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alumni news

SheppardMullin

SUMMER 2018

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STATS AND FACTS

830

Sheppard Mullin lawyers globally

16

Offices in 5 countries

28

Industry teams

28

Blogs

1,148

Alumni in our network

GREETINGS FROM THE CHAIR

Sheppard Mullin was proud to honor LGBTQ Pride Month in June. Last year, the San Francisco office was the first office to organize the firm's participation in a Pride Parade. Lawyers, staff, clients, friends and family marched in celebration. We also serve as pro bono legal counsel to SF Pride, organizers of the parade.

This year, participation in various Pride parades and events expanded and were planned in nearly every U.S. office, including:

- Washington, D.C. held a Pride reception on May 31
- Los Angeles/Century City/Orange County marched in LA Pride Parade on June 10
- San Francisco/Palo Alto marched in the SF Pride Parade on June 24 (see Recorder [article](#))
- San Diego/Del Mar will march in the San Diego Pride Parade on July 14



DC Pride Celebration

LA Pride Parade

SF Pride Parade

Sheppard Mullin has a strong tradition of supporting the LGBTQ community through pro bono work and charitable giving. The firm is proud to provide pro bono service to such organizations as GLAAD (national counsel), Lambda Legal, and the Los Angeles LGBT Center. We sponsor LGBTQ-related events such as the annual GLAAD Media Awards in New York, Los Angeles and the GLAAD Gala in San Francisco; Lambda Legal's Liberty Awards National Dinner in New York City; and the National Center for Transgender Equality's Trans Equality Now Award Dinner in Washington, D.C. Sheppard Mullin attorneys have had leadership roles in many LGBTQ organizations, including Lambda Legal's National Leadership Council, the LGBT Bar Association of Los Angeles, the Williams Institute of UCLA, the National Lesbian and Gay Journalists Association, the New York LGBT Bar Association, and

the Tom Homann LGBT Bar Association (San Diego). These efforts help foster an open and affirming culture at Sheppard Mullin and positively impact not only our own and our clients' workplaces, but also the larger communities in which we practice.

The firm recently celebrated the ten year anniversary of its "Out at Sheppard" program devoted to LGBTQ initiatives. My thanks to the partner co-chairs of Out at Sheppard who facilitate and lead these efforts: Rob Guite (SF), Candace Matson (LA) and Daniel McQueen (LA).

We are proud of our commitment to diversity and inclusion, and were just recognized by *Law360* by being named one of the "Best Law Firms for Minority Attorneys" (#4 for large law firms).



Guy Halgren
Chair
ghalgren@sheppardmullin.com

ALUMNI SPOTLIGHT INTERVIEW



Alison Kleaver
University Counsel, California State University
Formerly with Sheppard Mullin/Los Angeles,
Business Trials Practice

We are delighted to profile former Sheppard Mullin lawyer, **Alison Kleaver**, University Counsel for California State University in Long Beach, California.

Career Path

Alison was an associate in Sheppard Mullin's Business Trials Group and a member of the Latin American Team in the Los Angeles office from 2007-2017; she started as a Summer Associate in 2006. Her practice focused on a variety of business disputes, with a specialty in complex environmental and toxic torts claims. Alison also served as Co-Chair of the Women Lawyers Group in Los Angeles, and she was a member of the Technology and Recruiting Committees there.

A graduate of Washington University in St. Louis, she received her law degree from Southwestern Law School, where she also served as an Adjunct Associate Professor of Law. She currently serves as the Board Chair for Grand Performances in Los Angeles, a free long-running summer concert series at the California Plaza that celebrates cultural diversity and is on the Board of Governors for California Woman Lawyers.

Roles and Responsibilities

Alison joined California State University, Office of the Chancellor (CSU) as University Counsel in February 2017. Alison has primary responsibility for the Humboldt State University campus (handling matters from Long Beach, not working on campus).

She acts as the general counsel for the campus. As each campus is like a small town, her responsibilities run the gamut from contracts, labor and employment, police (including an officer involved shooting), First Amendment, Title IX sexual assault, disability access, and even IP. She also oversees litigation involving the campus, with assistance from the litigation attorneys and paralegals who work in her office. She works on legislation analysis for bills that impact the system and serves as the resource attorney systemwide for immigration, employee discipline, and Family Medical Leave Act issues.

