

February 1994

February 1994 Docket

Georgia State University College of Law

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The Docket



Vol.2 No.5

A Publication of the Student Bar Association, Georgia State University College of Law

February 1994



FROM THE DEAN

This year the months of February and March include the kind of milestones which highlight the professional futures of our graduates and the history of this College. Early this month we "hooded" approximately thirty Law graduates and wished them well as they embarked upon their professional lives. On that occasion Speaker Thomas B. Murphy of Georgia's House of Representatives urged the graduates to treat their clients and their professional associates as they would want to be treated -- for example, by telling the truth, even when it meant telling a client that he or she had a losing case. The ceremonial occasion was marked by a very upbeat mood as family members and friends joined the faculty and University officials in the graduates' celebration.

On March 3d, we will honor our founding Dean Ben F. Johnson, Jr. in an extraordinary way. When the College celebrated its tenth birthday in 1992, the faculty established the Ben F. Johnson, Jr., Award for Public Service. The award is to be given to "a Georgia lawyer whose life and career reflect the high tradition of selfless public service" which Dean Johnson's career exemplified.

Dean Johnson graduated from Emory Law School and then engaged in private law practice for several years before entering active duty with the U.S. Naval Reserve during the final years of World War II. He then returned to Emory as a member of the law school's faculty and served as its Dean from 1961-73.

In addition to his academic career, Dean Johnson also served the public with appointments in the executive and legislative branches of Georgia's government. From 1955-61 he was the Deputy Assistant Attorney General (venue), and from 1963-69 he served as a Senator from the 42d District in Georgia's General Assembly.

When establishing a law school at

Georgia State was finally approved, GSU's President Noah Langdale turned in 1981 to Dean Johnson as the person who could effectively launch this College. The results of his efforts are evident in the successes that the College has enjoyed throughout its young life.

Dean Johnson's overall contributions to public service in Georgia are impressive indeed. Our first Johnson Public Service Award winner is another outstanding professional, Judge Elbert P. Tuttle, Senior Judge of the Eleventh Circuit Court of Appeals. As Chief Judge of what was then the Fifth Circuit Court of Appeals, Judge Tuttle led a court whose rulings effectively desegregated public institutions in the



Valentines on p 6

South. Those decisions were highly controversial (to put it mildly?), and the College's faculty members are honored to be able to acknowledge Judge Tuttle's outstanding judicial leadership in this way.

It also is interesting to note that Judge Tuttle had a very significant professional impact upon Dean Johnson during his early years as a lawyer. Dean Johnson's initial employment in private practice was with a law firm known then as Sutherland, Tuttle and Brennan, where Dean Johnson viewed Judge Tuttle as his personal mentor. Now the two of them will be linked again when Judge Tuttle receives the Ben F. Johnson, Jr. Public Service Award.

FROM THE OVAL OFFICE

Elections for the 1994-95 SBA officers will be held during the week following Spring Break. I am bringing this to your attention for two reasons. First, I have met several students this year, who have good ideas about how to make our law school better, and I hope that those of you who have that desire will consider running for an SBA office. Second, there are still three months left of this academic year, and I hope that we can make some positive changes before the year is over. In that connection, I would like to ask for comments and suggestions from students, as to how we might improve our school and/or our "lives" here. If you have an idea, please tell me personally, tell your SBA Senator, or slip a note under the SBA door, if we are not in. We do our best to accomplish your suggestions. For example, a student suggested to me that we set up a phone line with a recorded message, so that students can call in to see which classes are cancelled every day, instead of making a trip down here and paying to park, only to find that your class has been cancelled. I had meetings and generated memos to Dean Stephens, who had meetings and generated memos to other appropriate persons, and as a result, we hope to have this service available soon. Another example is the handy shelf between the sinks in the ladies room on the first floor. A student complained that there was no place to put books and purses while washing one's hands, so SBA Senator Kevin Demer built that shelf to accommodate our needs. (Thank You Kevin!) Other projects we are currently working on include measures for greater security on campus, and regular meetings between a group of students and a group of faculty members, to discuss student concerns.

