

President's Message Andrew Tschinkel



I'd like to begin this column, my first in *Law Lines*, by thanking you all for the opportunity to serve LLAGNY as its President. I hope you have already noticed and are enjoying the new *Law Lines*. The new look of *Law Lines* is the work of its new editor Bill Manz and his editorial staff of LLAGNY members. Congratulations to all!

The June Annual Meeting was a wonderful success with three hundred attendees. Kudos to our special events co-chairs June Berger and Tania Danielson for arranging a splendid evening for all who attended. As I said during my remarks at the June Annual Meeting, the success of LLAGNY depends on the volunteer spirit of its members. I invite your active participation in the many committees and special projects that are always a part of the LLAGNY year.

The 100th annual meeting of the American Association of Law Libraries in New Orleans was a terrific occasion for law librarians from every type of law library to gather, exchange insights and to "Rise to the Challenge!" While the July heat and humidity were predictable, as were the midafternoon torrential downpours, librarians and vendors managed to enjoy the great warmth and hospitality, not to mention the beignets and etouffees, offered by the courageous citizens of New Orleans. Many LLAGNY member volunteers arrived in New Orleans a day or two before AALL to help with rebuilding efforts there, including LLAGNY members Barbara Traub and Heidi Bliss. [See article, Librarians Rebuilding New Orleans, on p. 3.]

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Librarians Rebuilding New Orleans By Barbara G. Traub, St. John's University Rittenberg Law Library Contributions from Amy Hale-Janeke, Roy Sturgeon and Hugh Treacy

AALL's meeting in New Orleans in July provided some special opportunities for members to contribute to the city's reconstruction efforts. On Friday, July 13 many of us went to work with either Habitat for Humanity, Second Harvest or the Louisiana State Museum.

The Habitat activity started at 7 AM when about seventy AALL volunteers met in front of the convention center and rode two buses to the work site in the Upper Ninth Ward. The work site is called the Musicians' Village because many local musicians, including Harry Connick, Jr., are involved with the rebuilding there. After a brief overview of projects, about twenty people painted a house, while the rest moved wall frames and cleaned up around the site during the morning. In the afternoon the group hammered a floor system into a house. The Habitat folks provided water for everyone, and made sure volunteers took water breaks every hour, as it was a very hot and sunny day. The air conditioned buses provided a much needed respite during the lunch hour.

While these may seem like small steps, I know from the exhaustion and sunburns that I saw that the volunteers for Habitat each made a mighty contribution by the time they finished at 3 PM. According to volunteer Roy Sturgeon, the Habitat houses are elevated three-to-four feet above ground to protect them from future flooding and "all look the same, except they're painted different colors and look like rows of rainbows." How wonderful that librarians could contribute to building rainbows in New Orleans!

There were two groups of approximately twenty-five volunteers at Second Harvest for morning and afternoon shifts. They worked at Second Harvest's food-packing facility in Jefferson Parish. Their bus trip took them past some hard-hit areas and the bus driver shared stories of many victims. On the assembly line, the volunteers sorted and packed food into boxes of different types of food (e.g., protein, vegetables, breakfast foods), and then stacked them on pallets. Their efforts were rewarded when the morning group of librarians learned from Second Harvest staff that they had packed enough food to feed 5,000 people! The afternoon shift then doubled the contribution of AALL members.

Some of us were intimidated by the thought of working in the heat and humidity of New Orleans in mid-July, and quickly filled up the available spots at the Louisiana State Museum. Since this is the project I worked on I can say from first hand experience that we all found it to be a fascinating and rewarding venture.

The first "adventurous" thing about it was that we found ourselves being taken to a secret storage facility of the Museum — in a location not to be revealed. Amy Hale-Janeke, our AALL coordinator, divided us up to work on three projects. Several librarians examined a collection of original watercolors by Alvyk Boyd Cruise, a New Orleans artist employed by the Works



Progress Administration during the Great Depression. His watercolors expressed his view of the colorful buildings and architecture found in the French Quarter. The project involved first examining the pieces for wear, mold, paint loss, etc. and then reviewing a thirty-year-old inventory to be sure descriptions of the paintings were accurate and up to date.

The second group worked on a catalog related project that involved comparing lists of holdings to match items or identify items missing from a collection's inventory. The third "group" (actually only Amy and I) did data entry of accessioned items into the Museum's database (catalog). We were each given files which contained a curator's evaluation and description of an item and its "place" within the Museum's holdings. Once trained on the database, it was very interesting to compare the organization of a museum database to the methods that librarians use (AACR2 and our cataloging systems). Being familiar with archival records, I see it as sort of a continuum of organization schemes: library \rightarrow archives \rightarrow museums. All different but related. The really cool part of this project was the variety of items we dealt with. Amy's files

included an upright bass used by a famous jazz player and a trumpet used by another famous jazz musician. The most interesting items I worked on were donations for a new collection that the museum is developing relating to Hurricane Katrina, such as a Red Cross debit card distributed to survivors to use as cash, and a sign from a bus window allowing the vehicle (which had been driven from the northern U.S.) into the flood zone to assist in the rescue.

There was another perk of the working at the Museum, besides being indoors in air conditioning. We were given a tour of some very special items in storage. These included a working gramophone that still plays wax cylinders, and a large collection of clothing and Mardi Gras costumes from various eras.

Most importantly, all of us who gave our time to helping New Orleans recover from Hurricane Katrina came away with new insights, new friends, and the knowledge that we had made a contribution to the city, its people, and cultural resources. Not only was New Orleans a little better off after we left, but so were we.

President's Message continued from p. 1

For their efforts, these volunteers deserve our appreciation and admiration. Barbara's article about her experiences is included in this issue. Any other LLAGNY members who did volunteer work in New Orleans are invited to write about their experiences to *Law Lines*. I'm sure their stories will make for interesting and inspirational reading. The LLAGNY table at AALL created quite a buzz among AALL attendees. LLAGNY raffled off four iPod shuffles to four lucky winners. AALL members from all over the nation stopped by the table to drop off their business cards and exchange stories with the LLAGNY volunteers on duty. Over four hundred attendees dropped off their business cards, thereby making the LLAGNY chapter table, in the opinion of





this observer, the most visited of any chapter or SIS at AALL. Apple iPod winners included Susan P Siebers—Chicago; Kathleen McEvoy—Atlanta; Hollie C. White—Tempe; and Joe Pollender— Boston. Many thanks to the team of volunteers who provided Big Apple greetings to all who came by and to Volunteer Co-chairs John Campbell and Jeff Buckley for scheduling and staffing the table. Special thanks also to Elaine Egan who came up with the idea for the iPod raffle.

