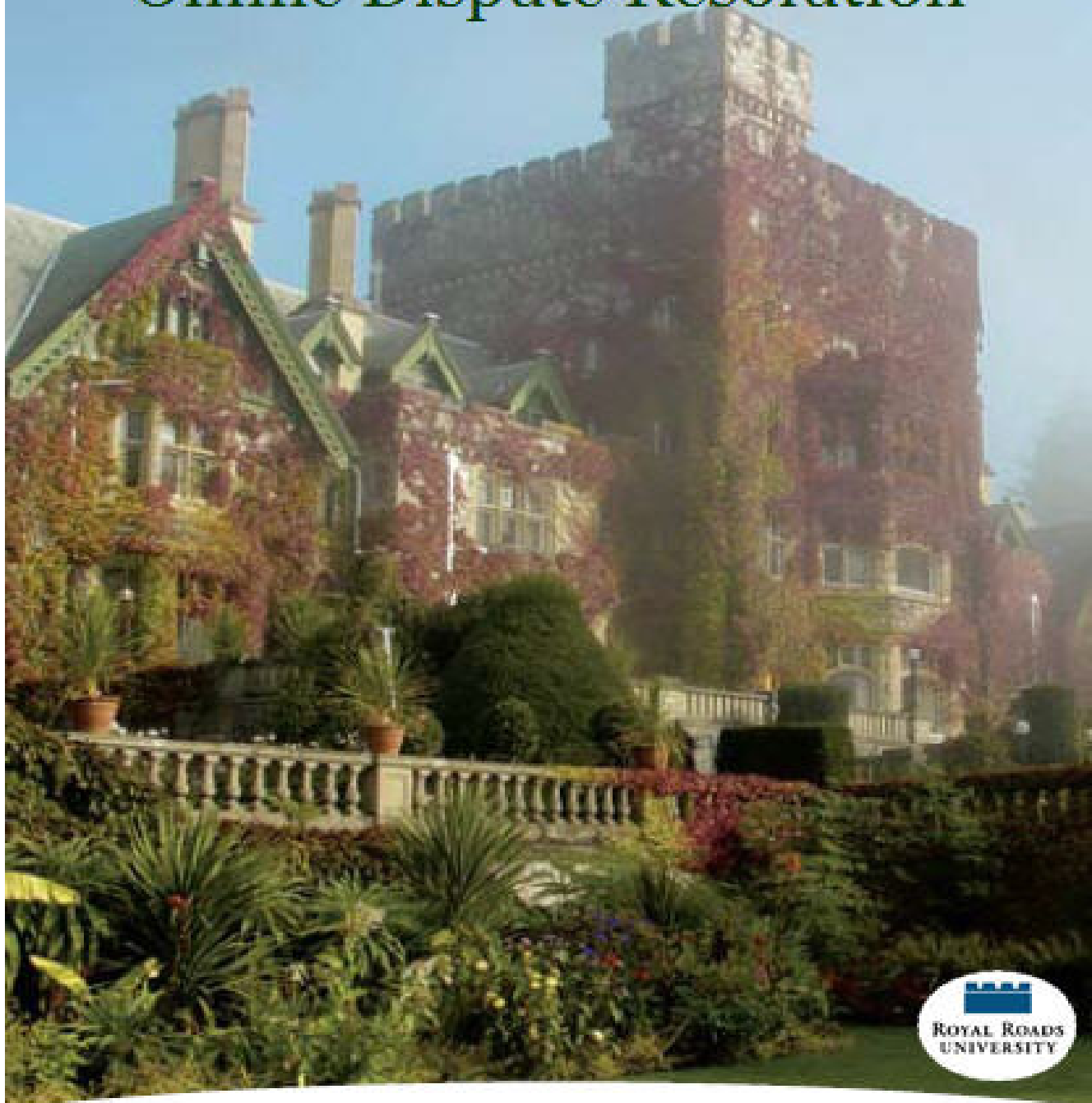


# 7th International Forum On Online Dispute Resolution



June 18-19, 2008 | Victoria, British Columbia

[www.odrforum2008.org](http://www.odrforum2008.org)



## **About this Handbook...**

Dear Honored Guests and Hosts,

This handbook has been prepared with care so it serves as a resource tool not just for this important event, but in the future.