Outside Counsel

When asked what outside counsel have done to make her job easier, Alison replied "win cases!" She values the depth of expertise that outside counsel are able to offer. Since her job touches so many areas, there isn't time to master everything. As such, she relies on outside counsel to be the expert she can't be. For example, she recently worked with outside counsel on an administrative case regarding classification of employees (state v. auxiliary) for purposes of their pension plan in which an adverse decision could impact every CSU campus. Thanks to outside counsel's expertise, hard work, and compelling presentation of the case, the CSU prevailed just two days in to a three day hearing. The CSU also relies on the counsel of Sheppard Mullin attorneys. For instance, Cal State Los Angeles hired Sheppard Mullin partner Alfred

Fraijo for his real estate expertise to work on the Los Angeles Football (Soccer) Club matter.

Diversity

Diversity of outside counsel definitely matters. With 23 campuses across the state and 484,000 students, CSU is the largest public university system in the country. They have one of the most diverse student bodies in the United States, so hiring diverse legal service providers aligns with their mission to prepare students for an international, multi-cultural society. In fact, Alison noted that most of the outside counsel she works with are women.

Career Advice

Alison's advice for newer associates is to be open to opportunities that come to you. Starting out, she never would have imagined working on complex environmental and toxic tort cases, but the opportunity presented itself and she discovered she really enjoyed both the legal area and the people she worked with. She encourages associates to try new things and to be ok with the uncertainty that comes with it, as stretching means you're growing.

Preparing for In House Role

Asked what experiences at Sheppard Mullin best prepared her for her in house position, Alison noted that "the diverse range of matters that I worked on in the Business Trials Group was really good practice for fielding the variety of new and different issues that come across my desk now." Whether it was a new industry or a new area of law, knowing how to figure out things quickly and hit the ground running is a major advantage in her position now. Although CSU has 30 attorneys in the legal department (one for each campus plus a litigation team), they are still quite lean for the amount and type of matters handled, so the ability to work quickly and be a self-starter is important.

Sheppard Mullin Memories

Alison misses most her Sheppard Mullin "family". The Los Angeles office was a fun place to be. She also misses the ability to spend significant time researching and doing a deep dive analyzing particular legal issues. She doesn't write as much as she used to, but tries to keep her skills sharp by writing case summaries with Sheppard Mullin partner Whitney Roy and associate Whitney Hodges for the ABA Section of Environment, Energy, and Resources' quarterly newsletter.

Sheppard Mullin also was the source of her nickname, "The Honey Badger", which came about after the successful resolution of a five month trial for ExxonMobil in Merced, California. In addition to attacking whatever question or task came her way during the trial, Alison procured a 25-person bright yellow stretch Hummer limousine on 45 minutes' notice to safely ferry clients from ExxonMobil and other oil companies as well as their outside counsel to and from their celebratory post-trial dinner. Later in the evening, Alison impressively tried

to recruit Shell Oil as a client after their outside counsel left the party early to sleep. Relationship building in the truest sense of the word!

Outside of Work

Alison and her husband spend their free time cooking a lot, and are learning how to make their own pasta, sushi, and cheese. They also enjoy spending time with their two dogs, Maverick and Goose. They will be attending Grand Performances all summer, plus other concerts and shows, and they are planning a three week vacation to Italy in the near future.



We thank Alison for taking the time to share her insights with us about her post-Sheppard Mullin career and wish her continued success. We hope that you will also keep in touch with us – and with each other. We'd love to hear from you.

SF BAY AREA ALUMNI RECEPTION - GREAT TIME HAD BY ALL

We held an attorney alumni reunion in our San Francisco office on May 22, 2018, the first ever to be held in the Bay Area. More than 60 alumni and Sheppard Mullin lawyers enjoyed a four course food pairing and wine tasting by Williamson Winery of Healdsburg, California. [Click here](#) to view photos from the event from our alumni site.

We hope to host our next alumni reunion in the Fall, so stay tuned on a location!



ALUMNI MOVES

Below are a few recent in house, governmental and other alumni moves. Let us know if you've changed jobs so we can feature your move in a future edition.

