



May Newsletter

American Legion Post
725

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April Meeting Notes

The regular meeting of American Legion Post 725 was called to order at 1900 hours on April 28, 2009, in VFW Post 2924 by 1st Vice Commander Clarence Love, Jr. The roll was called and a quorum was present.

Introduction of Guests and Prospective New Members: Ken Register, a retired Marine visited our Post.

Committee Reports:

Finance Officer: Reported \$6,475.72 in the CD, \$677.18 in Savings, and \$357.51 in Checking.

Membership Chairman: Reported 71 members renewed. The 1st Vice Commander has also contacted several prospective members but none attended the meeting. 2nd Vice Commander De Hay also contacted another prospective member.

Post Activities: 2nd Vice Commander De Hay reported for Commander Jim James that the Post made about \$100.00 in the Relay for Life event in Hesperia. Another Relay for Life event is coming up in Victorville and more information will be coming.

The Hesperia Leisure League donated 28 tables to the Post. The Post in turn donated the military furniture to the Leisure League.

Packages for Deployed

Troops: 1st Vice Commander Love reported eight packages sent off on March 13th. He hasn't received correspondence from any of the units receiving the packages.

Sick Call, Relief, and Employment: Ramon Cervantes returned to the Post after his stroke.

Unfinished Business: None

New Business: Nominations for Officers: Commander:

Jim James was nominated for the office of Commander. Nomination was seconded. Nominations were closed.

1st Vice Commander: Clarence Love Jr. was nominated for the office of 1st Vice Commander. Nomination was seconded. Nominations were closed.

2nd Vice Commander: Dennis De Hay was nominated for the office of 2nd Vice Commander. Nomination was seconded. Nominations were closed.

Section Leader: Charles Hicks, Jr. was appointed as the American Legion 25th District Section Leader for Section 7 by 1st Vice Commander Love.

Army Tour: Dennis De Hay and Gordon Lee went to Fort Jackson, South Carolina, for an Army sponsored tour of the training facilities. Among the highlights were the virtual firing range where weapons handling training was performed. At the end of each course of firing, each participant was given a report on how well the weapons were fired and the number of targets hit. Another highlight was that Dennis and Gordon were able to visit the daughter of a local newspaper editor who was in basic training. Both Dennis and Gordon brought back many favorable memories of the trip.

Memorial to Departed

Members: None.

Business for the Good of the American Legion: The American Legion 25th District meeting

is coming up in May for those interested in attending. See newsletter for more info.

The meeting was closed at 1935 hours by 1st Vice Commander Love.



The paperwork never ends...

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Officers for 2009 - 2010



Jim James was nominated for the position of Commander, Hesperia Post 725. He currently serves in this position and he has been a member of the American Legion for three years.



Clarence Love, Jr. was nominated for the position of 1st Vice Commander, Hesperia Post 725.



Dennis De Hay is the nominee for the position of 2nd Vice Commander, Hesperia Post 725.

Raising Costs for Newsletters

The United States Post Office is raising postage again. The new rates are \$0.44 per letter so the Post is asking for all members to update their contact information as soon as possible. This information will be used to pass on American Legion news, important events, and other information that comes to the Post. Please send an email to CA0725@verizon.net. Or mail the information to

American Legion Post 725
PO Box 403212
Hesperia, CA 92340-3212

Your information will not be given to anyone outside the American Legion.



Boy Scout Troop 725 News

Our Scoutmasters finished their High Adventure Training this month. Our troop is now able to do High Adventure activities, which will be exciting.

We had a small car wash on April 4, while the Scoutmasters were at training. The boys are still working hard at trying to earn the money for summer camp at Lost Valley. Final payment is due in May (We still have \$1500 to earn).

On April 11 the boys worked on their Community Service, with the Hesperia City Trash pick-up. Twelve boys participated with the Scoutmasters.

The boys worked hard training for the annual Mountain Man Camporee, held April 24, 25, and 26. They all had a great time and had fun showing off their skills. The Troop participated in many competitions and took home 6 ribbons including 1 first place for our Dutch oven

dessert.