Next up is the 4th Northeast Regional meeting. It will be held between October 17th and 20th in Toronto, Canada. The theme of the meeting is "Libraries Without Borders." LLAGNY will be an active participant. LLAGNY is one of ten chapters of AALL sponsoring the Northeast Regional. The Board approved a five hundred dollar grant that will soon be awarded to a LLAGNY member to attend the Northeast Regional. Two years ago, the LLAGNY board offered to contribute seed money to get the Regional going. Now through the efforts of David Merkin, LLAGNY's NE Regional liaison, AALL has awarded LLAGNY grant money to record the NE Regional. LLAGNY members Tom Eikenbrod and Steven Lastres will be featured speakers; for their topics and the entire program go to http://www.librarieswithoutborders.net.

Also please keep an eye out for the announcement and the details about the Fall Soiree. This year the "Fall Soiree and New Member Reception" promises to be as much fun as ever so RSVP as soon as possible, spaces will fill up fast!

LAW LINES EDITORIAL STAFF

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GPO Budget Cuts By William H. Manz, St. John's Law Library

As LLAGNY members were informed by email back in June, House Republican Jeff Flake of Arizona submitted an amendment to H.R. 2771, the Legislative Branch Appropriations Act for FY 2008, cutting the G.P.O. budget by \$3.2. This reduction was in addition to a \$5 million cut made during the House Appropriations Committee markup. Flake's Amendment No. 2 read: "In the item relating to 'Government Printing Office—Congressional Printing and Binding', insert after the dollar amount the following: "(reduced by \$3,200,000)."

Flake, a former businessman from Mesa, and a frequent critic of alleged pork-barrel spending has recently targeted such proposals as \$500,000 for the Detroit Science Center to create a Space Science Discovery Lab, \$250,000 to Laurinburg, North Carolina for the demolition of an old hospital., \$200,000 to Conway, Arkansas for downtown revitalization, and \$550,000 to the Skirball Cultural Center in Los Angeles, California for development and construction of Noah's "pArk." In the case of the G.P.O., he maintained that his proposal was prompted by the large number of *Congressional Records* thrown away unread by congressional office staff who prefer the online version. He maintained his amendment was meant as an instruction to the GPO to reduce by half the 5,600 *Congressional Records* currently printed.

The amendment was opposed by Florida Democrat Debbie Wasserman Schultz. She claimed that Flake's cuts would add to already existing shortfalls, noting that the G.P.O. had experienced a \$3 million shortfall in fiscal 2006, and was expected to have an \$8 million shortfall in 2007. Wasserman Schultz also suggested that if Flake had a problem with the number of paper copies of the *Congressional Record* that are printed, he should take the subject up with the Joint Committee on Printing.

The Flake Amendment passed on June 22, 218–191, with the vote largely along party lines — Republicans in favor and Democrats opposed. The same day, H.R. 2771 as amended passed the House 216–176, and was referred to the Senate. On June 28, the Senate Appropriations Committee reported the bill without amendment and without a written report, and it was placed on the Senate legislative calendar.



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UNION LIST UPDATE



Karen Campbell, Bingham McCutchen LLP, Co-Chair Stacey Pilson, Chadbourne & Parke, LLP, Co-Chair

The LLAGNY Electronic Union List has been active since June 1, 2007. Member libraries are finding materials quickly and easily without having to bother everyone on the LLAGNY listserv. In addition, we are seeing requests on the listserv that could have been answered by a search of the Union List if those making the request had subscribed to the Union List.

This is a great resource even in a city of many resources, and we encourage those of you who have not yet subscribed to do so. The following links provide the information you need to join:

General information and order form: http://www.aallnet.org/chapter/llagny/2006E Unionlist.pdf

Information/forms for submitting your records: <u>http://www.simainc.com/llagnyul/</u>

FAQ's: <u>http://www.aallnet.org/chapter/llagny/Union</u> <u>listclarification.pdf</u> Changes to Records in the Union List:

In order to launch the electronic Union List in a timely fashion, we encouraged libraries to submit less than perfect records, and we have had a number of questions about the possibility of editing those records. Before we can distribute the editing passwords that will allow libraries to edit their records, each library will need to have at least one individual trained in editing. We are working on scheduling that training, and we hope to be able to provide information about that training shortly.

Please note that Sarah Kagen, who was formerly one of the Co-Chairs of the Union List Committee, now holds the position of Secretary on the LLAGNY Board of Directors and can no longer serve as a Union List Committee Co-Chair. Our new Co-Chair is Stacey Pilson. If you have any questions about the Union List, please contact either Karen Campbell (karen.campbell@bingham.com; 212-705-7808) or Stacey Pilson (spilson@chadbourne.com; 212-408-5291).

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St. John's University Announces Library Science Scholarships

The Institute of Museum and Library Service, a grant-making federal agency, has awarded St. John's University a grant enabling it to offer forty full-tuition scholarships to individuals interested in obtaining a MLS degree. Designed for working students, this two-year, part-time scholarship program will offer evening, weekend, and online classes. Recipients will receive full tuition and laptops. The first group of twenty students will begin in Spring 2008. The Second Group of twenty will start their studies in Summer 2008. Those interested should email Stacy Creel at **creels@stjohns.edu** for an application. Information is also available at http://www.stjohns.edu/academics/graduate/liberalarts/departments/library/IMLS.sju.



LLAGNY Names Northeast Regional Meeting Grant Recipient

LLAGNY has announced that Sadys R. Espitia will be the recipient of a grant to attend the Northeast Regional Law Libraries Meeting, Libraries Without Borders II, to be held in Toronto on October 17–20. Mr. Espitia, a LLAGNY member since 2001, currently works as a library assistant at the Arthur S. Diamond Law Library at Columbia, where he has been employed for the past ten years. He also weekends at Weil Gotshal and Manges, and is currently studying for an MLS degree at Queens College where he expects to receive his degree in May 2008. More information about the Northeast Regional Meeting is available at http://www.librarieswithoutborders.net.