If you have ideas, please let us know. If you are interested in running for an SBA office, nominations will be accepted this week,

continued on p 2

continued on p 2

Per D62



February 14 through 18, in the SBA office. If you would like to get involved or offer an idea, our meetings are open to all students (as well as faculty members!). The dates and times are posted on the SBA door. The next meeting will be Wednesday, February 16, at 5:15 p.m. in room 231.

Happy Valentines Day, and 3L's,
GOOD LUCK ON THE BAR

DEAN from p 1

You can imagine how pleased Dean Johnson is by the selection committee's choice! That Committee was chaired by Prof. Bill Gregory and included Professors Anne Emanuel and Steve Kaminshine, College of Law graduates Aasia Muskateem and Phillip Jackson, and Georgia practitioners Miles Alexander, Phyllis Holmen and Ben Johnson III.

All of us hope that you share our pride in being able to recognize these outstanding public servants. Their accomplishments challenge each of us to remember that legal training gives us the opportunity to serve the public in many ways, assisting in the solution of problems that may seem intractable to others.

Marjorie Girth

The Federalist Society for Law and Public Policy Studies

presents

Llewellen H. Rockwell

Founder & President of The Ludwig von
Mises Institute

A Reassessment of Civil Rights:

The Socialization of the American Labor Market

Wednesday, March 16th 12:00
Rm. TBA

PUBLIC INTEREST LAW ASSOCIATION

2nd Annual Public Interest Law Auction

It's that time of year again!! The Public Interest Law Association is hosting its 2nd Annual Auction on Thursday, March 3rd. All proceeds go toward summer fellowships for students who volunteer for public interest law organizations which cannot afford to pay them. Last year, we awarded three fellowships. Christine Koehler worked for the AIDS Project at Atlanta Legal Aid. Linda Aronson won a National Association for Public Interest Law (NAPIL) Award for her work at the Georgia Center for Law in the Public Interest. Julie Ernst was the luckiest of all, because she worked for the Virgin Islands Legal Aid Center. But since she came back without a tan, we know she did real work!

The auction will be from 11:45 A.M. to 1 P.M. on March 3rd in the 2nd floor West Exhibit Area. We will also have a silent auction from 11:45 A.M. until 6 P.M. so night students can bid as well. We will be accepting donations from students and local businesses until February 17th. For more information, call Christine Koehler (413-5998) or Kirsten Cook (928-1251). Hope to see you there!

ENVIRONMENTAL LAW SOCIETY

ELS is proud to announce the members 1994 Environmental Moot Court Team. Mack Tallant, Byron Sanford, and Donald Luther will represent the GSU ELS in the Salmon P. Chase Environmental Moot Court Competition in March. We wish them the best of luck and ask the professors to go easy on them in February, as they will be writing the brief and preparing for oral arguments!

The ELS Newsletter for 1994 will be accepting submissions through the month of February. Anyone who would like to submit an article, editorial or announcement relating to environmental issues or topics may do so. We request that items be limited to 500 words, be on disk, and be in Wordperfect format. You may drop

submissions or any questions by the ELS office on the 2nd floor, or in box 566, addressed to Darren Meadows.

LAWYER SKILLS DEVELOPMENT OFFICE

EXTERNSHIP PROGRAM

Would you like to know more about the externship program and the various opportunities available to students? Would you like to obtain real life legal experience? **GOOD NEWS!** you're cordially invited to attend an Externship Information Session on **Tuesday, February 15**. We'll provide program information pamphlets and answer your externship questions... and more. For the convenience of all students, two sessions will be held. One at **noon** and the other at **5:00 p.m. in room 230**. Join us! and discover what the externship program has to offer you. For more information, please call Vickie Brown at 651-1588 or stop by room 416(d).

FALL 1994 EXTERNSHIP OPPORTUNITIES!

The Lawyer Skills Development Office will accept applications for **fall semester** externship placements **FEBRUARY 28 - MARCH 11**. Come to one of the externship information sessions on Tuesday, February 15 and find out what's available.

