



Why don't they want
to get involved?

Apathy Reigns

**And Biscayne Bay
Pays The Price**



HEINZ DINTER, PhD

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Apathy Reigns

HEINZ DINTER, PhD



Miami

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CONDO*MONIUM

Condominium — joint dominion; esp: joint sovereignty by two or more nations; a government operating under joint rule; a politically dependent territory under condominium; individual ownership of a unit in a multiunit structure (as an apartment building); also a unit so owned; a building containing condominiums.

Pand**emonium** — the capital of Hell in Milton's Paradise Lost; the infernal regions: HELL; a wild uproar: TUMULT



**Laws are like cobwebs which may catch small flies,
but let wasps and hornets break through.**

Jonathan Swift (1667-1745)

Irish author and journalist



This booklet is dedicated to
my Grove Isle friends
— those who truly are.

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What It's All About

ARE YOU LOOKING for a condo? Heed the *caveat emptor* as part of your search for a condo of your dreams or a rewarding investment.

First-hand experience is always a useful guide and this booklet's intent is to be such a guide. It's for your peace of mind.

You'll read here the true story of life in a

multi-use condominium complex.

Please visit www.condomonium.blogspot.com and www.condomonium.net for more on the subject.

Declaration of Condominium

THESE EXCERPTS will astound you.

Grove Isle Club. Grove Isle Club means and refers to Grove Isle Club, Inc., a Florida corporation for profit which may lease, operate and/or manage a social and tennis club, hotel, restaurants, lounges and other related amenities located upon Fair Isle.

Club Membership. No person, firm or corporation may maintain ownership of an apartment within the condominium unless said person, firm or corporation is a member of Grove Isle Club.

Disclaimer. Nothing herein contained is intended to impose an obligation upon the Developer, the Grove Isle Club, Inc. or any other entity to construct a club or provide club facilities.

Sale and Gift. An apartment owner may not sell, convey or transfer an apartment or any interest therein without the approval of the Association and the Grove Isle Club.

Noble House Hotels & Resorts

Grove Isle Hotel & Spa

... operates the Grove Isle Club and collects an annual membership fee presently at \$1,500 from each condo owner and each renter — with the club services well known to be atrocious ... and worse.

*Why Don't They Want
to Get Involved?*



WHY DO THEY TURN THEIR BACK on a precious gift of nature that offers so much tranquility, so much pleasure, so much profound living, and so much economic progress? Because they chose apathy over caring. That is why.

We are focusing on a shame that did not have to linger. It did not have to be. And if those who live there do not rise to the call for action, their paradise may become a body of water with dead fish, void of manatees because they will have fled to a healthier environment, and death of nature may be wreaking the surrounding's doom. The challenged waters of Biscayne Bay lapping at the shores of and shielding Fair Isle in Coconut Grove (Miami), Florida deserve better — and so do those who have been calling the island home for nearly three decades. And it will come to the surface that the house of cards erected on Fair Isle and named Grove Isle by home owners and business entities is not a noble house. And Biscayne Bay may suffer,

falling prey to avarice.

Fair Isle is home to three high-rise condominium buildings 510 condo dwellers call home as the Grove Isle Condominium. Sharing the island with the home owners are the Grove Isle Hotel & Spa (home of Baleen restaurant) and the Grove Isle Club, operated by the Colee-owned Noble House Hotels & Resorts based in Bellevue, Washington. Yet another commercial establishment operates from Fair Isle: The Grove Isle Marina.

Biscayne Bay Pride of the Magic City

EXTOLLING THE BEAUTY and identifying the needs of this magnificent body of water hugging Miami is not an effort — it's a labor of love.

Those who live near the shores of Biscayne Bay or are surrounded by its lapping bliss appreciate its beauty and serenity. But are they truly concerned about its future well-being?

