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UNITED STATES INTERNATIONAL TRADE COMMISSION WASHINGTON, D.C.

In the Matter of)		
)		
CERTAIN DEVICES WITH)		
SECURE COMMUNICATION)	Investigation No. 33	7-TA-858
CAPABILITIES, COMPONENTS)		
THEREOF, AND PRODUCTS)		
CONTAINING THE SAME)		
)		

DEPOSITION OF INTERNET ENGINEERING TASK FORCE

THROUGH ITS DESIGNATED REPRESENTATIVE, SANDY GINOZA

FRIDAY, FEBRUARY 8, 2013

LOS ANGELES, CALIFORNIA

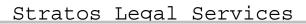
Reported By:
Lindsay Pinkham, CSR 3716, CCRR

Stratos Legal Services



Page 2		Page 4
Deposition of INTERNET ENGINEERING TASK FORCE,	1 INDEX	
2 THROUGH ITS DESIGNATED REPRESENTATIVE SANDY GINOZA, 3 taken on behalf of Respondent APPLE INC., commencing at	2 Examination Page	
4 8:57 a.m., Friday, February 8, 2013, at 750 North Nash 5 Street, El Segundo, California 90245, before LINDSAY	By Ms. Peschel 8	
6 PINKHAM, CSR 3716, CCRR.	4 By Ms. Greskowiak 50	
7 8 APPEARANCES OF COUNSEL:	5	
9 For Complainant VIRNETX, INC.: 10 MCKOOL SMITH P.C.	7 8	
BY: STACIE GRESKOWIAK, ESQ.	RESPONDENT'S EXHIBITS	
11 1999 K Street, N.W. Suite 600	9 No. 1 Subpoena Ad Testificandum 14	
12 Washington, D.C. 20006 (202) 370-8300	No. 2 Subpoena Duces Tecum 15	
13 sgreskowiak@mckoolsmith.com	No. 3 Document entitled "Declaration of the 16	
(Via Speakerphone)	12 RFC Publisher for the Internet	
15 For Complainant SCIENCE APPLICATIONS INTERNATIONAL CORPORATION:	Engineering Task Force, an Organized Activity of the Internet Society"	
16	14 No. 4 Document entitled "The Tao of IETF: 18 A Novice's Guide to the Internet	
URRABAZO LAW, P.C. 17 BY: LARA PETREDIS, ESQ.	15 Engineering Task Force" 16 No. 5 RFC 1034, 337-TA-858-IETF00022 thru 20	
2029 Century Park East 18 14th Floor	00073	
Los Angeles, California 90067	No. 6 RFC 1035, 337-TA-858-IETF00074 thru 22	
19 (310) 388-9099 lpetredis@ulawpc.com	19	
20	No. 7 RFC 1123, 337-TA-858-IETF00241 thru 23 20 00337	
22 WILLIAMS, MORGAN & AMERSON, P.C.	21 No. 8 RFC 1631, 337-TA-858-IETF00345 thru 25 00354	
BY: LEISA TALBERT PESCHEL, PH.D., ESQ. 10333 Richmond	22 No. 9 RFC 1889, 337-TA-858-IETF00541 thru 27	
Suite 1100	23 00611	
(713) 934-4096	24 No. 10 RFC 2052, 337-TA-858-IETF00715 thru 29 00724	
25 lpeschel@wmalaw.com	25	
Page 3		Page 5
1 APPEARANCES, CONTINUED:	1 INDEX, CONTINUED: 2	
For the Deponent INTERNET ENGINEERING TASK FORCE:	No. 11 RFC 2065, 337-TA-858-IETF00725 thru 30	
3	3 00763 4 No. 12 RFC 2131, 337-TA-858-IETF00764 thru 32	
THOMPSON HINE LLP 4 BY: MATTHEW D. RIDINGS, ESO.	00806 5	
3900 Key Center	No. 13 RFC 2167, 337-TA-858-IETF02137 thru 34	
5 127 Public Square	6 02196 7 No. 14 RFC 2230, 337-TA-858-IETF00880 thru 36	
Cleveland, Ohio 44114 6 (216) 566-5561	00890	
matt.ridings@thompsonhine.com	No. 15 RFC 2246, 337-TA-858-IETF00891 thru 37	
7	9 00965 10 No. 16 RFC 2401, 337-TA-858-IETF01122 thru 3	
8 Also Present: 9 PHIL MAZO, VIDEOGRAPHER	01183	
10	No. 17 RFC 2535, 337-TA-858-IETF01574 thru 40	
11	12 01617 13 No. 18 RFC 2459, 337-TA-858-IETF01485 thru 42	
12 13	01557	
14	14 No. 19 RFC 2543, 337-TA-858-IETF01647 thru 45	
15	15 01789 16 No. 20 RFC 882, 337-TA-858-IETF02034 thru 46	
16 17	02063	
18	17 No. 21 RFC 883, 337-TA-858-IETF02064 thru 48	
19	18 02136	
20 21	19 20	
22	21 (None)	
23	22 23 QUESTIONS WITNESS INSTRUCTED NOT TO ANSWER	
24 25	24 (None) 25	

