

BOARD OF ELECTIONS  
IN THE CITY OF NEW YORK

COMMISSIONERS' MEETING

42 Broadway - 6th floor  
Commissioners' Hearing Room

New York, NY 10004

March 17, 2020

1:35 - 1:55 p.m.

March 17, 2020

**PRESENT:**

President Patricia Anne Taylor

Commissioner Jose Araujo

Commissioner Tiffany Townsend

Commissioner Gino Marmorato

Commissioner Simon Shamoun

Commissioner Miguelina Camilo

Commissioner John Wm. Zaccone

Secretary Fredric M. Umane

Michael J. Ryan, Executive Director

Dawn Sandow, Deputy Executive Director

Pamela Perkins, Administrative Manager

Georgea Kontzamanis, Operations Manager

David Gugliemi, Personnel Director

Kenneth Moltner, Counsel to Commissioners

Steven Denkberg, Counsel to Commissioners

Steven Richman, General Counsel

Raphael Savino, Deputy General Counsel

1 March 17, 2020

2 (The meeting commenced at 1:35 p.m.)

3 MR. MICHAEL J. RYAN: To the rules for  
4 open and public meetings, and we are in fact  
5 meeting in accordance with those rules. The one  
6 modification that I do want to bring to  
7 everyone's attention is by excluding the public,  
8 which is permissible under the governor's rules,  
9 we must also at a later moment, provide a  
10 transcript of these proceedings, although no  
11 timeframe has been set for the publication of  
12 that transcript. So there's a couple of different  
13 ways that we could do it. I know that we're a  
14 little bit freeform with our meetings, but  
15 perhaps we can say what we have to say and then  
16 do a roll call of the commissioners one at a  
17 time, so that any statements or directives can be  
18 properly recorded ultimately and attributed to  
19 the particular commissioner. I think that's the  
20 best way that we could do it under the  
21 circumstances.

22 COMMISSIONER SIMON SHAMOUN: Thanks,  
23 Commissioner Shamoun, how are you?

24 MR. RYAN: Okay. Commissioner Shamoun,

1           March 17, 2020  
2           did, you just joined, so what, I will repeat.  
3           Under the executive order, we have to keep a  
4           transcript, we have to produce a transcript of  
5           these proceedings at some point at a later date,  
6           so rather than the typical freeform meeting that  
7           we have that's much more interactive, we'll say  
8           what we have to say and then we'll do a roll call  
9           of the commissioners to get their particular  
10          input in that moment. And then at the end, we'll  
11          do a roll call to see if there's any  
12          commissioners that have other comments that  
13          weren't addressed in the meeting. And I will  
14          expect that we'll have quite a bit to discuss in  
15          executive session as well. So --

16                   COMMISSIONER SHAMOUN: Thank you.

17                   MR. RYAN: -- the first one is easy  
18                   enough. We have minutes.

19                   PRESIDENT PATRICIA ANNE TAYLOR: Mr.  
20                   Ryan?

21                   MR. RYAN: Yes.

22                   PRESIDENT TAYLOR: Are you calling the  
23                   meeting to order?

24                   MR. RYAN: Well, I mean --

1 March 17, 2020

2 PRESIDENT TAYLOR: Or am I?

3 MR. RYAN: You can. I mean there's a  
4 certain formality I suppose that still must be  
5 adhered to, so I was going to get right into the  
6 agenda, but if you prefer to call it to order,  
7 Madam President, please do.

8 PRESIDENT TAYLOR: What I did want to  
9 ask is, are we being broadcast as normally?

10 MR. RYAN: Yes. Everything else is  
11 happening the way it normally happens. The  
12 meeting is being recorded the way it's normally  
13 recorded, with the exception that people aren't  
14 physically here. We have closed -- go ahead.

15 PRESIDENT TAYLOR: In which case, we  
16 need to probably open the meeting and have  
17 formally introduce themselves. We decided earlier  
18 that it would be done by a roll call --

19 MR. RYAN: Which --

20 PRESIDENT TAYLOR: By myself.

21 MR. RYAN: Okay.

22 PRESIDENT TAYLOR: And, of course, since  
23 the executive staff are present, then I don't  
24 need to include you on the roll call. You can

1 March 17, 2020

2 simply [unintelligible] [00:03:19], that's normal  
3 of you.

