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Amendments to Rules Regulating The Florida Bar: Membership Fees

MR. CHIEF JUSTICE: GOOD MORNING. GOOD MORNING AND WELCOME TO THE ORAL ARGUMENT CALENDAR FOR MONDAY, JUNE 4, JUSTICE PARIENTE WILL JOIN US AT THE TIME OF THE SECOND CASE, BUT SHE WILL BE HERE, SHE WILL PARTICIPATE IN THE FIRST CASE. WE HAVE THIS, OF COURSE, ON VIDEO AND AUDIO, SO THE FIRST CASE IS THE AMENDMENT TO RULES REGULATING THE FLORIDA BAR MEMBERSHIP FEES. MR. RUSSELL.

CHIEF JUSTICE WELLS, MEMBERS OF THE COURT, I AM TERRENCE RUSSELL, REPRESENTING, TODAY, AS PRESIDENT-ELECT OF THE FLORIDA BAR, THE FLORIDA BAR.

DO WE NOT HAVE ANYONE HERE IN OPPOSITION TO THIS?

TO THE BILGE, YOUR HONOR, WE DO NOT. -- TO THE BEST OF MY KNOWLEDGE, YOUR HONOR, WE DO NOT, AND I WAS ABOUT TO COMMENT TO THE COURT, I HAVE HAD THE PRIVILEGE, OVER THE LAST 30 YEARS OF MY CAREER, TO APPEAR BEFORE THIS COURT ON A FEW OCCASIONS, AND I VERY OFTEN DREAMED THAT I MIGHT PER CHANCE STAND HERE AND SEE TO MY RIGHT EMPTY CHAIRS.

MR. RUSSELL, TAKING THAT INTO CONSIDERATION, REALIZING THAT WE HAVE RECEIVED SOME WRITTEN COMMENTS, AND THAT WE KNOW, AMONGST THE SOME 60,000 LAWYERS AROUND THE STATE OF FLORIDA, THAT MANY OF THEM MAY HAVE CONCERNS ABOUT THE SIZE OF THE DUES INCREASE HERE. COULD YOU SPEAK TO THOSE LAWYERS AROUND THE STATE HERE, BRIEFLY.

THANK YOU, YOUR HONOR. I HAVE WITH ME HERE, TODAY, MY COLLEAGUES WHO ARE INCOMING AND OUTGOING CHAIRS OF OUR BUDGET COMMITTEE, WHO WILL PRESENT THE DETAILS TO THE COURT OF THE PROPOSED DUES INCREASE, BILL KALISH THE CHAIR OF THE BUDGET COMMITTEE DURING MY TERM AS PRESIDENT, JESSE DINER, MY COLLEAGUE FROM BROWARD COUNTY, IS THE CHAIR WHO FORMULATED THE CURRENT BUDGET, AND BOTH OF HERE TO ANSWER THE COURT'S SPECIFIC QUESTIONS. I KNOW THAT THE COURT, OF COURSE HASN'T HEARD FROM US IN 11 YEARS, IN TERMS OF REQUESTING A DUES INCREASE. THAT IS BECAUSE OF VERY, VERY WISE FISCAL MANAGEMENT, I BELIEVE, BY THE FLORIDA BAR, AS WELL AS WISE INVESTMENT OF SURPLUS INCOME, WHICH HAS RESULTED IN, WE BELIEVE, OUR ABILITY TO FORESTALL A DUES INCREASE OVER THE PAST DECADE. IF THE COURT WERE TO EXAMINE THE INFLATIONARY FIGURES, WE WOULD SEE THAT WERE THIS DUES INCREASE GRANTED BY THE COURT, WE WOULD BE ESSENTIALLY RESTORING THE BAR TO REVENUE EQUIVALENT TO A 1990 REVENUE. INVESTMENT INCOME, OF COURSE, HAS DECLINED. THE DEMAND FOR BAR SERVICES HAS INCREASED. MEMBERSHIP HAS INCREASED 61 PERCENT OF OUR DUES DOLLARS GOING TO LAWYER REGULATION. FIVE OR SIX PERCENT TO THE CLIENT SECURITY FUND, AND WE ARE IN A DEFENDANTS -- IN DEFICIT SITUATION, NOW, IN TERMS OF OUR ANNUAL OPERATING COSTS.