- **Danielle Brennan Jaso** is now Corporate Counsel at OpenDoor in San Francisco, CA, after working as an IP associate in Sheppard Mullin's San Francisco office from 2015 to 2016. She received her J.D. from UC Hastings College of Law in 2015.
- **Cameron Mabrie** is now Transactional/Licensing Counsel - Original Content at Apple in Culver City, CA. He was a corporate associate in the Century City office from 2017 to 2018. He received his J.D. from UC Berkeley School of Law in 2012.
- **Prentice O'Leary** recently completed his 12th year in his post retirement career as a part-time ski instructor at Beaver Creek Resort in Colorado, after working as a bankruptcy partner in the Los Angeles office from 1968 to 2005. He is also a victim's advocate for the Eagle County Sheriff's office. He received his J.D. from UCLA in 1968 and started with the firm 50 years ago - on June 1, 1968! Read a 2015 *Recorder* article about his second career [here](#).
- **Julie Rubash** is now Vice President of Legal at Nativo Inc. in El Segundo, CA, after working as an Entertainment associate in our Century City office from 2016-2018. She received her J.D. from DePaul University College of Law in 2016.
- **Justin H. Sanders** is the founding partner of Sanders Roberts LLP in Los Angeles, which celebrated their 10th anniversary in 2018. Justin was a Business Trials associate in our Los Angeles office from 2000-2003. He received his J.D. from USC Gould School of Law in 2000.
- **Jon Sokolowski** is now Director, North American Employment Counsel at Gartner, Inc. in Stamford, CT, after working as a labor and employment associate in our New York office from 2010 to 2018. He received his J.D. from Fordham University School of Law in 2010.

A reminder that we regularly post in house job opportunities from clients and friends of the firm on the Sheppard Mullin alumni site under "Career Opportunities." We welcome in house job postings from your company; please send to alumni@sheppardmullin.com.



AHEAD OF THE CURVE

As the world changes due to disruptive technologies, so does the law. This column features new trends and practices that may intersect with your job responsibilities. As innovation is a major focus at Sheppard Mullin, our lawyers are able to stay on top of these trends through a program we call "Ahead of the Curve."

The Trump Trade Agenda: Disruptive Innovation On a Global Scale

[A version of this article was originally published June 28, 2018 in Sheppard Mullin's [Global Trade Law blog](#)]

President Trump has, without a doubt, an ambitious trade agenda. This fire has many irons in it, and some of them are getting hot. We often jokingly say that we've been following trade law for approximately 250 years, but it's no joke to say that we've never seen anything like this in breadth or scale. The administration [asks us to trust](#) that there is a disruptive and innovative grand strategy behind it, but to some of us it looks (particularly in comparison to a mostly orderly international trading system in place since 1945) like madness. The question of whether "[yet there is method in't](#)" may only be answered by future historians. For the time being, here is our snapshot of the current state of the Trump trade agenda.

1. NAFTA renegotiations are not happening this year:

President Trump promised to re-negotiate NAFTA. Or tear it up. Or tear it up and negotiate separate bilateral deals with Canada and Mexico. As of early July 2018, none of those things has happened, and they all may need to wait until 2019. That is because the winner of the Mexican presidential election July 1, Andrés Manuel López Obrador, inexplicably obtained agreement from the prior president of Mexico that Obrador will [appoint new members](#) to the NAFTA negotiating delegation well in advance of Obrador's inauguration. That will likely complicate any open negotiating issues (such as dairy protectionism, minimum wages, automobile rules of origin, and the proposed 5-year sunset provision), and threaten to reopen issues the parties think they've reached agreement on. Given those difficulties, NAFTA will very likely remain unaltered until at least the U.S. midterm elections are over in November, and more likely will remain in its current form throughout calendar year 2018. That will present President Trump with the prospect of continuing negotiations among the three parties after the New Year, or pursuing bilateral negotiations after the elections. In either event, we think there is little likelihood of a renegotiated NAFTA this calendar year.