The following reminiscence by Robert A. Burr (rob@quantumleap.net, author of Rob's Redland Riot), a member of one of Miami's most prominent pioneer families, adds even more significance to what we must learn about this segment of Miami's and Biscayne Bay's proud history, and what we must protect:

Early pioneers that arrived before 1900 depended on the bay and local creeks and rivers for transporta-

tion. The only road was the old military trail from Ft. Lauderdale to Ft. Dallas on the Miami River. It was not a good road and was prone to flooding often.

Little River (Biscayne Blvd at 78th Street) and Arch Creek (the original settlement now known as North Miami) were populated by pioneers in the 1890s. These waterways were critical for moving crops to market in Miami via the bay.

I can give you info about the first Bay Causeway and the first man-made bay islands. My great-grandfather was chairman of the Dade County Commission, the leading political figure in the county from 1915 to 1921 and the most vocal proponent of road building.

Jamie Colee Makes Promises

JAMES (“JAMIE”) P. COLEE, then Vice President Development of Noble House Hotels & Resorts, addressed a letter dated January 12, 2000 to the members of the Grove Isle Club at the Grove Isle Hotel & Spa.

Dear Grove Isle Members,

I would first like to apologize for the inconvenience that you are experiencing as a result of the hurricane damages to the Tennis Facility at the Grove Isle Club and the delays in repairing the facilities. We are making every effort to take this opportunity to upgrade the entire facility. However, when dealing with insurance companies and local building authorities, things have a tendency to take longer than we

would all like. I am sorry for any incorrect information that you may have received from the local management and can assure you that they are giving you the best information that they can and are in no way intentionally trying to misguide you. You are indirectly feeling the same frustrations that we are in settling this insurance claim and the false promises that we are given by building authorities and insurance representatives.

On the brighter side, as we continue to negotiate the



improvements to the facility; the repairs to the Tennis Facility will result in a top notch, professional, facility that I think all Club Members

will be proud of. We are taking the opportunity to improve all of the problem areas that the club has had to endure for some time.

In the upcoming week of January 17th, we will be starting the following improvements as well:

- Install proper drainage for all courts that will keep the clay run off from draining into the bay and protect the delicate ecosystem that have been affected in the past years by sediment run off from our courts. Tentatively scheduled to start 1/17/99. [Since January 17, 2000 fell on a Monday, 1999 should most probably say 2000.]

I hope that this information helps to get you as excited about the upcoming improvements to the Tennis Facility as we are. I understand that this has

been a frustrating experience for all of you and understand that the process of change and upgrading a facility is never without its share of difficulties. I can only ask that you remain patient a bit longer and you will not be disappointed. In the upcoming weeks, you will begin to see all of the changes that we have all been waiting eagerly to take place. I hope that seeing actual construction in progress will help to calm the frustrations that you have had and excite the Club Members about the future of the Tennis Club Facilities. I think that when we are completed, we will have one of the finest tennis facilities in South Florida.

Please feel free to give me a call any-time to discuss this or any other matter pertaining to the property improvements at Grove Isle.

Sincerely, (signed) Jamie Colee, V.P. Development, Noble House Hotels and Resorts

In addition to the promise of protecting the delicate ecosystem, the letter contained eight additional promises related to the club's tennis facilities.

The overwhelming majority of the promises made in 2000, especially those related to solving major problems such as dealing with the delicate ecosystem, remain promises in 2006 and the tennis facilities continued for all these years in disgraceful condition.

Noble House Hotels & Resorts is owned by the Colee family with father Patrick ("Pat") R. Colee as Chairman.

In October 2005, Scott R. Vokey, vice president and general counsel of Noble House, confirmed the information contained in the letter is

“old” but does not deny the problems still exist. Patrick and James Colee refused to comment.

Vokey, in an email of October 2, 2005 to Heinz Dinter (he researched the issue and contacted Noble House executives to verify the facts), stated: “... and you threaten us (there is no question that you are threatening us by your reference to DERM, etc.) with publication of old, incomplete information.”

