

## Proceedings

1 COURT OFFICER: All rise.

2 JUDGE SCHEINKMAN: Thank you. Will you  
3 please be seated?

4 I would like to thank all of you for  
5 taking the time to be with us at this occasion  
6 today, which is truly a remarkable occasion,  
7 for which we have a lot to be thankful for, all  
8 of the hard work and effort that went into it.

9 I would like to begin by recognizing some  
10 of the people who took time from their very  
11 busy schedule to be here today. Starting first  
12 with the Judiciary, and from the Appellate  
13 Division Second Department, the Honorable Marc  
14 C. Dillon, Judge Dillon, thank you for coming,  
15 Judge Bruce Tolbert from the Supreme Court  
16 Westchester County, the Orange County --  
17 sitting Orange County Supreme Court Justices,  
18 to my immediate right, the Senior Resident  
19 Justice Elaine Slobod, and Justices Marx, Paul  
20 Marx, Sandra Sciortino, and Catherine Bartlett,  
21 Retired Supreme Court Justices Joe Owen and  
22 John McGuirk, thank you both very much for  
23 coming, the Orange County Family Court Judges,  
24 Debra Kiedaisch and Carol Klein, Orange County  
25 Family -- I'm sorry, County Court Judge

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1 Freehill, Bob Freehill is here, I believe the  
2 Surrogate is here, Judge Onofry, I believe  
3 Retired Federal Magistrate Judge Mark Fox is  
4 with us, Mark, thank you very much for coming,  
5 from Orange County Government, the County  
6 Executive, we're very grateful that he's here,  
7 the Honorable Ed Diana, the District Attorney  
8 Frank Phillips, the County Clerk Donna Benson,  
9 I understand Assemblywoman Ann Rabbitt is here.

10 AUDIENCE MEMBER: Almost.

11 JUDGE SCHEINKMAN: Almost. All right.  
12 She was supposed to be here. Representing  
13 Assemblyman James Skoulis is Mayor Brendan  
14 Coyne from Cornwall, thank you very much for  
15 coming, the Mayor, County Legislators Roseann  
16 Sullivan and Roxanne Donnory, thank you very  
17 much for coming, our Retired Chief Clerk Eileen  
18 Stanford, I saw Eileen, the President of the  
19 Orange County Bar Association Patrick Owen,  
20 from the, and I really appreciate this, from  
21 the New York State Trial Lawyers Association,  
22 the Hudson Valley Leader, Anthony Pirrotti,  
23 Jr., thank you very much for coming,  
24 Mr. Pirrotti. We also have from the Town of  
25 Goshen Supervisor Douglas Bloomfield, the

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1 Supervisor is here, and the Town Judge from the  
2 Town of Goshen, Tom Cione.

3 AUDIENCE MEMBER: Cione.

4 THE COURT: Okay. This building, as far  
5 as we can tell, was last used for Judicial  
6 purposes sometime in the mid 1990s, which would  
7 be roughly, roughly twenty years ago, and the  
8 Judge who presided at that time was Judge Bill  
9 Sherwood from Rockland County. He was here  
10 because the annex, where the County and Family  
11 Court Judges sit today, had not opened at that  
12 time, and there was a need for Judges to sit in  
13 Orange County, and Judge Sherwood was assigned  
14 by Judge Ingrassia to sit here, and I just  
15 happened to see Judge Sherwood last week at a  
16 Rockland County Bar Association meeting, and he  
17 told me what a remarkable experience it was for  
18 him to sit in this building. In fact, it was  
19 so remarkable that he was here his first year  
20 as an elected Supreme Court Judge, and when the  
21 second year came around, he was talking to  
22 Judge Ingrassia, who was then the  
23 administrative Judge, and Judge Ingrassia said,  
24 look, you've done a terrific job in Orange  
25 County, how about staying a second year, and if

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1           this would make it more palatable for you, I  
2           will move you over to the main courthouse, and  
3           you could sit in the main courthouse, and Judge  
4           Sherwood told Judge Ingrassia that he would be  
5           willing to do a second year in Orange County,  
6           but only on the condition that he stay in this  
7           building. That's how impressed he was with  
8           life here.

