Better with Age

By Reg P. Wydeven February 21, 2009

I have been noticing several signs lately that I'm getting older. As my hair gets thinner, my waistline gets thicker. The morning after playing basketball, my body has more creaks and moans when I wake up than a haunted house. My wife will ask me to stop at the grocery store to pick up three things, and of course, I can only remember two of them by the time I get there.

Then there are the more subtle signs of aging. A few weeks ago I took my twelve-year-old nephew shopping for school clothes at the mall. We went to a hip store that allegedly "all of the cool kids" shop at. After the traumatic faux pas of accidentally going into the door on the girls' side of the store, we quickly corrected course and went in on the guys' side.

As we were browsing the cool "gear" (I apparently dated myself by referring to clothes as "duds" or "threads"), I made two observations. First, the store was way too dark. I had to hold some shirts up to the supper club-esque lighting and squint to figure out sizes and colors. Secondly, the music in the store was way too loud. I had to shout at my nephew to ask him if he liked what he had tried on.

When I voiced my concerns over the darkness and the volume, my nephew, along with the rest of the store's patrons, looked at me in a sympathetic and mildly horrified way – just how I looked at my dad when I was a kid and someone asked him if he liked Pat Benatar and he replied, "I don't know – what does he sing?"

After paying for our wares, we went to one of the mall's anchor department stores. While riding in the elevator (which old people do when carrying lots of shopping bags), I subconsciously started humming along with the music playing over the speakers. Only it wasn't a radio playing this tune, it was Muzak's rendition of a popular hit by U2, one of the more rocking bands of the 1980s, '90s and today. That's when I knew that I was old.

As I listed to another Muzak version of a popular song from my youth while on hold with another attorney's office, I accepted my plight as being youth-challenged. But now it seems that one of the perks of my golden years may be over for me as quickly as it started.

Muzak recently filed Chapter 11 bankruptcy papers after missing a \$105 million payment to creditors. The bankruptcy filing evidences the company's financial trouble for the elevator music industry, which certainly has its ups and downs.

While almost every industry has been hit hard by the weakened global economy, Muzak's cash flows have actually doubled in the last three years. The filing is the result of substantial debt obligations, including nearly \$370 million due this year to its largest creditor, U.S. Bank, incurred over a decade ago.

The Chapter 11 filing, which was voluntary and in cooperation with Muzak's creditors, will allow the company time to restructure its debt. Therefore, Muzak and its 14 privately owned affiliates will thankfully be able to continue to produce their unique brand of pop, string-filled arrangements of rock songs for elevators and on-hold messages.

So the good news is I will still be able to listen to Muzak. I just hope I won't need a hearing aid too soon to enjoy it.

This article originally appeared in the Appleton Post-Crescent newspaper and is reprinted with the permission of Gannett Co., Inc. © 2009 McCarty Law LLP. All rights reserved.