

IMMIGRANT LIVING: 101 AND BEYOND



MONETTE ADEVA MAGLAYA

(Part 1 of 2)

I HAVE never been a boxing aficionado — till now. Watching Rocky Balboa get bloodied and beaten to a pulp, even if I knew that was pure Hollywood, has given me an aversion for any contact sport where someone is bound to get hurt. Who can forget Mike Tyson biting off Evander Holyfield's ear? Talk about appalling. Maybe it's a chick thing or an overly active empathetic hormone making me feel another person's pain on the gut level.

But I will push my queasy stomach aside for the moment because there is an angle to the man that needs to be said. *Time Magazine* ranked him the 22nd most influential person in the world for 2009. Time is right on the mark. For most of the 90 million Filipinos, of which several millions are spread far and wide in every corner of the world as immigrants or overseas foreign workers, there's a bit of Pacquiao's tenacity of spirit in every Filipino.

It's not just the usual rags to riches story of someone who rose from crushing poverty by sheer gumption, prize-fighting with his fists to put food on the table at an early age, from the dusty streets of General Santos City, erstwhile known as Dadiangas by Sarangani Bay, to come to the Wild Card Gym in Hollywood half a world away, step in as replacement on two week's notice to vanquish a seasoned opponent and defeat bigger opponents convincingly since then to become one of the most amazing luminaries of the sport. He found a mentor who took him to his wings and nurtured a relationship that approaches that of a father to a son. Roach, the great boxing trainer of our time, who struggles with Parkinson's disease, is Pacquiao's Yoda. Roach has molded a willing, malleable and brilliant pupil transforming him from an aggressive but one-dimensional boxer into a complete fighter of the sport that is just beginning to recapture its former glory among a world audience, a sport that has sputtered

Pacquiao and the art of war

"The one who figures on victory at headquarters before even doing battle is the one who has the most strategic factors on his side."
— Sun Tzu, "The Art of War"

a bit in the absence of a captivating persona people can admire. Pacquiao's story is engaging and at 30 years old, he does inspire millions. Has there ever been anyone in history that can put a long, protracted war in Mindanao on hold and zap crime down to zilch nationwide for a few hours when he steps into the ring to do battle?

With his no-nonsense, precise, concise, 2-round total demolition of the British boxing champ, Ricky "The Hitman" Hatton, who was pole-axed with the vaunted left hook delivered with power, precision and speed that seemed to come from nowhere, some aficionados remain shell-shocked weeks after the event. Hatton still is. British fans still are. There's a newfound respect for the Pacman as Pound for Pound King. Recriminations and excuses are percolating to account for the devastating defeat in Hatton's camp. Cruel jokes about how Hatton should have gotten sponsors for the soles of his shoes for his 2 knockdowns and his embarrassing knockout and how he defended himself from punches with his face have surfaced on the internet.

Hatton shies away from the public these days admitting he has cried many times in the days since, admitting he never knew what hit him and may never get the courage to watch that footage ever. It guts his soul to be so unceremoniously done away with in such fashion, his tattered reputation needing redemption. Years from now, that particular segment of the "Battle between East and West" will be replayed over and over again as part of boxing history on HBO and the disbelief will still linger. Blink and you'll miss it. I glimpsed Jack Nicholson rising in a flash from his seat in the third row with the audience in utter disbelief at the final blow of the second-round bout, his hand over his mouth in shock and awe. That is one show worth the thousands of dollars such ringside tickets command.

I could almost hear the collective screaming and groaning of 850,000 pay per view American buyers, over 16,000 live audience at the MGM Grand, thousands on short-circuit television, a million in England and several mil-

ions more in the Philippines and around the world, 168 nations in all. Two rounds! Stretch it to 2 more rounds and I'm getting my money's worth. But the truth is, it is brilliant and unforgettable. Roach did say fewer than 3 rounds but Pacquiao wisely and humbly said, only God knows.

Some boxing pundits the world over, on print and on the web, are quite ready to crown him as one of the great ones of boxing, putting him up there alongside the likes of the 1930's Henry Armstrong, who won on several weight divisions just like Pacquiao, or alongside Roberto Duran, Sugar Ray Leonard or even "float like a butterfly, sting like a bee" Ali. Some pundits proven wrong are whispering in mild protest saying it's premature. Bob Arum, Pacquiao's promoter, is convinced about his greatness but since he stands to gain financially by his hyperbole, his opinion may not weigh much to the public at large. It's his job to hype it up and get the numbers soaring until the next big fight.