9                     The reopening of this building for  
10           Judicial purposes has come about because of the  
11           difficulties that we have had with the existing  
12           Orange County Government Center. As you know,  
13           a couple of years ago we had a terrible event,  
14           weather-related event, and since that time, the  
15           Judiciary has been displaced, and that has  
16           created some problems for us, frankly.

17                    We may remember, before we had the  
18           temporary courtrooms that were made out of the  
19           Family Court waiting rooms on the ground floor,  
20           we had Supreme Court Justices that were trying  
21           to share, I think one, at best, one courtroom,  
22           and the Bar was having difficulty trying to  
23           find where the judges were, and getting the  
24           work of the Courts done, and with the help of  
25           the County, County Executive Diana, we got the

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1 two temporary courtrooms done, and we had this  
2 building rehabed to the point where it can be  
3 used, at least temporarily, as an overflow  
4 space to handle some -- to handle some cases.

5 There's more work to do, and we will  
6 proceed on that, and I'll talk about that in a  
7 few moments, but first, because the County  
8 Executive is here, and he has contributed so  
9 much in terms of making this event possible,  
10 that I thought it would be appropriate to  
11 recognize him for some words.

12 County Executive Ed Diana.

13 COUNTY EXECUTIVE DIANA: I'll stand right  
14 here.

15 JUDGE SCHEINKMAN: Whatever you say. This  
16 is your building. You're the landlord.

17 COUNTY EXECUTIVE DIANA: Judge Scheinkman,  
18 thank you for asking me to say just a few words  
19 today, and certainly, Judge Slobod, thank you  
20 for sitting as well, and all the Judges, all  
21 the Judiciary.

22 You know, we are a government that has  
23 three sides of the government, or three parts  
24 of the government, and I believe that the  
25 Judiciary really is the mainstay. You know

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1           why? Because people -- you listen to people.  
2           You make decisions on people's lives every day,  
3           that changes those lives, and you're all  
4           honest, you're all above board, you all listen,  
5           regardless if they're rich or if they're poor,  
6           or if they come from this side of the road or  
7           that side of the road, it doesn't matter, but  
8           you listen. You bring your knowledge and your  
9           experience to the people, and then you make  
10          decisions, and those decisions, like I said,  
11          affect lives, affect families forever.

12                    And certainly the Legislature and the  
13          Executive side of the house are very important,  
14          because one sets the laws and one tries to  
15          carry the laws out, and sometimes there's a  
16          difference of opinion, but that's okay. In the  
17          end, we move forward in the right direction,  
18          and that's why we are the greatest nation in  
19          the world, and we will always be the greatest  
20          nation in the world. Our resolve is like no  
21          one else's.

22                    You know, in that horrendous day when  
23          those towers came down, and they were in  
24          Pennsylvania and in Washington, you know, they  
25          thought they had defeated us, and they are our

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1 enemy. Trust me, they are our enemy. They are  
2 at war with us, because those terrorists want  
3 to take us in the direction they go. They want  
4 our freedoms. They can never have them. We  
5 do. But this is where it all starts, in the  
6 courthouse. 1841, used up to about twenty,  
7 twenty-five years ago. I was in the  
8 Legislature at the time when we did utilize it.  
9 Then we went to the other courthouse. We built  
10 a beautiful facility.

11 And now we have issues with our county  
12 building. We know that, but we did the best we  
13 could in the shortest time, to make temporary  
14 space, and then also to open this up today.  
15 Hopefully that will get resolved, not under my  
16 administration, obviously, but somebody will  
17 have to make a decision very quickly to move  
18 forward on that building, one way or the other,  
19 and then the Courts will have that issue  
20 settled as well, because we're affecting the  
21 Courts as well. Some people forget and lose  
22 sight of that.

