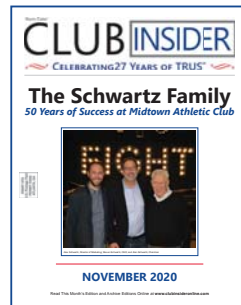
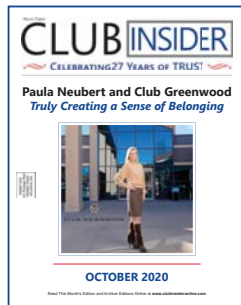
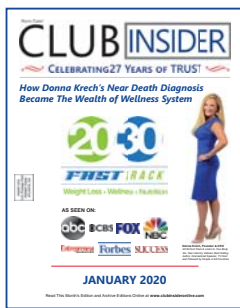


Norm Cates'

CLUB INSIDER

CELEBRATING 27 YEARS OF TRUST



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2020 In Review

DECEMBER 2020

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CELEBRATING 27 YEARS OF TRUST

2020 In Review

By: Justin Cates

Each year, Oxford chooses a word of the year. Like everything else in 2020, this year, that changed. For the first time, they determined there was not *one* word that accurately describes the unprecedented year we have just experienced. At its core, I can't argue against that, but for me, the one word to describe this year is: *EARTH*.

No matter the expanding differences between all the different groups of people who inhabit this planet, we all have one thing in common, where Earth goes, we go. For the time being, we are stuck on this beautiful sphere flying through space. To me, that is actually a beautiful thought, and it's a thought one would think could unite peoples.

In 2020, though, it seems like we didn't see any of that. So many fought with so many others about anything and everything, and that is truly sad. And, in

that, we all missed the point: *Earth is in charge, not us.*

So, what does this little soapbox talk have to do with the health and fitness club industry? Like the concept of paying it forward, it is all about the little things we do for others that makes the difference within our own spheres of influences... our own mini-Earths if you will. Where open industry competition reigned free, survival is now the word of the day. Sure, you can go at it alone if you have the resources, but what does that accomplish? Instead, now more than ever, in an industry I have always admired for its overall friendliness and willingness to learn from and work with each other, this is the only way.

I am not talking about banding together to lobby Government; that's an obvious must. I am talking about working together to truly enter the hearts and minds of those who use this industry's facilities so that, one day in the future,

when Government thinks it's a good idea to shut down our industry again, for whatever reason, the reaction of the public will be so swift and so fierce legislators will fear carnage on Election Day. Think about it. If the Government has shut down hospitals during the pandemic, what do you think would have happened?

Power is the only word legislators know. You either wield it or you don't. Money can buy influence. It can buy votes. But, what cannot be bought are the hearts and minds of the people, which is true power. And, that is what legislators fear most.

To close out 2020, *Club Insider's* 27th year of production, I leave you with this: **Stay strong, stick together, help your industry neighbor, seek to win the hearts and minds of the people you serve, and time will show that what we knew in this industry all along was right. We are essential. We are part of the solution and not the problem. And, like**



Justin Cates

Earth, we will not be stopped... at least for a few billion years (fingers crossed).

(See 2020 In Review Page 8)

One in Four Health and Fitness Clubs Could Close by Year-End

BOSTON, MA - Based on data from major payment processing firms, 15% of fitness clubs and studios have closed permanently as of September 30. Up to one in four health clubs may close by the end of the year as club operators grapple with the coronavirus pandemic's disproportionate impact.

"In over 50 years of the club industry's history, this is the toughest time for the club industry," said **Rick Caro**, a 40-year veteran of the industry and *President of Management Vision, Inc.*, a leading consulting firm specializing in the club industry. "COVID-19 is affecting the businesses, their members, employees

and the community at large. Clubs are struggling with no real Government support as a whole."

At the peak of mandated closures in the spring, virtually all health and fitness centers in the U.S. were closed. Bankruptcies of national and regional health club groups reinforce the financial distress inflicted by the pandemic. The vast majority of facilities are small businesses at elevated risk of closure, typically lacking the leverage of larger boxes that often anchor shopping malls.

"It's truly Armageddon for an industry that has historically outpaced

GDP growth by a factor of 2 - 3 times and shown resilience to all economic downturns," said **Brian Smith**, *Managing Director of Consumer Investment Banking at Piper Sandler Companies*, a leading investment bank and institutional securities firm. "There is no overcoming an extended and forced Government shutdown as we experienced earlier this year or extended capacity restrictions on the boutique industry that limit class sizes to 10 - 25% of normal capacity."

"To simplify what is going on, health club operators are in the same position as Luke Skywalker in the



automatic trash compactor scene in *Star Wars*. They are trying to hold off lenders seeking debt payments, landlords seeking full rent payments, members on freeze and increased cost of operations related to safety/cleaning," said **Pete Moore**, *Founder* (See *IHRSA Report* Page 6)

Inside the Insider: Edition #324

- "Take 2" - By: Derek Barton
- Marketing and Selling Amid Crisis - By: Casey Conrad
- Developing Resilient Leaders and Loved Ones - Part II - By: Karen Woodard-Chavez
- COVID-19 and Business Interruption Insurance Claims & Challenges - By: Paul R. Bedard, Esquire
- The Importance of Movement Health - By: Cathy Spencer Browning
- And, of Course, *Norm's Notes*

Norm's Notes

■ **Hello Everybody! This is your Club Insider Founder and Tribal Leader Since 1993** checking in with you today with our **324th** monthly edition of *Club Insider*, kicking off our **28th** year of publication! **WOW!** Isn't it great that this **Year from Hell**, a year we'll all remember forever, has flown by? And, as I write this Note on **Tuesday, December 1st, 2020**, America is showing that **survival is in our DNA** and **come Hell or High Water**, we're going to make it through this horrible COVID-19 Pandemic. Sure, this has been a bad year for anyone who has caught the virus. And, for so many who have caught it and did not recover and continue life with us here on Earth... **it's been the worst possible year EVER.** So, I want you all to know that I've prayed for all of you every day of this year since this pandemic hit. I've prayed that you've not lost a family member or a friend to COVID-19. And, if you have, **my heart is very sad for you, and my prayers are with you!** Moreover, if at this very moment you're battling COVID-19 as you read this, **please know FOR SURE that my thoughts and prayers are with you!** God bless you all!

■ **"Don't give up... don't ever give up!"**

Those are the immortal words of the one and only late **JIMMY VALVANO**, former **N.C. State Head Basketball Coach**, who brought a **National College Basketball Championship to my Alma Mater, N.C. State in 1983.** Jimmy V told his basketball Team and the World some things that will live on in sports lore forever. Here's what Jimmy V famously said: *"To me there are three things everyone should do every day. Number one is laugh. Number two is think; spend some time in thought. Number three, you should have your emotions move you to tears. If you laugh, think and cry, that's a heck of a day!"* Those immortal thoughts and words of the great man who was the **Co-Founder of The V Foundation for Cancer Research.** As I write this note on **December 1, 2020**, it is **"Giving Tuesday,"** the international day of giving that marks the start of **V Week across ESPN.** During these challenging times, **ESPN** and the **V Foundation's fight against cancer has not stopped.** If you are able, please support cancer research by visiting **V.org/donate - 100% of donations go to fund**

cancer research

■ **By now, if you're a Club Insider reader of any tenure, I'm sure you've heard me over and over repeating my praise and accolades for IHRSA, The International Health, Racquet and Sportsclub Association.** Over the past 40 years, and along the way over 28 years of publishing *Club Insider*, I've promoted IHRSA because of the many things it does to help you great folks in our industry worldwide. Well, folks, with this brutal pandemic not appearing to be letting up at all, and in fact, appearing to be gaining more momentum, I'm going to share a recent IHRSA writing entitled, **10 Resources for Staying Open**, because if you've not already been forced to close down your club, there's probably still a chance that you may reach that bad situation and you may be forced by the Government to close down one or all of your clubs because of COVID-19. So, folks, here's some excellent help from IHRSA:

10 Resources for Staying Open

BOSTON, MA - The U.S. is experiencing another surge of COVID-19, with new case counts surpassing 140,000 per day. As states struggle with how to contain the surge, local lawmakers are discussing new restrictions on business operations. Here's help for you to keep your club(s) open as this goes on:

1. *Check if there is a state alliance in your state!* See what advocacy efforts are already underway. bit.ly/clubinsider107

2. *IHRSA Data Memo:* A PDF compilation

(See *Norm's Notes* Page 7)



Norm Cates

of the best and most current evidence demonstrating that clubs are safe and vital. bit.ly/clubinsider108

3. *IHRSA Letters to Governors:* IHRSA sent Governors in all 50 states these letters. To amplify the impact, send the letter to your Governor again with a note from you. bit.ly/clubinsider109