Vokey, in an email of November 5, 2005, vehemently continues the stance of all is well by refusing to admit the truth, belittling the gravity of Noble House’s disrespect for environmental concerns and the laws in place to save our ecosystems from destruction, and falsely claiming “... you will find that the allegations related to Jamie Colee’s 1999/2000 letter also are unsubstantiated. All the work was done. Again, I have no intention of proving that ... In any event, what is the point of looking in the rear view mirror of 5 or 6 years ago? Do you honestly think that is news?” You bet, itis!

It is thought-provoking: “The size of the lie is a definite factor in causing it to be believed, for the vast masses of a nation are in the depths of their hearts more easily deceived than they are consciously and intentionally bad. The primitive simplicity of their minds renders them a more easy prey to a big lie than a small one, for they themselves often tell little lies but would be ashamed to tell big ones. ... Through clever and constant application of propaganda, people can be made to see paradise as hell, and also the other way around,

to consider the most wretched sort of life as paradise.” These words were uttered by the most evil man this world has ever known.

Neither Noble House nor Grove Isle Hotel & Spa, operator of the Grove Isle Club, has presented any evidence that the work to protect the Biscayne Bay ecosystem was carried out. The staff of the tennis facility confirmed that this and other repairs promised five years ago were not carried out. This is also well-known to the Grove Isle Club tennis players. Why did Noble House not keep its promise way back in 2000 to fix the courts? Why does Noble House now try to sweep the issue under the rug?

■ ■ ■ ■ ■

**When money is unreasonably coveted,
it is a disease of the mind which is called avarice.**

Cicero (106 BC-43BC)

Roman author, orator and politician

■ ■ ■ ■ ■

Why did everybody keep their eyes closed when they saw streams of clay gush into Biscayne Bay following a downpour, or the sprinkler system did not obey intended time limits and worked overtime, or worse, when a broken watering pipe turned a tennis court into a mosquito-filled lake with pollution in clear sight? And, as Jamie Colee so eloquently admits, Noble House permitted sediment run-off from the courts into Biscayne Bay before 1999 — and they let it continue for all these years. Should there not have been an uproar from the club members?

*The Conscience
of Grove Islanders*

THE GROVE ISLE CONDO RESIDENTS and other Grove Isle Club members dream of peace of mind but are too busy to pitch in and to be counted. What does it take to turn apathy into action? It's the silent killer: Apathy.

Should sadness or indifference control our conscience and rob us of peace of mind?

Jamie Colee's letter six-and-a-half years ago went to 510 Grove Isle home owners (condominium documents dictate Grove Isle Club membership), approximately 100 condo renters (yes, renters must be club members in addition to the condo's owner), close to 100 owners and occupants of Grove Isle marina slips (the club membership rule also applies to slip renters), and the "off-island" club members numbering more than 200. So dictate the "Condo Docs" — magna carta of condo serfdom.

What can the conscience of some 1,000 intelligent, conscientious residents and beneficiaries of island tranquility — who pay nearly two million dollars in annual membership fees to Noble House — accomplish? Is it nothing?

Not one, not a single Grove Isle Club member asked the simple question after many years of Biscayne Bay's struggle to stay alive as a healthy marine environment and as the pride of the Magic City. Why is nothing being done to stop the pollution of Biscayne Bay when Noble House decided to save money (and bolster profits). The Grove Island-

ers didn't care or didn't want to get involved. Did they simply forget about the hypocritical promise made by the Noble House executive?

All hell broke loose when Grove Isle Club member Heinz Dinter brought Jamie Colee's promise to everyone's attention. Noble House management struck with the deadly speed of a venomous water moccasin: in a desperate move to hush the voice of truth they drummed the tennis-loving *FORTY LOVE* newsletter publisher unceremoniously out of the Grove Isle Club, ordered him not to communicate with club members, and resorted to ugly threats in efforts to silence the pen-swinging newsletter publisher.