Legal Research: New York State Records and Briefs William H. Manz, St. John's Law Library

This article is an revised and updated version of one that appeared in the New York State Bar Association Journal in 2005.

Electronic

In February, the Unified Court System Web site began providing briefs from the Second Department free of charge. The database includes appeals calendared between January 2004 and approximately six months prior to the present date. All other access to online briefs is through commercial sources. Both Westlaw (since 1992) and LexisNexis (since 1999) provide Court of Appeals and limited selections of Appellate Division briefs. The latest online briefs database is provided by Hein Online, which makes available a database of Court of Appeals briefs in pdf format beginning with 1 N.Y.3d to those libraries which subscribe to the company's microfiche briefs set.

Microform

Hein's Court of Appeals microform/microfiche set begins with volume 265 of New York Reports. In addition, Court of Appeals records and briefs for cases decided since 1996 are available on fiche from West Court Record Services. Both sets provide appellants' and respondents' briefs as well as any reply or amicus briefs. The court record accompanies the briefs for virtually all nonconfidential civil cases, but usually not for criminal actions. The fiche for both companies is produced from originals received from the Court of Appeals, and ship on a monthly basis.

West Court Records Services is currently expanding its Court of Appeals coverage with a project intended to extend microfiche coverage back to 1880. Currently, the company has completed microfiche for Court of Appeals briefs from 1928 to 1934. This includes those cases from volumes 265 and 266 that were not included in the Hein microfilm set, whose retrospective coverage ended with volume 265 (1934). West is also considering producing a searchable DVD containing New York Court of Appeals records and briefs from 1847 to 1934, and briefs from the old Court of Errors back to 1830. In addition to merits briefs, this DVD would include amicus briefs and exhibits, including photos.

Hein provided Appellate Division records and briefs on microfilm from 1972 to 1984 (38 A.D.2d–99 A.D.2d). Since 1984, these briefs have been reproduced on microfiche in a set that is now published by West Court Record Services. Material currently appears on fiche within 30 days of receipt, and is produced from hardcopy received from the court clerks on an ongoing basis, except for the Fourth Department which sends its materials at the end of the year. As with the Court of Appeals, the court record accompanies the briefs for virtually all nonconfidential civil cases, but generally not for criminal actions. Cases which are excluded from the Appellate Division set include matrimonial actions covered by § 235 of the Domestic Relations Law, cases arising in Family Court, youthful offender adjudications, those that identify the victims of sex crimes, and cases sealed by court order or that are deemed confidential by the chief clerk of each Department.

Unlike locating a given Court of Appeals brief on microfilm or microfiche, which involves only the official reporter citation,



use of the current Appellate Division fiche set requires knowledge of a multi-digit number under a system originally instituted by the Office of Court Administration. The first number identifies the department, and the next two the year; the next four are unique to the case, and indicate in what order the case was argued in a given year. For example, the case of *Buffalo Bills v. Slominski*, 104 A.D.2d (4th Dep't 1984), the 312th case argued that year, was assigned the fiche card number "4-84-0312."

Formerly, the only way to locate these numbers was by using paperbound indexes. Fortunately, these have now been replaced with an online index available on the Unified Court System Web site (http://www.courts.state.ny.us/lawlibraries/li on/index.shtml). Maintained by the Court System's Library and Information Network (LION), it first appeared online in 2000. Cases are searchable by plaintiff or defendant name, the Appellate Division Reports 2d/3d citation, case number, and date of decision. The index database contains information on over 200,000 Appellate Division cases. Coverage begins with 1984, but is comprehensive only from 1990 to 2004; backfilling for older cases is still ongoing.

Comprehensive local holdings of the Appellate Division microfiche set include the libraries of the New York County Lawyers' Association and the Association of the Bar of the City of New York, which have the fiche for all four departments. Local supreme court libraries possessing the complete set include Kings, New York, Queens, and Suffolk counties. Another comprehensive collection is located at the State Library in Albany which has microform for most Court of Appeals cases since 1956, and Appellate Division cases beginning with 54 A.D.2d. For a fee will provide either paper copies or duplicate fiche.

Hardcopy

Researchers will generally only encounter hardcopy versions of records and briefs when working with either very recent cases or those predating the mid-1970s. Briefs for recently-decided cases in the Court of Appeals are available from the court, which will Fed Ex the originals at the borrower's expense. This service is also available for briefs from recent cases decided by the Third Department. In the First Department, records and briefs from the court's recentlydecided cases can be checked out overnight from the Clerk's Office. Since the number of cases decided by the Second Department is so large, briefs from its cases are not retained, but are instead sent back to the court of original jurisdiction. However, it they have not yet been returned, they may be available for onsite copying. The Fourth Department Law Library does not circulate briefs from its recent cases, but for a fee will send photocopies.

Researchers interested in older opinions can reasonably expect to find written briefs for cases decided as far back as the 1850s. These collections of older materials take up a considerable amount of space. For example, the State Archives collection of Court of Appeals briefs (1847–1993) consists of 16,856 volumes, and its Third Department collection (1896–1983) contains 7,413. One portion of the New York County Lawyers' Association Library collection of First Department records and briefs (1906 to the early 1930s) is shelved on ten-foot high wooden stacks, and takes up the most of a large high-ceilinged basement storeroom.



The small group of libraries holding extensive collections of historical briefs includes the State Library which has records and briefs for the Court of Appeals since 1847 and for all four Appellate Division departments since 1896. Holdings for the Court of Appeals are in hardcopy from 1847 to 1956, and for the Appellate Division from 1896 though 53 A.D.2d (1976); materials for later cases are on microfiche. For a fee, the Library will make photocopies; older, bound material will be copied if its condition permits. Researchers wishing to use older materials onsite are requested to call several days in advance.

The State Archives has a collection of hardcopy records and briefs which is separate and distinct from that of the State Library. It was compiled by the clerk of the Court of Appeals, and it contains some types of cases (pauper cases, restricted cases, and SSM cases) not found in other paper sets or in the microfiche edition. The Archives holdings for the Court of Appeals cover cases decided since the court's establishment through 1993; it also holds records from the old Court of Errors between 1784 and 1847. Its collection of Appellate Division records and briefs varies by Department. It has Second Department records briefs from 1896 to 1935, and Third Department briefs from 1896 to 1983. For the First Department, it holds only trial transcripts from New York County criminal courts from 1883 to 1927; it has no holdings from the Fourth Department. The Archives provides photocopies of briefs if the

condition of the binding and the paper permits copying. The cost of is \$.25 per page, the maximum charge permitted by FOIL.

