

DIRECTOR'S ARTICLE

OBSERVATIONS FROM A FOUNDING MEMBER



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In the beginning, 1982, there were 42 forward thinking process servers from across the country. I am proud to have been one of them. Since then, through the foresight of those 42, a foundation was built for the future. We are now over 2200 members strong. I worked very closely with many of those 42: Andy Estin, Donald "Mac" MacDonald, Mike Buter, Juanita Tanzer, Alan Crowe, Ron Ezell and Tom Bowman. In later years came Paul Tamaroff, Thomas MacDonald, Sue Collins, Larry Yellon and Eric Vennes to name a few. On many occasions we were on opposite sides of issues but we worked through those issues. From the start we were - and still are - dedicated to one purpose, to professionalize our profession and to become a source of education and leadership. We had the foresight to reach out to other associations that would advance our cause and standing in the legal profession.

As one of the younger members of the association and the Board, I was mentored by the likes of those mentioned above. One person in particular was Al Crowe. We became very close and I admired him more than he could ever know. He was a man of great integrity, morals and a passion for everyone to succeed. He was a great listener and educator and always helped anyone in need. His passing was a great loss to me, NAPPS and our profession. To see his good name impugned by expelled member Randy Scott; someone who never even knew Al is like being stabbed in the heart! Over the course of many years Al prepared his son, Gary Crowe to assume the administration of NAPPS. NAPPS has been left in very good hands, as Gary is a man of fine character like his father.

It has been very disturbing for me as well as others to see the relentless attack Gary has endured by Randy Scott, an individual that was expelled from NAPPS. The membership should understand that the board completely supports Gary. He has proven every one of Scott's outrageous claims to be false and without merit. The Board has had an opportunity to review the Association's financial reports and accounting records. We are in sound financial condition and all funds are in order. Scott has made every effort to spend much of the Association's assets in a retaliatory effort because of his expulsion, brought on by his own actions. This includes filing a Federal lawsuit against the Association and many members of the Board. Scott continues to assert that he is smarter than the paid professionals that NAPPS has engaged to perform specialized functions. He is misguided and does not understand many claims he makes. What has become very clear is the fact that Scott will wage an assault against anyone that does not agree with him.

Gary is not the only person to be maligned by Scott. I, too, have been painted with the same brush. In fact, most of the entire Board has been subjected to Scott's misinformation, innuendo and outright lies. Here is a person that first applied for membership in NAPPS in 2009, some 27 years after our founding. He has attended one Annual Conference and has not been present during any Board meeting to listen to the debates in an effort to understand why certain decisions have been made. I am not saying that one must attend annual meetings and board meetings in order to ask questions of the leadership. I do, however, wholeheartedly believe that someone who emails the membership almost daily (and sometimes more often) with innuendo and outright lies, might consider actually showing up to a meeting so he could at least get the facts straight!

Scott has made so many false claims that it is extremely difficult to address them all. He publishes snippets of people's lives without telling the whole story. He will try to link one person's misdeeds with others. When he cannot find "dirt" on someone he dislikes, he attempts to condemn them anyway by linking them to someone else who has a misdeed in their past. He continues to tout

the Constitution while condemning people that have never been convicted of anything. When the facts are shoved in his face, he merely looks the other way and continues the same attacks; often choosing a new victim.

I have attended every Annual Conference and all but two Board Meetings since the inception of NAPPS. I have had the good fortune to participate in debates on numerous issues over the years. I understand what it takes to listen to others and to compromise. I, as well as many others have spent their own money and time away from business and family to work on behalf of the membership. For many years there was no money to provide a stipend for Board members to attend meetings around the country. Rarely have I seen anyone out to promote their own interest over the best interest of the entire membership. There have been a few individuals, but, they are the exception. The membership has every reason to be proud of its leaders.

Scott rants about expelled past Presidents; questioning finances of the association. This could not be further from the truth. One resigned on his own accord; one was expelled for embezzlement from another NAPPS member; one for not paying his outstanding invoices to other members and one for ethical violations. As a Board member, I take my oath and position very seriously to ensure adherence of the Bylaws and Code of Ethics. If a member, or even a past President, violates our Bylaws or Code of Ethics that he or she agreed to uphold when joining, they face the same consequences as every other member.

Scott has attacked me on many issues. As previously stated, Scott likes to condemn people for the actions of their associates. Regarding my former business partner, who has had his share of legal problems, Scott has used my former business partner in an effort to damage my reputation. Contrary to Scott's assertion that my partner was a founding member, official records prove he was not. He also has not been a NAPPS member since 2004. Once my partner's legal problems became known, our partnership was severed and he has not been affiliated with my company since 2011.

If you chose to read Scott's unending emails, if you were able to understand them, ask yourself "what does this person have to gain?" He claims to want transparency, yet he blocks some people from access to his emails and his Facebook site if they disagree with him. He has cost YOU the NAPPS members a large sum of money to defend his now dismissed Federal lawsuit against the Association and the Board of Directors. His lawsuit was dismissed because Scott failed to produce any evidence supporting his claims. He was given an opportunity by the Judge assigned to his case to amend his complaint with facts, and he failed to do so. Why? Because there is no truth in his complaint. His claims were based on misguided "information & belief." Keep in mind, here is a person that has filed numerous bankruptcies (the most recent being in 2007) and changed his name within the past few years (for reasons unknown). He claims his bankruptcies are "old news" yet he republishes articles from the 1980's in an attempt to discredit and defame others. Oddly, while trying to gain credibility by proclaiming an education in non-profit management, he has proven only that he does not have the ability to handle his own finances let alone those of a non-profit where the monies are not his own. Clearly, paying creditors and is not at the top of his list of priorities.

In his Pro Se Federal lawsuit against NAPPS, he filed in March of 2013 an "Affidavit of Indigence" was filed (which is in the public record USDC Middle District of Florida 2:13-cv-157-FtM-38DNF). In it, Scott swore under oath that he earns ONLY \$60 per week and claims to have cash assets of \$900. I believe most would agree that, given his current financial status, he should be trying to earn a living and not spending day and night writing libelous posts on websites and sending emails.

For the past 31 years, I have worked with many hard working individuals to make a difference in our profession. I stand by and am very proud of the work we have and will accomplish in the future. I have spoken with many NAPPS members who tell me that joining NAPPS is the best thing they have ever done to advance their business. Scott is clearly obsessed with trying to discredit NAPPS, its members and the past and present leadership. His efforts will undoubtedly fail.