4. *IHRSA State Fact Sheets:* A PDF snapshot of the health club industry in each state. Download the one(s) for your state and share with the government officials in your state. bit.ly/clubinsider110

5. *Study: Capacity Limits Reduce Community COVID Transmission:* This new article refutes the study making the rounds. bit.ly/clubinsider111

About Club Insider

CELEBRATING 27 YEARS OF TRUST

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Thanks and Appreciation

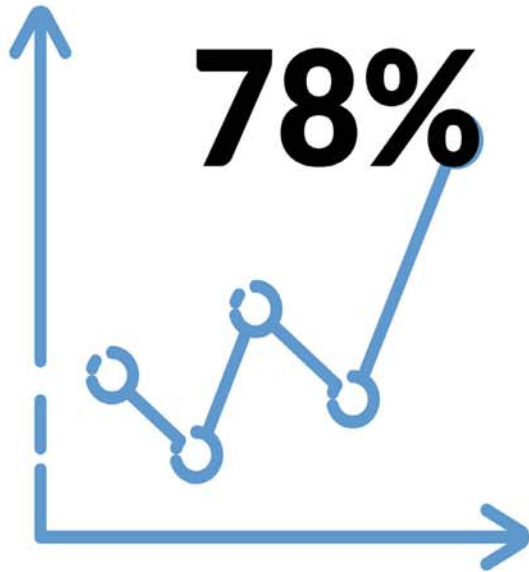
At *Club Insider*, we are excited to be completing our **27th Year** of this home-based health and fitness club trade publication! The thought that this publication was *founded to serve an industry I truly love*, and so that *I could become a Mister Mom for my son, Justin*, is still intriguing and amazing to us. So, I wish to extend my most sincere **Thanks and Appreciation** to everyone who has made this amazing 27-year run possible.

A very sincere *Thanks and Appreciation* go to **Rick Caro**, the late **Dr. Gerry Faust** and the **Faust Executive Roundtable #1** for helping me decide in 1993 what my home-based business would be. *Thanks and Appreciation* to my long-time friends, **Ron Hudspeth** and **Cathy Miller**, formerly of **Atlanta's Hudspeth Report** for the tremendous assistance they provided. *Thanks and Appreciation* to all of the folks at **Walton Press** in Monroe, Georgia. They've done an absolutely excellent job for us all these years and have printed every one of our monthly editions! And, of course, *Thanks and Appreciation* to the **United States Postal Service** for sending those editions to our readers! *Thanks and Appreciation* to all of our **READERS**. Sincere *Thanks and Appreciation* to our **Club Insider Advertisers**, past and present, for their kind and dedicated support of this publication. *Thanks and Appreciation* to all of our **Club Insider Contributing Authors**, past and present. *Thanks and Appreciation* to **IHRSA** for all it does for all of us. And, sincere *Thanks and Appreciation* to my son, **Justin**, who has become our Publisher and is a truly great partner. Now, you name it and Justin does it each and every month!

Last, but surely not least, this writer who refused to fear failure when many told him he didn't have a chance of surviving the publishing business for even a year did survive. And, he would like to give his sincere *Thanks and Appreciation* to the power that made that survival happen: **God**.

Very sincerely, with love in my heart for you all,

Norm Cates, Jr.



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“Take 2”

By: **Derek Barton**

Those of us who have worked in the Motion Picture & Television industry have heard the command, “Take 2.”

As an Actor, you say your lines to the other actor, and he says his. You hope the sound engineer records it perfectly, you hope the Director of Photography gets the desired shot, and most all, you hope that the Director is satisfied. And, when they are, the whole film crew on the set will hear that Director happily say, “Cut. That’s a print!”

Rarely is any Actor or Director satisfied with just “one take.” In the early ‘80s, I was at a Screen Actors Guild conference where actor Dustin Hoffman was the guest speaker. One of the questions from the audience to him was, “What movie would you like to do over again?” Without missing a beat, he answered, “All of them.” We were surprised until he explained to us that an artist is never satisfied and always feels there is something more that can be achieved. That moment has served me well throughout my life.

Having worked in front of the camera in the ‘70s and ‘80s as an Actor and Stuntman, I learned, as I did in sports, that it takes teamwork to pull off something successful. That experience has definitely helped me in the advertising world, behind the camera directing and producing TV ads for my clients. Marketing is a collaborative effort. It takes great teamwork. Each team member has a role, and if they all do their part to the best of their ability, they can achieve great success.

Now, what defines that success? For anyone in business, it’s getting people to buy your product and service. That’s especially challenging today during this pandemic where “non-essential” businesses like health clubs, restaurants, concert venues and movie theatres have

been shut down.

That’s where “Take 2” comes in. You may not want to do another “take,” but sometimes, through no fault of your own, you have to. This pandemic has forced us all to do another “take.” Even if we were doing just fine on “Take 1,” we now have to readjust. It’s a pain in the ass, I realize, but like Dustin Hoffman, we have to face “Take 2” with the confidence that we can improve upon what we did previously.

During this pandemic, we can’t do exactly what we did before. It no longer works because we have new restrictions and guidelines that we must now follow. Since restaurants had to close, they shifted to take-out orders and home deliveries. With movie theatres closed, movie studios are putting their films on the internet for streaming. Even live theatres are putting their stage plays like *Hamilton* on film and uploading them to the internet. Companies like *Netflix*, *Prime Video*, *Apple+* and *Disney+* are thriving.

With many health clubs having to shut down and others only opened to a limited amount of people, it’s tough to survive. Health clubs have resorted to uploading workout videos to their website so people can work out at home until their gym is able to open again. Companies like *Peloton*, *Mirror*, *Tempo* and *Tonal* are thriving as more people than ever are training at home. With workout apps, live and on-demand classes, touchscreen displays and remote personal training services, this new wave of smart fitness equipment has made exercising at home a lot more fun.

The movie and health club industries will definitely need to improve on “Take 2” in order to get people back to their facilities when they are permitted to re-open. Some people fear that these two industries will not fully recover. People are getting used to exercising at home now,

and more of them than ever are walking and bicycling around their neighborhood with family and friends. And, with all the video streaming channels available, people are enjoying watching movies in the comfort of their own home and no longer having to worry about parking, the long line for the expensive snacks and drinks, or being interrupted by those lame people in front of you who insist on texting during the movie on their brightly lit cell phones.

So, what to do? As a marketer, you have to know what your target audience is thinking at any given time. During this pandemic, movie goers and gym members have the same concerns. They are wondering if their gym and movie theatres are safe enough for them to return. They will struggle with the choice of risking their health at your facility or continuing to exercise and watch movies in the safety of their own homes. Drive-In movie theatres are popular again because people feel safe in their own cars.

You just can’t talk about safety; you have to do something about it. You have to dial up the “health” in health & fitness, as some gym owners have done, like installing HEPA air filtration systems and stations with disinfectant wipes. Some gyms are using electrostatic sprayers with hospital-grade disinfectants to sanitize surfaces and are looking into state-of-the-art autonomous UVD robots and selling immune-booster supplements. You can also hand out custom masks like I saw the staff wear at my local Apple Store. Believe it or not, those masks with the Apple logo on it made me feel comfortable that it was safe to shop there! Yep, the power of a respected logo.

It won’t be cheap to initiate some of these changes, but if gyms want to thrive in the future, they first have to become safe havens for their members’ health. With that in mind, it may be the right time



Derek Barton

to settle on one descriptor. Yes, you are a “gym” and a “fitness center,” but the term “health club” seems more “fitting” now. As always, marketing is key. Maybe “health clubs” should now market a three-tiered membership: (1) In-person training only, (2) Online training only, and (3) A combo of both.

One thing this pandemic has reminded us is that, if you are healthy and fit and have a strong immune system, the odds are in your favor that you’ll be better equipped to fight off illnesses and viruses like COVID-19. I haven’t seen one health club ad speak to this issue. Obviously, you can’t guarantee results, but it should motivate people because health and fitness have never been more important as they are right now. Sounds like a good take to me. So, “TAKE 2, aaaaaand, ACTION!”

(Derek Barton is CEO of Barton Productions, and he can be reached at derek@bartonproductions.com.)

...IHRSA Report

continued from page 3

of *Integrity Square*, an equity and financial advisory firm serving the Health, Active Lifestyle, and Outdoors (HALO) sector. “Larger club groups are using Chapter 11 bankruptcy protection to reorganize, shed creditors, reject bad leases in order to reset and survive. Smaller footprint clubs and studios will also need to strongly consider filing for bankruptcy.”

To date, more than \$15 billion in revenue has been lost, along with the economic activity that brick and mortar facilities contribute to their local communities. According to a *ClubIntel* study, U.S. fitness centers still in business are projecting a 37% decline in revenue this year relative to 2019.