MR. RUSSELL, AS FAR AS ATTORNEY DISCIPLINE IS CONCERNED HOW MUCH REVENUE DO YOU THINK YOU GET FROM THE ATTORNEYS WHICH ARE CHARGED WITH PAYING A CERTAIN AMOUNT OF THE COST OF DISCIPLINARY PROCEEDINGS?

IF I MAY DEFER YOUR HONOR TO MR. DINER AND MR. KALISH TO ANSWER THOSE QUESTIONS, IF THAT WOULD BE OKAY WITH THE COURT, I WOULD APPRECIATE IT, BECAUSE I ASKED THEM TO COME AND DO THAT, AND I WILL ASK THEM TO STEP FORWARD NOW, IF THAT IS ACCEPTABLE.

THANK YOU. MR. KALISH.

AND IF, MAY IT PLEASE THE COURT, IF I MAY ASK MR. DINER TO JOIN ME ON THE PODIUM, SO WE COULD ANSWER ALL THE QUESTIONS.

WE ARE GOING TO DO THIS AS A DUET.

YES. IT IS A DUET. WE ARE GOING TO JUST MAKE UP THE EMPTY SIDE. THE SPECIFIC QUESTION, JUSTICE QUINCE, IS ROUGHLY \$300,000 TO \$400,000 IN COSTS WE DO NOT GET BACK ATTORNEYS FEES.

AND WHAT PERCENTAGE IS THAT OF THE COSTS THAT ARE ACTUALLY LEVIED AGAINST VARIOUS ATTORNEYS? I MEAN, I WOULD ASSUME THAT THERE IS A CERTAIN AMOUNT OF IT THAT IS NEVER COLLECTED?

I UNDERSTAND THERE IS ABOUT 5 PERCENT OF THE MONEY THAT IS ACTUALLY LEVIED AGAINST ATTORNEYS, SO IT IS A MINISCULE NUMBER.

WHERE IS, WOULD THE BAR SPEAK TO THOSE ATTORNEYS WHO HAVE VOICED THE CONCERNS THAT THOSE INVOLVED IN GENERATING THIS NEED FOR ATTORNEY DISCIPLINE SHOULD BEAR A LARGER SHARE OF THE BURDEN, IN SOME FASHION? WHAT ARE THE POLICY CONCERNS THAT WE NEED TO LOOK AT AND ADDRESS WITH THAT, AND WHAT ARE THE OTHER RAMIFICATIONS, IN RESPONSE TO THOSE KINDS OF ARGUMENTS?

THE POTENTIAL DOWN SIDE OF EXACTING ATTORNEY COSTS AND ATTORNEY FEES, IF THE BAR IS SUCCESSFUL, MAY VERY WELL REQUIRE THE BAR TO PAY ATTORNEYS FEES, EITHER ON THE LOSING SIDE OF CASES, OR EVEN IN, WITH RESPECT TO INVESTIGATION. WE FEEL THAT IT IS MORE IMPORTANT THAT THE BAR INVESTIGATE, EVEN TO SHOW THAT AN ATTORNEY HAD NOT DONE ANYTHING SERIOUSLY WRONG. IF WE WERE TO BE SEEKING ATTORNEYS FEES, WE MAY VERY WELL HAVE TO PAY OUT ATTORNEYS FEES, AND IT MAY VERY WELL BE MORE EXPENSIVE TO DO THAT.

THE OTHER THING IS JUSTICE TERRELL, IN HIS 1949 OPINION, SAID THAT EVERY LAWYER OUGHT TO PAY HIS SHARE OF RUNNING THE REGULATION OF EVERY BAR, SO WHILE WE MAY HAVE PEOPLE WHO RUN AFOUL OF RULES AND REGULATIONS OF THE BAR, EVERYBODY MUST BEAR THE BURDEN, FOR THE PUBLIC'S SERVICE.

NATIONWIDE, WHERE DO THE FLORIDA BAR STAND, DUES WISE?

THE FLORIDA BAR, RIGHT NOW, IS, BASED UPON AN OLDER CHART WHEN WE FIRST FILED THE PETITION IS 22d OUT OF 34 MANDATORY BARS. IF THERE IS NO DUES INCREASE, THE BAR, IN LIGHT OF OTHER AND INDICATIONS THAT HAVE -- OF OTHER APPLICATION THAT IS HAVE BEEN FILED WITH REGARD TO BAR INCREASES, WOULD FALL TO 39 OUT OF 24, WHILE THE FLORIDA BAR IS A LEADER AMONGST BARS IN THIS COUNTRY, AMONG PROGRAMS AND REGULATION AND PROTECTING THE PUBLIC.