Some critics of the sport remain unconvinced and are still a little less awed by Pacquiao's accomplishments. Over and over again, they have consistently bet on Pacquiao's opponents — those great Mexican boxing warriors — based on physical size and strength alone, underestimating Pacquiao's chances each time. These critics have been cautioning colleagues in the business, about putting Pacquiao in that hallowed category, grudgingly admitting he is good, very good but not great — just yet. No matter. Even if Pacquiao retires today, he has already made his mark in the world of boxing and the Philippine national psyche, where it matters. One credible boxing authority who made a short list of the great boxers by decade beginning in the 1910's has already anointed the Pacman, as the one for this decade.

(To be continued)

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IMMIGRATION HIGHLIGHTS



ATTY. CRISPIN LOZANO

QUESTION: Why do I have to hire an attorney to negotiate loan modification when I can do it myself?

Answer: Consider the following:

Negotiation from a position of strength is what an attorney can do for you. If you do it yourself, the lender will dictate the terms of modification to your disadvantage. In ten years of experience negotiating personal injury and other cases, you could get what you negotiate only if the other party knows that you will win in Court. To request a reduction in principal, I always recommend a loan audit and appraisal report to prove that there are violations in the lending process and the value of the property has gone down to its current value.

Lenders will not agree to a reduction in principal unless you

Why hire an attorney to negotiate loan modification?

can prove that the lender will lose more money by foreclosing the property. If the attorney can prove that there are violations in the lending process by the broker or the lender, there is a good chance of reducing the principal rather than spend time and more money in litigation. The most important tool an attorney has is the threat of litigation.

Loan modification is a legal process. There are Federal and State laws such as Real Estate Settlement Procedures Act (RESPA) and Truth in Lending Act (TILA), law of contracts and other laws that govern the relationship between lender and homeowner. Only an attorney has the experience and preparation to protect your rights to keep your home and avoid foreclosure.

Question: How do I know that I am dealing with an attorney and not foreclosure consultants?

Answer: Under the rule of professional conduct by the State Bar of California, an attorney should:

Have a face to face consultation with the client.

All legal advice should be

made by an attorney and not by foreclosure consultant.

The attorney should communicate with the client on all legal aspect of the representation.

Question: What is the difference between an Attorney Based Modification Companies and Law Offices?

Answer: The basic differences are:

Attorney based modification companies cannot offer legal advice and do not have the ability to directly litigate.

The Law Office can immediately request the loan documents and proposal approved from the lender. Most banks will separate the proposal from a Law office from every other including attorney based modification companies. The lender knows there is a direct threat of a lawsuit and will act accordingly. The Law Firm will get the fastest reaction from the bank.

Law Firm will be able to handle your foreclosure, deed in lieu of foreclosure, short sale or bankruptcy if necessary.

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LEGAL RIGHTS



ATTY. JOHNSON LAZARO

YOUR letters and calls on child custody and visitation were valuable in improving our legal services in family law. Custody and visitation are some of the most emotionally difficult aspects of divorce. The protection of children in each case has become our first priority. In each case it is important to look at the big picture. If the parents can agree on a plan without intervention by the court, the family may be saved a lot of aggravation and expense. The following is a compilation of some of most common questions on Child Custody cases.

What's the best way to gain custody of my child? The Court will look into what is in the best interest of the child. You must

Child custody solutions

honestly look at the situation that your child is in and decide whether you would be able to provide a safer and nurturing environment than the other parent.

What is legal and/or physical custody? If you have legal custody of the child, you can make decisions on the child's health, education and welfare. Sole physical custody means that the child will reside with and under your supervision. Sometimes the Court will order "joint physical custody" which means that each parent will have significant periods of physical custody. The Court can also order "joint legal custody."

The mother of my child always talks bad about me. Would that affect my goal to gain full custody of my child? The family court mediator and especially the family law Judge are experts in penetrating the accusations. The Judge normally gets to the bottom of the issues. It's not wise to mudsling and hurl insults at each other in Court. It only makes you look as if you are using your child to gain custody. Be respectful

and focused on what is best for your child.

I have not seen my child in years. Can I still get custody? The family law judge may not instantly award you custody of the child. If you have not been a "hands on parent" during the marriage, you may have to take incremental steps to resolve doubts about your parenting abilities. You may first get some visitation time and gradually work your way to more custody. You'll need to prove that you can be a responsible parent and comply with court orders. The next step will be to file a modification of custody.

Can my child decide which parent to stay with? The child must be of sufficient age and capacity to form an intelligent preference on custody. The Court will not only consider the child's age but also his or her sincerity, bearing, and degree of maturity. In some cases children in the age of 10 to 13 were properly given consideration. Please note that the Court is very protective of children and

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