“The fitness facility industry has experienced a perfect storm in 2020 as a result of COVID-19,” said **Stephen Tharrett**, Co-Founder of *ClubIntel*, a brand and consumer insight firm serving the fitness and club industry. “The trifecta of 15% of clubs permanently closing, the clubs still open experiencing monthly revenue declines, and reopening membership levels averaging less than 70% of the previous year, will result in not only 2020 revenues falling well below 2019 levels, but likely will result in 2021 levels falling below those of 2019.”

Mandates to operate at reduced levels of capacity, in some jurisdictions as little as 10%, have further curtailed club operations, including staffing and job creation. Hundreds of thousands of jobs have been lost due to the pandemic as the

hospitality and leisure industry at large has endured one of the highest unemployment rates since April. Clubs have conformed to strict Government regulations in terms of density, social distancing, cleaning protocols, contact tracing, air filtration systems and health standards.

“Compliance with these mandates has caused many clubs, especially single-activity studios, to close because their economic model was no longer feasible,” added Caro. “Their subsequent lack of liquidity created the immediate need to discontinue their operations. This has caused clubs to close, costing jobs and leaving members with no alternative for needed physical activity and social interaction.”

Previous Government programs have not been sufficient for all the health

and fitness facilities affected by COVID-19. *The Health & Fitness Recovery Act (H.R. 8485)* filed by U.S. Reps. **Mike Quigley** (D-IL) and **Brian Fitzpatrick** (R-PA) creates a \$30 billion fund to provide grants to affected health and fitness businesses. Club operators, employees and consumers have sent more than 16,000 letters to Congress to support the bill.

“No operator is immune --big, small, franchised or company-owned-- and the industry, without any direct stimulus, will see the landscape forever change,” added Smith. “It’s amazing to our team that fitness is not deemed an essential service when so much data suggests a healthier lifestyle strengthens the immune system and lowers odds of catching COVID with no evidence existing that suggests health clubs represent any super-spreader risk.”

...Norm's Notes

continued from page 4

6. *Close Contact, Dining Out (Not Clubs) Linked to COVID-19 According to CDC Study:* This article explains a CDC study in which the data showed clubs are not high-risk facilities. bit.ly/clubinsider112

7. *White Paper - Clubs are Essential:* A collection of talking points illustrating the vital role health clubs play in keeping America healthy. bit.ly/clubinsider113

8. *Article: Medical & Fitness Experts Say Gyms Are Crucial to Fight COVID-19:* An article in IHRSA's Medical Experts series, discussing the vital role of health clubs in keeping Americans healthy. bit.ly/clubinsider114

9. *Article: Colorado News Article: Gyms Remain Open in New Public Health Guidance:* An article detailing Colorado's decision to allow clubs to remain open. bit.ly/clubinsider115

10. *Tier Comparison Resource:* A PDF resource which compares a selection of states' tier structures for responding to the COVID-19 pandemic. bit.ly/clubinsider116

IHRSA will continue to update these resources as new information becomes available. If you have not already done so, we strongly recommend that you engage with your public health officials, share the data and information you have and offer to let them tour your facility to better understand the safety precautions you have in place. If you have questions about this or other issues affecting the health club industry, please contact **JAKE LANDRY**, IHRSA's Public Policy Assistant: (800) 228-4772 or check out www.ihrsa.org.

■ Our friends, **PAMELA KUF AHL**, **MARTY McCALLEN** and **TINA BEEBE**, and their terrific **Club Industry Team**, did a mighty fine job recently with their new online conference they call: **Future of Fitness Virtual Event**. Congratulations to Pam, Marty and Tina, and all of the **Club Industry Team** on a job well done! And folks, if you missed any or all of their **Future of Fitness** production, don't worry because you can access it online immediately after you finish reading this edition of *Club Insider* by going to bit.ly/clubinsider117. **Best wishes to you all! STAY SAFE!**

■ I want to welcome new *Club Insider* Contributing Author, **CATHY SPENCER BROWNING**, VP of Training & Programming for **MOSSA**, a *Club Insider* Advertiser. Check out Cathy's **Article** on **Page #17** and **MOSSA's Ad** on **Page #19**.

■ **AUGIE** and **LYNNE NIETO**, my good friends for what I recall to be 40 years now, are truly two of the most heroic people I've ever known on this **Planet Earth**, and

they've been working hard at trying to rid our world of **ALS**, a/k/a **LOU GEHRIG'S Disease**, ever since Augie was hit with the debilitating disease close to 16 years ago. Today, I want to say **HELLO to you both, AUGIE and LYNNE, and I want you both to know that I LOVE YOU!**

I also want to share with you all, our esteemed *Club Insider* readers, a recent press release from Augie and Lynne and the Augie's Quest Folks:

Novus Therapeutics Announces Enrollment of First ALS Patient in Phase 2 Trials of AT-1501, A Drug Invented at ALS-TDI

CAMBRIDGE, MA - The ALS Therapy Development Institute (ALS TDI) is excited to share a significant step in the advancement of AT-1501, a drug invented at ALS TDI, as a potential treatment for people with amyotrophic lateral sclerosis (ALS). **Novus Therapeutics, Inc.**, a clinical stage biopharmaceutical company, announced that the first subject has been enrolled in the Phase 2a clinical trial evaluating AT-1501 in adults.

In early September, *Anelixis Therapeutics*, the for-profit clinical-stage development company that advanced the drug AT-1501 to a Phase 1 clinical trial, announced that it had been acquired by Novus Therapeutics, which is now committed to further clinical studies of AT-1501 in people living with ALS. This recent news regarding Phase 2a clinical trial enrollment is evidence of this commitment.

"We are excited to see that *Novus Therapeutics* has remained committed to advancing AT-1501 through Phase 2a clinical trials for ALS. We are hopeful that AT-1501, a drug invented at ALS TDI, will demonstrate requisite safety and evidence of biomarker modulation to inform the next steps of clinical development. The objective of our science program is to advance more promising treatments like AT-1501 into ALS clinical development as quickly as possible." said **Fernando G. Vieira, M.D.**, ALS TDI's Chief Scientific Officer.

■ Yesterday, **December 1, 2020**, I was disappointed to read in my friend, **PETE BROWN's Athletic Business** a news release written by *Athletic Business' Executive Editor, ANDY BERG*, that my friend in Oregon, **JOHN MILLER**, has been fined \$90,000 for refusing to close his **Courthouse Club Fitness** locations, defying a state COVID-19 order. Berg's report said:


More than 100 people gathered Sunday in Silverton, Oregon to protest a \$90,000 fine that was levied against *Salem's Courthouse Club Fitness* for defying a state COVID-19 closure order. Residents of the town gathered outside the house of the safety and health enforcement manager with the Oregon Occupational Safety and Health Administration. "If you're in that

house, we're asking you to stand with the people because if you don't stand with us, we're going to go through some real difficult times," protest organizer **Joey Gibson** said, according to Oregon's *Statesman Journal* newspaper. **Governor Kate Brown's** order required gyms and fitness centers, among other types of businesses, to close from November 18 through at least December 2 as part of a statewide freeze in response to rising COVID-19 cases.

Courthouse Club Fitness, which has locations across Salem and Keizer, announced on its Facebook page that it would remain open. The business was fined

a week later. Before the statewide freeze on businesses went into effect, Courthouse owner **John Miller** said a second shutdown would force him to shutter his businesses. John added, "As a result of the harm done to our business from the first shutdown, we will not survive another closure," Miller said in a statement. "This is a horrible position I find myself in, and it leaves me with only one choice. Courthouse Club Fitness will remain open November 18 and the days to follow."

The total fine was the result of fines against all four Courthouse locations. "The (See *Norm's Notes* Page 16)



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...2020 In Review

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A Summary of Our 2020 Cover Stories

The pre-pandemic months of 2020 began with our **January Cover Story** about **Donna Krech**. Within, she explained how a near-death diagnosis changed her life, her philosophy and helped her build a new business called **Wealth of Wellness**, one that strives to help others. Check out the **WOW Ad on Page #11**.

Our **February Cover Story** featured **Michael Sanciprian, John Caraccio** and their enormous **World Gym Taiwan** chain. Pre-pandemic, flipping typical market demographics and utilizing what can only be called wild marketing techniques, they were doing HUGE numbers. *Club Insider* does not have an update at this time.

Moving into the final month of normalcy, our **March Cover Story** featured **Chris Smith** and **Steve Nash Fitness World** in Canada. Founded by the late **Henry Polesky** in 1959, the company has a rich history. The chain has since been rebranded to **Fitness World**.

Early in the pandemic, our **April and May Cover Stories** covered the topics of shutdown survival measures, opening strategies and the sharing of

select statistical data and KPIs during the pandemic compared to historical norms. Those who contributed to this two-part story were **Bill McBride, Carol Nalevanko, Ed Williams, Geoff Dyer, Greta Wagner, Jim Worthington, Joe Cirulli, Kevin McHugh, Larry Conner, Linda Mitchell, Mary Frank, Meredith Poppler, Mike Alpert, Pat Laus, Phil Wendel, Rich Nelsen, and Scott and Beth Gillespie**. Our *Inside Feature Story* for April shared the news that this author was named the new *Publisher of Club Insider*, effective April 5.