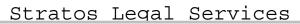
2 (Pages 2 to 5)





	Page 6		Page 8
1	EL SEGUNDO, CALIFORNIA; FRIDAY, FEBRUARY 8, 2013	1	EXAMINATION
2	8:57 A.M.	2	BY MS. PESCHEL:
3		3	Q Ms. Ginoza, have you ever had your deposition
4	THE VIDEOGRAPHER: We are on the record at 8:57	4	taken before?
5	a.m. This is the videotaped deposition of Sandy Ginoza,	5	A No.
6	representing the Internet Engineering Task Force in the	6	MS. GRESKOWIAK: I'm sorry. Could you speak
7	matter of Certain Devices With Security Communication	7	up? It's hard to hear.
8	Capabilities, Components Thereof, and Products	8	MS. PESCHEL: Sure.
9	Containing the Same, in Investigation No. 337-TA-858.	9	Q Have you ever had your deposition taken before?
10	This deposition is being held at Hyatt Place, 750	10	A No.
11	North Nash Street, El Segundo, California, 90245, on	11	Q So in the beginning, I'm just going to go
12	February 8, 2013.	12	through a series of questions to kind of get us on the
13	My name is Phil Mazo, and I am the	13	same page about the deposition.
14	videographer. I am present on behalf of Stratos Legal.	14	A Okay.
15	The court reporter is Lindsay Pinkham, also present on	15	Q You understand that the court reporter's here
16	behalf of the Stratos Legal.	16	to take down what you say?
17	Counsel will now state their appearances and	17	A Yes.
18	firm affiliation for the record.	18	Q And that any answers that you give need to be
19	MS. PESCHEL: Leisa Talbert Peschel, Williams,	19	spoken out loud rather than a nod?
20	Morgan & Amerson, on behalf of Apple Inc.	20	A Okay.
21	MS. PETREDIS: Lara Petredis, Urrabazo Law,	21	Q So that she can take that down?
22	P.C., on behalf of SAIC.	22	A Yes.
23	MR. RIDINGS: Matt Ridings from Thompson Hine	23	Q I'm going to try my best not to talk over you,
24	on behalf of IETF.	24	and I would ask you to agree not to do the same.
25	And I'd also like to note before we get started	25	A Okay.
	Page 7		Page 9
1	for the record that about an hour ago I received a	1	Q I try to ask very clear questions, but
2	number of exhibits from counsel for VirnetX, including	2	sometimes I don't succeed. Will you agree to let me
3	some exhibits that IETF has not produced in respond to	3	know if you don't understand what I'm asking?
4	the subpoena.	4	A Yes.
5	I have not had a chance to review these	5	Q Will you also agree to let me know if the
6	exhibits, the deponent has not had a chance to review	6	answer you're giving is a guess or an estimate?
7	these exhibits, and frankly, as a matter of professional	7	A Yes.
8	courtesy, I really don't appreciate receiving these an	8	Q And can I assume that if you don't qualify your
9	hour before the deposition. I don't think it's	9	answer as a guess or an estimate, that it is not a guess
10	appropriate. And we'll deal with those when we get	10	or an estimate?
11	there. But I just want to note that for the record.	11	A Yes.
12	THE VIDEOGRAPHER: Counsel on the phone?	12	Q Will you agree to let me know if later in the
13	MS. GRESKOWIAK: This is Stacie Greskowiak on	13	deposition you need to change an answer you gave
14	behalf of complainant VirnetX, Inc.	14	previously, if you think of something additional?
15	THE VIDEOGRAPHER: Will the court reporter	15	A Sure.
16	please swear in the witness.	16	Q About every hour we'll probably take a short
17		17	break. If for any reason you need a break sooner than
18	INTERNET ENGINEERING TASK FORCE, THROUGH	18	that, will you just let me know?
19	ITS DESIGNATED REPRESENTATIVE, SANDY GINOZA	19	A Sure.
20	having been first duly sworn,	20	Q And are you feeling okay today?
21	was examined and testified as follows:	21	A Yes.
22		22	Q There's nothing physically that would prevent
23	THE VIDEOGRAPHER: We may proceed.	23	you from giving truthful and accurate testimony?
	///	24	A No.
24	///	25	11 110.