THE DOCKET

The Docket encourages all students to submit articles for publication. Please submit all work on 3-1/2" disks with work saved in any format. Drop boxes are located in the SBA office and Brenda Cornelius' office (152 UL). Disks will be returned.

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John A. Creasy, Jr.
Editor





TAKE THE WALK, NOT THE WAIT

Extensive Law Supplement Section

Bring this ad and get 25 % OFF Any Law Supplement/Study Aid

THE GEORGIA BOOK STORE

Phi Delta Phi

The Ben F. Johnson Inn sponsored a number of activities last semester, thanks to the active participation of each of the officers. We continued the tradition of the last few years of bringing the Red Cross into the law school for a blood drive. We held a drawing for a Bar/Bri course, graciously donated for that purpose by Bar/Bri of Georgia. Melissa Pershing was the winner, selected randomly in a public drawing by Dean Girth. To raise funds, we sold customized water bottles. To help our members study for finals, we held a pizza party at the law school. Last, but certainly not least, we held a membership drive, as a result of which we initiated more than twenty new members.

Our membership reception was a well-attended and enjoyable affair held on one of the rainiest nights of the season. Despite the terrible weather, Phi Delta Phi members filled up a large upper-story suite at the downtown Hilton from which we enjoyed a fine view of the ongoing lightning storms

and at which we became acquainted and sampled catered foods and drink.

This semester, Phi Delta Phi will sponsor a number of activities related to ethics and professionalism in law. As usual, we'll sponsor a couple of coffee and donut membership drives before classes and during class breaks. This semester, we will add bagels and cream cheese to our "menu" so that those preferring low-fat fare will not be excluded. Stop by and ask about Phi Delta Phi.

Those interested in investigating the advantages of membership in Phi Delta Phi are invited to talk with any of our members and to peruse the information about Phi Delta Phi on the bulletin board outside the Fraternity Office on the second floor (UL 226).

Created in 1869, Phi Delta Phi International Legal Fraternity is the oldest law organization in the country. With the sponsorship of Professor Mary Radford, The Ben F. Johnson Inn of Phi Delta Phi received its charter in 1985. Our faculty advisor is Professor Jack Williams.

CONGRATULATIONS!

to

Bill & Susan Little
on the birth of

Savannah Grace Little
January 10th, 1994



CONGRATULATIONS!

to

Leavon & Lisa Fletcher
on the birth of

Olivia Wood Fletcher
February 7th, 1994



Valentines

TO MARY
ROSES ARE RED,
VIOLETS ARE BLUE
OOPPS! I THINK
I'M CRAZY 'BOUT YOU
-SECRET ADMIRER

Law Review Chief,
What I wouldn't do to
catch you between
"Peach Sheets!"
-Anonymous

To: Xerox & Wrongway
-Be my Valentine

DEAR FACULTY,
I'D WISH YOU A HAPPY VALENTINE'S DAY
IF I KNEW WHO YOU WERE!
SIGNED: IL

R.H. - I miss you. Stop going away.
Let's rest in rigga. Before, Now,
Always. C.

Tatum - I'll bring the beanie. You bring the weenie!

GP
Law Review guys make me hot!
Madonna

PROF. CAREY- FORGET CHOCOLATES,
WE'RE JONES'N FOR CATNIP!
YOUR PALS

Cyndi:
A loaf of bread, a Dove bar and thou ... Lunch after the Bar?

hey studmuffin, let's study some tax terms together, like "rollover"
and "recapture"! love, your code buddy

Professor Wiseman,
Catch me and I'm Yours!
Feral Fox

RAINEY,
Let's get out the handcuffs
and play "good cop-bad cop"
one more time. Love, Studly

SOBIE, DOES LOVE HAVE ETHICS TOO?--CONCERNED STUDENT

Crandell:
Thanks for helping me perfect my oral skills!
Seta
Happy Valentine's Day,
to Sir with Love,
Pamela

Professor Wiseman
I never will forget you,
Your sneakers, your smiling face.
Now if I could just remember
The rule in Shelley's Case!
HAPPY VALENTINE'S DAY.
Lesli Seta

MM & RM,
You should have sent
me one you bums!
Love, The "FJB"

Art Corso, I've been watching
you for a long time. The way you
dress, the way you walk, the smart
things you say in class- everything
about you drives me crazy. Maybe
some day Ill have the courage to
identify myself. Until then, I re
your SECRET VALENTINE- M.R.