For our **June Cover Story**, we felt it prudent to do a little bit extra for those who are paying the bills, the **Club Insider Advertising Team**. In normal times, yet alone during a global pandemic, were it not for them, you would not be reading this right now. So, we thank each of the companies you will see listed on **This Page** and on **Page #18**, and we urge you to do business with them wherever you see a fit. They are good companies run by even better people, and you cannot go wrong with them.

The **July Cover Story** featured a myriad of the industry's educational resources that are crucial as we all work through the pandemic. That has further expanded since the publishing of the story. The *Inside Feature Story* for July was an additional follow up to the two-part cover story of April and May, providing more data

and observations from the ground. Most of those previously listed participated as well as the addition of **Laurie Smith**.

Sadly, our **August Cover Story** shared the passing of and honored industry veteran and dear friend, **Lyle Ray Irwin (1949 - 2020)**. Following a partnership in *CourthSouth* with **Norm Cates, Rich Boggs** and **Fred Streck**, Irwin became the *Inventor and Founder of The STEP Company* with Rich Boggs. After beating throat cancer, he succumbed to lung cancer, but he fought all the way and never lost his smile, kindness or sense of humor. We again extend our condolences to his wife, **Louise**; sons, **Jack** and **Richard**; and Ray's business partner and friend, **Rich Boggs**. **May Lyle Ray Irwin rest in peace**. Our *Inside Feature Story* for August featured **Jim Thompson, Sr.** and his family team as they celebrated 45 years in business at *Oakland Hills Tennis Club* in Oakland Hills, California.

Following the cancellation of IHRSA 2020 because of the pandemic and through the summer months, change was abound at IHRSA. Following the departure of *Chairperson, Jason Reinhardt*, and *President and CEO, Joe Moore*, put in place were *new interim Chairperson, Carrie Kepple*, and *new interim President and CEO, Brent Darden*. Like all of us, IHRSA is doing what it needs to do to survive and serve, and our **September Cover Story, In Touch With Brent Darden**, outlined some of those efforts. If you are not yet a Member of the Association or your Membership has lapsed, please renew today by going to www.ihrsa.org/membership. We are all in this together.

Entering the home stretch of 2020, our **October Cover Story** featured **Paula Neubert, President/GM**, and **Club Greenwood**. It's tough to find a finer facility and their core tenet of creating a sense of belonging further transcends those physical offerings.

Finally, to close cover story content for the year, the **November Cover Story** featured the **Schwartz Family** and **Midtown Athletic Club** celebrating 50 years in business! Founded by **Kevin and Alan Schwartz**, now run by **Steven Schwartz** and with **Alex Schwartz** also involved, Midtown has become a fourth-generation company. Again, congratulations, and enjoy the celebration in 2021 when 51 is the new 50!

Thank You All!

Before moving on, we must take a moment to thank those who make it possible for us to publish **Club Insider** each and every month.

First, we would like to thank you, our readers, for your support. The labor of love called **Club Insider** *always has you in mind*, and we hope it shows. We also want to say thank you to our printer, **Walton Press**, a fantastic 120+ year-old company in Monroe, Georgia for the great work

they've done on all **324 monthly editions of Club Insider** since 1993.

Next, we'd like to thank all of our authors this year, as they took time out of their busy schedules to share a great mix of informative articles across a vast array of topics. And, during a pandemic no less! Beyond our monthly cover stories and news coverage with both press releases and **Norm's Notes**, we try to bring *Best Practices* to you from the trenches. Our **Contributing Authors** this year included: **Bruce Carter, Casey Conrad, Cathy Spencer Browning, Daron Allen, Derek Barton, Donna Krech, Eric Durak, MSC, Gary Polic, Jeffrey Pinkerton, Jillian Curl, Jim Thomas, Jon Butts, Karen Woodard-Chavez, Kristen Deazeley, Mario Bravomalo, Mark Williamson, Melissa Knowles, Michael Gelfgot, Michele Wong, Mike Alpert, Nancy Trent, Paul Bosley, Paul R. Bedard, Esquire, Stephen Tharrett, Sumit Seth, Thomas Plummer** and **Tim Monacella**.

Thank you to the Club Insider Contributing Author Team!

And, of course, we'd also like to thank all of the companies that advertised with us this year because we could not have come to you each month without their financial support, especially this year! Our **Advertising Team** this year included: **American Gym Trader, Augie's Quest, BMC3, Club Industry, Crunch Franchising, Health Club Experts, iGo Figure, IHRSA, Integrity Square, Iron Grip Barbell Company, JLR Associates, LA Fitness, MOSSA, Muscle Up Marketing (now UpSwell), Polic Consultants Group, REME HALO, Sports & Fitness Insurance, TG The Gym, UpSwell, Vending.com, Visual Fitness Planner, Wealth of Wellness, Workout Anytime** and **Zeamo**.


Thank you to the Club Insider Advertiser Team!

A Note About Subscriptions

Before we move forward with *2020 In Review*, let me mention our **Paid Subscription** options. Some of you reading this are doing so on a *complimentary basis* with a promotional copy of our printed edition. If the words "**PROMOTIONAL COPY**" appear above your address on the front cover, you are *not* reaping the full benefits of a **Paid Subscription** to **Club Insider**. One thing to think about when considering a subscription investment to **Club Insider** is that, for just **\$89**, you will receive **one year** of printed and online editions *plus* access to **all archived editions (324 to date)** of **Club Insider**! Or, for **\$149**, you will receive **two years** of printed and online editions *plus* online access to every archive edition of **Club Insider** ever published! Or, you can select our **\$10** monthly option. To subscribe today, please go to www.clubinsideronline.com/subscribe.

(See *2020 In Review* Page 10)

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...2020 In Review

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With **10,000+** pages of archived content, this is a wealth of information for an incredible price! While reading this note and this edition, please remember that you may not receive a promotional copy next month or the month after because we alternate our promotional mailings. So, we urge you to subscribe today. It only takes a couple of minutes to securely subscribe through our website by going to www.clubinsideronline.com/subscribe, and you will have that wealth of industry information and history at your fingertips! **We also wish to express our most sincere Thanks and Appreciation** to all of you who have subscribed to **Club Insider** in the past. We greatly appreciate your business and support.

And Now, 2020 In Review

January 2020

How Donna Krech's Near Death Diagnosis Became The Wealth of Wellness System - By: Donna Krech and Norm Cates

Inside the Insider:

■Exercise IS Medicine! - **By: Mike Alpert**
 ■Why Women Aren't a Trend; They're a Necessity - **By: Melissa Knowles**
 ■Are You Harnessing the Collective Genius in Your Organization? - **By: Karen Woodard-Chavez**
 ■Don't Even Think of Calling Them "Boutique Gyms!" - **By: Thomas Plummer**
 ■Primary Health Club Legal Risks and Considerations - **By: Paul R. Bedard, Esquire**
 ■Fitness Retail Finds Recovery At The Bar - **By: Nancy Trent**
 ■American College of Sports Medicine Publishes Annual List of Fitness Industry Trends
 ■The ABS Company Signs 100-Club Deal for Booty Coaster With World Gym Taiwan
 ■Planet Fitness Reaches 2,000th Location Milestone
 ■And, of Course, Norm's Notes

February 2020

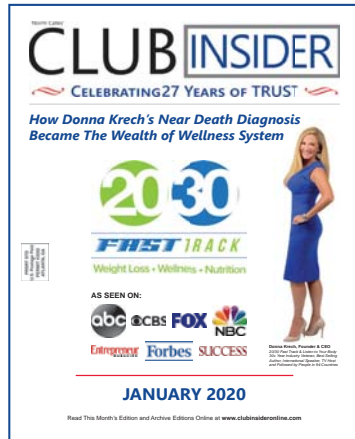
World Gym Taiwan - All-In, Winning and Winning BIG! - By: Justin Cates

Front Page Article Headlines:

■Cincinnati Sports Club Celebrates 30th Anniversary

Inside the Insider:

■Branding Ideas You May Have Forgotten That Will Work for Every Gym - **By: Jim Thomas**
 ■The Industry's Focus on Wellbeing - **By: Michele Wong**
 ■Special Population Marketing - **By: Michael Gelfog**
 ■Starting a New Business - **By: Paul Bosley**
 ■New Jersey Supreme Court Hears Alternative Argument Regarding Health Club Governance - **By: Paul R. Bedard, Esquire**
 ■Design Mistakes That Can Cost