THE PROGRAM, THAT IS ONE OF THE OPTIONS THAT IS MADE BY THE OPTION, IS THAT THE PROGRAMS, CLU AND SO -- CLEU AND SO FORTH, PAY FOR THEMSELVES, DO THEY NOT?

IT COSTS THE BAR ABOUT \$400,000 TO \$500,000 A YEAR. UNAUTHORIZED PRACTICE OF LAW COSTS THE BAR A CERTAIN AMOUNT OF MONEY. THE RECENT ATTORNEY-CLIENT ASSISTANCE PROGRAM THAT WE JUST UNDERTOOK IN SEPTEMBER OF 2000 WILL COST THE BAR \$450,000 TO \$500,000, WHICH WILL HOPEFULLY ALLEVIATE MANY OF THE GRIEVANCE MATTERS ON THE MINOR LEVEL. SO THE BAR IS TRYING TO CUT COSTS BY DOING AN INTERVENTION.

LAWYERS THAT ARE NOT INACTIVE PRACTICE, WHAT IS THE JUSTIFICATION FOR RAISING FEES THERE? WHAT WOULD BE THE STRONG --

THE JUSTIFICATION THE SAME AS RAISING THE FEES FOR OTHERS. EVERYBODY SHOULD PAY HIS FAIR SHARE, FOR THE DUTIES AND OBLIGATIONS AND REGULATIONS OF THE BAR. WE NEED TO UNDERSTAND WHAT INACTIVE LAWYERS MEANS. THAT DOES NOT MEAN RETIRED LAWYERS GENERALLY. WHAT IT MEANS HIS LAWYERS THAT ARE AUTHORIZED TO PRACTICE IN OTHER STATES TAKE THEIR CLE IN OTHER STATES AND ARE, ALSO, AUTHORIZED TO PRACTICE IN FLORIDA. IF THEY CHOSE TO COME BACK TO FLORIDA, THEN THEY WOULD BE ABLE TO PRACTICE. THEY WOULD BE ABLE TO KEEP THEIR LICENSE, AND SO THEY SHOULD PAY THEIR FAIR SHARE FOR THE COST OF RUNNING THE BAR AND PROTECTING THE PUBLIC.

THANK YOU.

JUSTICE QUINCE.

YES. YOU SAID THAT THE AMOUNT OF FUNDS THAT ARE COLLECTED IS ABOUT 5 PERCENT OF THE AMOUNT THAT IS ACTUALLY LEVIED AGAINST ATTORNEYS. CORRECT? IS -- HAS THE BAR GIVEN ANY THOUGHT TO HOW YOU COULD INCREASE THAT AMOUNT? BECAUSE THAT SOUNDS LIKE A VERY LOW PERCENTAGE OF PEOPLE WHO ARE SUPPOSED TO PAY THE COST OF THESE PROCEEDINGS, WHO ARE ACTUALLY PAYING IT.

WELL, TO THE EXTENT THAT WE BECOME MORE ACTIVE IN COLLECTING MONEY, WE MAY VERY WELL, AS I STATED EARLIER, THE POTENTIAL OF THE BAR HAVING TO PAY SOME OUT, ALSO WE FIND THAT SOMETIMES LAWYERS ARE GETTING THEMSELVES IN TROUBLE, BECAUSE THEY HAVE OTHER PROBLEMS IN THEIR PERSONAL LIVES AND DON'T HAVE THE FINANCIAL RESOURCES, THEMSELVES, TO DEAL WITH IT, SO IT IS TOUGH TO RECOVER FROM PLACES THAT ARE UNRECOVERABLE.

ANY OTHER QUESTIONS?

I THINK WE WOULD JUST WISH TO EMPHASIZE THAT, ON THE BASIC CHANGE IN TIME, THE LAST INCREASE WAS IN 1991, AND IT WAS THE FEE WAS \$190, AND HAS LASTED UNTIL NOW. STAFF FROM THE BAR ESTIMATES THAT, IN CURRENT DOLLARS, THAT \$190 IS ROUGHLY \$260.75. SO THAT THE RAISING THE DUES TO THIS LEVEL OF \$265, ROUGHLY, KEEPS THE SAME AMOUNT, AFTER INFLATION, OVER THE LAST 11 YEARS.