Professor Mattingly:
Roses are Red.
Violets are Blue.
The UCC loves the PMSI,
And we love you TOO!

To Brenda Cornelius:
You help me shuffle money
And those forms that never end.
In three months I'll be out of here,
But you'll always be my friend.
HAPPY VALENTINE'S DAY!
Lesli Seta

To my beautiful Bean Dog,
I love you terribly and always will. I'm so lucky
to have you as my best friend (and soon my wife)
for the rest of our lives. (Anon.)

HEY GIRLFRIEND!
AFTER THE BAR, WE HAVE A DATE WITH A BARSTOOL!
BOYFRIEND



Tara,
If you don't grant me an
assessment, I'll adversely
possess! Be mine.
Love- Blackjack

To my Litigation class,
Be mine? Hell, you are mine!

Love,
Hitler

Mander, Happy Valentine's Day
to "the one that got away!"

To my darling wife Polly,
Thanks so much for all of your
support during these trying
times. You're Queen of my
Heart. Love & Kisses,
Barbie

Wedding is destiny, and hanging
likewise. JC

John Heywood (1506-65),
Proverbs, 1546, pt I, ch. III

CHARITY,
Don't pull the chair out from under me babe!
-Brian Dailey

To Isabel,
Beso mi mucho por favor! (over margaritas & mucho cervazas!)-Senor

DEREK,

I HOPE YOU ENJOY YOUR LAST VALENTINES DAY AS A FREE MAN, THIS TIME
NEXT YEAR, YOU'LL BE ALL MINE.

Tony the Tiger,
Will you be my valentine and wear an ugly tie?
Love, K.C.

Scott, Four more months is too long to wait
to become Mrs. Crowley.
Happy Valentine's Day, Rebecca

Clarence,
All is forgiven
XOXO- Anita
LEONARD,

Prof. Urbonya,
On my last report card,
you did to me what I've
been wanting to do to you
Signed, Thwarted

ROSES ARE RED,
LICORICE IS BLACK,
LOOK OUT STUD
COZ I'M ON THE ATTACK !

YOUR SECRET ADMIRER

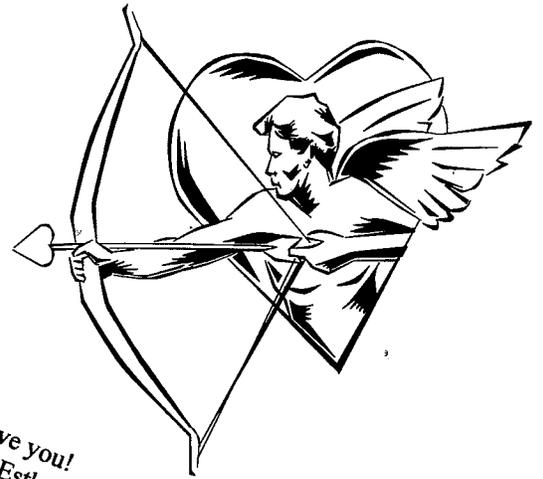
CANDICE,
LET'S MAKE GOOD ON OUR FANTASIES.
SIGNED, DREAMBOY

Lorraine,
Bella, bella biblioteca
Secret Admirer

jill,
i have a heart on for you.
anonymous

Lori C.-
You're the best.
Puck the rest.
Love, Your "Knight"
in shining armour.

Sam,
I'll always love you!
Esther



SUNG HO,

HAPPY V-DAY, MAN!!!