While at Camporee, six of our Boy Scouts along with our Scoutmaster Shawn Wescott, were chosen (voted) into the Order of the Arrow by the boys in our troop.

We will be having another Car Wash, tentatively scheduled for June 6, at Carrows. Boys are working hard to pay for summer camp.

We are planning a flag fundraiser. For \$30.00 a year the boy scouts will raise a flag in the morning, at your home or business, on six national holidays and retire it at the end of the day and store the flag when not in use. We already have flags and are working on poles and other hardware.

On Saturday May 30th, at the AppleBee's in Victorville, we are having a

Fundraiser. For \$10.00 a ticket you get an all you can eat Buffet Pancake breakfast. The boys will be helping to serve, so come and enjoy a breakfast out and help our Boy Scouts earn their way to summer camp at Lost Valley. Every ten dollar ticket gives the boys \$5.00 towards camp.

Troop 725 historian
Andy Wescott
James Mills



Pay Per View Battle

From the Los Angeles Times
STEVE LOPEZ

Veterans group loses a battle it didn't know it was fighting
American Legion Post 299 in Chino is sued not once, but twice in a dispute over pay-per-view boxing matches shown at its hall.
Steve Lopez

May 13, 2009

When Don Avila, a Vietnam War vet and commander of American Legion Post 299 in Chino, was asked by a food vendor recently why he spent so much time working at the legion hall for no pay, he had no trouble explaining himself.

"It's an honor," Avila told him, pointing toward a wall lined with photos of past commanders back to 1924. "I'm up there with World War I, World War II and Korean War vets who served their country."

Post 299 is a social hall, pub and restaurant for several hundred Inland Empire vets. Some are shuttled in from nursing homes; some are out of work because of the recession. At the hall, members eat home-cooked meals, such as chicken pot pie with mashed potatoes and stuffing, for just \$6.

And sometimes, they watch a fight with the guys. For years, the post has been calling its cable TV company when a good fight was coming on and paying a fee of roughly \$50 to get it shown at the post. Sometimes it was hard to raise the money to pay for it by passing the hat at the fights, but they usually came close.

So you can imagine what a shock it was earlier this year when Post 299 got sued twice -- for \$150,000 and for \$160,000 -- in a dispute over two pay-per-view boxing matches shown at the legion hall in 2008.

It was accused of showing the fights without proper licenses and permits, but Post 299's officers said they had no idea they were out of compliance. Besides, they argued, they weren't mak-

ing money showing the fights.

When the suits were first threatened last year, the post didn't have much extra money on hand so it contacted a lawyer and ex-Marine to see if he could defend them free of charge. The Marine didn't know this area of the law, so he had to send his comrades to another attorney. But after spending \$1,600 in legal fees, the legionnaires had to go it alone.

"We couldn't afford him," said Richard Medina, a Vietnam vet and the post's sergeant-at-arms.

Last month, Avila and a couple of colleagues went to the South Pasadena law office of Thomas P. Riley, who filed the lawsuits against them, to discuss a settlement.

Riley explained that Post 299 had a residential account with its cable provider rather than the required commercial account, and that it had not paid licensing fees to the owners of the broadcast rights -- KingVision Pay-Per-View and J&J Sports Productions.

Avila and company explained they were unaware of the need to do any of that.

"We're the American Legion," Avila told me. "We wouldn't want to do anything illegal."

But he and his mates were intimidated by the lawsuits and agreed to settle them for \$10,000 each, with a payment of \$5,000 down and \$1,250 a month after that, according to Avila. Driving back to Chino, though, the vets had a sour taste in their mouths.

OK, so now they knew the legal requirements for showing a fight. But they barely broke even on those matches, by their account. So why were they forking over \$20,000, as if they'd been caught stealing?

Another thing that upset them was the allegation that they'd charged admission for those fights. They swear they never did. The tradition is to pass a hat

for voluntary donations to cover the cost of the pay-per-view event.