IF YOU HAD TO CATEGORIZE THE JUSTIFICATION FOR RAISING THE DUES, AND IT IS A SUBSTANTIAL RAISE, I THINK, AT THIS POINT, AND YOU, AS 1-2-3-4, WOULD YOU GIVE THAT SEQUENCE, WHAT IS THE MOST IMPORTANT, SECOND, THIRD REASON.

I THINK THE PRIMARY REASON IS THE FISCAL PRUDENCE TO DO SO. WE HAVE EXPERIENCED OPERATIONAL LOSSES IN THE LAST THREE YEARS, AND WE PROJECT THOSE LOSSES TO CONTINUE, ABSENT A CHANGE. OUR RESERVES WILL DECREASE, AND WE EXPECT THE RESERVES TO BE GONE, AND OUR OUTSIDE AUDITORS TELL US THAT WE SHOULD HAVE ROUGHLY ONE-THIRD IN RESERVE TO OUR REVENUE, AND WE ARE FALLING BELOW THAT RIGHT NOW. MR. DINER HAS THE PARTICULAR CHARTS THAT WERE HANDED WITH THE BRIEF, IN THE SECOND EXHIBIT. I THINK THE FIRST AND THIRD PAGES.

JUSTICE SHAW, IF YOU WOULD LIKE, IN COMPOSITE EXHIBIT B, THE CHART NUMBER ONE TELLS THE WHOLE STORY. IN THE BEGINNING FISCAL YEAR ENDING 1998, THE BAR RAN LOSSES FROM ITS OPERATIONS OF 646,000 DOLLARS. NOW, IT HAD INVESTMENT RETURNS THAT OFFSET THAT, SO THAT IN THAT YEAR THE BAR DID NOT RUN AN OVERALL NEGATIVE OPERATING LOSS. BUT BEGINNING IN FISCAL YEAR ENDING 1999, THE BAR STARTED TO RUN NET OPERATING LOSSES, WHICH MEANS THAT THE EXPENSES EXCEEDED THE REVENUES FROM ALL SOURCES, AND IN 1999,

THE BAR LOST \$53,000,700. THAT DIDN'T SOUND VERY -- \$53700 BUT IN 2000 IT MUSHROOMS TO \$102000.

DEFINE THAT SPECIFIC TIME, THE LOSS.

THE \$1.500 LOSS, MEANT THAT FROM OPERATIONS, BAR LOST ABOUT \$2 MILLION. NRDZ OPERATIONS EXCEED ITS REVENUES BY \$2 MILLION. ON TOP OF THAT, THE WHAT DID HAVE INCOME FROM ITS INVESTMENTS OF ABOUT A MILLION DOLLARS, SO THE LOSS WAS A MILLION DOLLARS. IN THIS FISCAL YEAR THAT IS GOING TO END --

THE LOSS IN THE RESERVE?

WE HAVE HAD TO DRAW FROM RESERVES, BECAUSE OUR EXPENSES HAVE EXCEEDED OUR REVENUES, AND IN THIS FISCAL YEAR THAT IS GOING TO END 26 DAYS FROM TODAY, THOSE LOSSES ARE GOING TO GO ANYWHERE FROM \$1.6 TO \$1.6 MILLION TO \$2 MILLION. WE STARTED LOOKING AT THIS IN FEBRUARY 2000. WE DIDN'T COME TO THIS COURT WILLY-NILLY. WE WANTED TO SEE WHAT THE STORY WAS AND WE HAVE EXAMINED AND LOOKED AT A VARIETY OF THINGS, AND WE STARTED LOOKING AT IN THE YEAR 2000, BECAUSE WE RECOGNIZED WHAT WAS GOING ON.

BE IF THE INCREASE IS NOT APPROVED OR NOT APPROVED TO THE EXTENT THAT IS REQUESTED, WHAT WILL HAPPEN?

THE BAR WILL RUN OUT OF MONEY 20004 IN 2004.

COULDN'T IT CUT BACK ON PROGRAMS?