YOUR ROOMIE

Esther,
Don't do it!
Sam

Prof. Kaminshine,
Thanks for the ego boost!
-Geo. Bush

KEISHA

To: Ginnie
-Happy Valentines Day.
-Love: Carmine

Todd Mullen, I love you and wish you a Happy Valentine's Day.
I never thought I'd be thanking my experience in law school for anything,
but it brought us together and for that I am thankful.
-free at last
Love You Always, Marsha.

Dave U.
Dig your orange sweatpants.
Love, Desperately
Seeking Orange

[Marriage is] like signing a 356-
page contract without knowing
what's in it.

Mick Jagger, Observer, 'Sayings of
the week', 20 January 1985



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\$5.00 OFF

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The Legal Profession in Australia

By Colin Flannery



relevant state Supreme Court governs the admission to practice, as is the case over here, and the private bar has responsibility for the policing of professional ethics.

Separate client trust accounts must be maintained and are policed by two 'spot audits' a year by the solicitor's board. Any missing client's money will inevitably result in a lengthy goal term.

The profession is currently coming under a large amount of public criticism (both warranted and unwarranted) for various reasons and it is very fashionable for the press or any politician seeking media attention to "lawyer bash". That, at least, is one area where the two countries are essentially identical.

Both Australia and England still maintain the practice of a split profession. Toward the final years of law school a student must make a decision whether to be a barrister or a solicitor. The rules of professional conduct in most states prohibit a person acting as both.

A solicitor is an office lawyer. Apart from a few minor matters such as guilty pleas, lower court matters and minor civil actions, a solicitor does not appear in court. A barrister on the other hand does nothing but litigation. They are the characters you see featured in British dramas wearing the blond wigs and black gowns. The cross dressers of the profession.

When a client has a litigious matter, they cannot approach a barrister directly. They must see a solicitor, who then does the preliminary work such as interviewing witnesses, drafting pleadings etc. before handing the matter over to the barrister, ("briefing counsel" to use the correct terminology) to actually try the case.

The net effect of this is that the client has to pay both the solicitor and barrister. If the matter is a particularly complex one the solicitor may choose to brief a "Queen's Counsel" (or "King's Counsel" depending on the 23 rd. chromosome of the then reigning British Monarch). These are the more senior barristers who have many years of experience under their belt and have been invited by the crown to "take silk".

What this means is that they only appear in court along with a junior barrister and the poor client then must pay a solicitor and two barristers. The junior barrister earns two-thirds of the senior barrister's fee. If the matter settles before the trial but after counsel has been briefed, the barrister still gets paid, even though they did not appear in court. The rationale is that they have done all of the preliminary work. Most barristers waive a large proportion of their fee in these circumstances.

The average wage earned by the profession is roughly the same as it is over here. Two major differences however are that it is illegal to advertise in most states (the backs of our telephone directories tend to have nature scenes on them) and contingency fees are strictly prohibited. The

FROM ONE STUDENT TO ANOTHER:

a look from the inside the library.

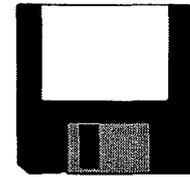
By Devon Orland

For those of you who haven't noticed or don't know me, I am a third year law student who has been working at the library circulation desk this year. Before I began working here, there were many things I did not know or understand about the people at the circulation desk, their specific duties and responsibilities. This lack of understanding often caused me a great deal of frustration which I now know extends to the other side of the desk as well.

For some reason, students expect a great deal from the circulation staff and often this expectation is misplaced. The circulation staff (with a few exceptions) gets paid minimum wage. The reason they are paid minimum wage is because the job has very few duties. We are here to check out books and answer general questions about the library. We do not know how to and are not allowed to assist students in their research except to show them how OLLI works nor are we responsible for copiers and computers. For the most part, we are all happy to answer questions to the best of our ability, but our abilities vary and we are often criticized and brashly treated for a lack of knowledge that a student feels we should have.