Another comprehensive hardcopy briefs set is located at the New York County Lawyers' Association, which has on-site records and briefs from the Court of Appeals (1920–40), the First Department (1906–72), the Second Department (1940–72), and the Third and Fourth Departments (1950–72). Currently, the library of the Association of the Bar of the City of New York has briefs for the Appellate Division on site from 1896–1940, and in off-site storage from 1941–73. Another major source within New York City is the Brooklyn Supreme Court Library which has stored off-site briefs for the Court of Appeals (1869+), the First Department (1929+), the Second Department (1896+), and the Third and Fourth Department (1929+).

An additional major source of hardcopy briefs is the Fourth Department Library in Rochester, which has bound briefs (which it will Fed Ex) for the First, Second and Third Departments from 1896 through 91 A.D.2d, and for the Fourth Department from 1896– 60 A.D.2d, and 103 A.D.2d–309 A.D.2d. In a recent development, the Fourth Department Library's hardcopy records briefs holdings are now being entered into the LION online briefs index database. If an older case has been added to the database, the volume number containing the record and brief will be indicated.

ALLUNY, LLAGNY, and NJLLA Joint Chapter Reception AALL Annual Meeting July 15, 2007 New Orleans, LA

Photos taken by Roseanne Shea, Proskauer Rose and Wendi Hoffenberg, Bryan Cave



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Barbara Schmid, Lovells (Chicago) Janice Henderson, Lovells



MEMBERSHIP NEWS AND MOVES

LLAGNY would like to welcome the following new or returning members:

Member Name	Firm	Title
Peter Andes		Student
Leslie DiRusso		Student
Dominique Cuvilly	Alston & Bird, LLP	Reference Librarian
Deidre Payne	Arnold & Porter, LLP	Library Assistant
Donald Raymond	Cravath, Swaine & Moore, LLP	
Patrick DiDomenico	Debevoise & Plimpton, LLP	Knowledge Management Manager
Patrice Murphy	Debevoise & Plimpton, LLP	Corporate Content Specialist
Michael Billeci	DPC Data, Inc.	Manager - Client Services
Sarah Himmelstein	Fitzpatrick Cella Harper & Scinto	Research Assistant
David Goodwin	Fordham University Law	Circulation Librarian
Alison Shea	Fordham University Law	Reference Librarian
James Woodstock	Touro College	Cataloger
Steven Perkins	Greenberg Traurig, LLP	Special Projects Coordinator
Tesse Santoro	InfoCurrent	Recruiter
Donald Boman, Jr.	Kenyon & Kenyon, LLP	Library Billing & Technical Services
Evelyn Rouse	Kramer Levin Naftalis & Frankel, LLP	Coordinator Reference Librarian
Sonal Pandya	Linklaters	Research Librarian
Catherine Elwood	Morgan & Finnegan, LLP	Librarian
Peter McGale	National Registered Agent, Inc.	Manager of Business Development
Eric Hisey	New York Legislative Service, Inc.	Research Specialist
Dana Lee	New York Power Authority	Circulation & Research Librarian
Diane Hornak	Orrick, Herrington & Sutcliffe, LLP	Information Resources Assistant
Kerry Herrmann	Pepper Hamilton, LLP	Reference Librarian
Natasha Greene	Proskauer Rose, LLP	Circulation Clerk
Amy Weiner	Sidley Austin, LLP	Reference Librarian
Elizabeth Yates	Skadden Arps Slate Meagher & Flom, LLP	Reference Librarian
William Manz	St. John's University School of Law Library	Senior Research Librarian
Barbara Telesca	Thomson West	Director of Sales
Ricardo Greene	White & Case, LLP	Reference Librarian
Sharisse Geiger	Winston & Strawn, LLP	Library Technical Assistant

Member Moves				
Previous Firm	New Firm	Title		
Greenberg Traurig, LLP	Orrick, Herrington & Sutcliffe, LLP	East Coast Research & Information Manager		
	Previous Firm Greenberg Traurig,	Previous FirmNew FirmGreenberg Traurig,Orrick, Herrington &		

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Shirley Diamond

Please note the passing of Shirley Diamond, Corporate Librarian at Dewey Ballantine LLP (formerly Dewey, Ballantine, Bushby, Palmer & Wood) from 1973 until her retirement in 2001. Shirley was born in Montreal, attended McGill University and received her M.L.S. from Rutgers. She was a member of both SLA (Business and Finance Division) and AALL. Shirley leaves behind a beloved husband, Emanuel Gelfand, and other family members. The Dewey Ballantine staff relied on Shirley's expertise, generosity and friendship for many years. Her obituary appeared in the New York Times on Tuesday, July 17, and requests that contributions should be made to the American Cancer Society.

Ellen Kaufman Associate Director Dewey Ballantine LLP Law Library



Mario Rodriguez

I am very sad to announce that our esteemed colleague and reference librarian, Mario Rodriguez passed away on July 24 after a brief illness. Mario will be sorely missed for his great wit, keen intellect, and uncanny knowledge of history, opera, and esoteric details about actors, actresses and film. However, most of all he will be missed for his personable and kind nature, and great friendship. Mario had been a reference librarian at White & Case for five years.

Gloria Goldberg Tax Research Librarian Library and Information Resources White & Case LLP





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Reference Questions and Answers *Compiled by* **Wendi Hoffenberg**, Bryan Cave LLP

Q. Where can I find old U.S. Supreme Court briefs?

A. Supreme Court briefs back to the 1990-91 term (1995–96 for Amicus briefs) are available on Lexis (GENFED;BRIEFS) and Westlaw (SCT-BRIEF). If you need to go back further, try BNA's United States Supreme Court Records and Briefs on microfiche (back to 1832) or Thomson Gale's U.S. Supreme Court Records and Briefs, 1832–1978.

Thanks to the law-lib email discussion forum.

Q. Can anyone else can get a copy of my credit report?

A. The FCRA specifies who can access your credit report. Creditors, insurers, employers, and other businesses that use the information in your report to evaluate your applications for credit, insurance, employment, or renting a home are among those that have a legal right to access your report.