You Big - **By: Bruce Carter** ■Marketing and Selling to Special Populations - **By: Casey Conrad** ■New Zeamo Rewards Program Helps Companies Incentivize Employee Fitness to Encourage Healthy Habits ■REX Growth Sees Justin Tamsett Join the U.S. Team ■IHRSA Announces 2020 Industry Award Recipients ■The Vitamin Shoppe Opens New Distribution Channel in Partnership With LA Fitness ■Columbia Association Tennis Receives USTA Award for Outstanding League Tennis ■Orangetheory Fitness and American Heart Association Join Forces in the Push for Heart Health ■Cycle For Survival Celebrates 10 Years of West Coast Events With World Cancer Day Fundraising Campaign ■Matrix Fitness and Smart Fit Announce Partnership ■Johnson Health Tech Receives International Service Excellence Award ■UFC GYM Celebrates 10-Year Anniversary
 ■And, of Course, Norm's Notes

March 2020

Steve Nash Fitness World & Sports Clubs - An Interview With CEO and President, Chris Smith - By: Justin Cates

Inside the Insider:

■Exercise IS Medicine! - **By: Mike Alpert**
 ■How to Pump Up Your Gym's Ranking in Google Searches - **By: Jon Butts**
 ■Searching for a Tax Preparer? Here Are Some Things to Consider - **By: Kristen Deazeley**
 ■Do You Consistently Meet Daily Revenue Goals? - **By: Karen Woodard-Chavez**
 ■First Steps to Prepare to Finance your Business - **By: Paul Bosley**
 ■A Primer on Private Equity for Fitness Industry Professionals - **By: Stephen Tharrett & Mark Williamson**
 ■The Power of Persuasion - **By: Derek Barton**
 ■Muscle Up Marketing Becomes UpSwell - A Full-Service, Data-Driven Marketing Agency
 ■And, of Course, Norm's Notes

April 2020

COVID-19 - The Coronavirus Crisis - By: Justin Cates



Front Page Article Headlines:

■Justin Cates Named Publisher of Club Insider

Inside the Insider:

■Exercise IS Medicine! - **By: Mike Alpert**
 ■How to Navigate Change Amid COVID-19 - **By: Jim Thomas**
 ■Saving Sales During the COVID-19 Crisis - **By: Casey Conrad**
 ■Coronavirus Legal Considerations for Health Clubs - **By: Paul R. Bedard, Esquire**
 ■How to Keep Your Gym Going Strong During and After COVID-19 - **By: Jon Butts**
 ■A Letter to Clients From Karen Woodard-Chavez - **By: Karen Woodard-Chavez**
 ■We Got This! - **By: Derek Barton**
 ■And, of Course, Norm's Notes

May 2020

COVID-19 - The Re-Opening - By: Justin Cates

Front Page Article Headlines:

■Marsh Founder and Industry Veteran, the Beloved Ruth Stricker, Passes Away at 85

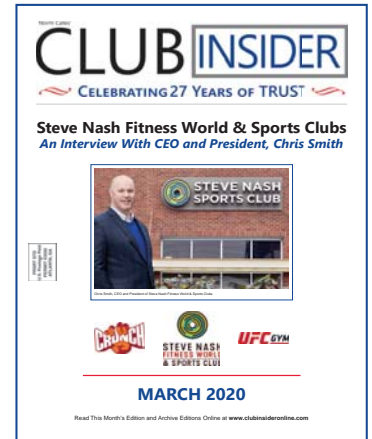
Inside the Insider:

■Exercise IS Medicine! - **By: Mike Alpert**
 ■Doing All You Can Do to Safely Re-Open a Club Amid COVID-19 - **By: Bruce Carter**
 ■How Health Clubs Can Fulfill Their Legal Duties While Re-Opening During the COVID-19 Pandemic - **By: Paul R. Bedard, Esquire**
 ■Preparing Your Gym for a Comeback - **By: Jim Thomas**
 ■Getting Back to a New Normal - **By: Nancy Trent**
 ■The Fitness Industry's Response to COVID-19 - **By: Stephen Tharrett and Mark Williamson**
 ■Club Financing During the COVID-19 Pandemic - **By: Paul Bosley**
 ■And, of Course, Norm's Notes

June 2020

The Club Insider Advertising Team - Open For Business and Ready to Assist Yours! - By: Justin Cates

(See 2020 In Review Page 12)



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for a FREE Wellness Business Strategy call with a Predictable Profit Coach and to talk with clients who use our system to increase profit every day. We get it, you're in crisis mode. But crisis mode will not get you results. It's time to operate with the certainty of offering Essential Health.

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...2020 In Review

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Front Page Article Headlines:

■ Club Insider's COVID-19 Resource Center

Inside the Insider:

- The "Insider Speaks" - An Important Message for The Industry - **By:** Mike Alpert
- The Next Step Is the Hardest Step - Fighting Back to Protect Your Business - **By:** Thomas Plummer
- Financing Methods for Health and Fitness Clubs - **By:** Paul Bosley
- What Do You Need to Do As a Gym Owner? - **By:** Jim Thomas
- Workplace Sexual Harassment and Increased Training Requirements for Employers - **By:** Paul R. Bedard, Esquire
- IHRSA Outlines Safe and Successful Reopening of Clubs Worldwide
- ClubIntel Announces Publication of New Health/Fitness Facility Industry Study
- And, of Course, Norm's Notes

July 2020

Continuing Education - The Gamechanger of a Career - **By:** Justin Cates

Front Page Article Headlines:

■ COVID-19: The Re-Opening - Key Information From The Industry's Front Lines - **By:** Justin Cates

Inside the Insider:

- Exercise IS Medicine! - **By:** Mike Alpert
- The Most Important Requirement for Re-opening - **By:** Sumit Seth
- Selling Amid Crisis - **By:** Casey Conrad
- The Use or Non-Use of Masks Within the Health Club Industry - **By:** Eric Durak, MSc
- World Gym International Appoints New CEO and COO
- IHRSA Launches Legislative Effort to Save the American Fitness Industry
- The Fitness Industry Embraces Innovative REME HALO Air Purifier to Address COVID-19
- IHRSA to Governors: "Gyms Aren't Responsible for Spread"
- And, of Course, Norm's Notes

August 2020

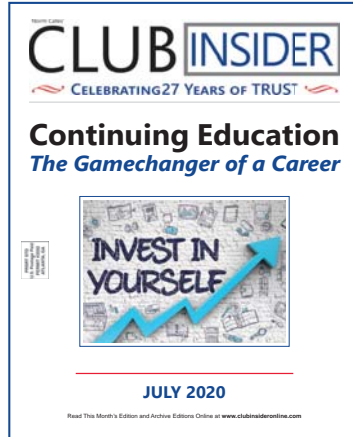
Lyle Ray Irwin: 1949 - 2020 - **By:** Norm Cates

Front Page Article Headlines:

■ Jim Thompson, Sr. and His Family Team Celebrate 45th Anniversary of the Oakland Hills Tennis Club - **By:** Norm Cates

Inside the Insider:

- Double Conversion Rates With This One Technique - **By:** Mario Bravomalo
- Four Ways Digital Tech Can Maximize Your Marketing Budget - **By:** Jillian Curl
- Staff Stress Busting to Impact Performance During COVID - **By:** Karen Woodard-Chavez
- Business Finance Depot Video



Series: Equipment Leasing - **By:** Paul Bosley

- How to Bootstrap Your Gym's Sales and Marketing During the Pandemic - **By:** Jim Thomas
- The Long Journey Back - Part I - **By:** Thomas Plummer
- The Claremont Club Permanently Closes
- Karen Woodard Chavez Publishes New Book: Sterling Sales Skills
- IHRSA Goes Virtual With Innovation Summit
- And, of Course, Norm's Notes

September 2020

In Touch With Brent Darden, IHRSA's Interim President and CEO - **By:** Norm Cates

Front Page Article Headlines:

■ October Cover Story Preview: Paula Neubert and Club Greenwood - **By:** Justin Cates

Inside the Insider:

- Bounce-Back Strategies - **By:** Gary Polic
- The First Steps in Preparing to Finance Your Business - **By:** Paul Bosley
- The Golden Age of Health Clubs - **By:** Bruce Carter
- COVID-19 Waiver Considerations - **By:** Paul R. Bedard, Esquire
- "Non-Essential" Never Again - **By:** Eric Durak, MSc and Dan Zeman, MS
- Three Keys that COVID Holds to Building Your Wellness Wealth - **By:** Donna Krech
- JLR Associates Announces Expansion of Services
- National Study Confirms It's Safe To Work Out At The Gym
- And, of Course, Norm's Notes