In this handbook, you will find information about the conference, special guests, partners, hosts, sponsors, panelists, and those who volunteered valuable time to make this experience successful and memorable. Several presenters were kind enough to contribute presentation pieces, papers and abstracts, which enhance the value of this handbook and truly earn it a place on your desk as a reference source.

The last section of this handbook is dedicated to your needs during the conference, with this week's calendar, venue information, space for notes, and business cards you will be collecting.

I wanted to thank Mr. Frank Fowlie for organizing this great event, and giving me the opportunity to put this handbook together. And, I could not have done this without all of the contributors, and the help of Hamaad Akmal and Grace Ayres.

Please enjoy the 7<sup>th</sup> International Forum on Online Dispute Resolution at this grand venue, in this beautiful city!

Sincerely yours,

Indu Sen

# **TABLE OF CONTENTS**

<b>I.</b>	<b>WELCOME &amp; ACKNOWLEDGMENTS.....</b>	<b>PGS. 4 – 31</b>
	<b>A. WELCOME LETTERS.....</b>	<b>PGS. 5 - 12</b>
	<b>B. HONOURED HOSTS, PARTNERS, BENEFACTORS AND SPONSORS....</b>	<b>PGS. 13 - 31</b>
<b>II.</b>	<b>FORUM AGENDA.....</b>	<b>PGS. 32 - 36</b>
<b>III.</b>	<b>SPECIAL GUESTS AND SPEAKERS.....</b>	<b>PGS. 37 - 51</b>
<b>IV.</b>	<b>BIOGRAPHIES.....</b>	<b>PGS. 52 - 81</b>
	<b>A. CHAIRS AND PRESENTERS.....</b>	<b>PGS. 53 - 78</b>
	<b>B. GENEROUS VOLUNTEERS.....</b>	<b>PGS. 79 - 81</b>
<b>V.</b>	<b>PAPERS, PRESENTATIONS &amp; ABSTRACTS.....</b>	<b>PGS. 82 – 242</b>
<b>VI.</b>	<b>FOR YOUR INFORMATION.....</b>	<b>PGS. 243 - 251</b>

# **WELCOME & ACKNOWLEDGEMENTS**

# **WELCOME LETTERS**



The Internet Corporation for Assigned Names and Numbers

June 2008

Dear Colleagues,

I would like to welcome you to the **2008 International Forum on Online Dispute Resolution**. As a Canadian, a British Columbian, a graduate of the host university, and the Ombudsman for the host organization, it is a particular pleasure for me to serve as Chair of the Forum, and to have the opportunity to welcome you.

Over the next two days, over 150 practitioners, academics, and platform designers, from over thirty nations will gather in beautiful Victoria, British Columbia to discuss and further the state of Online Dispute Resolution as a field of practice. These discussions will be augmented by keynote presentations from Dr. Jose Ramos Horta, Nobel Peace Prize winner, 1996, and Dr. Vinton Cerf, inventor of the Internet.

I must underline the efforts and contributions of many whose efforts have contributed so greatly to the planning, and the ultimate success of the Forum. Thank you to our sponsors and donors who have contributed to the financial capacity of the Forum; the faculty, staff, and learners at Royal Roads University; the externship program at Pepperdine University; the Fellows of the National Centre for Technology and Dispute Resolution at the University of Massachusetts – Amherst; Lester B. Pearson College of the Pacific; the Government of British Columbia; the Government of Canada, in particular the Canadian International Development Agency; the staff at ICANN; Indu Sen who has put together this wonderful handbook; the staff at the Marriott Inner Harbour; and our many panel chairs, presenters, and speakers.