The permissible use section of the Fair Credit Reporting Act can be found at 15 U.S.C. § 1681b.

Thanks to

http://www.ftc.gov/bcp/conline/pubs/credit/f reereports.shtm

and the law-lib email discussion forum.

Q. What are some non-commercial lists and databases that may be used for due diligence (for lists of terrorists, drug traffickers, and the like)?

A. Try the following:

U.S. Bureau of Industry and Security: U.S. Department of Commerce (<u>http://www.bis.doc.gov</u>). Several security lists are accessible on this site;

Specially Designated Nationals list at the Office of Foreign Assets Control ("OFAC") (<u>http://www.treas.gov/offices/enforc</u> ement/ofac/sdn/index.shtml);

Debarred Parties List - Office of Defense Trade Controls Dept. of State Parties barred from participating in the export of defense articles (http://www.pmddtc.state.gov/debar0 59.htm);

The Excluded Parties List System (EPLS) (<u>http://www.epls.gov</u>) includes information regarding entities debarred, suspended, proposed for debarment, excluded or disqualified under the nonprocurement common rule, or otherwise declared ineligible from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits

Thanks to the law-lib email discussion forum and

http://www.bis.doc.gov/ComplianceAndEnf orcement/ListsToCheck.htm.



Legal Trivia: The Curse of *Palsgraf* **By William H. Manz,** St. John's Law Library

A few years ago, the New York Law Journal published a short article chronicling the legal travails of the Palsgraf family, indicating that in addition to Helen Palsgraf, the plaintiff in the classic negligence case, Palsgraf v. Long Island Railroad, other family members had also failed to obtain compensation for various injuries. However, the Palsgrafs were not the only ones "cursed"; every judge on the New York Court of Appeals who heard the case also suffered serious subsequent misfortune. The author of the majority opinion that deprived Mrs. Palsgraf of her \$6,000 jury award, future Supreme Court Justice Benjamin Cardozo, suffered a heart attack and stroke died at age 68 in 1938.

Those who concurred with Cardozo suffered the following misfortunes:

- Cuthbert Pound retired at the end of 1934, planning to return to the practice of law; two months later he collapsed at a dinner in his honor and never recovered consciousness;
- Henry Kellogg was forced off the court by poor health in 1934; he died in 1942;

 Irving Lehman – tripped over his pet dog in 1945, broke his ankle in two places and died of a heart attack two months later.

Those who favored Mrs. Palsgraf fared no better:

- William S. Andrews the author of the *Palsgraf* dissent – fell out of bed the night before his wife's funeral in 1936, broke his neck, and was found dead on the floor in the morning;
- John F. O'Brien announced in early December 1939 that he would retire at the end of the year because of ill health. He failed to live out the month, costing his wife significant retirement benefits. She sued, but eventually lost in the Court of Appeals;
- Frederick Crane lived to age 78, but his only son, a Long Island attorney, died of a heart attack while playing badminton in 1941.











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Minutes of the LLAGNY Board Meeting (CORRECTED) April 10, 2007 Epstein, Becker and Green, PC

In attendance:

Heidi Bliss, Christine Dubuque, Elaine Egan, Tom Eikenbrod, Kit Kreilick, Ralph Monaco, Nuchine Nobari, Marsha Pront, Bonnie Fox Schwartz, Andrew Tschinkel

The meeting convened at approximately 6:20 p.m.

1. Approval of Minutes

Minutes of the March 13, 2007 Board Meeting and the March 2, 2007 meeting by conference call were distributed before the meeting via email.

Nuchine suggested that "minutes" be added to the title and header in future.

- Motion to approve the March 13, 2007 minutes.
- Motion approved (Bliss, Egan).
- 2. President's Report

Marsha asked for volunteers to shepherd AALL Board member Darcy Kirk around on June 13 to visit member libraries prior to the June Dinner; probably midtown firms and maybe the NYC Bar would be best candidates. It's been traditional for the Board to take the AALL Board delegate to dinner the first night of the chapter visit, which this year will be our board meeting date. After discussion, it was agreed that we would have a brief board meeting that evening at New York Law Institute and then have dinner with Darcy somewhere downtown. Ralph agreed to investigate possible restaurants; it is understood that we will each pay our own way. The newly elected board members will be invited to

join us for both the meeting and dinner, and also advised that the meal is not covered by LLAGNY.

3. Reports of Officers and Committees

<u>Treasurer's Report: March 1, 2007 to</u> <u>March 31, 2007</u>

Expenses from March 1, 2007 to March 31, 2007, were a total of **\$4,950**.

<u>Income</u> from March 1, 2007 to March 31, 200, was a total of **\$17,043**.

The Year–to-Date Summary of Income and Expenses is appended at the end of these minutes.

We have received a large number of donations to the Grants & Scholarships fund this year, most to fund Memorial Scholarships. Nuchine asked who is responsible for sending acknowledgment letters, since there are more than 50 donations to be acknowledged. Marsha and Heidi agreed to find someone to help Nuchine with sending the acknowledgments. It is unclear how much revenue has come from advertising this year; Nuchine has asked Nancy Rine for a report.

Special Events—June Dinner Flyer

We reviewed the draft flyer for the annual June Dinner.

West has pledged \$10,000 to be the primary sponsor of our June dinner. BNA would once again like to sponsor the cocktail hour. Marsha suggests we acknowledge Wolters Kluwer CCH as sponsor of dessert on the flyer

This year, we estimate the cost to be \$155.00/person, and even with vendor sponsorship, the cost to LLAGNY will



be significantly higher than last year, so a price increase to the members is necessary. We need to decide how much to charge members for this function. After discussion, it was agreed we need to see last year's figures and think about this further before setting the price.

Heidi noted that we should provide a place on the flyer to select Kosher or Vegetarian option, which should appear below the Affiliation blank. Other technical corrections were noted by the board.

- Motion to approve the flyer as amended, other than the price, which will be determined via conference call.
- Motion approved (Bliss, Tschinkel).

It was agreed we need about a month lead time for the mailing. Sullivan & Cromwell will assemble and mail it if someone else can make the copies.

Membership Committee Report

The Board reviewed the Membership Committee's report on their investigation of alternative membership software and support systems. It was agreed that we don't have enough information to make an informed choice at this point, but should continue to investigate our options. In the meantime, we will move forward with the membership renewal process with AALL.