The expulsion of the avid tennis player, coupled with extortion attempts by Noble House, orchestrated by Vokey, the Noble House vice president and general counsel, and Grove Isle Hotel & Spa and Grove Isle Club general manager Michael D. Allen was designed to silence Dinter and, among other problems, drown the Biscayne Bay pollution disgrace in the clay-drenched waters of the bay. Noble House management hoped that their scandalous conduct as owners and operators of the Grove Isle Hotel & Spa would float downstream and would soon be forgotten. They were counting on the fleeting conscience of the Grove Islanders and their ardent desire not to get involved. Noble House counted on the apathy that would keep the lion's roar of protest to a whisper no one would hear.

More revealing is the sentiment of the three club members who enthusiastically pitched in to

document atrocious service at the Baleen restaurant to be brought to the attention of Michael Allen, the general manager. But the Grove Islanders, hot under the collar over the pathetic service, didn't want to get involved any further when the next step called for standing by their earlier effort of telling management the truth — what is wrong at Baleen. They decided to stay in the background because they preferred to favor apathy over standing by their principle of right versus wrong. They simply did not want to be involved any further. (Read the details at “Lunch at Baleen — the Palapa Bar” posted November 5, 2005 at www.nobletruths.blogspot.com.)

That leaves the question, “What about the pollution of Biscayne Bay?”

Why do we let unethical businessmen terrorize and abuse us? Why are we pouring our hard-earned money into efforts to unjustly enrich others? Why don't we spend our wealth on peace of mind instead of stacking sandbags to stem the flood called CARING? Why don't we? Because of APATHY, that's why.



Apathy

- 1. Lack of interest or concern, especially regarding matters of general importance or appeal; indifference.**
- 2. Lack of emotion or feeling; impassiveness.**



*Protecting the Environment
and Looking Out
for Your Grand Lifestyle*



IS DERM THE LAST AND ONLY OPTION in efforts to protect our vulnerable Biscayne Bay?

DERM is the Miami-Dade Department of Environmental Resources Management whose primary goal is to help protect, restore, and conserve the air, water, land and ecosystem resources of Miami-Dade County.

Why does it have to come to this? The answer pains those who care and make it a point to understand.

It's the "I don't want to get involved" syndrome and the fear of getting whipped by the "big guys" with beaucoup money to toss into the ring if a fight (that's lawsuit) surfaces.

What is an Ecosystem?

AN ECOSYSTEM IS DEFINED as an ecological unit consisting of abiotic components such as air, water and land coexisting with biotic components such as plants and animal life. All members of the ecosystem contribute to its sustainability because of their dependence on each other. When left undisturbed, an ecosystem has the ability to naturally balance itself. Each ecosystem possesses unique characteristics that are necessary for the species that reside there to flourish and evolve. Because of the importance of ecosystems to our health, the environment, and even our economy, Miami-Dade County DERM is working diligently to protect and manage our ecosystems as efficiently as possible.

Reporting Environmental Emergencies, Complaints, and Environmental Crimes

THE DEPARTMENT OF ENVIRONMENTAL RESOURCES MANAGEMENT (DERM) responds to environmental complaints and emergencies 24 hours a day, 7 days a week. If your complaint is an emergency please call (305) 372-6955. If the situation is not an emergency you can file a Non-Emergency Environmental Complaint online.

The following situations, among others, should be reported to DERM immediately:

- Waste liquid discharges or spills into storm drains, street drains, parking lot drains, waterways, or onto the open ground.
- Any spill or discharge to the environment of suspected (hazardous) waste.
- Chemical spills or dumping incidents; any dumping of chemical drums or containers or abandoned drums.
- Turbid (cloudy) water in any waterway, canal, or Biscayne Bay; may be due to construction and may be discharged through a pipe or from a storm drain.
- Any dredging or filling in or along Biscayne Bay.

If any of the above situations are observed or arise contact the Miami-Dade County Department of Environmental Resources Management/DERM Complaint Desk at 305-372-6955.

Environmental Crimes may be reported to the Miami-Dade County Police Department Environmental Crimes Unit or call 305-477-1616.