I wish you an enjoyable and informative stay in Victoria.

Brussels  
Marina del Rey

6 Rond Point Schuman, Bt, 5  
4676 Admiralty Way, Suite 330

B-1040 Brussels  
Marina del Rey, CA 90292

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<http://icann.org>



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Agence canadienne de  
développement international

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CANADA K1A 0G4

200 Promenade du Portage  
Gatineau, Quebec  
CANADA K1A 0G4

[www.acdi-cida.gc.ca](http://www.acdi-cida.gc.ca)

Dear Conference Participant:

We are delighted that the Canadian International Development Agency (CIDA) has been able to support your participation in this event.

CIDA, through its Conference Secretariat, recognizes the importance of supporting the participation of representatives from developing countries and countries in transition at conferences, seminars and workshops. We value very highly your views and insights. We are confident that you are committed to participating to the fullest extent possible and that, upon your return to your country, you will be able to apply the knowledge, ideas and practices which you gained from this event.

It is possible that representative of CIDA or another Canadian government department or agency may be attending this conference. If this is the case, we hope that you will take advantage of the opportunity to meet and exchange thoughts.

We wish you a wonderful stay and we hope that you find the conference as fulfilling as the program promises to be.

Yours Sincerely,

Conferences and Events Secretariat  
Canadian Partnership Branch

Canada



UNIVERSITY of  
MASSACHUSETTS  
AMHERST

National Center for Technology  
and Dispute Resolution (NCTDR)

Gordon Hall  
University of Massachusetts  
418 North Pleasant Street, Suite C  
Amherst, MA 01002-1735  
voice: 413.545.6879  
fax: 603-676-5752  
<http://www.odr.info>

On behalf of the National Center for Technology and Dispute Resolution at the University of Massachusetts at Amherst, I am very pleased to welcome you to the 2008 International Forum on ODR. Those of use who have been working in the field of ODR frequently “meet” in cyberspace but we also recognize that we benefit greatly from opportunities to meet face to face. We are, therefore, most grateful to Frank Fowlie for hosting this meeting and the other organizations that are co-sponsoring it.

We not only welcome you here but we invite you to participate in the National Center’s activities (<http://www.odr.info>) during the year. Among our efforts and achievements during the past twelve months have been the following:

- Our annual Cyberweek all-online conference
- Ongoing work with the National Mediation Board in the U.S. and additional support received from the National Science Foundation
- Support of our colleague Leah Wing for her work in Northern Ireland
- Receipt of a grant from the eBay foundation to help create an online compliant system for soldiers in Walter Reed Hospital
- Expanding governmental ODR efforts in the transportation field and highway development
- Promoting the use of ODR in Small Claims Courts
- Explorations of possible uses of ODR in emerging fields such as virtual worlds, nanotechnology, and the growing use of electronic medical records

I look forward to meeting you during the next two days and hope that we will be able to generate new and creative ideas concerning the use of online resources to resolve conflict. We have worked very hard to develop a program that we will generate a lot of discussion and we are particularly pleased that representatives from over thirty countries are attending.

Sincerely,

*Ethan Katsh*

Ethan Katsh

The University of Massachusetts is an Affirmative Action/Equal Opportunity Institution.





## ROYAL ROADS UNIVERSITY



Office of the President

### **Welcome to Victoria, Welcome to Royal Roads and Welcome to the ODR Forum**

On Behalf of Royal Roads University, welcome!

We welcome you to an opportunity for “constructive and reflective engagement”. We learn through dialogue and exchange and as President of Royal Roads, I welcome you to join us and your colleagues in this exercise. Engagement and dialogue without action is selfish and unerving, so I challenge you to leave the forum with a renewed sense of action as individuals, as a forum and as representatives of our communities.

