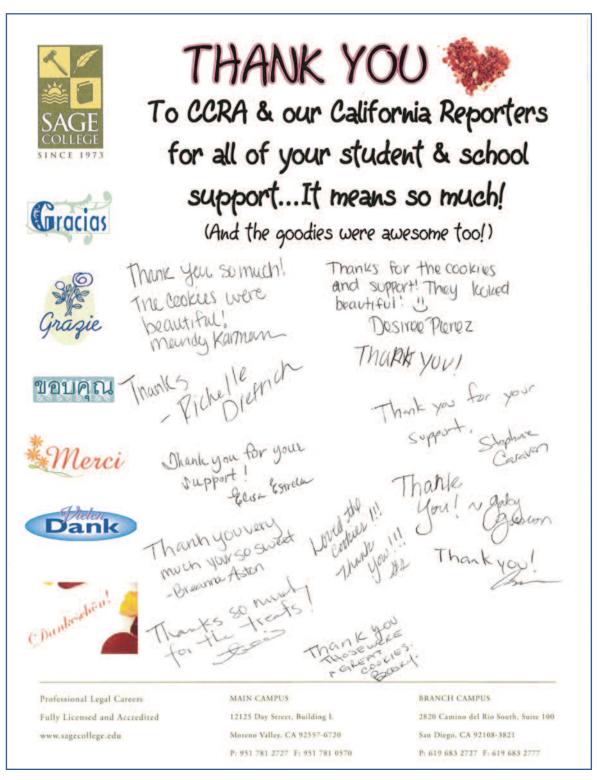


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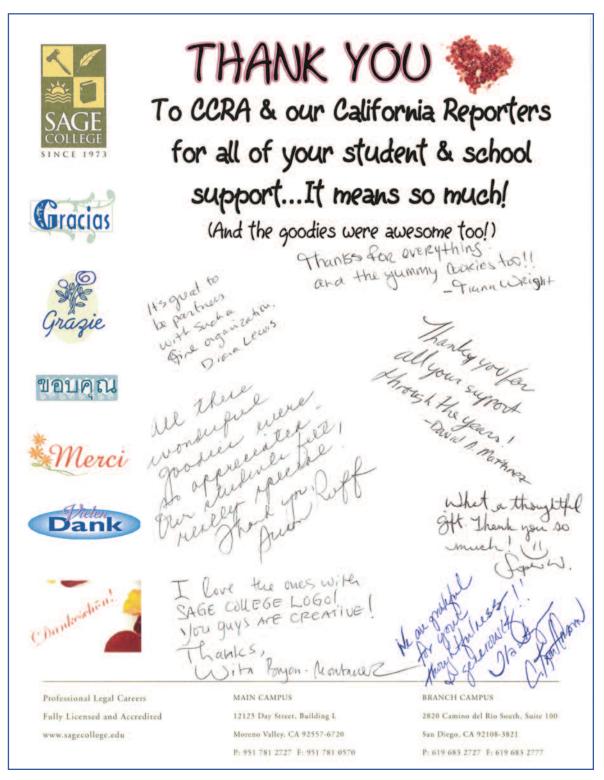


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To CCRA & our California Reporters for all of your student & school support...It means so much!

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## Vocabulary Test No. 10

#### By Debby Steinman

Most of the words for this test came from the Commentary section of the newspaper, civil court hearings and trials, the Bible, and one came from a fellow reporter. Enjoy!

- 1. obsequious (adj.)
  - a. servile
  - b. arrogant
  - c. dutiful
  - d. alert
- 2. ethos (noun)
  - a. passion
  - b. ethic
  - c. ardor
  - d. esteem
- 3. complement (noun)
  - a. insult
  - b. supplement
  - c. flattering remark
  - d. dedication
- 4. venal (adj.)
  - a. conceited
  - b. angry
  - c. valiant
  - d. bribable

- 5. surcingle (noun)
  - a. ribbon used in Olympic dancing
  - b. tethers for hot air balloons
  - c. belt to bind a saddle to a horse
  - d. matador's sash
- 6. parlous (adj.)
  - a. hazardous
  - b. secure
  - c. serious
  - d. impulsive
- 7. bucolic (adj.)
  - a. sickly
  - b. idyllic
  - c. fussy
  - d. fearless
- 8. milieu (noun)
  - a. mischief
  - b. environment
  - c. festivity
  - d. gathering

#### 9. sheaf - (noun)

- a. large amount or number
- b. a knife holder
- c. a type of woman's dress
- d. tomb

#### 10. ubiquitous - (adj.)

- a. uniform
- b. oblivious
- c. omnipresent
- d. incalculable

Answers to Vocabulary Test No. 10:

- 1. obsequious: (A) marked by or exhibiting a fawning attentiveness; servile
- 2. ethos: (B) the distinguishing character, sentiment, moral nature, or guiding beliefs of a person, group, or institution; also ethic
- 3. complement: (B) something that fills up, completes, or makes perfect; supplement
- 4. venal: (D) bribable; open to corrupt influence and especially bribery
- 5. surcingle: (C) belt used to bind a saddle to a horse
- 6. parlous: (A) hazardous; full of danger or risk
- 7. bucolic: (B) idyllic; relating to or typical of rural life
- 8. milieu: (B) environment; the physical or social setting in which something occurs or develops
- 9. sheaf: (A) large amount or number
- 10. ubiquitous: (C) omnipresent; existing or being everywhere at the same time







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# Asparagus & Mushroom Salad

## Cal-e-licious

By Gerie Bunch

#### **ASPARAGUS & MUSHROOM SALAD**

This is one of my favorites and so simple.



1 bunch of fresh asparagus 1 lb. (10 to 12 med.) mushrooms ½ to ¾ c Nut Tree Dressing (see below)

Bring a large sauce pan of water to a boil.

Slice asparagus in thin diagonal 1 ½" pieces.

Blanch asparagus for 2-3 minutes and put immediately into a bowl of ice water. When chilled, drain the asparagus very well. Slice the mushrooms about 1/8th

inch thick, at least. In a medium bowl, combine the chilled asparagus with the mushrooms and dressing. Let marinade for several hours. This can be served by itself or on top of a bed of lettuce.

Nut Tree Dressing

In a mortar and pestle grind until smooth the following:

1 ½ tsp. salt

1 tsp. pepper

1 clove garlic

Then add the juice of a lemon (usually  $\frac{1}{4}$  cup)  $\frac{1}{2}$  c. red wine vinegar

Whisk together with a small whisk and then pour into a dressing container. Add 1 ½ c. canola or olive oil and 1 Tbsp. slightly whisked egg white. Shake well. The egg white acts as a binding agent to keep it from separating immediately.

THIS IS OUR FAMILY'S FAVORITE.



