Wadsworth to receive Don Rossi Award

CHAPEL HILL, N.C. — Brent Wadsworth, touted by many as the inventor of the golf course construction industry, will receive the Don A. Rossi Award for the year 2000 from the Golf Course Builders Association of America (GCBA). The award will be presented Feb. 18 at the GCBA’s annual awards dinner in New Orleans.

Wadsworth is the first golf course builder to receive the award, which was inaugurated by the GCBA in 1991 to honor its late executive director, Don Rossi.

"Going into the millennium, we wanted to honor the man who invented the golf course construction business," said James J. Kirchdorfer, director of the Golf Course Builders Association of America.

Leiweke leaving First Tee Program

By MARK LESLIE

PONTE VEDRA BEACH, Fla. — Tod Leiweke, executive director of the First Tee program, has officially been named president of the National Hockey League’s new Minnesota Wild expansion team.

The complaint against Turf-Seed has been refiled in federal court and, in November, the complaint against SRO was in the process of being refiled in federal court.

Meanwhile, Turf-Seed filed a counterclaim in federal court Nov. 3, alleging that the PRBA is acting improperly because not all of its members are producers or farmers — some are seed dealers, or board members and stockholders in seed dealers.

"We take the position," said Michael Martinis, Turf-Seed’s lead attorney, "that the PRBA is not entitled to the limited Anti-Trust Act exemption that they claim to have by Oregon and federal statute." Turf-Seed, thus, considers all contracts or agreements of the PRBA void.

According to the complaint the PRBA filed in federal court on Sept. 20 against Turf-Seed, the letter that the company sent to growers on July 20 is continued on page 10.

Rye suit reaches fed’l court

By ANDREW OVERBECK

EUGENE, Ore. — The Perennial Ryegrass Bargaining Association (PRBA) has filed lawsuits against Turf-Seed and Seed Research of Oregon (SRO), maintaining that they violated the Agriculture Fair Trade Practices Act of 1987 by sending letters to PRBA members demanding an increase in prices.

Turf-Seed has been refiled in federal court and, in November, the complaint against SRO was in the process of being refiled in federal court.

Meanwhile, Turf-Seed filed a counterclaim in federal court Nov. 3, alleging that the PRBA is acting improperly because not all of its members are producers or farmers — some are seed dealers, or board members and stockholders in seed dealers.

"We take the position," said Michael Martinis, Turf-Seed’s lead attorney, "that the PRBA is not entitled to the limited AntiTrust Act exemption that they claim to have by Oregon and federal statute." Turf-Seed, thus, considers all contracts or agreements of the PRBA void.

According to the complaint the PRBA filed in federal court on Sept. 20 against Turf-Seed, the letter that the company sent to growers on July 20 is continued on page 10.

ClubCorp obtains additional $300M from Cypress

By PETER BLAIS

DALLAS — The Cypress Group LLC, a New York-based private equity firm, has committed to invest $300 million in ClubCorp.

Said Robert Dedman Jr., chief executive officer of ClubCorp: "We examined a variety of alternatives to support the growth initiatives intended to pursue, and we found that Cypress was the most compatible choice for us. ClubCorp has been a leader in consolidating our industry, and we believe today’s investment from Cypress will position us to continue to proactively take advantage of that trend through the growth of our existing properties and the acquisition of others, both in the U.S. and abroad.”

What are those growth initiatives ClubCorp will pursue?
Ryegrass lawsuit
Continued from page 1
29 "attempted to induce grower-members to breach their con-
tacts with the PRBA... and con-
tained language intended to intimi-date, coerce and threaten grower-members to terminate membership in the PRBA."

The PRBA alleges that these actions led to disparagement of the association's pricing meth-
ods, loss of bargaining power, and damaged the PRBA's repu-
tation among seed dealers and potential grower-members.

Prior to the 1999 harvest, the PRBA set a benchmark price of 59 cents per pound for tourna-
ment-quality seed and established a minimum guarantee to growers of 51-cents-per-pound.
Turf-Seed and SKO both thought those prices were out of line with the market and issued letters to
its growers stating that they were willing to pay 54-cents-per-pound for tournament-quality seed.
Other companies have also re-
fused the 59-cent-per-pound con-
tract price and the market has
since dropped, with the price of
tournament-quality seed going as low as 50 cents per pound.

The PRBA, whose members
farm 80,000 acres, has deter-
mined seed prices since 1994, meeting with companies each year to assess current inventory, carry
over, the health of the market and
projected production.

"There are a lot of variables.
This year we dropped the price
off a couple of cents a pound
because we thought it was justi-
fied," said Jim Carnes, executive
director of the PRBA. "But these
two companies decided that it
should be lower."

However, according to Carnes,
there is more at stake than just
money and market stability.
"From the growers' standpoint,
there are more things hedging
on this," he said. "The legitimac-y of bargaining associations is
coming under fire."

In response to the alleged im-
proper contact with grower-
members, Turf-Seed maintains
that it did nothing wrong.

"We take the position that we
had the right to make such con-
tact because there was no spe-
cific deal or agreement between
the PRBA and its members which
stated that there was a specific price that PRBA members would only grow grass seed at and sell
it to Turf-Seed," said Martinis.

The defense outlines the rea-
sons why Turf-Seed refused to
pay that rate because, accord-
ing to Turf-Seed's counterclaim,
"it would only increase Turf-Seed's inventories and cause Turf-Seed to lose further sales and monies as a result of the inability to meet
demand at actual market condi-
tions, together with increased in-
ventory carrying costs."

Turf-Seed's defense and coun-
terclaim will be heard during
the same trial, unless the judge
rules to segregate the issues.

SRO's reason for not accept-
ing the PRBA's established price is identical, according to com-
pany President Mike Robinson.
"Our contract does not refer to
PRBA pricing," he said. "Our con-
tract says we set the price based
on the market and the market was
not, and is not, what the PRBA
suggested it was. So we didn't
accept it. The price is too high."

Robinson also attempted to
negotiate with the PRBA, but got
nowhere, he said.

We told the PRBA that it was
too high and that it had to come
down based on the world market
and what was available... Supply
and demand should drive the market-place," he said.

Their contention was that the
growers needed more money to
cover costs of production, but
that is irrelevant. We want the
growers to do well, but we have
to sell this thing into the market-
place worldwide and we have to be
competitive."

The PRBA, meanwhile, is re-
maining adamant.

"At this point I don't feel that it
[the lawsuits] has lessened the
credibility of the PRBA," said
Carnes. "We have a number of
major companies that have en-
couraged the PRBA to see this
through. If we prevail in this lit-
itigation we intend to seek the in-
terest on the money that wasn't
paid."

The litigation is now in the
discovery phase, with depositions to follow.
Once the SRO case is refiled in federal court, Martinis
expects Turf-Seed and SRO to file a
motion to consolidate the de-
fenses. The trial is projected to begin in four to eight months.

"I started using Roots® 1-2-3™ about 2 years ago, and pump it out every two
weeks from March through October. When I came to this course, the roots
systems were really short, about 1½ inches, and the turf burned out easily in
the heat of summer. Now, my roots are down 3½ to 4 inches, my turf is really
healthy, and I get really good color. Nobody can sell me on anything else. It's
the best product out there."

Doug Hall
Golf Course Superintendent
Green County Golf Club  Greensburg, KY