23 So, right now our government is in  
24 disarray, because of the building, but it  
25 continues to act. It never missed a beat,

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1           because that's what we do. We bring the  
2           government to the people.

3           So, Judge, it's been a great honor for me  
4           to work with you, and all the Judges that I  
5           know. I probably know each and every one of  
6           you in this room for many, many years, and  
7           certainly I'll never forget the times that we  
8           had, the honesty on the phone. We made deals  
9           on the phone. There's no licenses. There's no  
10          contracts. Judge, we said we were going to do  
11          it, and we did it, and that's really what  
12          should happen. I believe that once you make a  
13          deal, my father always told me, it could be a  
14          bad deal or a good deal, but if you make a  
15          deal, son, you live that deal out, because you  
16          gave your word to another person.

17          So, it's a great day for everybody. It's  
18          certainly in a very historic building in the  
19          center of a very, very quaint village, that is  
20          one of the best villages in this county. So,  
21          Judge, thank you. It's an honor. It will even  
22          get better, I can tell you that.

23          JUDGE SCHEINKMAN: Thank you. I'm sure  
24          that all of you join me in extending our best  
25          wishes to the County Executive on his next

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1 stage in life, and the best of health to you,  
2 and our best wishes. Thank you for your  
3 service.

4 Mr. District Attorney, would you like to  
5 say a few words?

6 DISTRICT ATTORNEY PHILLIPS: I'm going to  
7 where the Court Officer directed me, Judge.

8 Members of the Judiciary, attorneys,  
9 citizens of Orange County, I always said I wish  
10 I could have tried a case in this courtroom, of  
11 course during a winter, because I know the air  
12 conditioning wasn't too good. It just brings  
13 you back. The chairs, if you bought them now,  
14 they -- obviously the county wouldn't pay for  
15 them, and we know it still needs some work, but  
16 I know our fine DPW guys, if they have the  
17 time, can do it, and I know that the Judiciary  
18 has been operating under very austere  
19 conditions, and I feel for that, because, quite  
20 honestly, the Legislature doesn't go to Court  
21 everyday, and they don't appreciate the need  
22 for Court space, the need for attorneys to have  
23 privacy with their clients, need for jurors to  
24 have amenities, and it's a shame that the issue  
25 has become such a political football, and

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1 sometimes makes Washington look like it  
2 actually operates sufficiently.

3 You can tell, Judge Scheinkman, I'm on my  
4 farewell tour, but some things just have to be  
5 said, and because I intend to continue  
6 practicing law, I think I can still schmooze  
7 the Judiciary a little bit, but we need Court  
8 facilities, and after working in that building  
9 for 39 years, my hope is that it gets torn  
10 down.

11 Thank you, Judge, for all you do, Members  
12 of the judiciary, and everybody who still  
13 continues to work in the Judicial System. It  
14 is the most important function of government,  
15 because no matter what laws are made or what  
16 people do, it's you in the robes that get to  
17 make that final determination.

18 So, I look forward to continuing my  
19 practice of law. I may be a little more  
20 outspoken, as I can be, but I will do  
21 everything to support the initiative to get  
22 Court space as soon as you can, but I think the  
23 temporary solution is still going to be a  
24 couple of years away.

25 So, my thanks, Judge, for your work, Judge

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1 Slobod, and Members of the Judiciary, and I'll  
2 see you before I leave. Thank you.

3 JUDGE SCHEINKMAN: Thanks. Miss Benson,  
4 would you like to say a few words?

5 COUNTY CLERK BENSON: Your Honor, I would  
6 never pass up the opportunity to address such a  
7 fine group. Thank you. And when the quiet  
8 Frank Phillips makes comments that make all of  
9 you laugh, I'm thinking, what could I possibly  
10 say to follow that, but this billing brings on  
11 the ambiance of many different events that I  
12 have held here. We've done the Historical  
13 Society, my connection with the genealogy  
14 that's located on the first floor of this  
15 building, and presentations that have been done  
16 on Saturdays here, brings back the ambiance  
17 again of, wow, this is a great place to be.