2. **Tit-for-tat tariff increases will continue.** The last time the United States imposed substantial tariffs on foreign goods was 2002, when President George H.W. Bush briefly bought into the mercantilist idea that U.S. manufacturers could

get rich by begging their neighbors. But a little [paper](#) published in 1776 roundly debunked that theory, and the history of world trade wars disproved it entirely. Also the tariffs [depressed U.S. GDP and employment](#). So cooler heads prevailed and President Bush revoked the tariffs after less than nine months. Now President Trump has [revived the theory and put it to the test](#) with a new list of tariffs on aluminum and steel from multiple countries, and a broad list of additional goods from China. Now comes human nature, in the form of [retaliation](#): The EU announced retaliatory tariffs on motorcycles (inducing [this mind-boggling announcement](#)) and many other red-state products.

Mexico, Turkey, and India have issued retaliatory tariffs. Canada and China are up next. It is possible that a NAFTA deal could ease the Mexico and Canada tariffs, and that China would unilaterally decide not to let its first wave of retaliation come into effect. The greater likelihood, in our view, is that [Canada's retaliation](#) on steel, aluminum, and lots of consumer goods go into effect July 1, and [China](#) will follow suit with a large list of U.S. goods. President Trump has also threatened a 25% tariff on all imported automobiles. The likelihood of these tariffs spiraling further is high, and nobody benefits (as we argued [here](#)).

3. The United States will restrict foreign direct investment.

[As we outline in more detail here](#), the movement to reform U.S. national security review of foreign direct investment is now unstoppable. One problem is that the Administration and Congress are both working quickly on separate tracks to produce changes to the law governing national security reviews by the Committee on Foreign Investment in the United States. The lack of a unified direction has created multiple paradoxes, including [this confused statement](#), in which the Administration appears to be trying to appease China by minimizing the likelihood of new restrictions. In any event, we expect a broad CFIUS reform bill to reach the desk of the president in this Congress, likely this summer. And we expect it to be signed into law quickly thereafter.

4. **The giant sucking sound from China will continue to suck, vacuuming up valuable U.S. intellectual property.** As we predicted [here](#), U.S.-China negotiations have not yet produced agreement on intellectual property protections. As this article goes to press, we can now pretty boldly predict that Chinese tariffs on U.S. goods will start to take effect July 6, raising the price of U.S. exports to China. We have [questioned](#) the President's tactic of linking the intellectual property issue to tariffs. It may yet bear fruit, but it has not done so yet. The effect on the ground is that, for the time being, U.S. companies entering China will continue to find that intellectual property transfer is a price of admission. And U.S. companies exporting goods to China will notice a distinct drop in demand.

5. **Iran. Remember Iran?** As we reported [here](#), President Trump in May withdrew the United States from the Iran nuclear agreement. Secondary U.S. sanctions are now going back into effect, meaning that non-U.S. companies that have been doing business in Iran lawfully will now have to deal with the threat of U.S. sanctions. Yesterday, the United States Department of Treasury, Office of Foreign Assets Control (OFAC) [revoked](#) Iran-related General Licenses that permitted non-U.S. subsidiaries of U.S. companies to conduct certain activities with respect to Iran. This November, virtually all other previously permitted activities in Iran must end. Iran hawks are surely [pleased](#), as this will re-impose punishing economic isolation on Iran. But those hawks haven't yet, in our view, explained the virtue of removing all barriers to Iran's incentive to pursue nuclear weapons. We'll continue to keep you posted in case any grand strategy is announced.

If your company needs assistance working through the latest trade and sanction changes, Sheppard Mullin's [International Trade Group](#), with more than 20 lawyers and led by DC partner Scott Maberry, can help.

HELPING CLIENTS SUCCEED

Sheppard Mullin lawyers work on a broad range of litigation and transactions to help our clients succeed. Here are a few examples of our work during the last quarter.



Low Enterprises and Holland Partner Group (San Diego Riverfront project) – Our San Diego land use team helped Low Enterprises and Holland Partner Group secure permits for their joint development of a smart growth, mixed use project along the San Diego Riverfront. The project included a rezone, land use plan amendments, a vesting tentative map, a conditional use permit and a flexible specific plan authorizing 840 multi-family units, a three-acre riverfront park, habitat restoration project, and the restoration of the aging Town & Country Hotel and Convention Center in the Mission Valley area of San Diego, all with pedestrian access to a trolley stop. With Sheppard Mullin's assistance, the project overcame hotel union and construction trade union opposition to win the support of the San Diego City Council. The deal was led by San Diego partner Jeff Forrest.