**We are not afraid to follow truth
wherever it may lead,
nor to tolerate any error
so long as reason is left free to combat it.
Thomas Jefferson (1743-1826)
3rd United States president**



***DERM Steps Into the Fray
in Defense of Biscayne Bay***

THE FOLLOWING LETTER from DERM identifies the problems.

July 31, 2006

Mr. Kelly Lewis. General Manager

Grove Isle Hotel & Spa

Four Grove Isle Drive

Coconut Grove, FL 33133

Re: Water Quality Impacts to Biscayne Bay Associated with Storm Water from the Grove Isle Tennis Courts

Dear Mr. Lewis:

This letter follows our July 11, 2006, onsite meeting to discuss drainage issues associated with your facility's tennis courts. As you know the Department received a citizen complaint regarding water quality impacts to Biscayne Bay resulting from storm water runoff from the Grove Isle tennis courts. Biscayne Bay is an important part of our community and valuable natural resource. In addition, Biscayne Bay is identified as a State Aquatic Preserve and an Outstanding Florida Water. For these reasons Biscayne Bay is afforded a high level of protection under state and local laws.

Our site inspections of the Grove Isle facility indicated that during significant rain events, clay from the tennis courts can wash off the courts and over the seawall into Biscayne Bay (see attached photos). During our inspection, we observed a drainage system surrounding each of the clay tennis courts. However, our inspection revealed that the drainage collection

system was filled with clay material from the tennis courts and was in need of cleaning and/or maintenance. In addition, areas near the access gates for some of the tennis courts appear to allow storm water from the tennis courts to flow out on to the island's perimeter path and over the seawall.

In order to prevent further impacts to Biscayne Bay, I am requesting that you perform the necessary maintenance on the tennis court drainage system, and perform any necessary improvements to site grading in the vicinity of the tennis court access gates to eliminate the opportunity for clay laden storm water to flow out over the seawall and adversely impact Biscayne Bay. As indicated during our meeting, it may be possible to address this issue through modifications to the landscape features in those areas, or through the installation of additional drainage features.

Following receipt of this letter, please provide a response including a summary of any actions taken to address this issue. In addition, please provide information on the drainage system for the tennis courts, including a description and location of any drainage features, structures, or outfalls, the date of installation, and the routine maintenance schedule. If you have any questions or need further assistance please contact me or Manny Tobon, Manager of DERM's Water Control Section at 305-372-6769. We appreciate your cooperation in addressing this issue in a timely manner.

Sincerely,

Lee N. Hefty, Chief

Environmental Resources Regulation Division

Mea Culpa. The Truth Confirmed

HERE IS THE VERBATIM LETTER dated September 18, 2006 to Lee N. Hefty, Chief, Environmental Resources Regulation Division, Miami-Dade County Department of Environmental Resources Management (DERM) from Kelly Lewis, general manager of Grove Isle Hotel & Spa, Noble House Hotels & Resorts.

Dear: Mr. Hefty,

In response to your letter dated July 31, 2006 regarding the Grove Isle Hotel & Spa and the water quality impacts to the Biscayne Bay area we would like you Mr. Hefty and the entire Miami Dade County office to know that the environment and the effects our property has on it are a matter of grave importance to us. Since receiving your letter we have joined forces with all of our departments including Engineering to address all the challenges that were addressed in your letter as well as to improve on those previously noted. As you can see by the enclosed photos we have done significant landscaping, site grading and curbing as this was the identified solution for the apparent deficiencies mentioned in your last correspondence. I have also enclosed the signed preventative maintenance schedule for the drain system which shows that we service the drainage system on a monthly basis. If you have any further questions please do not hesitate to call me directly at 305 860 4350.

Sincerely,

Kelly Lewis, General Manager, Grove Isle Hotel & Spa [GM number 8 spanning an 8-year period.]

*Will the Manatees and Dolphins
Have a Better Future?*



WILL COMPLACENCY and “I don’t want to get involved” result in Biscayne Bay dying a slow death while apathy reigns?