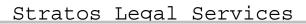
3 (Pages 6 to 9)





prevent you from giving truthful or accurate testimony? A No. Q Do you have any questions so far? A No. Q And you understand that you're here today testifying on behalf of the Internet Engineering Task Force? A Yes. Q And that your answers are given on behalf of the EIFF. A Yes. Q And that your answers are given on behalf of the EIFF. A Yes. Q And you understand when I refer to "IETI", that I merferring to the Internet Engineering Task Force? A A Van. Q If you need to give an answer on a personal basks; polar content of the San A Chay. Q If you need to give an answer on a personal basks; please qualify your answer as such. A Okay. Q If you need to give an answer on a personal personally, unless I specifically address it to you personally. Q Province of the Ner Content of the San A Chay. Q Now, I do want to talk a little bit with you about your personal background and history. What is your current relationship with the IETF? A A I am responsible — I'm the RFC Director, so Q And what was your position when you started with the IETF? A Similar to what I am doing now, but I probably started as a project assistant. 12 Q Now, I do want to talk a little bit with you saired as a project assistant. 13 In the IETF. But I was a project assistant. 14 Leftive, a — werd titiles—a — watministrative assistant to the senior editor after than I left that ISI, as senior editor. 15 Q Nad what war so un answer as unch. 16 A Okay. 20 If you need to give an answer on a personal basis, please qualify your answer as such. 17 A Okay. 21 Personally. 22 A Okay. 23 Q Now, I do want to talk a little bit with you about your personally asking a question to the IETF and not to you personally a dout your personally background and history. What is your current relationship with the IETF? 24 A A I am responsible — I'm the RFC Director, so 25 A The double that it was a project assistant. 26 Q And what was your position when you started with the authors, get author announcement that the document is available. 27 A Sea. 28 Q Mank was your first posi		Page 10		Page 12
2	1	prevent you from giving truthful or accurate testimony?	1	the IETE But I was a project assistant
3				
4 A No. 5 Q And you understand that you're here today 5 testsffying on behalf of the Internet Engineering Task 6 Force? 8 A Yes. 9 Q And that your answers are given on behalf of the IETI? 11 A Yes. 12 Q And you understand when I refer to "IETIF," that 13 I'm referring to the Internet Engineering Task Force? 14 A Yes. 15 Q If you need to give an answer on a personal basis, please qualify your answer as such. 17 A Okay. 18 Q And you understand that if I ask a question, I'm really asking a question to the IETIP and not to you personally. 19 I'm really asking a question to the IETIP and not to you personally. 20 personally. 21 personally. 22 A Okay. 23 Q Now, I do want to talk a little bit with you about your personal background and history. What is your current relationship with the IETIP? 3 documents that come out as RFCs. 4 Q And how long have you been involved in the IETF? 5 documents that come out as RFCs. 4 Q And what was your position when you started with the IETIP? 5 A Similar to what I am doing now, but I probably started as a project assistant. 4 Q And how long have you been involved in the IETF? 5 A Similar to what I am doing now, but I probably started as a project assistant. 5 Q Okay. So what would have been your responsibilities at that time? 6 A Thirteen-ish years. 7 Q And what was your position when you started with the IETF? 8 A Similar to what I am doing now, but I probably started as a project assistant. 9 Q Okay. So what would have been your tresponsibilities at that time? 19 C Okay. So what would have been your the records? 20 Q Okay. And have you been involved in the the first of the indexes, place the documents, and then when the authors sign off on it, I would the approach of the indexes, place the document considered when the authors sign off on it, I would the are publication, it would be to enter them into a queue, track them through the process, format them, edit the documents, and then when the authors sign off on it, I would the are publication, it would be to enter them into a queue,				