Mastercard (Messi/Santos soccer sponsorship) – We represented Mastercard and negotiated separate multi-year sponsorship agreements with global soccer superstars Lionel Messi and Neymar da Silva Santos Jr. The Messi and Neymar Jr. sponsorship deals are part of Mastercard’s broader “Start Something Priceless” campaign—an integrated social, digital, and cause marketing campaign to score against childhood hunger and malnutrition in Latin America and the Caribbean. In connection with the broader campaign, we also counseled Mastercard on related advertising, endorsement, and social media issues, as well as the cause marketing tie-in supporting the United Nations World Food Programme. The deal was led by San Francisco partner Brian Anderson.



Montefiore Health Systems and JohnXHannes (Corazon movie) – Our advertising agency client, JohnXHannes, produced a motion picture entitled “Corazon” financed by Montefiore Health Systems (a client of NY partner Jay Gerzog). It is based on a true story of a New York doctor who arranged (pro bono) for a young woman from the Dominican Republic to receive a mechanical heart necessary to save her life. The picture is a branded content finalist in the Tribeca Film Festival, was directed by John Hillcoat, and stars Demien Bichir and Ana De Armas. In addition to putting a favorable spotlight on Montefiore and its committed doctors, the picture raises awareness about organ donation. Our team handled the MSA between JXH and Montefiore, the acquisition of the life story rights from the subject of the film, production legal/actor agreements, and clearance issues with the script and the final cut. Century City partner Shaun Clark led the representation.



Conan O'Brien

TBS (Conan O'Brien deal) – We represented TBS, one of cable television’s top entertainment networks for young adults, in the launch of a joint venture with Conan O’Brien covering television, digital, social, and live events. The deal also included the amendment and extension of the Series License Agreement for Conan’s talk show, CONAN, including a pickup of the new 30 minute format. The deal was led by Century City partners Linda Michaelson and Shaun Clark.



Titan Health & Security Technologies (emergency app for mobile) – We represented Titan Health & Security Technologies, Inc., a privately-owned Southern California-based company that developed an emergency communication application for mobile devices, secure a multi-million dollar commercial agreement. Titan’s patented technology was originally developed to notify law enforcement if a school shooter was active on campus, create a geo-fence around school campuses, and provide two-way communication with school administration and first responders. Since its inception, Titan’s technology has grown into a next generation 9-1-1 platform that provides mass broadcast notifications similar to AMBER alerts, user-initiated emergency alerts that are automatically categorized and distributed to the relevant parties along with GPS location information, direct communication with first responders, and site lockdown capabilities all over a secure network with instantaneous translation into multiple languages. In addition to providing multi-disciplinary advice, the Sheppard Mullin team helped secure the only patent that provides for two-way app based communication with 9-1-1. Titan’s growth and success is driven by its recent contracts with the California State University System, the Scion Group (one of the country’s largest providers of housing for college students) and Titan Global (a New York-based security services firm that provide security to iconic buildings such as the Empire State Building). The deal was led by partners Justine Phillips (San Diego), Dan Yannuzzi (Del Mar) and Craig Mordock (Orange County).



Toyota Motor Credit Corporation (GAP class action dismissal) – We recently obtained the dismissal of all claims with prejudice for Toyota Motor Credit Corporation (TMCC) in a putative nationwide class action pending in the Eastern District of Arkansas. Plaintiff filed suit alleging TMCC falsely advertised and breached her Guaranteed Asset Protection (GAP) contract. GAP is an add-on product that can be financed with a vehicle purchase, which waives a customer’s deficiency balance in the event of a total loss accident. Liability under the GAP contract is typically capped at 150% of the vehicle’s value at the time of sale. Thus, when Plaintiff financed a large amount of negative equity from her previous vehicle into the sales contract with TMCC and later suffered a total loss accident, GAP paid most, but not all, of the deficiency balance. Plaintiff claimed this 150% cap was insufficiently disclosed and that she was injured when she owed the nominal difference between the amount paid by her insurance, plus the GAP coverage, and the payoff on her TMCC account. After discovery, TMCC threatened to move for summary judgment and attorneys’ fees if Plaintiff did not stipulate to dismissal. After a week of negotiations, Plaintiff stipulated to the dismissal with prejudice. San Francisco partner Anna McLean led TMCC’s defense.