October 2020

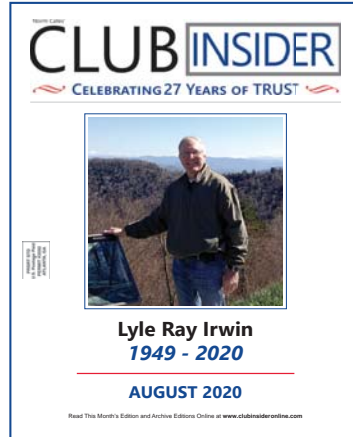
Paula Neubert and Club Greenwood - Truly Creating a Sense of Belonging - **By:** Justin Cates

Front Page Article Headlines:

■ IHRSA Announces New Dates and Location for IHRSA 2021

Inside the Insider:

- How to Properly Complete Your Personal



Financial Statement - **By:** Paul Bosley

- Bounce-Back Strategies From The Industry's Front Lines - **By:** Gary Polic
- Digital Workouts: Sustainable Solution or Expensive Experiment? - **By:** Jeffrey Pinkerton
- Do You Operate Your Gym with a Sense of Urgency? - **By:** Jim Thomas
- Representatives Quigley and Fitzpatrick File Health & Fitness Recovery Act
- Crunch Franchising Named One of the 2020 Top Growth Franchises by Entrepreneur Magazine
- ABC Fitness Solutions Unveils Rebranding
- And, of Course, Norm's Notes

November 2020

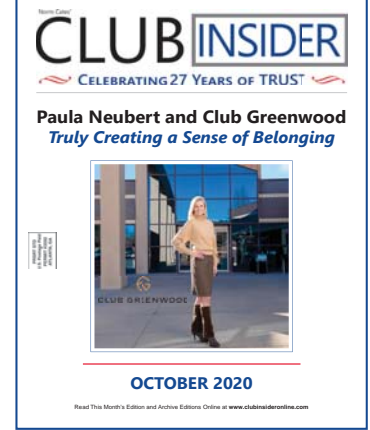
The Schwartz Family - 50 Years of Success at Midtown Athletic Club - **By:** Norm and Justin Cates

Inside the Insider:

- Ten Ways to Be a Successful Gym Owner - **By:** Jim Thomas
- "Non-Essential" Never Again - Part II - **By:** Eric Durak, MSc
- Seven Marketing Tips for Powering Up Your Gym in 2021 - **By:** Tim Monacella
- Developing Resilient Leaders and Loved Ones - **By:** Karen Woodard-Chavez
- Different Types of SBA Loans - **By:** Paul Bosley
- What if the Apple Store Sold Health Club Memberships? - **By:** Jeffrey Pinkerton
- Medical Fitness Association Names Atlantic Club's Kevin McHugh to Board of Directors
- And, of Course, Norm's Notes

Stay Tuned in 2021!

(Justin Cates is the Publisher of Club Insider. Having been born into a club business family in 1985, Justin grew up in the health and fitness club industry. He has lived and breathed this industry for 35 years, since his own day one, and he loves it dearly. Graduating from the Terry College of Business at The University of Georgia in 2007, Justin has run day-to-day operations of Club Insider for 12 years. Justin was elevated to Publisher of Club Insider on April 5, 2020. Justin's Dad, Norm Cates, continues to serve as Founder and Tribal Leader Since 1993. You can reach Justin by phone at 863-999-2677 or email at Justin@clubinsideronline.com.)



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Marketing and Selling Amid Crisis

By: **Casey Conrad**

I think it is fair to say that we are living in the most bizarre, tumultuous time of our lives. If anyone had told me the following a year ago, I would have told them to check into the nearest psych ward:

"The world, as we know it, will shut down next year. All 'non-essential' businesses will be forced to close their doors. People won't be allowed to go to church, and healthy people will be mandated to wear masks, even while working out."

But, here we are, heading into Round Two of shutdowns in many states and severe capacity restrictions in others. Even in states that are technically "open," member traffic has been decimated because a certain percentage of the population doesn't feel confident in public situations.

You know all of this. But, the question that club operators ask me daily is, "What should I be doing for marketing right now, and how can my salespeople have a greater level of success with their closing percentage?" In this article, I'll address both of those questions. The goal is to leave you with specific strategies and skills to apply to your business immediately.

Marketing During COVID

Let's start with marketing. Because every State deals with different COVID rules, it's challenging to make suggestions

on external marketing activities. Also, because a percentage of the population is reluctant to go into public settings, your marketing effectiveness is already starting from a reduced exposure. The most cost-effective strategies at present predominantly focus on existing members, alumni members and missed prospects.

Let's start with the lifeblood of our industry: Referrals. My focus with clients right now is establishing a referral program that utilizes a long-copy sales letter approach. Meaning, you send out snail-mail letters that are conversational instead of the typical postcard of flashy guest pass format. Although long-copy sales letters are often perceived as an "old-fashioned" strategy that consumers no longer respond to, my experience is the exact opposite. Because of online advertising and social media platforms, most companies dropped traditional mailings from their marketing arsenal. The result is that, when done correctly, people will now be more apt to open up and read a letter. This is especially true if it reads in a personal tone and comes from someone the recipient likes and trusts. Let's discuss the critical elements.

First, you will be sending letters only to members who are currently using the club. This results in a reduced number of recipients, but the reason is an important one. People who are currently using the club highly value their exercise program and are more likely to "take the risk" of being in public. Typically, they will have a higher chance of having like-minded friends

who will be open to starting a new exercise program, even during COVID.

Second, the letter has to follow the guidelines for effective long-copy writing. A powerful headline that appeals to the recipient, multiple sub-headlines that "pull" the reader through the copy, content that is personal and speaks directly to the member and total transparency as to why you are running the referral program. Your writing should share a number of things with the member:

- During COVID, traditional marketing has proven ineffective.
- You have decided to shift your marketing budget to benefit members instead of online platforms.
- You need the member's help to expose new prospects to the facility.
- A win-win-win program has been set up to ensure that everyone benefits.

Of course, the final call to action will generate the response. Therefore, you must have a strong offer that allows the member to bring their friend in to try the club at little or no charge (depending upon your model). In addition, I highly suggest that your incentive provides financial compensation (or gifts) to both the member and the referral if they end up enrolling. This approach makes the member feel better about referring friends, because it doesn't feel like they are only bringing in a prospect for their benefit.

Finally, I highly suggest the



Casey Conrad

program utilize an online opt-in process to receive the desired number of electronic guest passes. In an ideal world, you would ask for the referrals name, but people today are reluctant to register their friends. However, by having the member opt-in for the guest pass(es), you identify participants. With the name, you can now follow up with the member.

The Sales Process

With prospects to work with, the focus now turns to the actual sales process. Assuming you have some contact with the prospect prior to their arrival at the facility, let's take the elements of the sales process chronologically.

Since this is a referral, it is ideal to speak with the member before contacting the person. Besides the standard pre-qualifying questions that you ask of the referrer, you want to get some insight into how this person approaches the COVID situation. "Do you know the comfort level of your friend with regards to COVID?" This is not a "be-all, end-all" insight, but it should give you a sense of what you may encounter in your initial communication, preferably by phone.

Your initial conversation with the referral to set up the initial visit will follow the basic call script. Inquire about his exercise history and primary goals and motivation. This conversation leads to the invitation. The one imperative addition to the call is reviewing the cleanliness guidelines that your facility is following. Therefore, before you move into the stage of the call where you invite him to begin his pass, you proactively inform him of the things you are doing to make a safe exercise environment for him. Finally, before giving him an alternate of choice for booking his initial visit, ask him, "On a scale of 1-10, 10 being totally comfortable and 1 being highly cautious, how have you been feeling about

(See Casey Conrad Page 17)



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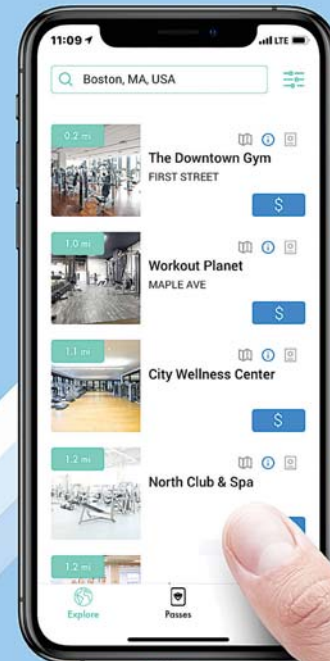

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Developing Resilient Leaders and Loved Ones

By: **Karen Woodard-Chavez**

Part II

In **Part I**, we have defined resilience, its elements and you have rated yourself, those you lead and those you love. Now, in **Part II**, you are ready for an exercise to strengthen your “resilience muscles.” The exercise is called Doors Close, Doors Open.

Doors Close, Doors Open

Life is constantly changing and evolving. This means that, from time to time, things just stop existing. Losing a job, ending a marriage or moving to another place. You lose out on something important, a big plan collapses or you are rejected by someone.