Northeast Regional Conference Update

LLAGNY members William Patry will be speaking on Copyright; Tom Eikenbrod on U.S. Securities Law and Jeff Cohan on Patent law. David Merkin is still looking for speakers on Canadian and European Securities and Patent Law. A program draft was distributed with the agenda and looks very good. David has also indicated that LLAGNY is not obligated to underwrite any shortfall if the conference is undersubscribed or has insufficient sponsorship.

Outreach Programs: Bridge the Gap

Marsha congratulated Ralph on a terrific program. There has been lots of good feedback. Of the 73 persons attending, 50 were law students and 23 librarians/library students. Ralph has noted problems that arose and plans to address them next year. The City Bar is a perfect locale for the program and they plan to have it there again in 2008. Dates are being discussed already. Ralph believes we can build on this success and also develop some of the presentations into individual programs.

Books for Kids Pro Bono Project

So far the response has been less than expected; only 130 books out of the 450 posted on Amazon have been purchased. We might want to advertise the project to our firms as part of National Library Week.

Scholarship & Grants

We do not yet know how many people have applied for scholarships and grants, so it is too early to consider how many of each to fund this year. We will expect a report at the next meeting in order to make those decisions.

Education

Tom reported that both April programs are full and there is a wait list for the cataloging program. This led to a discussion of whether we should limit the number of attendees from one library; it was agreed there is no good



way to do that after the fact and we should stay with a first-come, firstserved policy at this point.

Tom noted that we could use larger meeting rooms for some programs. The committee is looking at a Competitive Intelligence program for fall that would be in two parts-either all day or two half-days. It's likely to attract a larger audience like the Private Equity Program did. Andrew reminded the group that due to our outreach to the library schools this year, we have been offered space at the Manhattan campus of St. Johns (downtown), Pratt (mornings only, 14th St.) and John Jay College (midtown). Tom will ask the committee to follow up with those entities.

Tom noted that the Tax Research Program will be offered in late May as a lunchtime event; the date and location are not yet determined so we don't have a flyer to approve yet. This is a repeat of a program done a couple years ago.

The committee plans to meet again soon to start planning next year's programs.

5. Unfinished Business

Union List Update

Our phone calls have paid off: we should have enough participants to meet our goal of 60. Thanks to all from Elaine and the Union List Committee. However, it is clear that all our efforts at publicity have been somewhat unsuccessful and we need to continue to promote the project. It was agreed that we would make every effort to launch by the beginning of June, and certainly by the June Dinner.

AALL Exhibits Table

We need to find some members, who will be at the conference to volunteer to set up, staff and take down the table. Bonnie will call the Volunteers Committee to start recruiting, and Andrew will contact the Public Relations Chairs since this is part of their responsibility.

6. New Business

Treasurer Reimbursement Policy

Nuchine has raised the question of whether someone else should sign her own reimbursement checks; it was agreed that another officer should sign checks reimbursing the Treasurer.

NY Technical Service Reception

We generally approve the expense of \$50 to participate in this reception. This year the notice came and needed to be returned before we could vote. Marsha went ahead and authorized the expense and wants Board approval.

- Motion to approve annual sponsorship of the New York Technical Services Reception, not to exceed \$100.
- Motion approved (Bliss, Tschinkel).

The meeting adjourned at approximately 8:30 p.m.

Respectfully submitted, Kit Kreilick, LLAGNY Secretary





updated 3/31/2007



Minutes of the LLAGNY Board Meeting (CORRECTED) May 8, 2007 Weil, Gotshal & Manges LLP

In attendance:

Heidi Bliss, Christine Dubuque, Kit Kreilick, Ralph Monaco, Nuchine Nobari, Marsha Pront, Bonnie Fox Schwartz, Andrew Tschinkel

The meeting convened at approximately 6:30 p.m.

2. Approval of Minutes

Minutes of the April 10, 2007 Board Meeting and the April 23, 2007 meeting by conference call were distributed before the meeting via email.

The April 10 meeting minutes were reviewed first. Heidi noted that the motion regarding support of the NY Technical Services Roundtable was for annual support up to \$100.00, not just for this year, and provided Kit with the language so she could correct the minutes. No other corrections were suggested.

- Motion to approve the April 10, 2007 minutes as corrected.
- Motion approved (Bliss, Tschinkel).

Next the Board considered the minutes from the April 23, 2007 conference call meeting. There were no corrections.

- Motion to approve the April 23, 2007 conference call minutes.
- Motion approved (Bliss, Schwartz).

2. Reports of Officers and Committees

President's Report

Marsha suggested that we place volunteer sign-up forms on all the tables at the June Dinner as another way to recruit volunteers; we will try this and see what kind of response we get.

We discussed ways to promote the new Union List. We had talked earlier of trying to promote it at the June Dinner since it will be newly launched at that point. A demonstration does not seem feasible at the dinner, however. Perhaps we can do that at some of the educational meetings. Another suggestion was to host a WebEx/Webinar in the fall so that interested parties could see how it works.

As in years past, there will be a Joint LLAGNY-NJLLA-ALLUNY Reception at AALL. DIALOG is sponsoring and has agreed to email the chapter members with a PDF invitation.

Marsha reported that the Student Breakfast had around 14 attendees, mostly from CUNY. They were enthused and asked good questions. She noted that we should encourage our scholarship recipients to get involved with the Student Relations Committee.

Marsha would like to have the names of all volunteers and committee reports in by June 1 if possible.



Treasurer's Report

Nuchine was away part of the month and was unable to provide a Treasurer's Report for this meeting.

Secretary's Report on Election

Kit read the teller's report for the election to the Board; a copy will be kept with the official file of the Board Minutes. The winning candidates are:

Vice-President/President-Elect: Jeff Cohan Secretary: Sarah Kagen Two-year Board Member: Kathryn McRae Two-year Board Member: Bill Mills One-year Board Member: Sarah Dowson

Kit and Nominations Chair Mary Matuszak each submitted reports to the Board regarding the new electronic election format and the process of recruiting candidates. The electronic platform reduced expenses and we got a bit better response than with the paper ballot. The Board discussed ways to encourage newer members to become active in the organization on the committee level and to run for Board positions.