4 MR. RYAN: Right. I just thought that  
5 that would be easier from here, since we have a  
6 better, clearer view of who all's present. But  
7 you can certainly take it away if you'd like,  
8 Madam President.

9 PRESIDENT TAYLOR: Well, I simply  
10 thought that we should, as we normally do --

11 MS. GEORGEA KONTZAMANIS: Okay.

12 MS. PAMELA PERKINS: Okay, Madam  
13 President.

14 MR. RYAN: Yes. So, that's fine.

15 PRESIDENT TAYLOR: And welcome to the  
16 March 17, 2020 meeting of the Board of Elections  
17 in New York City. I call this meeting to order.  
18 The time is 1:42 p.m. My name is Patricia Ann  
19 Taylor. I'm the Democratic commissioner for  
20 Richmond County and the president of the board  
21 for the year 2020. I would now ask that each  
22 commissioner identify him or herself for the  
23 record in response to my roll call, and then  
24 continue with the introduction of staff members

1 March 17, 2020

2 by themselves. Commissioner Jose Araujo?

3 COMMISSIONER ARAUJO: Present.

4 PRESIDENT TAYLOR: Commissioner  
5 Miguelina Camilo?

6 COMMISSIONER MIGUELINA CAMILO: Present.

7 PRESIDENT TAYLOR: Commissioner Gino  
8 Marmorato?

9 COMMISSIONER MARMORATO: Present.

10 PRESIDENT TAYLOR: Commissioner Simon  
11 Shamoun?

12 COMMISSIONER SHAMOUN: Present, thank  
13 you.

14 PRESIDENT TAYLOR: Commissioner Tiffany  
15 Townsend? Commissioner Townsend?

16 MR. RYAN: Commissioner Townsend is  
17 visible but we can't hear her.

18 PRESIDENT TAYLOR: I know she's present,  
19 but she must not have her mic --

20 MS. PERKINS: She's muted.

21 PRESIDENT TAYLOR: -- turned on.

22 MR. RYAN: Correct. She's --

23 PRESIDENT TAYLOR: Commissioner John  
24 Zacccone?

1 March 17, 2020

2 COMMISSIONER JOHN WM. ZACCONE: Present.

3 COMMISSIONER TAYLOR: And secretary to  
4 the board, Frederic Umane.

5 SECRETARY FREDERIC M. UMANE: I'm here.

6 PRESIDENT TAYLOR: Executive staff?

7 MR. RYAN: Yes, Michael Ryan, executive  
8 director.

9 MS. DAWN SANDOW: Dawn Sandow, deputy  
10 executive director.

11 MS. PERKINS: Pamela Perkins,  
12 administrative manager.

13 MS. KONTZAMANIS: Georgea Kontzamanis,  
14 operations manager.

15 MR. RAPHAEL SAVINO: Raphael Savino,  
16 deputy general counsel.

17 MR. STEVEN GUGLIEMI: Steve Gugliemi,  
18 director of personnel.

19 MR. STEVEN RICHMAN: And Steven Richman  
20 on the phone.

21 MR. KENNETH MOLTNER: Kenneth Moltner,  
22 counsel to commissioners.

23 MR. STEVEN DENKBERG, counsel to  
24 commissioners.



1 March 17, 2020

2 MR. RYAN: Alright. And just, I would  
3 remind everyone to please keep their devices on  
4 mute until such time as they're ready to speak so  
5 that we can avoid any background noise. Tech  
6 savvy Commissioner Townsend was able to type in  
7 that she is present and asked if we could hear  
8 her. The answer before was no, Commissioner  
9 Townsend, so you can you speak --

10 COMMISSIONER TOWNSEND: Can you hear me  
11 now?

12 MR. RYAN: Yes, we can.

13 COMMISSIONER TOWNSEND: Okay. Great.

14 PRESIDENT TAYLOR: I would like to  
15 remind personals also that we must be mindful of  
16 our environment, because if you're not on mute,  
17 your sound is going to go out, so your cell phone  
18 should be on mute if it's near where you are  
19 sitting, whether or not you are in the boardroom  
20 or some other location. The first item on the  
21 agenda I believe is minutes. Do we have a quorum  
22 to do any of the minutes that are listed? The one  
23 that I have first is -- is it still February  
24 18th?