"I've never seen anyone charge, and we've been having fights for 10 years," said Paul Dincin, a Vietnam vet and two-time past commander of Post 299. He was at one of the two fights in question and said there was no entrance fee.

Avila, who was at both fights, said there was no cover charge at either and passing the hat didn't raise quite \$50 total. The post might have made some extra money at the bar because there were more people in the hall than usual, he said, but a lot of members nurse just one or two beers all evening, so it's not as if the post strikes it rich on fight nights.

"A lot of times when we pass the hat, some guys will throw in 25 cents," Avila said. "If it's a member, we ask for \$1 or \$2 or sometimes \$5."

Avila and a few other members gave me a tour of Post 299 last week, showing off photos of past commanders and presidents of the Ladies Auxiliary.

In the bar area, which has the four TVs that carried the fights, there's a wall of license plates from other Legion posts around the country.

"We're a community," said Eddie Falcon, who served in the Navy.

"It's like family," Medina said.

"Our wives and daughters come in here too," Avila said.

The Sons of the American Legion are also active at the post. They donated the shuffleboard game that stretches along one wall, from the enshrined names of deceased Post 299 members all the way to the POW and MIA display.

When I left Post 299, I drove straight to South Pasadena to call on Thomas P. Riley. He was busy, but we talked by phone the next day.

See next page.



Coming Events

MAY

May 26th - American Legion Post 725 Business Meeting,
7:00 pm, VFW Post 2924. Officer Elections

JUNE

June 11th - Sons of the American Legion Squadron 725
Business Meeting, 6:30 pm, VFW Post 2924

June 19th - 21st American Legion Department of California Convention, Riverside, CA. More information to come. See www.calegion.org for more details.

June 23rd - American Legion Post 725 Business Meeting,
7:00 pm, VFW Post 2924. Officer Induction

Pay Per View Battle

I wondered how Riley's boxing production clients could feel good about taking money from Post 299 when its officers said they didn't know they were breaking any rules.

"It's tragic that a mistake was made. However, my clients need to be compensated," said Riley, who files countless similar claims, sometimes against other veterans' groups.

Riley said that if a sports bar down the street played by the rules, it might have cost a few thousand dollars to show those fights, but the sports bar might have lost customers to Post 299 because it had a cheaper deal. So the lawsuits protect his clients and their customers.

He also said he had a sworn statement from a witness who was at the American Legion fights and said there was

indeed a cover charge. When I went back to Avila with this, he scoffed. The closest thing to an entry fee, he insisted, was when the member who was collecting donations hit up a couple guys right after they entered the hall.

Riley said KingVision Pay-Per-View and J&J Sports Productions were sympathetic to the cause of the vets, and he promised to check and see if they would reconsider the \$20,000 settlement.

When he got back to me, he said the answer was no.

Well, I can't say that I expected any different. A warning would have been classier, of course, but there seems to be good money in threatening veterans and then squeezing money out of them.

Avila said there will be no more pay-per-view fights at Post 299. When I asked how they'd come up with the money to pay the settlement, he said, "We'll scratch and we'll scrimp and we'll save."

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American Legion Post 725

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Veterans Still Serving



We're on the web at
www.mysite.verizon.net/ca0725/index.htm

American Legion Post 725 was chartered in 1977 and it has been serving the Hesperia area and the High Desert ever since.

The Post meets regularly and supports Veteran Rehabilitation Programs at Loma Linda VA Hospital and at the Victorville VA Clinic. We also are called upon to help families of deployed veterans when they need something done. We help veterans no matter if they are members or not.

If you wish to publish an article in the newsletter, send it to the Post via email or snail mail. The addresses are listed on the left. Anything of interest to our members would be appreciated.

Newsletter Announcement

The June Newsletter will not be written. The Newsletter Editor is going on vacation and won't be able to get the newsletter out to the Post. The newsletter will be published in July. I apologize for any inconvenience.

Stephen Bibler
Adjutant / Newsletter Editor