

## **McSWEENEY & ANTMAN'S OCCASIONAL UPDATE VOL. 2 NO. 4**

From the corporate branding and strategic communications firm **McSWEENEY & ANTMAN**.

Welcome to the latest edition of McSweeney & Antman's Occasional Update, our periodic compilation of useful information and interesting news. If you wish to unsubscribe, just reply to this e-mail with the word "unsubscribe" in the subject line.

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### **1. NEW CLIENTS**

McSweeney & Antman is pleased to welcome the following new clients.

**The Chicago Board Options Exchange** [www.cboe.com](http://www.cboe.com) is the world's largest options marketplace and the creator of listed options. McSweeney & Antman is providing marketing communications services to the Exchange.

**CCC Information Services Group Inc.** [www.cccis.com](http://www.cccis.com) (NASDAQ: CCCG) is a leading supplier of advanced software, communications systems, and Internet and wireless-enabled technology solutions to the automotive claims and collision repair industries. McSweeney & Antman provided communications counsel for CCC's recent announcement that it has signed a definitive agreement to be acquired by an affiliate of Investcorp.

**Commonwealth Capital Advisors, LLC** provides services that help start-up and early stage companies raise capital, including the patent-pending Financial Architect® System software suite. A complimentary E-Book entitled, "Raising Capital for Start-Up and Early Stage Companies – The Secrets of Wall Street" (Summarized Edition) is available by going to their web site [www.commonwealthcapital.com](http://www.commonwealthcapital.com) and entering code 1492. McSweeney & Antman is providing public relations services to Commonwealth.

### **2. FORMER PHILHARMONIC PRESIDENT JOINS M&A**

McSweeney & Antman is pleased to welcome **Christopher Guerin** as Senior Counsel to the firm. Mr. Guerin was most recently President of the Fort Wayne Philharmonic. He brings to McSweeney & Antman expertise in marketing and fund-raising for businesses, governments and non-profit organizations. To view his full bio, visit our web site at <http://www.mcsweeneyantman.com/index.asp?page=7>.

### **3. REG. FD TURNS FIVE: THE GOOD, THE BAD AND THE UGLY**

Five years ago this fall, the Securities and Exchange Commission (SEC)

implemented a set of disclosure rules referred to as “Reg FD” for Fair Disclosure. In general, the regulations prohibit public companies from disclosing material, non-public information selectively to some analysts or investors and not others. Several recent developments indicate the far-reaching impact of Reg. FD is still being felt.

The ugly: A federal judge recently criticized the SEC for overly aggressive enforcement of Reg. FD in dismissing a lawsuit the SEC brought against Siebel Systems, Inc. Judge George B. Daniels of the Southern District of New York said the statements in question that Siebel executives made at non-public investor meetings were not materially different from what had been previously disclosed by the company. The judge criticized the SEC’s use of the regulation “in an overly aggressive manner” and said, “Regulation FD was never intended to be utilized in the manner attempted by the SEC under these circumstances.” For an in-depth discussion of the issues involved in the case, visit the National Investor Relations Institute’s web site, [http://www.niri.org/irresource\\_pubs/alerts/ea050906.cfm](http://www.niri.org/irresource_pubs/alerts/ea050906.cfm).

The good and the bad: A recently updated study entitled, “Who is Afraid of Reg. FD? The Behavior and Performance of Sell-Side Analysts Following the SEC’s Fair Disclosure Rules,” found that selective guidance has diminished since the implementation of Reg. FD, but so has the accuracy of analysts’ earnings estimates. In the study, professors Anup Agrawal, Sahiba Chadha and Mark A. Chen analyzed the impact of Reg. FD on the accuracy of earnings forecasts made by sell-side equity analysts over a nearly ten-year period before and after FD’s adoption in 2000. The full study can be downloaded at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=301484](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=301484).

#### **4. A PLEONASTIC PERSPECTIVE ON INTEGRATED MARCOM**

Integrated marketing communications. It's a term that everyone uses these days. And yet, if firms like ours have our way, it's going to sound embarrassingly old-fashioned in a decade or so. The reason has something to do with electric toasters and automatic elevators, and is explained in detail in this article <http://www.mcsweeneyantman.com/index.asp?page=10> by McSweeney & Antman principal Michael Antman.