testifying on behalf of the Internet Engineering Task Force? A Yes. Q And you understand when I refer to "IETF," that the IETF? Q And you understand when I refer to "IETF," that A Yes. Q And you understand when I refer to "IETF," that A Yes. Q And you understand when I refer to "IETF," that A Yes. Q And you understand when I refer to "IETF," that A Yes. Q And you understand that if I ask a question, I'm really asking a question to the IETF and not to you personally, Q Now, I do want to talk a little bit with you about your personal background and history. What is your current relationship with the IETF? A I am responsible — I'm the RPC Director, so the RPC Publication Director, and so we publish the IETF A A I am responsible — I'm the RPC Director, so C And how long have you been involved in the IETFP A Similar to what I am doing now, but I probably started as a project essistant. Q And what happened in January of 2010? A Yes, I did. Q You went with the functionality. So what are the current responsibilities that you have? personally, Q Now, I do want to talk a little bit with you about your personal background and history. What is your current relationship with the IETF? Page 11 A I am responsible — I'm the RPC Director, so the RPC Publication Director, and so we publish the IETF A Own how long have you been involved in the IETF? A Similar to what I am doing now, but I probably started as a project essistant. Q And what happened in January of 2010? A Yes, I did. Q What was your personal beaction, it would then wen the advantage of the IETP and not to you personally, Q Now, I do want to talk a little bit with you about your personal background and history. What is your current relationship with the IETF? A I am responsible — I'm the RPC Director, so the RPC Publication Director, and so we publish the IETF G Own has the the Green them into a queue, the RPC Publication Director, and so we publish the decument is available. Q And what happened in January of 2010? A Yes, I did. Q And how larg the decument is publ		- · · · · · · · · · · · · · · · · · · ·		
6 testifying on behalf of the Internet Engineering Task 7 Force? 8 A Yes. 9 Q And that your answers are given on behalf of the IETF? 11 A Yes. 12 Q And you understand when I refer to "IETF," that 13 I'm referring to the Internet Engineering Task Force? 13 A Yes. 14 A Yes. 15 Q If you need to give an answer on a personal 15 bissis, please qualify your answer as such. 16 A Okay. 17 A Okay. 18 Q And you understand that if I ask a question, 19 I'm really asking a question to the IETF and not to you personally, unless I specifically address it to you 19 personally, unless I specifically address it to you 20 personally with the IETF? 21 A Okay. 22 A Okay. 23 Q Now, I do want to talk a little bit with you about your personal background and history. What is 20 your current relationship with the IETF? 24 A Timrteen-ish years. 25 Q And what was your position when you started with the IETF? 26 A Thirteen-ish years. 27 Q And what was your position when you started with the IETF? 28 A The documents that come out as RFCs. 39 Q And you understand when I refer to "IETF," that 12 the documents that come out as With the IETF? 30 A The documents that come out as RFCs. 31 Q Okay. So what would have been your 21 the RFC Publication Director, and so we publish the IETF? 32 A The documents that come out as RFCs. 34 Q And what was your position when you started with the IETF? 35 A The documents that come out as RFCs. 36 Q Q And what that time? 37 A The documents that come out as RFCs. 38 A The documents that were approved for publication, it would be to enter them into a queue, track then through the process, format them, edit the documents say what they wanted to say, and then the documents is sent, the cause that's the documents on the website. 39 Q Okay. And have you been publishing the documents, interact with the authors to make sure that the documents and they marked to say, and then the documents and they marked to say, and then the documents and they marked to say, and then the documents and they marked to say, and then the do	5	O And you understand that you're here today	5	
7 Force? 8 A Yes, 9 Q And that your answers are given on behalf of the IETF? 9 Q And you understand when I refer to "IETF," that 12 A Yes. 12 Q And you understand when I refer to "IETF," that 24 A Yes. 15 Q If you need to give an answer on a personal 25 basis, please qualify your answer as such. 16 Basis, please qualify your answer as such. 17 A Okay. 18 Q And you understand that if I ask a question, 19 Fm really asking a question to the IETF and not to you personally, unless I specifically address it to you 24 about your personal background and history. What is your current relationship with the IETF? 19 A I am responsible – I'm the RFC Director, so the RFC Publication Director, and so we publish the IETF documents that come out as RFCs. 19 Q And what was your position when you started with the IETF? 20 A A dwhat was your position when you started with the IETF? 31 A I am responsible – I'm the RFC Director, so the RFC Publication Director, and so we publish the documents that come out as RFCs. 32 Thirteen-ish years. 