1 March 17, 2020

2 MR. RYAN: Yes.

3 PRESIDENT TAYLOR: Has everyone had an  
4 opportunity to review those minutes? I will  
5 accept a motion to accept the minutes as written  
6 if there are no corrections. As so moved. Can I  
7 get a second?

8 COMMISSIONER CAMILO: Second.

9 PRESIDENT TAYLOR: All those in favor?

10 COMMISSIONER ARAUJO: Aye.

11 COMMISSIONER TOWNSEND: Aye.

12 COMMISSIONER SHAMOUN: Aye.

13 COMMISSIONER CAMILO: Aye.

14 COMMISSIONER ZACCONE: Aye.

15 SECRETARY UMANE: Aye.

16 PRESIDENT TAYLOR: Those opposed? Any  
17 abstentions? Hearing none, the minutes of  
18 February 18th are accepted as written. We also  
19 have minutes of February 25th, is that correct?

20 MR. RYAN: Commissioner Taylor, I  
21 believe there was an attempted abstention to that  
22 last motion.

23 PRESIDENT TAYLOR: I'm so sorry, I  
24 didn't hear it.

1 March 17, 2020

2 MR. RYAN: No, I know, it's --

3 PRESIDENT TAYLOR: Who --

4 MS. SANDOW: You've got to give it a  
5 minute, because there's a delay.

6 MR. RYAN: Commissioner Marmorato was I  
7 believe not, not a commissioner at the time that  
8 that meeting occurred.

9 COMMISSIONER MARMORATO: Yes.

10 PRESIDENT TAYLOR: Ah, yes, that make  
11 sense.

12 COMMISSIONER MARMORATO: Sorry, I  
13 abstained, but my microphone was on mute. I'll  
14 unmute it so that you can hear me.

15 MR. RYAN: Alright.

16 PRESIDENT TAYLOR: Thank you.

17 MR. RYAN: And I think we'll all get  
18 used to the cadence of this, but we've kind of --  
19 it is on a little bit of a delay. So we can't go  
20 right into the next thing. We've kind of just got  
21 to take a little bit of a step back.

22 PRESIDENT TAYLOR: I will take care.

23 MR. RYAN: Okay. Thank you.

24 PRESIDENT TAYLOR: Moving forward to the

1 March 17, 2020

2 minutes of February 25th, I motion to accept the  
3 minutes as written unless there are corrections.  
4 All those in favor?

5 COMMISSIONER ARAUJO: Aye.

6 COMMISSIONER TOWNSEND: Aye.

7 COMMISSIONER SHAMOUN: Aye.

8 COMMISSIONER CAMILO: Aye.

9 COMMISSIONER ZACCONE: Aye.

10 SECRETARY UMANE: Aye.

11 PRESIDENT TAYLOR: Those opposed?

12 Abstentions?

13 COMMISSIONER MARMORATO: Commissioner  
14 Marmorato abstain.

15 PRESIDENT TAYLOR: Thank you. Minutes  
16 are carried, or accepted as written, one  
17 abstention. The minutes of March 3rd, are there  
18 any corrections or changes? I move to accept the  
19 minutes as written.

20 COMMISSIONER SHAMOUN: Second.

21 PRESIDENT TAYLOR: I suppose I can still  
22 make the motion even though I won't be able to  
23 vote, or should I not make the motion?

24 MS. SANDOW: Yeah, she can make the

1 March 17, 2020

2 motion.