Grants & Scholarships

Marsha reported on behalf of the Grants & Scholarships Committee. Last year, we agreed to provide at least two Type 2 Scholarships of \$2,000 each, one Type 1 Scholarship of \$1,000 and two grants of \$500 each. We have more money this year due to the number of memorial contributions for Helen Lawless and Sara Robbins and vendor contributions. Based on the money we have and the number of applications received, the committee proposes that we give two Type 2 Scholarships, three Type 1 Scholarships and two grants. One of the grants will go to an attendee of the Northeast Regional Conference in October.

- Motion to authorize the Scholarships & Grants Committee to offer two Type 2 Scholarships of \$2,000 each, three Type 1 Scholarships of \$1,000 each and two Grants of \$500 each, with one of the grants for attendance at AALL and the other for attendance at the Northeast Regional Conference.
- Motion approved (Bliss, Monaco).

Education

In Tom's absence, Marsha reported that there had been a member inquiry about whether non-LLAGNY members could attend the Tax Program being offered in late May. After discussion, it was agreed that since the educational programming is a major benefit of membership, we do not want a non-member taking a slot from a member, so we could offer a place to a nonmember after a RSVP cut-off date. It was agreed that the program coordinator could keep a wait list of non-members and offer them spots on a first-come, first-served basis and that we would not charge a non-member to attend.

Government Relations

We have been asked by AALL send a letter of support to Senators Reid and McConnell for S. 849, the OPEN Government Act of 2007, which seeks to improve the Freedom of Information Act. A sample letter has been provided and Laird Ehlert is willing to send it on LLAGNY's behalf once we agree.

- Motion to send a letter of support for S. 849 on behalf of LLAGNY.
- Motion approved (Kreilick, Bliss).



Outreach Programs

Ralph distributed his report on the Bridge the Gap Program this year to the Board. The cost to LLAGNY was \$569.00 after all the expenses were paid. The committee has already made arrangements with the NYC Bar Assn. to host the program again next year on March 28, 2008.

3. Unfinished Business

Darcy Kirk Visit

Ralph has devised a list of possible restaurants for our dinner with AALL Board representative Darcy Kirk, following the June Board meeting. Other suggestions were made by the group. Ralph will check group seating options and menus for Battery Gardens, Fraunces Tavern, Michael's on Broadway and Harry's on Hanover Square. We will cover our own cost and LLAGNY will pay for Darcy Kirk. It was agreed that we will meet early so we can move on to dinner by 7:00 p.m. The June Board meeting will begin at 5:00 p.m. at New York Law Institute.

Marsha asked if there were any volunteers from the Board who could arrange library tours for Darcy during her visit, and help shepherd her around to the various libraries. Kit and Nuchine volunteered.

AALL Exhibits Area Table

We discussed how to handle the setup and staffing of our table in the AALL Exhibits area in New Orleans during the conference. Since we have not gotten much response from the Volunteers Committee, Andrew agreed to take responsibility for organizing and staffing the table. It was suggested that we do an IPOD Shuffle raffle and can vote to approve the cost at the June meeting. We still have some leftover lanyards and can make those available along with the binder of *Law Lines* printed in color and some black and white copies for distribution. Heidi agreed to take care of making the copies of *Law Lines*, and will get raffle tickets and make a box for them. We can also include some volunteer flyers.

Membership Renewals

Our membership renewals have been processed and mailed by AALL; everyone should receive a renewal invoice soon.

4. New Business

Leadership Training

Marsha urged the Board to consider moving up Leadership Training for the new committee chairs and officers so that everyone can hit the ground running in September instead of October. She would like to try having the training in late June or early July, with a possible follow-up session in early September for those who are not available in the summer. This proposal generated a fair amount of discussion, but the majority of the group felt it was worth trying. It was agreed that the target date would be June 27, location to be determined.

The meeting adjourned at approximately 8:10 p.m.

Respectfully submitted, Kit Kreilick, LLAGNY Secretary

LLAGNY BOARD CONFERENCE CALL MINUTES (CORRECTED) Monday, May 17, 2007 4:30 p.m.

Members Present: Heidi Bliss, Elaine Egan, Kit Kreilick, Ralph Monaco, Marsha Pront (presiding), and Andrew Tschinkel

The meeting convened at approximately 4:35 p.m.



1. June Dinner

Debevoise would like to invite three members of the Lawless family to the June Dinner since we are announcing the memorial scholarship winners. They are willing to pay the member price for the three guests.

- Motion to allow Debevoise to invite three members of the Lawless family to the LLAGNY June Dinner at the member price.
- Motion approved (Bliss, Kreilick).

A similar question was raised about whether staff members who are not LLAGNY members might be allowed to attend the June Dinner, and if so, at what price? After discussion, it was agreed that LLAGNY events are part of the benefits of membership and should be limited to LLAGNY members. Non-members will only be allowed to attend by special invitation. Marsha will add this to the policy section of the Leadership Manual.

2. <u>Northeast Regional Law Libraries Meeting</u> <u>Grant Flyer and Application Form</u>

The Board reviewed the grant flyer and application form submitted by the Grants and Scholarships Committee.

One spelling correction was made to the flyer.

- Motion to approve flyer as revised.
- Motion approved (Bliss, Kreilick).

A few wording changes were suggested for the grant criteria portion of the application.

- Motion to approve the grant application as revised.
- Motion approved (Kreilick, Egan).
- 3. Union List

The Union List Committee was concerned that LLAGNY would have to start paying for the entry of holdings once the new list is launched on June 1. However, the pressure is off for the moment, because SIMA has agreed to do free holdings data entry for all the libraries that have committed to participate so far. We will still need to nag those who have not yet submitted holdings to do so and should consider some kind of deadline at which time free holdings entry would end—perhaps the end of August. This might encourage libraries to add their holdings.

Marsha had circulated the proposed text of an email announcement about the new Union List launch on June 1. The Board had no suggestions for changes.

4. <u>Update on dinner following June Board</u> <u>meeting</u>

Ralph reported that some of the initial restaurant suggestions did not work out for one reason or another. Fraunces Tavern charges \$200 for a private room; it was agreed that if they could otherwise accommodate a party of 15 or so, we didn't need the private room. Ralph was asked to be sure they could provide vegetarian entrees. Another restaurant was suggested and Ralph will check it out.

The meeting adjourned at approximately 5:00 p.m.