Not that we are completely blame free from the tension that often ensues, but after a day of being berated for not knowing information that either we haven't been

taught or have been instructed not to provide it is hard for any person to calmly respond when treated with such disrespect. The people behind the desk are not idiots. They are people who have been hired to do a specific job which they do with aptitude. It is only when people ask them to go beyond their specified tasks that problems arise. So, next time you find yourself disgruntled about the service you're getting from circulation please try and remember that we are doing the job that we were hired to do.



IBM PC and Compatible Lexis commands you wish you knew:

By Paul Vignos

The Capture Feature

The capture feature in all communications software programs allows users to get a copy of nearly everything that screens on their monitor during a telephone connection with another computer. In LEXIS software the feature can be turned on after the log on sequence. The default setting in the LEXIS 2000 software is capture off.

To turn on the LEXIS capture feature press <ALT> <F2>.

You are then prompted for the name of a file into which all your subsequent research commands and results will be stored on your computer.

There is no dot command for turning on the capture feature.

Following logoff, users can use any standard wordprocessor to edit or search the stored file. This feature is particularly helpful to capture LEXIS time charges and lists of cases that were screened but not selected for printing while online.



Another First: "Anonymous" Professors

Dear Editor:

If there is enough enthusiasm to make one: the faculty may listen to a formal student presentation on the "Anonymous" Professor policy.

The proposed policy will omit the names of professors teaching all core law courses from the registration scheduling materials. The policy started in the fall of 1993 and was limited to the R.W.A. sections. This spring the Litigation sections were anonymous.

What's new? A student, not yet chosen, is invited to advocate the case against continuing the "anonymous" professor policy.

Until now, the decision would have been made at the administration level and then told to students without the benefit of student input. My understanding is that Associate Dean Stephens is willing to begin a new process to include student input in decisions that will significantly impact us. This formal, one shot, brief presentation to a faculty meeting is tentatively scheduled for February 24th.

This is a first.

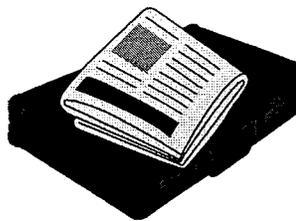
I understand that Dean Stephens has already initiated regular feedback on some administrative issues with the SBA. These contacts, though not widely publicized, helped set up the January 13, 1994 faculty and student get together to discuss scheduling concerns. Following that meeting the "anonymous" professor policy is no longer apparently set in stone.

There are important administrative concerns that the "anonymous" professor policy hopes to satisfy. One is balancing the sheer number of students between the available professors in law courses featuring more than one section. Another is balancing the diversity of students within the sections. Another is eliminating last minute schedule changes based on possibly erroneous student perceptions about professors. Another is grade shopping. There are undoubtedly others and I hope the Docket can help bring them forward.

There are important student concerns. (Have I said that?) My first concern was over the anonymity of litigation professors. What IF you wanted to go into corporate litigation and ended up in a criminal law professor's section? I understand that most of us don't want to go into criminal law and I understand that most litigation teachers come from civil practice but what IF?

There are undoubtedly other concerns. Lesli, Larry and our SBA representatives are encouraging all possible arguments against the "anonymous" professor policy to be voiced - now. Please publicize this issue and help us develop a consensus.

Sincerely, Paul Vignos



CAREER PLANNING OFFICE

STUDENT ADVISORY COMMITTEE

Your ideas are wanted! Come to the next meeting of the Student Advisory Committee for the Career Planning Office. Student influence through this Committee is the main source of ideas for Career Planning programs and priorities. All students welcome!

Tuesday, February 22, 1994
5:30 p.m.

Career Planning Office (Room 145).

If you have any questions, or are unable to attend but would like to make suggestions, please see Beth or Colleen in Room 145 or call 651-2062. Thank you!

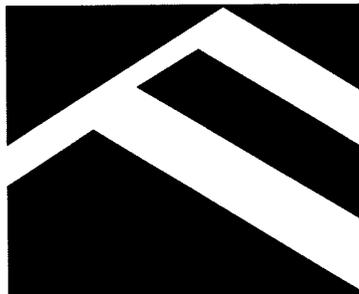
NETWORKSHOPS

If you haven't seen the type of job you want in the job listing books or the on-campus interview program, this workshop is for you! Learn how to develop contact lists, conduct informational interviews, and locate the employer who is right for you. Since some employers are somewhat reclusive in their hiring efforts (or lack thereof), the successful job-seeker must take advantage of learning the skills needed to locate ideal employment. This workshop takes you through the networking process, and supports you in your job search process.