33 Q Okay, So what would have been your responsibilities at that time? 34 A The contract to provide the RFC Editor services was transferred over to AMS, and 4 Yes, I did. 4 D Jod you go with — 4 Yes, I did. 5 Q And you understand when I refer to "IETF," that 12 the current relationship with the IETF and not to you personall be current relationship with the IETF? 4 A It's very similar to what I was doing previously. It's tracking the documents that owe of understand that of the Journal of the current responsibilish the document as a the publication process once they ve been approved for maintaining any of the current responsibilish the document as RFCs. 3 Q Now, I do want to talk a little bit with you about your personal background and history. What is the course that of the process of the IETF? 4 A I am responsible — I'm the RFC Director, so the RFC Publication Director, and so we publish the IETF? 5 Comments that come out as RFCs. 6 A Thireen-ish years. 7 Q And what was your position when you				
9 Q And that your answers are given on behalf of the IETT? 11 A Yes. 22 Q And you understand when I refer to "IETF," that 13 I'm referring to the Internet Engineering Task Force? 14 A Yes. 15 Q If you need to give an answer on a personal 16 basis, please qualify your answer as such. 17 Q If you need to give an answer on a personal 18 Q And you understand that if I ask a question, 19 I'm really asking a question to the IETF and not to you 19 personally, unless I specifically address it to you 20 personally, unless I specifically address it to you 21 personally, unless I specifically address it to you 22 a A Okay. 23 Q Now, I do want to talk a little bit with you 24 about your personal background and history. What is 25 your current relationship with the IETF? 26 the RFC Publication Director, and so we publish the IETF 27 documents that come out as RFCs. 28 Q And how long have you been involved in the 29 IETF? 29 A Thirteen-ish years. 20 Q And who was your position when you started 30 with the IETF? 31 A Tam responsible I'm the RFC Director, so the RFC Publication Director, and so we publish the IETF 32 documents that come out as RFCs. 33 Q Now, I do want to talk a little bit with you 34 about your personal background and history. What is 35 your current relationship with the IETF? 36 A The contract to provide the RFC Editor services was at Yes, Idid. 37 Q And you understand what if I ETF and to to you personal to you with the Iwarching and the	7		7	
the IETF? A Yes. Q And you understand when I refer to "IETF," that Yes. It was transferred over to AMS, and Q Did you go with — A Yes, I did. Q You went with the functionality. So what are the current responsibilities that you have? A Neay. A Okay. A Okay. A Okay. A Okay. Now, I do want to talk a little bit with you about your personally, unless I specifically address it to you personally, unless I specifically address it to you your current relationship with the IETF? A Okay. A I am responsible — I'm the RFC Director, so the RFC Publication Director, and so we publish the IETF adouncments that come out as RFCs. A Thirteen-ish years. Q And how long have you been involved in the IETF? A Thirteen-ish years. Q And what was your position when you started with the IETF? A The documents that come out as RFCs. A Thirteen-ish years. Q Okay. So what would have been your responsibilities at that time? A The documents that were approved for publication, it would be to enter them into a queue, track them through the process, format them, edit the documents, interact with the authors to make sure that the documents say what they wanted to say, and then publish the documents on the website. Q Okay. And have you been publishing the documents, interact with the authors to make sure that the documents say what they wanted to say, and then publish the documents on the website. Q Okay. And have you been publishing the documents, interact with the authors to make sure that the documents say what they wanted to say, and then publish the documents on the website. Q Okay. And have you been publishing the documents, the RFC documents for that whole time period, the 13 years? A Yes. Q Ond who has access to the repository? A Everyone. Anyone who has access to the ITTP considers it publication on the authors to make sure that the documents is sent, because that's when people know it's there. The Thirteen-ish years. Q Okay. And have you been publishing the documents, the RFC documents, the RFC documents of t	8	A Yes.	8	