Yes, it will unless vigilance of conscientious people keep a watchful eye on man-made dangers looming with an aim to harm our environment. The Grove Islanders and their friends living in the surrounding waters can live a healthy life with peace-of-mind tranquility at their beck and call if apathy no longer dominates.

Many will thank you. The manatees and dolphins will thank you, too.

A Sad Postscript

A PUZZLING incident came to my attention on December 1, 2006. One of my subscribers to Grand Lifestyle accused me of spamming by filing a “spam report” — not long after the general manager of the Grove Isle Hotel & Spa admitted the Noble House wrongdoings and promised to mend their ways; and not long after the article, “Apathy reigns and Biscayne Bay pays the price” was published.

Though spam reports are submitted without identifying the sender, lo and behold, the thought-laden author and submitter of the accusatory report was none other than the first unit-owner president of the Grove Isle Condominium Association and who worked very closely with the developer. Today, Benard Rosenblatt still stays involved in condo management affairs as chairman of the Security Committee.

For many years we played tennis together and oftentimes Benard would compliment my Internet-based publishing efforts with “I enjoy reading your emails.”

Why the turnaround, the sudden attack without warning? Was it driven by malice with forethought? Please tell us, Benard.

Whatever, I love the dolphins and manatees. Don't you?

Perhaps it isn't so puzzling.

***Tips to Help Promote
What You Do or Who You Are
With this Booklet***

- 1.** Use this booklet as a gift.
- 2.** Send this booklet to your family/clients/
patients/friends/neighbors to thank them
for their friendship/help/trust/business
and to stay in touch.
- 3.** Offer this booklet free with any purchase
during a specific time period, with a
specific purchase amount, or when
opening an account.
- 4.** Distribute this booklet to prospects at a
trade show or other gathering.
- 5.** Give this booklet to those who complete a
questionnaire or survey.
- 6.** Package this booklet as a value-added
bonus with a product you sell.
- 7.** Provide this booklet to people and organi-
zations who can refer business to you.
- 8.** Do it! It will make you feel good because
they will love you for it.

**For information about quantity purchases,
including customization
with your logo and message,
contact HDinter@GrandLifestyle.com.**

ABOUT THE AUTHOR



Heinz Dinter raised his family and pursued his career as head of the computer company he founded, driven by dreams of a happy family and the challenges of capitalism.

Today he builds on memories and experiences — sharing and enjoying life with friends.

The author wants his twin children, Diane and Kenneth, and six grandchildren, Devin, Megan, Alexander, Dustin, Richard, and Charles, to experience a rewarding peace-of-mind lifestyle. That's reason enough for this booklet. And he lets it be fun.

Dr. Dinter received his B.S. in mathematics *cum laude*, M.A. in management, and Ph.D. in business administration and corporate finance from the University of Florida.

He's an avid pilot and enjoys sailing and playing tennis in Miami, Florida where he makes his home with Mia and Magic.

But he does miss Lolita, Heidi, Kitty and her brood.



**He who loses wealth loses much;
he who loses a friend loses more;
but he who loses his courage loses all.
Miguel de Cervantes (1547-1616)
Spanish novelist, playwright and poet**



The Must-Read Book If You Are In Search of the Condo of Your Dreams Or Rewarding Investment

Look up and what do you see? In the *Magic City* it's the blue sky of Florida sunshine fame and a flock of cranes, the tall construction types, thrusting higher and higher intent on caressing the Moon over Miami.

The excitement of stunning condos reaching for the sky — in competition for your attention akin a beauty contest, and dazzling you with architectural excellence — confirms the condo lifestyle in Miami has a bright future.

There's a *caveat emptor* message that should precede your search for a condo of your dreams or a rewarding investment. First-hand experience is always a welcome guide and this booklet's intent is to be such a guide.

**Read about the experience of condo dwellers
who did not heed the *caveat emptor* warnings.
These true accounts of condo life are intended to warn.
They're for those who seek peace-of-mind living
in a condominium.**

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