Workshop

Thursday, February 17, 1994
3:00 p.m.

Career Planning Office (Room 145).



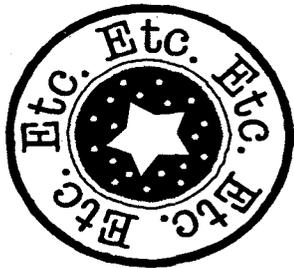
TOP 10 RECENT STUDENT JOB LISTINGS

1. #3346
Posted 2/09/94
Judicial Law Clerk
3rd Judicial District-Macon
2. #3345
Posted 2/09/94
Judicial Law Clerk
10th Judicial Circuit-Augusta
3. #3340
Posted 2/08/94
Summer Intern
Department of Justice-
Admiralty/Aviation
4. #3338
Posted 2/08/94
Summer Internship
Slovak Law Program
5. #3330
Posted 2/02/94
Paralegal/Receptionist
Eidson & Associations
6. #3329
Posted 1/31/94
Campus Representative
SMH Bar Review
7. #3327
Posted 1/31/94
Receptionist
Anne E. Barnes
8. #3324
Posted 1/27/94
Research
James Lee Ford
9. #3323
Posted 1/26/94
Summer Internship
York, McRae & York
10. #3314
Posted 1/25/94
Student Representative
Ace Seminars

These job listings and more are listed as they are received in the "Blue Books". The Blue Books are kept in the Career Planning Office during



office hours and are available in the evening and on weekends at the Cir. Desk in the Library.



FROM THE OFFICE OF STUDENT LIFE

WHAT'S NEW

Help has finally arrived in The Office of Student Life. Craig Duncan is the new secretary located in Room 154 U.L., 651-1880. Please feel free to stop by to meet Craig and say hello.

ORGANIZATION MEETINGS

A reminder that organizational meetings are now held in Rooms 231 and 232, 12-1p.m. and 5-6p.m. only. All room reservation requests will initiate on the 4th Floor at the Receptionist Desk.

UPCOMING EVENTS

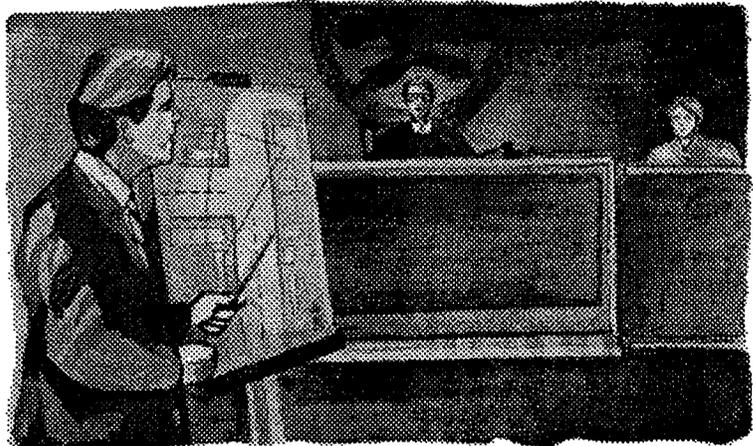
February 18
American Red Cross
Blood Drive
in the Student Lounge
sponsored by BLSA,
12-5:30p.m.

March 2
Educational Video in
the West Exhibit Area
sponsored by LGLSA,
9a.m.-6:30p.m.

March 3
Auction in the West
Exhibit Area sponsored
by the PILA,
11:45-1 pm



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5th Floor, Pullen Library, Georgia State University

681-3955

The application Deadline for the
Austrian-American
Comparative Dispute Resolution
Program

is this Wednesday, the 16th.
Turn applications in on the 4th floor.





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