YES, BUT WHERE DO YOU CUT DOWN ON SERIOUS PROGRAMS THAT HAVE REGULATION AND BENEFIT TO THE PUBLIC. SINCE 1990, IN 11 YEARS, WHILE BEING FISCALLY RESPONSIBLE, THE BAR HAS EMBARKED ON OR ENHANCED OR MAINTAINED CERTAIN PROGRAMS THAT ARE VERY BENEFICIAL.

IN REGARDS TO THE PROGRAMS OF THE BAR, I KNOW THERE WERE A COUPLE OF COMMENTS ABOUT THE BAR DOING PROGRAMS THAT SOME MEMBERS OF THE BAR DID NOT THINK IT WAS NECESSARY FOR THE BAR TO DO. IS THERE A PROCEDURE WHEREBY THE BOARD PERIODICALLY LOOKS AT A PROGRAMS THAT THE BAR IS, IN FACT, ENGAGED IN, TO DETERMINE WHETHER OR NOT THESE PROGRAMS REALLY ARE BENEFICIAL TO THE MEMBERS OF THE BAR AND HOW OFTEN IS THAT DONE?

ABSOLUTELY, JUSTICE QUINCE. ACTUALLY THE, FIRST OF ALL, IN THE BUDGETING PROCESS, WE LOOK AT IT ANNUALLY, BUT THERE ALSO IS A PROGRAM EVALUATION COMMITTEE OF THE BAR THAT EVALUATES ALL PROGRAMS, COMMITTEES AND SECTIONS, TO SEE THAT THEY ARE VIABLE AND NECESSARY, AND THERE HAVE BEEN PROGRAMS AND COMMITTEES THAT HAVE BEEN DONE AWAY WITH, BECAUSE THEIR LIFE IS NO LONGER NECESSARY.

HOW OFTEN IS THAT, DOES THAT PROCESS TAKE PLACE?

THAT COMMITTEE IS A REGULAR STANDING COMMITTEE OF THE BOARD, AND GOES THROUGH PERIODICALLY, DIFFERENT COMMITTEES, BUT AT LEAST ON A THREE-YEAR CYCLE, EVERY COMMITTEE AND EVERY SECTION IS REVIEWED. EVERY PROGRAM IS REVIEWED.

THE BAR, SINCE 1990, HAS CREATED THE PROFESSIONAL COMMISSION WITH THE BACKING OF THIS COURT. THE PROFESSIONALISM CENTER, WHICH ONE THE GAMBRELLA AWARD FROM THE AMERICAN BAR ASSOCIATION IN 1999, WHICH IS CERTAINLY A RECOGNITION OF THE QUALITY AND LEADERSHIP IN THE PROFESSIONALISM AREA. THE UNAUTHORIZED PRACTICE OF LAW

UNFORTUNATELY HAS MUSHROOMED SINCE 1990. WE HAD TWO LAWYERS NO UN -- LAWYERS FOR UNAUTHORIZED PRACTICE OF LAW IN 1990 AND WE NOW HAVE A HALF DOZEN LAWYERS WITH THAT SITUATION. THE BAR IMPLEMENTED, IN 1999, A GRIEVANCE MEDIATION PROGRAM, WHICH BASICALLY ACTS ON CONSUMER CONSUMER-RELATED ISSUES BETWEEN LAWYERS AND CLIENTS, ON AN INTERVENTION-TYPE BASIS. IT IS AWAY TO SHORTCUT AN UNNECESSARY GRIEVANCE SYSTEM. THE ATTORNEY-CLIENT ASSISTANCE PROGRAM, WHICH I TALKED ABOUT BEFORE, WHICH WAS JUST APPROVED BY THE BOARD OF GOVERNORS IN SEPTEMBER OF 2000, IS ANOTHER INTERVENTION METHOD OF THE GRIEVANCE AREA ON AN EARLY BASIS ON CERTAIN MINOR GRIEVANCES.

LET ME BE CERTAIN THAT I UNDERSTAND, AGAIN, THAT EVEN WITH THIS INCREASE, THAT THERE WILL BE 21 BARS IN THE COUNTRY THAT CHARGE HIGHER DUES THAN THE FLORIDA BAR.

THAT'S CORRECT.

IS THAT CORRECT?