Another way of expressing this feeling of loss is that a door is being closed. However, the end of one thing is always the beginning of something new. You have the option to stay focused on what is not here anymore (the doors that have been closed) or become aware of the new avenues

that unfold.

Optimism is about the latter option. It is about also seeing the doors that are being opened. It is about holding a favorable view about the future, taking closing doors into consideration and turning them into something beneficial.

Think about a time in your life where someone rejected you or you missed out on something important or when a big plan collapsed. These would be points in your life where a door closed.

Now, think about what happened after: What doors opened after? What would have never happened if the first door didn't close? Write down these experiences utilizing the following questions (write as many experiences as possible that come to mind):

- The door that closed on me was:
- The door that opened for me was:
- What led to the door closing?
- What helped you open the new door?
- How long did it take you to realize that a new door was open?
- Was it easy or hard for you to realize that a new door was open?

■ What prevented you from seeing the new open door?

■ What can you do next time to recognize the new opportunity sooner?

■ What were the effects of the door closing on you?

■ Did it last long?

■ Did the experience bring anything positive?

■ Which character strengths did you use in this exercise?

■ What does a closed door represent to you now?

■ Is there a closed door that you still wish to see open?

■ Think of all the people that have helped you open doors in the past. What did they do to help you?

■ What could you do to help others?

Close Doors, Open Doors is a terrific exercise to allow you and others to see what, perhaps, might have been a crushing time as an opportunity that might not have happened had a door not closed. Are you starting to feel more resilient?

As alluded to earlier in this Part I of this article series, building resilience is the result of being aware of the opportunities



Karen Woodard-Chavez

for self-development and the courage to take advantage of them. It requires a conscious practice. The following are some tools for you to utilize in that practice under different circumstances.

Perhaps, you have experienced a loss or stressful event. The following tools (See **Karen Woodard-Chavez** Page 17)

COVID-19 and Business Interruption Insurance Claims & Challenges

By: **Paul R. Bedard, Esquire**

Most health clubs carry business interruption insurance. However, when the business interruption is related to COVID-19, there is often a lack of insurance coverage. This tends to be in stark contrast to the policyholder's underlying belief that coverage is sufficient. Many policyholders have therefore had to debate policy language with their insurance providers while also analyzing any applicable exclusions when attempting to establish coverage.

Insurance litigation related to COVID-19 is a new and rapidly developing area of law. Billions of dollars are at stake here. In a nutshell, policyholders argue that the interpretation of policy language satisfies the requirements for coverage. Conversely, the insurance industry asserts that business interruption claims related to COVID-19 do not meet the definition of certain policy language, such as "direct physical loss or damage." For example, a fire that forces the shutdown of a business would typically qualify as a direct physical loss or damage. However, when COVID-19 shuts down a business, the insurer may argue that the property at issue has suffered no direct physical loss or damage due to the undamaged and inhabitable state of the property that is covered.

Meeting the definition of the applicable policy language is of course a requirement for a policyholder to be covered for business interruption losses. Regardless, insurers also argue that the premiums charged for business interruption coverage do not factor in losses related to viruses, a recognized exclusion under many commercial insurance policies. In other words, even if it is determined that a specific

event satisfies the definition required for coverage, the policy may still exclude coverage due to the specific exclusion related to losses caused by viruses.

Insurers and policyholders have each won and lost in various jurisdictions. Although the legal waters in this regard remain largely uncharted, court decisions to date are helping to shape the early legal landscape. It is important to note that this article is intended for informational purposes only. It is not offered as legal advice. Please contact your attorney for specific direction when evaluating information of this nature within this rapidly developing and complex area of the law.

Although insurers have been largely successful at defeating business interruption claims related to COVID-19, some promising court decisions have been rendered. For example, restaurant owners in North Carolina were able to convince a court that suffering a "direct physical loss" did not require actual physical alteration to the property. The North Carolina court reasoned that interpreting "physical loss" to require actual physical alteration to property would improperly conflate "physical loss" and "physical damage," terms used within the insurance policies, rendering "physical damage" to be without meaning.

A hair salon and restaurants prevailed within a Missouri Federal Court when the court denied an insurer's motion to dismiss. The plaintiffs submitted claims under several different coverages in their policies including business income coverage, civil authority coverage, dependent property coverage and ingress and egress coverage. Although each of the coverages required a showing of "direct physical loss or damage" at some location, the plaintiffs' policies did not

have a virus exclusion. By analyzing the dictionary definitions of "direct," "physical," and "loss," the court found that the plaintiffs had established sufficient allegations of the virus's physical presence and the resulting unsafe and unusable condition of the premises. The court denied the insurer's motion to dismiss, siding with the hair salon and restaurants, and sent the case to discovery.

A business must first look to the language contained within their insurance policy when trying to determine whether coverage is triggered. Policy language can vary from one insurance company to the next. Because policy language is scrutinized by a court of law when litigation arises, minor differences in language can determine whether a policyholder is covered. Whether coverage is triggered often hinges upon a court's interpretation of a single word or phrase within the policy at issue.

Commercial insurance policies should be reviewed regularly and in their entirety. Some policies offer riders for additional premiums that can eliminate certain exclusions. When a business suffers a loss related to COVID-19, the business must first submit the claim to the insurer. If faced with a denial of the claim, it is important to remember that policy language is typically subject to interpretation. Whether the interpretation may be favorable to the business, or whether a rider may otherwise trigger coverage, is best evaluated with the help of an attorney who regularly handles insurance coverage claims. It is typically worth obtaining an outside legal opinion as to whether an insurance claim was properly denied, particularly given the dollars that tend to be at stake with a business interruption claim tied to COVID-19.



Paul R. Bedard, Esquire

(Paul R. Bedard, Esquire has nearly twenty years of management, leadership and operations experience in the health and fitness industry. As a practicing attorney, Paul's health and fitness industry experience provides him with a unique perspective when advising health clubs regarding employee training, handbooks, policies, contracts, disputes or premises liability claims. When not practicing law or spending quality time with his wife and daughters, Paul strives to be active in his local community. Paul has served as the Assistant Town Attorney for the Town of Southington, Connecticut. He has also served on the Southington Zoning Board of Appeals and the Board of the Central Connecticut Regional Planning Agency. Paul is a solo practitioner at The Law Office of Paul Bedard, LLC, in Southington, Connecticut. Paul can be reached by email at AttorneyPaulBedard@gmail.com or phone at 860-414-0110.)

...Norm's Notes

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total penalty for each individual inspection is \$22,500," said **Mark Peterson**, acting spokesman for OSHA. "That's a willful penalty of \$17,500 for being open to the public and a separate \$5,000 penalty for violating the Red Warning Notices that we posted at each location late last week." Governor Brown's freeze was set to expire on December 2, although Marion County, which has higher case numbers may see the current freeze continue longer than the rest of the state."

■ **YouFit Health Clubs** has joined others, including *24 Hour Fitness*, *Flywheel Sports*, *Gold's Gym International*, *YogaWorks*, in filing for **Chapter 11** bankruptcy protection. Closures among the chain's 85 locations across across ten states have not been announced.

■ Stay Tuned Folks!

■ **Whatever you celebrate during the holiday season, we hope this it brings some peace to you during such a tumultuous time. And, we wish you all a Happy, Healthy New Year!**

■ **JUSTIN and I want to say Thanks for reading Club Insider! We're honored and pleased to be entering our 28th year of publication of Club Insider for you all!**

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■ **God bless our troops, airmen and sailors worldwide and keep them safe. Thank you, Congratulations and Welcome Home to all of our troops who have served around the world. God bless America's Policemen and women and Firemen and women; keep them safe. God bless our EMTs, first responders, nurses, doctors, lab technicians and anyone who is helping make Coronavirus a thing of the past. You and your families are our warriors. Finally, God bless you, your family, your club(s) and your members. God Bless America! Laus Deo!**

(Norm Cates, Jr. is the Founder of Club Insider, completing its 27th year of

publication, and its Tribal Leader Since 1993. He is a 45+ year veteran of the health, racquet and sportsclub industry. As IHRSA's First President and a Co-Founder of the Association with Rick Caro and five others, in 1981; the 2001 DALE DIBBLE Distinguished Service Award Recipient, one of IHRSA's highest honors; and Club Industry's Lifetime Achievement Award Recipient in 2017, Norm Cates, Jr. is a highly decorated veteran who cares about you. And, he wants to hear from you. Norm can be reached by phone at 770-635-7578 or email at Norm@clubinsideronline.com.)

**Make
It Fun!**

...Casey Conrad

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being in public environments?" If he has no concerns, you finish the call as usual. If he has some reservations, you can immediately adjust the type of exercise experience recommended to him. Be sure to take copious notes as to his response and potential comments. This will allow you to make the necessary adjustments during both the confirmation call and the prospect's tour.