SHEPPARD MULLIN RECOGNIZED FOR SUPPORTING NAVY RESERVISTS



Sheppard Mullin was selected to attend the Navy Employer Recognition Event (NERE), an annual event put on by the Chief of Navy Reserve jointly with the national office of Employer Support of the Guard and Reserve, on June 22, 2018. NERE is a Navy familiarization day that recognizes employers from across the nation who provide their Reserve Sailors with superior support, and provides employers an opportunity to see first-hand what Reserve Sailors do every day. This year's event featured invited guests from 36 companies, universities and civic entities, each selected based on nominations by the Reserve Sailors they employ.

John Drdek, a San Diego litigation associate and member of the U.S. Navy Reserve, nominated the firm for selection. John is also a member of the Writers Guide of America, and prior to law school, wrote for several TV series (Teenage Mutant Ninja Turtles, Yu-Gi-Oh) and was a TV production officer for NCIS, Godzilla and Hawaii Five-O.

"It's vital we recognize employers who empower Sailors with the time and flexibility needed to accomplish their military duties in defense of the nation," said Vice Adm. Luke M. McCollum, chief of Navy Reserve. "These employers go above and beyond to support their Sailors and, by extension of that service, their nation."

"We're honored to have been invited to NERE this year," said Sheppard Mullin Chair Guy Halgren. "Our firm is proud to support our military families, our veterans and our reservists who contribute so much to our country."

This year, NERE was held at Naval Air Station North Island, Coronado, California. Among the employers also attending were QUALCOMM, Cubic Corp, Sea World, the FBI, and General Dynamics NASSCO. Representing the firm were partners Shannon Petersen (Del Mar) and Ed Vogel (San Diego). Click [here](#) to read more from NERE's press release.

UPCOMING EVENTS

Below are a few upcoming events the firm is hosting that are open to in-house counsel or HR professionals. To RSVP or for more information about all events including our lawyers speaking for external organizations, go to our [Events](#) web page at www.sheppardmullin.com/newsroom-events.html.

2018 Employment Discrimination and Employee Relations Laws

Castle's Summer Seminar Series, 9:00 a.m. – 4:30 p.m.

- Wednesday, August 15, 2018 - Embassy Suites Anaheim Hotel, Garden Grove, CA
- Wednesday, August 22, 2018 - DoubleTree by Hilton Hotel, Monrovia, CA

2018 Wage and Hour Laws

Castle's Summer Seminar Series, 9:00 a.m. – 4:30 p.m.

- Tuesday, August 14, 2018 - Embassy Suites Anaheim Hotel, Garden Grove, CA
- Tuesday, August 21, 2018 - DoubleTree by Hilton Hotel, Monrovia, CA
- Thursday, September 20, 2018 - Sheraton Gateway Hotel, Los Angeles, CA

2018 Employee Handbook and Personnel Policies

Castle's Summer Seminar Series, 9:00 a.m. – 4:30 p.m.

- Thursday, August 23, 2018 - DoubleTree by Hilton Hotel, Monrovia, CA
- Wednesday, September 12, 2018 - Embassy Suites Anaheim Hotel, Garden Grove, CA

World Satellite Business Week Reception

Cocktail Reception after conference second day

Daroco, 6 rue Vivienne, Paris, France

- Tuesday, September 11, 2018, 6:00 – 8:00 p.m.

Dallas Office Opening Reception

Hall of State at the Bush Institute

George W. Bush Presidential Center, Dallas, TX

- Tuesday, October 9, 2018, 6:00 – 8:00 p.m.

To rsvp for any of these events, contact Melissa Omphroy at momphroy@sheppardmullin.com.

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We encourage you to follow us on social media to hear the latest developments, from daily blog posts to upcoming events to community and pro bono news.



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Twitter: <https://twitter.com/SheppardMullin>



Facebook: <https://www.facebook.com/SheppardMullin>

CONTACT US

For more information about our alumni program, to notify us of a job change, subscribe to a blog, or register for events, contact Alumni Program Manager Michelle O'Driscoll. We look forward to hearing from you and staying in touch.



Michelle O'Driscoll
Alumni Program Manager
modriscoll@sheppardmullin.com

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