Respectfully submitted, Kit Kreilick, LLAGNY Secretary



Minutes of the LLAGNY Board Meeting June 12, 2007 New York Law Institute

In attendance:

Heidi Bliss, Tom Eikenbrod, Kit Kreilick, Ralph Monaco, Nuchine Nobari, Marsha Pront, Bonnie Fox Schwartz, Andrew Tschinkel; plus AALL Board Representative Darcy Kirk, and Incoming Board members: Jeff Cohan, Sarah Dowson, Sarah Kagen, Bill Mills and Kathryn McRae

The meeting convened at approximately 5:20 p.m.

1. Introductions

Marsha introduced AALL Secretary Darcy Kirk to the group and asked everyone to introduce themselves.

2. Approval of Minutes

Minutes of the May 8, 2007 Board Meeting and the May 17, 2007 meeting by conference call were distributed before the meeting via email.

The May 8, 2007 meeting minutes were reviewed first. Some changes to wording were suggested so that it would be clear that LLAGNY would pay for the AALL Representatives' dinner and board members would pay for themselves. A second change was offered to make it clear that an IPOD Shuffle raffle at our AALL Exhibits table was suggested but not yet agreed upon.

- Motion to approve the May 8, 2007 minutes as corrected.
- Motion approved (Bliss, Tschinkel)

Next the Board considered the minutes from the May 17, 2007 conference call meeting. Marsha noted that the second page header had the wrong date and should be corrected.

- Motion to approve the May 17, 2007 conference call minutes as corrected.
- Motion approved (Bliss, Monaco)
- 3. Reports of Officers and Committees

President's Report

Marsha announced that we have 310 attendees coming for the June Dinner, which is a new record! It will be a tight squeeze, but we will have three tables for the Board and a table for Debevoise and their guests, the family of Helen Lawless, up front.

The printing of the June Dinner Program and Annual Report cost \$350.00. Marsha will try to get her firm to cover the cost, but if they will not, she would like approval for a reimbursement to Heller Ehrman for the cost.

- Motion to approve a \$350.00 reimbursement of Heller Ehrman for the printing of the June Dinner Program and Annual Report, if the cost is not absorbed by the firm.
- Motion approved. (Bliss, Kreilick)

Treasurer's Report

Nuchine distributed a current financial summary from QuickBooks (see separate PDF) and explained a bit about how the new platform works and the many options it offers. One possibility is that some committee chairs that collect payments (e.g., Special Events, Outreach Programs) could enter them directly into the system, and then just forward the checks to Nuchine for deposit. We need to think about how to split out the categories we want for reports and how many licenses for access we need.

The board discussed ways we could use QuickBooks to improve our Membership Database and noted some of our problems



with AALL in the past few years for Darcy's benefit.

Nuchine recommended that we have our QuickBooks consultant import our membership list into QuickBooks for setting up mailing labels and tracking membership status. The cost would be approximately \$180.00. Marsha suggested that we table the matter until after Andrew has a chance to talk to AALL staff at the New Orleans conference, and save it for the new board. Andrew asked for a list of bullet points about our membership issues for his discussion with AALL.

Nuchine also requested approval of a reimbursement to the Treasurer for postage expenses required to acknowledge LLAGNY scholarship and grant donations; she estimates the expense to be about \$15.00.

- Motion to approve reimbursing the Treasurer for up to \$15.00 of postage expenses for the acknowledgement letters for LLAGNY donations.
- Motion approved (Tschinkel, Schwartz)

Activity Summary for the Year

Marsha then asked the current Board members to summarize the activities of their liaison committees this year for Darcy's benefit, and asked Andrew to recap their combined initiative to meet with representatives of the local library school programs. The intent of these library school visits was to educate the local programs about LLAGNY and the field of law librarianship, and to encourage further cooperation between the schools and LLAGNY. As a direct consequence, we had representatives from the Palmer School (LIU) exhibiting at this year's Bridge the Gap Program, and have received offers of space for our education programs from the three schools with a presence in Manhattan.

The rest of the board reported on the year's activity by a number of LLAGNY committees. Along with the outreach initiative to the local library schools, the year's highlights included:

- a large number of education programs, including an AALLsponsored program on Private Equity,
- an increase in corporate sponsorship due to earlier solicitation of support
- the launch of our new Electronic Union List of Serials,
- LLAGNY's first electronic ballot using the AALL Election system,
- an increase in the number of scholarships given and
- the first LLAGNY grant offered for a regional law library conference (the Northeastern Regional Meeting in Toronto).

4. Unfinished Business

LLAGNY Table at AALL Annual Conference in New Orleans

We had discussed raffling off IPOD Shuffles at our table this year to encourage visits, rather than buying a large number of cheaper tchotkes for giveaways. Andrew proposed that we raffle of a total of 4 IPOD Shuffles, two each on Sunday and Monday. After discussion it was agreed that one business card or entry blank would be accepted per person per day. Each day's drawing would be held at 4:30 p.m., and winners need not be present. We will announce the raffle on the LLAGNY and LawLib lists and in the conference newspaper. The cost is \$80.00 each, for a total of \$320.00.



- Motion to approve the purchase of 4 IPOD Shuffles at a cost of \$320.00, to be raffled off at our AALL Exhibits Table in New Orleans. Two shuffles will be given out on Sunday and two on Monday after a 4:30 p.m. drawing. One entry will be allowed per person per day, and winners need not be present at the drawing to win.
- Motion approved (Tschinkel, Eikenbrod)
- 5. New Business

Membership

We need to devise an acknowledgment and receipt form for donations to our Grants and Scholarships. Membership will create a receipt that can be mailed (or emailed) to donors.

METRO Purchase of LLAGNY Mailing List

METRO is interested in getting an updated copy of our mailing list. Marsha asked if we will agree to waive our usual mailing list fee, as we have done so for METRO before.

- Motion to waive the mailing list fee for METRO
- Motion approved (Kreilick, Bliss)

Thanks to President Marsha Pront

On behalf of the Board, Andrew presented Marsha with a lovely bracelet as thanks for all her hard work as LLAGNY President this year.

The meeting adjourned at approximately 6:50 p.m. so that we could enjoy a meal at Fraunces Tavern with Darcy Kirk.

Respectfully submitted, Kit Kreilick, LLAGNY Secretary





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