Regardless of the prospect's rating response, it's important to reiterate and reinforce your safety measures during the greeting, qualifying, touring, and exercise portions of your sales presentation. Even when an individual has zero concerns (and perhaps is vocal about disagreeing with lockdown measures), it is still important to discuss policies and procedures to ensure the facility remains open for following government mandated guidelines. The bottom line is that you want to maximize comfort level while minimizing "turn-off."

■ ■ ■

The fitness industry has been hyper-competitive for many years. Even with PPP, it is highly likely that some facilities will not weather this unprecedented storm. The best chance every operator has of staying in business includes two critical strategies: Drive new prospects through the doors at the lowest possible customer acquisition cost and maximize guest conversion to happy new members. By focusing on a strong and personal referral

campaign and sharpening presentations skills, salespeople can enjoy a greater success level, even amid crisis.

(Casey Conrad has been a sales and marketing consultant in the health and fitness industry for 30 years. She is the author of numerous books and online training programs and speaks all over the world at industry events. She can be reached by visiting www.CaseyConrad.com.)

...Karen Woodard-Chavez

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will help you build resilience rather than caving:

1. Allow yourself to feel a wide range of emotions.
2. Identify your support system and let it be there for you.
3. Process your emotions with the help of a therapist.
4. Be mindful of your wellness and self-care.
5. Get some rest or try to get an adequate amount of sleep.
6. Try your best to maintain a routine.
7. Write about your experience and share it with others.
8. Cultivate forgiveness by letting go of grudges as well as forgiving yourself.

Or, when you are experiencing a

change or need to solve a problem:

1. Find a sense of purpose in your life, which will help boost you up on difficult days.
2. Build positive beliefs in your abilities to help you increase your self-esteem.
3. Develop a strong social network of people who support you and with whom you can confide.
4. Embrace change as the inevitability that it is and be ready for it.
5. Be optimistic. Don't ignore your problems, just understand that it's all temporary and that you have what it takes to make it through.
6. Nurture yourself with healthy, positive self-care. Get enough sleep, eat well and exercise.
7. Develop your problem-solving skills through strategies like making a list of potential ways to solve your current problem.

8. Establish reasonable goals by brainstorming solutions and breaking them down into manageable steps.

9. Take action to solve problems rather than waiting for the problem to solve itself.

Part I of this article series was opened with one of my favorite quotes on resilience, and it shall close with one of my favorite quotes on resilience by **Elizabeth Edwards**:

"Resilience is accepting your new reality, even if it's less good than the one you had before. You can fight it, you can do nothing but scream about what you've lost, or you can accept that and try to put together something that's good."

My hope is that the tools presented in this article series will help you to develop and deepen resilience skills for

yourself, for those you lead and for those you love so that, no matter what happens, you can always end up creating something very good. Additionally, I offer customized webinars on this content and more to enhance your reading and development.

(Karen is President of Premium Performance Training in Boulder and Vail, Colorado and Ixtapa, Mexico. Karen has owned 11 different businesses, successfully sold nine of them and continues to operate two businesses. Karen consults with and trains staff throughout the world on sales, complete communication, management and leadership. These services are offered on-site, online and through her books, manuals and DVDs. Karen's newest book Sterling Sales Skills: 125 Tools to Polish Your Sales Success is available by emailing karen@karenwoodard.com or calling 303-417-0653.)

The Importance of Movement Health

By: **Cathy Spencer Browning**

Just as movement is medicine, a lack of movement can cause *disease* in our bodies. During this time of fewer visits to the gym, fewer activities and much more time at home, many are moving less and less. After all, the walk from the kitchen to the couch to the bathroom to the home office... that isn't very far to travel. The incremental movement that occurs between the things we normally do in life is absent. Maybe not noticeably at first. But, that achy back, those sore knees, the brain fog, or even that physically "flat" feeling we sometimes complain about can actually be because our bodies are designed to move, and the lack of movement results in a reduction in what we call "movement health." Even regular bouts of exercise cannot make up for what we are losing by not moving enough throughout the day.

Now, to most people, movement health sounds like it has something to do with exercise. Yes, exercise is important, but what I am talking about is inhabiting a body that moves freely, with ease, and with less restriction. Because when you move well, you think well, you live well and you feel well! It is crucial to understand that, unless exercise programs are designed to also improve movement health, it is something that has to be pursued separately. In other words, it is possible to be very fit and lacking in movement health. Kind of like a Ferrari with flat tires.

The bottom line is that the more we move, the better our bodies will function. I often think of a very simple analogy when thinking of a lack of movement and its impact on the body. Most biological systems in the body require motion for them to happen and function well. When *(See Cathy Spencer Browning Page 18)*



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...Cathy Spencer Browning

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you don't move, it is akin to the condition of stagnant water in swamps. No one wants a "swampy body."

Move... How?

Well, the simple answer is to think of the overused postures we use in our everyday lives, such as sitting. We can start with doing the opposite of that, which is standing and walking more.

But, let me take it a step further. The *Institute of Motion* has identified six fundamental movement categories and being able to maintain our ability to do these movement patterns with competence and confidence will ensure that we can do "life" with ease and no restrictions.

These movements can be and should be embedded into exercise programs. This ensures that we are either fortifying or re-invigorating our body's ability to do these things. It's creating a body that is more Play-Doh than porcelain.

These six movement categories are a part of MOSSA's 30-minute program called MOVE30®, which is designed to help participants get back and keep

their movement mojo, and they are also included in varying degrees in all other MOSSA programs.

The fundamental movement categories are:

■ **Lunging**, or the ability to take a stride by removing one foot from the ground. Think of hiking or climbing stairs. This is how the lunge plays out in real life. Working on the lunging pattern improves hip mobility, balance, coordination and leg strength.

■ **Squatting**, or the ability to bend through the ankle, knee and hips to lower our center of gravity. Every time you sit down in a chair or drop to a toilet seat, you are squatting. It is crucial to maintain the lower body mobility and strength to be able to do this movement for life.

■ **Ground to Standing** movements enhance our ability to transition from various ground postures (supine, side-lying, prone, kneeling, seated) to standing postures. In other words, it prevents us from ever reaching a state where, "I've fallen, and I can't get up."

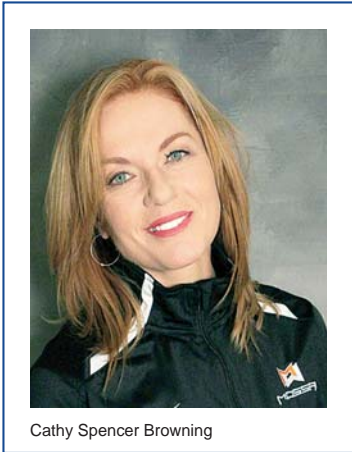
■ **Rotating** is a very efficient motion that the body uses regularly. It comes into play in

sports and life! Most joints in the body have at least some ability to rotate, and as the saying goes, if you don't use it (that rotary ability) then you lose it!

■ **Walking**, as we all know, is one of the easiest forms of movement to help us reach the recommended amount of physical activity to promote or sustain health benefits. It is also the movement pattern of freedom and independence. Losing the ability to walk, with a healthy gait, for any length of time really has a negative impact on quality of life.

■ **Bending** occurs every time we have to reach anything lower than the length of our arms. We want to be able to bend with ease and confidence in order to allow us to sustain a function that is required for many activities of daily living.

In a society where sedentary lifestyle is on the rise, certain movement abilities become lost or diminished as we age, leading to many issues affecting our quality of life. Programming these fundamental movement categories into an overall exercise program is highly encouraged for individuals looking to restore and enhance movement function



Cathy Spencer Browning

and successfully age.

Even when we don't know the path ahead, getting beyond COVID-19 requires movement. So... let's move!

To learn more about MOSSA and our programming philosophy, visit www.mossa.net.

(Cathy Spencer Browning is the VP of Training & Programming for MOSSA. Cathy can be reached by phone at 770-989-4700 or email at cathy@mossa.net.)

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FROM FOOD TO FITNESS

Aaron Davis's story...

Aaron is a serial entrepreneur and experienced multi-unit franchisee owning 17 Little Caesars. He was looking for an opportunity to diversify his portfolio and has always been a fitness nut, so branching out into the fitness franchise segment was the logical next step. Food service operators know firsthand the challenges of the restaurant industry, which include high labor costs, extensive employee turnover and skyrocketing operating costs. Aaron was very impressed with the ease of operations and the need for only 3-4 employees to operate the club. After speaking with Workout Anytime franchisees, he was equally impressed that 73% own multiple units. Aaron leaned on Workout Anytime's proven franchise model to 'hit the ground running' and opened two locations within one year with a third on the way. Workout Anytime has more than tripled their club count over the past 5 years and have averaged 38% growth in new club openings.

"Adding fitness was a very profitable way to round out my business portfolio."

Aaron Davis, Owner
Boiling Springs, SC & Duncan, SC

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