18 So, it is a temporary location, but I'm  
19 sure that the folks that we have that make the  
20 wonderful permanent decisions, that they will  
21 be the ones that will be practicing here and  
22 enjoy every single minute of it, because their  
23 needs and their deeds that are done are done  
24 for the people.

25 So, thank you very much. And Frank, we

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1 are on that farewell tour, so, and have a great  
2 day.

3 JUDGE SCHEINKMAN: Thank you. I'd just  
4 like to, before, there are some thank-yous that  
5 need to be stated, I just wanted to make a  
6 point, which is, I do hope that this building  
7 will continue to be used for Court purposes.  
8 There's some additional work that has to be  
9 done. We know that the ceiling has to be  
10 repaired, and I've already talked to the County  
11 Executive. We're also hoping that the cupola  
12 which used to be on top of this building, can  
13 be restored, provided that the structure can  
14 handle it. This can be a magnificent building.  
15 It once was. I think it is a treasure. It is  
16 an enormous public asset to Orange County. I  
17 don't think it would be possible to build a  
18 building as magnificent and as sound as this  
19 today, and I think it can be used, and should  
20 be used, for the Judiciary, and I'm -- while we  
21 -- as the County Executive mentioned, there are  
22 some discussions and matters that have to  
23 proceed with respect to finding a permanent  
24 home in repair or substitution for what we had  
25 over at the Government Center, but this should

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1 be part of the permanent Court facilities, and  
2 I'm hopeful that the county will proceed to do  
3 what it has to do to finish this building.  
4 This is going to give us the ability to have  
5 some overflow, right now meaning that right now  
6 all of our courtrooms are full, and if we  
7 needed to have another Judge up here to handle  
8 a case, or there was a lengthy case that had to  
9 be heard, we had no place to put it. So, right  
10 now this is a suitable place to do some work as  
11 an interim facility, but it doesn't make a lot  
12 of sense to put a Judge in here now  
13 permanently, because there's some work that has  
14 to be done, and the Judge would only have to  
15 leave while that work is done. While work is  
16 done in this courtroom to fix the ceiling and  
17 some of the paint issues that are around, a  
18 Judge couldn't be here while that was going on,  
19 and it just doesn't make a lot of economic or  
20 practical sense, to have a Judge set up here  
21 and then have to move the Judge out, but we're  
22 hoping that the county can commit to getting  
23 that work done as soon as possible, and I would  
24 certainly appreciate all of your efforts in  
25 that regard.

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1           When I first saw this building, there was  
2 a little disappointment, frankly, because it  
3 was a magnificent building that had suffered  
4 somewhat from the passages of time and a  
5 certain amount of inattention, and thanks to  
6 some really hard work by some really terrific  
7 people, this building has been brought back to  
8 life, and I'd like to recognize some of those  
9 people who have been involved in that effort.

10           First, I'd like to thank Gary Scittori of  
11 the Orange County Department of Buildings and  
12 Grounds. You just did an absolutely amazing  
13 job, Gary, in restoring this place and fixing  
14 up the furniture. For those of you who have  
15 had the opportunity to see the offices, the  
16 chambers area, Gary did a tremendous job. I  
17 think Lynn McKelvey has told me she has before  
18 and after pictures, and if you see the before,  
19 and you see the after, you will know what an  
20 amazing job Gary and his staff did. So, thank  
21 you very much, Gary.

22           Obviously I would like to thank the person  
23 I just mentioned, Lynn McKelvey, for all of her  
24 hard work and effort, and her enthusiasm taking  
25 on this project. It's just been remarkable,

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1 and thank you, Lynn, for everything you have  
2 done. It's just been terrific. Thank you.