3 MR. RYAN: You can make the motion,  
4 commissioner.

5 PRESIDENT TAYLOR: Okay. I move that the  
6 minutes of March 3rd be accepted as written.

7 COMMISSIONER SHAMOUN: Second.

8 PRESIDENT TAYLOR: Did someone second?

9 COMMISSIONER SHAMOUN: Second.

10 PRESIDENT TAYLOR: All those in favor?

11 COMMISSIONER ARAUJO: Aye.

12 COMMISSIONER TOWNSEND: Aye.

13 COMMISSIONER SHAMOUN: Aye.

14 COMMISSIONER CAMILO: Aye.

15 COMMISSIONER ZACCONE: Aye.

16 SECRETARY UMANE: Aye.

17 PRESIDENT TAYLOR: Those opposed?

18 Abstentions?

19 COMMISSIONER MARMORATO: Commissioner  
20 Marmorato abstaining.

21 PRESIDENT TAYLOR: I understand. And I,  
22 Commissioner Taylor also abstain.

23 MR. RYAN: So the motion does not carry.

24 PRESIDENT TAYLOR: Yeah, but they can --

1 March 17, 2020

2 MS. SANDOW: Didn't we [unintelligible]  
3 [00:09:12] that resolution that --

4 MR. RYAN: Right. But that is also true.  
5 We do have that continuing resolution that was  
6 proposed by Commissioner Umane where a lesser  
7 portion of the commissioners can act, so under  
8 those circumstances, I stand corrected, that the  
9 motion does carry, but not n the usual way.

10 PRESIDENT TAYLOR: Thank you,  
11 Commissioner Umane. So the motion is carried.  
12 Let's see, the next thing on the agenda I believe  
13 is calling for Executive Director Ryan to update  
14 us on certain matters.

15 MR. RYAN: Yes. So, we have 2A and we're  
16 going to add a 2B which is the approval of the  
17 early voting poll sites, which was previously  
18 shared with the commissioners and by borough  
19 staff and it is a pro forma approval I believe in  
20 that the sites were already published to the  
21 website as required by law yesterday.

22 MS. SANDOW: And both commissioners and  
23 the borough --

24 MR. RYAN: And the borough commissioners

1 March 17, 2020

2 committees have approved. So if you want to move  
3 forward with that, commissioner and ask for a  
4 motion on that, the poll sites, which would be  
5 2B, we can do that.

6 PRESIDENT TAYLOR: I will then ask for a  
7 motion to accept the borough early voting sites  
8 in all the boroughs as has been published on the  
9 website. So moved.

10 COMMISSIONER ARAUJO: So moved.

11 PRESIDENT TAYLOR: Thank you.

12 COMMISSIONER TOWNSEND: Second.

13 PRESIDENT TAYLOR: So moved Commissioner  
14 Araujo, is that you?

15 COMMISSIONER ARAUJO: Yes.

16 PRESIDENT TAYLOR: Thank you. And second  
17 was? Commissioner Camilo?

18 COMMISSIONER CAMILO: I believe that was  
19 Commissioner Townsend, that second.

20 PRESIDENT TAYLOR: Commissioner  
21 Townsend?

22 COMMISSIONER TOWNSEND: Oh, no, sorry,  
23 that wasn't me, but --

24 PRESIDENT TAYLOR: Oh.

1 March 17, 2020

2 COMMISSIONER TOWNSEND: -- but I'm happy  
3 to second if you need it. [laughter]

4 PRESIDENT TAYLOR: All those in favor?

5 COMMISSIONER ARAUJO: Aye.

6 COMMISSIONER TOWNSEND: Aye.

7 COMMISSIONER MARMORATO: Aye.

8 COMMISSIONER SHAMOUN: Aye.

9 COMMISSIONER CAMILO: Aye.

10 COMMISSIONER ZACCONE: Aye.

11 SECRETARY UMANE: Aye.

12 PRESIDENT TAYLOR: Opposed? Abstentions?  
13 Hearing none, the motion carries.

14 MR. RYAN: Okay. And the next item,  
15 which is item 2A, is the approval for the early  
16 voting hours, which are the same hours that were  
17 approved for early voting for the Queens special  
18 election that was underway until its recent  
19 postponement/cancellation. I can, they've already  
20 been published, I can go through them if the  
21 commissioners deem it necessary. Otherwise, we  
22 can simply vote on them and then publish them to  
23 the website as well.

24 COMMISSIONER ARAUJO: Publish to the



1 March 17, 2020

2 website.