11 A Yes. 2 Q And you understand when I refer to "IETF," that 13 I'm referring to the Internet Engineering Task Force? 14 A Yes. 15 Q If you need to give an answer on a personal 16 basis, please qualify your answer as such. 17 Q And you understand that if I ask a question, 18 Q And you understand that if I ask a question, 19 I'm really asking a question to the IETF and not to you 20 personally, unless I specifically address it to you 21 personally. 22 A Okay. 23 Q Now, I do want to talk a little bit with you 24 about your personal background and history. What is 25 your current relationship with the IETF? 26 A Thirteen-ish years. 27 Q And how long have you been involved in the 28 IETF? 38 A Thirteen-ish years. 49 Q And how long have you been involved in the 29 IETF? 39 A Similar to what I am doing now, but I probably 30 tasted as a project assistant. 40 Q And what was your position when you started 30 the IETF? 31 A The IETF? 32 A Thirteen-ish years. 40 And what was your position when you started 31 the documents shad come out as RFCs. 41 A Thirteen-ish years. 42 Q And what was your position when you started 43 the current replactionshilities that you have? 44 A Fex. I did. 45 Ves. I did. 46 Ves. I did. 47 Yes. I did. 48 Ves. I do Q You went with the functionality. So what are 48 the current responsibilities that you have? 4 A Ifx very similar to what I was doing 49 publication process once they've been approved for 40 Publication process once they've been approved for 40 Publication process once they've been approved for 41 Publication process once they've been approved for 42 Page 11 4 A I am responsible - I'm the RFC Director, so 4 A Yes. 4 A So once I don't personally input the initial information into our database, but one of our staff 5 Q what interact with the authors, get author 5 approval to publish the documents, and then when the authors sign off on it, I would then go input the initial information into our database, but one of our staff 5 Q When is the document online, and send out an announcemen	9	Q And that your answers are given on behalf of	9	A The contract to provide the RFC Editor services
12	10	the IETF?	10	was transferred over to AMS, and
13	11	A Yes.	11	Q Did you go with
14 A Yes. Q If you need to give an answer on a personal basis, please qualify your answer as such. A Okay. 15 A Okay. 16 Im really asking a question to the IETF and not to you personally, unless I specifically address it to you publication process once they ve been approved for publication. Q And does that involve maintaining any of the records? A Yes. Q What functions would you do you perform for maintaining the records?	12	Q And you understand when I refer to "IETF," that	12	A Yes, I did.
15	13		13	Q You went with the functionality. So what are
16 basis, please qualify your answer as such. 7 A Okay. 18 Q And you understand that if I ask a question, 19 Im really asking a question to the IETF and not to you 19 personally, unless I specifically address it to you 21 personally, 22 A Okay. 23 Q Now, I do want to talk a little bit with you 24 about your personal background and history. What is 25 your current relationship with the IETF? 26 A I am responsible I'm the RFC Director, so 27 the RFC Publication Director, and so we publish the IETF 28 documents that come out as RFCs. 4 Q And how long have you been involved in the 4 ETF? 4 A Thirteen-ish years. 5 Q And what was your position when you started 8 with the IETF? 4 A Thirteen-ish years. 5 Q And what was your position when you started 8 with the IETF? 5 A Thirteen-ish years. 6 A Thirteen-ish years. 7 Q And what was your position when you started 8 with the IETF? 8 A Similar to what I am doing now, but I probably 8 started as a project assistant. 9 Q Okay. So what would have been your 10 responsibilities at that time? 11 The documents that were approved for publication. 12 publication. 13 publication. 14 Publication. 15 Q And does that involve maintaining any of the records? 24 A Yes. 25 Q What functions would you do you perform for amintaining the records? 26 A Yes. 27 A Yes. 28 Q What tunctions would you do you perform for amintaining the records? 29 A Yes. 20 Q What functions would you do you perform for amintaining the records? 20 Q What Inuctions would you do you perform for amintaining the records? 21 A Yes. 22 A Yes. 23 A Yes. 24 A So once I don't personally input the initial information into our database, but one of our staff 24 authors sign off on it, I would then go input the unitors sign off on it, I would then go input the indexes, place the document online, and send out an announcement that the document is sent. It's possible that it may be in a project edited, interact with the authors get author announcement that the document is sent. It's possible that it may be in a pr	14		14	
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