3 We are in a historic building, and the  
4 County of Orange has a county historian, who  
5 has also been a tremendous source of  
6 inspiration and assistance as we've gone  
7 through this project. She tells me that this  
8 Courthouse is one of the four most important  
9 public buildings that was designed by a local  
10 architect, Thorten Magnus Niva, and all of the  
11 Courthouses that he built, the buildings  
12 followed a Greek revival architecture style and  
13 could be found once upon a time in Newburgh,  
14 Monticello, Riverhead and here.

15 Of those buildings, only two of the four  
16 remain standing, the building here and the  
17 building in Newburgh, and this building from  
18 1841 is listed -- was listed on the National  
19 Register of Historic Places back in 19 -- in  
20 1975.

21 To try to make this special for us,  
22 Cornelia, the county historian, made a -- got a  
23 duplicate copy of the portrait of William Henry  
24 Stewart to hang in the Courtroom. He was the  
25 Governor when this building was built in 1841,

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1 and she is arranging for duplicates of the  
2 portraits of Presidents William Henry Harrison,  
3 and John Tyler, who served in that time period  
4 when this building was done. She also  
5 arranged, not only was she very gracious giving  
6 up her space and letting us move in here, but  
7 she also arranged with some local artists to  
8 display their artwork on the ground floor. I  
9 hope that you have an opportunity to take a  
10 look, before you leave, at the artwork that she  
11 arranged, and I believe that they are here,  
12 Gail Clark Fedigan, Sandy Brandon and Robert  
13 Tremson. Will those three of you please wave  
14 and let us know that you're here?

15 Thank you. And she also arranged for the  
16 flowers and herbs outside the Courthouse, that  
17 were provided by Leslie Melben, who is the  
18 owner of Leslie's Garden. Is Leslie here? No.  
19 But anyway, thank you for that contribution. I  
20 think it makes the building and the outside of  
21 the building so very, so very special. But I  
22 do want to thank you, Cornelia, for all of your  
23 help and your support in this endeavor.

24 And I also want to thank Nancy Mangold,  
25 the District Executive of the Ninth Judicial

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1 District, and Matt Rogers, our fiscal person.  
2 I'm not quite sure what Matt did, hopefully he  
3 will pay a few bills, so I have to throw him in  
4 here, but I do know that Nancy was very, very  
5 instrumental, and I really want to thank you,  
6 Nancy, and I would think that you and I would  
7 share the same view, that it's just too bad  
8 that Judge Ingrassia is not here. I think he  
9 would have enjoyed this event very much.

10 With that, I would ask Judge Elaine  
11 Slobod, or Judge Slobod, would care to make a  
12 few remarks as our Senior Resident Judge.

13 JUDGE SLOBOD: I certainly, on behalf of  
14 our Judiciary, I'm just delighted to see all of  
15 you here today, to see this glorious building  
16 that perhaps, this is to the Legislature and to  
17 our Executives, as quickly as possible can be  
18 restored. We are in desperate need of another  
19 Courthouse, and what a beauty this is, and what  
20 a shame it would be. You know, I am so proud  
21 of our Judiciary, who has dealt with difficult,  
22 difficult times. We played musical chairs with  
23 Courtrooms for a while. If you whisper in  
24 Judge Bartlett's Courtroom, you hear it in  
25 Judge Marx's Courtroom. So, there's no such

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1 thing as come to the bench and have a sidebar  
2 there.

3 This Courtroom would be wonderful if we  
4 could have it as a full-time Courtroom, and we  
5 could actually move a Judge in here, even if  
6 you don't move another Judge up. It would just  
7 relieve some of that incredible congestion  
8 that's going on in the two makeshift rooms.  
9 So, I am delighted -- and Frank, I just have to  
10 take one little to you, you're saying, in light  
11 of October 17th, that we make Washington look  
12 functional? I don't think so. I'll go with  
13 our Orange County any time.