3 MS. KONTZAMANIS: They are published.

4 COMMISSIONER ZACCONE: Second.

5 MS. SANDOW: They were approved already  
6 by the borough commissioners.

7 MR. RYAN: Yeah.

8 PRESIDENT TAYLOR: It's been moved and  
9 seconded, all those in favor?

10 COMMISSIONER ARAUJO: Aye.

11 COMMISSIONER TOWNSEND: Aye.

12 COMMISSIONER MARMORATO: Aye.

13 COMMISSIONER SHAMOUN: Aye.

14 COMMISSIONER CAMILO: Aye.

15 COMMISSIONER ZACCONE: Aye.

16 SECRETARY UMANE: Aye.

17 PRESIDENT TAYLOR: Those opposed?

18 Abstentions? None, the motion is carried. Thank  
19 you.

20 MR. RYAN: And that concludes the formal  
21 business of the calendar and we can go into  
22 executive session, but I would like to say just  
23 for all of the commissioner's information, I know  
24 everyone's aware, but the Queens special election

1 March 17, 2020

2 was underway and early voting was in fact was  
3 conducted for two days, Saturday and Sunday this  
4 past weekend. And at the, after the conclusion of  
5 the early voting period on Sunday, we, the mayor  
6 had a press conference indicating that, that  
7 election was going to be postponed and/or  
8 canceled. We did get an executive order to that  
9 effect in writing, which I believe was  
10 circulated. And it is our expectation that at  
11 some point in the future, the mayor will  
12 rescheduled that election for a new date, as yet  
13 to be determined.

14 We have also received instructions,  
15 albeit in a very fluid dynamic and ever changing  
16 environment, we received instructions from the  
17 State Board of Elections that has been given out  
18 statewide that we are to continue to do our work  
19 to the best of our ability to comply with all  
20 relevant Election Law statutes until such time as  
21 things change.

22 We should also expect that things will  
23 continue to change and that we will continue to  
24 have to adapt to those changes.

1 March 17, 2020

2 PRESIDENT TAYLOR: Is there anything  
3 that we want to say in this meeting regarding the  
4 absentee ballots?

5 MR. RYAN: There is no change as yet  
6 with respect to absentee ballots, other than a  
7 refinement of what constitutes an illness, which  
8 should have been clear on its face, but they went  
9 forward and said that anyone who cannot be  
10 present due to all of the instructions associated  
11 with COVID-19 should be considered as absent by  
12 illness, although the state form is not changing  
13 in any way. So if someone cannot be present  
14 because they're absent by illness, based on all  
15 of the definitions that we know what that could  
16 mean, you know, publicly exposure to someone, the  
17 need to care for someone who's sick, all of that  
18 will be considered absent by illness. Now, that  
19 also said we have no mechanism under any  
20 circumstances, regular or otherwise, to audit a  
21 voter's representation. So if a voter represents  
22 that they are absent by illness and they check  
23 the box and swear to it with their signature that  
24 is how we will process it.

1 March 17, 2020

2 PRESIDENT TAYLOR: Mr. Ryan, is there  
3 any issue any commissioner wants to bring forward  
4 before we move to adjourn to executive session?

5 COMMISSIONER UMANE: Yeah, I'd just like  
6 to ask executive management to reach out to the  
7 two executives and ask them again, as we have  
8 done in the past, to try and give us as much of a  
9 heads up as to any of the executive orders as  
10 they feel that they can do so that it would give  
11 us an opportunity to be as prepared for any  
12 changes to the Election Law that they are  
13 considering and that perhaps they might even want  
14 the advice of some people who have some  
15 experience in running elections.

16 PRESIDENT TAYLOR: [unintelligible]  
17 [00:16:47].

18 MR. RYAN: So to be clear, over the  
19 weekend, actually it started on Friday, we did  
20 not conduct one today because we have a meeting  
21 with you all, but we have been having daily  
22 conference calls with the State Board of  
23 Elections. And they are updating us, not limited  
24 to the conference call, but those lines of

1 March 17, 2020

2 communication are open and vibrant. And that  
3 consultation, Commissioner Umare that you have  
4 suggested is underway and has been underway for  
5 days now.

6 Moreover, similar overtures have been  
7 made to both the mayor's office and the  
8 governor's office, including the counsel to the  
9 governor regarding as much advanced notice of  
10 changes as we can get. What we have been told  
11 under the circumstances is they appreciate the  
12 sensitivity and they also have a lot of  
13 considerations and balls in the air. We are  
14 hopeful that as changes come down the pike that  
15 we will get some advance notice before a Twitter  
16 notification or a press release, but we're in the  
17 mix. But we're also in very unique and  
18 challenging times. And at least, as I can see, I  
19 believe that those that we've had contact with  
20 and need to have contact with are doing the best  
21 that they can under the circumstances,  
22 acknowledging that, you know, things are changing  
23 hour by hour.