THAT IS NOT CORRECT. WITH THE INCREASE, THERE WILL BE 17 OR 16 THAT CHARGE MORE. WE WILL BE TIED FOR 17th. SO WE WILL STILL BE IN THE MIDDLE OF THE BACK OF 34 BARS.

INTEGRATED BARS.

MANDATORY INTEGRATED BARS. WE WILL BE A LEADER IN MANY, MANY AREAS, BUT WE ARE NOT CHARGING MORE THAN 16 OTHER BARS.

IS THERE AN EXPLANATION AS TO WHY -- I KNOW THAT A COUPLE OF THE COMMENTS FOCUSED ON THE FACT THAT DOCTORS PAY A BY ANNUAL FEE THAT ENDS UP BEING ABOUT, I GUESS, \$175 A YEAR. IS THERE A REASON THEIR FEE SEEMS TO BE LOWER?

YES. REMEMBER THAT THE STATE HANDLES THEIR BUSINESS REGULATION DEPARTMENT. THEY HANDLE THE COMPLAINTS AND THE DISCIPLINE. THE LAWYERS SELF-REGULATE THEMSELVES, SO THAT THE DUES GO DIRECTLY TO PAYING FOR ITS OWN REGULATION.

THE OTHER THING IS --

FLORIDA WOULD HAVE THE HIGHEST INACTIVE RATE IN THE NATION AT 170.

THAT IS CORRECT.

CALIFORNIA AND TEXAS ARE LARGER, COMPARABLE, THAT IS \$50, AS OPPOSED TO \$170-SOME. IS THAT CORRECT?

FLORIDA DOES CHARGE MORE, BUT CERTAINLY FROM 1949 ON, THIS BAR HAS SUBSCRIBED, AS THE COURT HAS TO THE THEORY THAT EVERY LAWYER OUGHT TO PAY HIS FAIR SHARE OF THE NECESSARY REGULATION AND SERVICE TO THE PUBLIC, AND SO WHILE SOMEBODY MAINTAINS THE RIGHT TO PRACTICE HERE, AND PRACTICE IS IN ANOTHER STATE THAT, PERSON OUGHT TO PAY HIS OR HER FAIR SHARE. OKAY.

ARE THERE ANY OTHER QUESTIONS?

THANK YOU VERY MUCH, COUNSEL. THANK YOU.

DO I HAVE ONE MORE MINUTE, YOUR HONOR?

YES.

I WANT NT TO THANK THE COURT FOR -- I WANT TO THANK THE COURT FOR THE TIME THAT IT HAS TAKEN TO REVIEW THESE MATTERS WITH US THIS MORNING. I JUST DID WANT TO MAKE ONE OTHER GENERAL COMMENT. WE ARE ALL AWARE OF THE CHANGING CLIMATE IN FLORIDA AND AROUND THE NATION, IN RELATION TO THE TERMS OF UNPRECEDENTED CHALLENGES TO THE LEGAL PROFESSION. I BELIEVE THAT IT IS EXTRAORDINARILY IMPORTANT THAT INTEGRATED BARS, ESPECIALLY THE FLORIDA BAR, MAINTAIN A POLICY OF FISCAL SOUNDNESS AND HEALTHY RESERVES, AGAINST THE POSSIBILITY THAT THERE MAY BE A DAY THAT WE TAKE OUR CASE TO THE PEOPLE. I BELIEVE THAT, JUSTICE WELLS, YOU HAVE STATED THAT WE HAVE A CASE TO TAKE AND IT IS A WINNER, BUT WE HAVE TO HAVE THE CAPABILITIES TO DO SO, AND I FIRMLY BELIEVE THAT WE NEED TO MAINTAIN A LEVEL OF RESERVES THAT WE HAVE FOR MANY YEARS, MAINTAINED. THANK THE COURT VERY MUCH FOR ITS TIME AND ATTENTION THIS MORNING. WE ARE A FEW DAYS BEHIND OUR TIME LINE, IN TERMS OF OTHER SENDING OUR DUES STATEMENTS OUT, SO WE THANK THE COURT FOR ADVANCING THIS ARGUMENT A FEW DAYS FOR US. I KNOW IT WAS SET FOR LATER IN THE WEEK. I LOOK FORWARD TO DEALING WITH YOU AND WORKING WITH YOU, DURING MY TERM AS PRESIDENT.

THANK YOU VERY MUCH, MR. RUSSELL. THANK YOU, COUNSEL.