14 DISTRICT ATTORNEY PHILLIPS: When it comes  
15 to the buildings, Judge, I disagree.

16 JUDGE SLOBOD: We may have a building  
17 before they have a budget. Thank you all.

18 JUDGE SCHEINKMAN: Thank you. Would any  
19 of my colleagues on the Judiciary care to say a  
20 few words?

21 RETIRED JUDGE OWEN: I'm probably one of  
22 the oldest Judges, or former Judges --

23 JUDGE SCHEINKMAN: Just for the record,  
24 I'm going to identify a person who needs no  
25 introduction to us, but Judge Joe Owen.

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1           RETIRED JUDGE OWEN: The first case I  
2           tried in here as a lawyer was back in 1963, and  
3           we had twelve person juries at that time, and I  
4           remember the lawyer on the other side was  
5           well-known in the community, and when he came  
6           in, he represented the plaintiff, I represented  
7           the defendant, and he looked at the jury and he  
8           said, jury satisfactory, and the young lawyer  
9           that I was, I knew that there was something  
10          going on, and I realized, after interrogating  
11          the jury, that six of them said they would do  
12          anything for this lawyer and his brother, who  
13          was a doctor in the area.

14          But notwithstanding, after selecting the  
15          jury, I went back into the chambers there.  
16          Judge O'Gorman was the Judge, and I said,  
17          Judge, I want to settle this case. But it was  
18          a real joy to try cases in here as a lawyer,  
19          had the jury room in the back there, and we  
20          even tried cases at night. Judge Gagliardi was  
21          here. He would have cases during the day, the  
22          day session, and then he'd have the night  
23          session, which would start at about 4:00, and  
24          then we'd try cases right up until about 10:00  
25          at night.

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1           JUDGE SCHEINKMAN: That's when we had  
2 money.

3           RETIRED JUDGE OWEN: But at any rate, and  
4 then in the summertime, we always adjourned at  
5 least by 4:00 in the afternoon, for two  
6 reasons, one there was no air conditioning in  
7 here, especially in the months of May and June,  
8 when it got warm, and also, we had a lot of  
9 farmers on the jury, and they had to get back  
10 to the farm and milk the cows by 5:00.

11           Judge, it brings back a lot of memories  
12 here. Thank you very much for all your efforts  
13 in trying to get this building back in shape  
14 again. Thanks.

15           JUDGE SCHEINKMAN: Thank you very much.  
16 Thank you. Anyone else care to say anything?

17           I guess I just have one thing that I would  
18 like to say. Originally, I was going to start  
19 a trial here today, but then my schedule got  
20 thrown off, because I have to go to -- after  
21 this, I have to leave for a meeting in Buffalo.  
22 I was going to come back and start a medical  
23 malpractice case here on Thursday, but Judge  
24 Marx did a terrible thing. He settled the  
25 case, so...

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1           JUDGE SLOBOD:  And I'm the good Judge.  I  
2           may have one for him.

3           JUDGE SCHEINKMAN:  So, we're back -- we're  
4           going back to another plan, but I do hope to  
5           not just have a ceremony, but to have a real --  
6           to have a real case here, no thanks to Judge  
7           Marx, but --

8           JUDGE MARX:  I'm accustomed to getting no  
9           thanks.

10          JUDGE SCHEINKMAN:  Don't expect things to  
11          change.

12          I also just want to point out that we,  
13          early on, we had gotten a tentative commitment  
14          from our Chief Administrative, Judge A. Gail  
15          Prudenti, to be here, but her scheduled changed  
16          at the last minute, and she was not able to  
17          make it.  I know that she regrets that, and I  
18          know the issue of Court facilities is one  
19          that's been foremost importance to her, and I  
20          am sure that she will find time, at some point  
21          in her schedule, to come and visit us and take  
22          a look at this building and see what we're  
23          doing.  So, on her behalf, I indicate her  
24          regrets.

25          And I thank you all for coming.  I hope

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1           that after the conclusion of this, you'll be  
2           able to walk around a little bit, take a look  
3           at the fine work that's been done here, and see  
4           what the promise of the future has. Thank you  
5           so much for coming.

6                     JUDGE SLOBOD: Please join us for  
7           refreshments.

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