#### **5. JAPAN, IN AND OUT OF THE SHADOWS**

At the 37th Annual **Midwest U.S. - Japan Association Conference** in Cincinnati September 11 through 13, speakers included the Honorable Ryoza Kato, Japanese Ambassador to the U.S.; the governors of Michigan, Wisconsin, Indiana, Ohio, Iowa, and Nebraska; former Illinois governor Jim Thompson; the governors of several Japanese prefectures; and a healthy sprinkling of CEOs of Japanese and American corporations, all of them there to foster Japanese investment in the U.S. Midwest, and Midwestern investment in Japan.

The conference came at something of a recent high point for the Japanese economy, occurring just a day after Japanese Prime Minister Junichiro Koizumi's landslide re-election. The Nikkei, already at a four-year high as Japan continues to recover from its protracted economic slump, rose an additional 1 percent the day after Koizumi's victory, fueled by the prospective freeing of up to \$3 trillion in assets from the postal savings system, which Koizumi has pledged to privatize. Yet despite the optimism, there also was undercurrent of frustration among all of these heavy-hitting guests (alluded to in some of the formal presentations, discussed more openly in informal settings) concerning the overwhelming media emphasis on China's economic ascendancy.

The media are often accused of being capable of focusing on only one major angle at a time, and the ratio of space devoted to China's economy as opposed to Japan's recently is an excellent example of this. One notable exception was the *Wall Street Journal*, which recently reported, "the glare of Shanghai's neon-rimmed office towers...sometimes blind(s) Americans to economic reality...for every dollar companies have invested in China lately, they have invested two in Japan." McSweeney & Antman principal Michael Antman, who attended the Cincinnati conference, spent 1989 through 1991—Japan's boom years—working in central and western Japan, and witnessed the media's often absurd hyperbole at the time about Japan's "drive to conquer the world economically."

There's a smaller but still significant degree of hyperbole about China's growth today, but as the *Journal* article reminds us, just because one economy is emerging into the sunlight, it doesn't mean that another vitally important country -- Japan, after all, is still by far the world's second largest economy -- should be relegated to the shadows.

From a branding and communications perspective, the lesson for all organizations—small companies, large corporations, or even entire nations—is that they must constantly and proactively be out there telling their stories; otherwise, the void invariably will be filled with oversimplifications, exaggerations, and other distortions and inaccuracies.

## 6. M&A IN THE NEWS

You've probably seen those Citibank ads advising you to enjoy life more and think about money less. A pleasant sentiment coming from just about any source except, well, a bank. Especially when the ads say things like, "Every now and then, get fries with that." Mmmm, the *good* life! McSweeney & Antman principal **Michael Antman** was asked to analyze Citibank's "Live Richly" campaign for a story in the July 18 issue of "**Investment Dealers' Digest.**"

[http://abtweb.newsedge.com/1stbin/read\\_story/FIRST/050810/16/16/768/10](http://abtweb.newsedge.com/1stbin/read_story/FIRST/050810/16/16/768/10) Mr. Antman, along with other branding experts, generally panned the campaign, noting "Some people accuse advertising of being condescending by its very nature. I don't agree with that, but I could see that if they were looking only at the Citi campaign."

Mr. Antman and his novel, *Cherry Whip*, were the subjects of a story in the July 21 issue of “**Time Out Chicago**” magazine.

<http://www.mcsweeneyantman.com/TimeOutChicagoCherryWhip.PDF>

#### **CONTACT MCSWEENEY & ANTMAN**

As always, we welcome your comments, questions and suggestions. Please contact Dennis McSweeney at [dennis@mcsweeneyantman.com](mailto:dennis@mcsweeneyantman.com), Michael Antman at [michael@mcsweeneyantman.com](mailto:michael@mcsweeneyantman.com) and Riva Aidus-Hemond at [riva@mcsweeneyantman.com](mailto:riva@mcsweeneyantman.com). Or call us at 630-661-3624.

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