24 PRESIDENT TAYLOR: Commissioner Umare,

1 March 17, 2020

2 are you meaning that you want to be more in the  
3 loop in terms of what's going on?

4 COMMISSIONER UMANE: No, just as long as  
5 the agency is in the loop.

6 PRESIDENT TAYLOR: Okay.

7 COMMISSIONER UMANE: Some of the  
8 executives have a habit of doing things and not  
9 telling us, that's all.

10 PRESIDENT TAYLOR: Oh, the Board itself  
11 you mean.

12 COMMISSIONER UMANE: The Board itself.

13 PRESIDENT TAYLOR: Got you.

14 MR. RYAN: But --

15 PRESIDENT TAYLOR: Thank you.

16 MR. RYAN: Commissioner --

17 PRESIDENT TAYLOR: I will send --

18 MR. RYAN: -- Umane, I, I know that by  
19 executives, you mean executives not working for  
20 the Board of Elections?

21 COMMISSIONER UMANE: Yes, that's what I  
22 meant.

23 MR. RYAN: Right, I know. Just for  
24 clarity, thank you. So that --

1 March 17, 2020

2 PRESIDENT TAYLOR: Motion to adjourn?

3 MR. RYAN: Yes. And then everyone has  
4 the dial in number?

5 COMMISSIONER CAMILO: Yes.

6 COMMISSIONER TOWNSEND: Yes.

7 COMMISSIONER ZACCONE: Now, this is for  
8 executive session for personnel and litigation  
9 matters, correct?

10 MR. RYAN: Yes.

11 PRESIDENT TAYLOR: Correct.

12 COMMISSIONER ZACCONE: Thank you. I just  
13 wanted it for the record.

14 PRESIDENT TAYLOR: Motion.

15 MR. RYAN: We have to go upstairs.

16 COMMISSIONER ZACCONE: So moved.

17 COMMISSIONER UMANE: Second.

18 MR. RYAN: Alright. And we have to go  
19 upstairs, because of the potential set up for  
20 petitions here. So if you could just give us a  
21 couple of minutes to gather our stuff and get up  
22 to the conference room, and then we'll come back  
23 down afterwards to sign off the meeting.

24 PRESIDENT TAYLOR: So we are calling

1 March 17, 2020

2 into a number which will ring upstairs?

3 MS. JENKINS: Yes.

4 MS. KONTZAMANIS: Call in in ten  
5 minutes.

6 MR. RYAN: Well, no, it doesn't ring  
7 anywhere. It's a remote dial in, so you guys can  
8 call in, but we've got to get upstairs and put  
9 the host code in.

10 PRESIDENT TAYLOR: Oh, okay. And then  
11 afterwards, we will come back downstairs to  
12 adjourn the meeting?

13 MR. RYAN: Correct.

14 MS. JENKINS: Yes, ma'am.

15 MR. RYAN: That is correct.

16 PRESIDENT TAYLOR: Thank you so much.

17 MR. RYAN: Alright. Thank you.

18 PRESIDENT TAYLOR: Thank you.

19 [OFF THE RECORD]

20 [ON THE RECORD]

21 PRESIDENT TAYLOR: What I said was we  
22 are reconvened from our executive session. There  
23 are no personnel matters to report. We will meet  
24 again on Tuesday of next week, which would be



1 March 17, 2020

2 March 24th at 1:30 p.m. and then I asked for a  
3 motion to adjourn, which Commissioner Zaccone  
4 gave. I could hear that.

5 MR. RYAN: Okay.

6 PRESIDENT TAYLOR: And basically, that  
7 was it.

8 MR. RYAN: Okay. Perfect. I'll take you  
9 off speaker phone now, and we'll consider the  
10 meeting adjourned.

11 PRESIDENT TAYLOR: Thank you.

12 MR. RYAN: Thank you.

13 (The meeting concluded at 1:55 p.m.)

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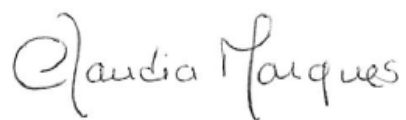
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CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board of Elections in The City of New York on March 17, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



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Date: January 18, 2021

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