Royal Roads was created by the Government of British Columbia in 1995 with a unique, special purpose mandate. As an innovative special purpose institution on a unique location, with rich history from our Aboriginal forefathers and more recently, Canadian forces cadets, we are charged to offer graduate and undergraduate degree programs solely in applied and professional fields. We are about preparing people to work in a rapidly changing global economy. It is our vision to be a global leader in providing accessible, relevant, and quality education for those who wish to advance in the workplace, and important for this forum; to undertake applied research that addresses real-world challenges that enhance social and environmental sustainability.

With over 3,400 graduate students and over 900 undergraduate students in the final two years of their degree completion, we deliver our education in a blended model that combines intensive residencies with our on line courses, done as cohorts of learners who complete their programs in tandem. We use competency-based curricula, that are delivered in an interdisciplinary fashion, for generally more mature, work experienced individuals. We have branch offices in Hong Kong, and deliver our MBA program to over 1,000 students in Greater China.

After 11 years of graduates, we have more than 8,000 learners who work in forty-eight countries.

The study of conflict is one of four of the learning pillars that were created for Royal Roads when it was established. We are leaders in peace and conflict studies and have developed innovative programs to provide professionals with the theoretical knowledge and understanding to help manage conflict and craft solutions for real world problems. Programs include: BA in Justice Studies; a new MA in Disaster and Emergency management; MA in Conflict Analysis and Management; a Thai-Canada MA in Conflict Analysis and Management; MA in Human Security and Peacebuilding; and a Graduate Diploma in Conflict Analysis.

Royal Roads is committed to Global Learning. We offer courses for distance learners, and we have created a supportive technology platform that allows us to offer a customized online environment based on open source software used around the world.

Take some time in your busy schedule to look around, visit the Castle and meet with our learners. Use our site as a catalyst for your learning, and use your learning to make a difference in the world.

Yours truly,



Allan R. Cahoon, PhD  
President and Vice-Chancellor

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Halley Park National Historic Site

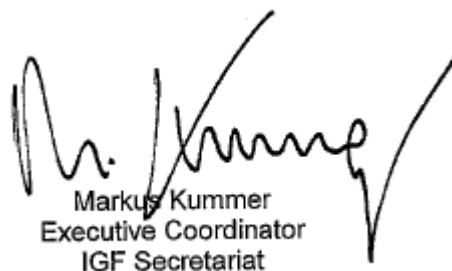
## **Message to the 2008 International Forum on Online Dispute Resolution**

Let me start by thanking the organizers for giving me this opportunity to address the participants of the 2008 International Forum on Online Dispute Resolution, held at Victoria, British Columbia. This forum complements the in Internet Governance Forum's (IGF) aim to maximize the opportunities the internet offers.

The International Forum on Online Dispute Resolution is bringing together, once again, the world's leading academics, theorists, and online negotiators. It plays a significant role in developing a shared understanding of any conflict on the internet, offering practical and lasting solutions. The borderless nature of the internet presents new challenges with regard to law enforcement. The internet is a new technology in need of new solutions. Old models cannot simply be applied to this new environment. This makes Online Dispute Resolution (ODR) very relevant and important – they provide a new way of dealing with disputes and conflicts arising in cyberspace. The amicable mediation of disputes is adapted to the very nature of the internet, which encourages all forms of informal, bottom-up collaboration. It is also an essential tool in internet governance.

In a similar way the IGF is exploring new forms of cooperation for dealing with public policy issues related to the internet. Many possible solutions for today's problems, ranging from spam, phishing and all forms of cybercrime, include voluntary collaboration among all stakeholders. Participants at the 2008 International Forum on Online Dispute Resolution may therefore be interested in attending the third IGF meeting, which will be held in Hyderabad, India, from 3-6 December, 2008. The IGF aims to bring together people from different stakeholder groups, governments, the private sector, civil society and the academic and technical communities in the search for common solutions, based on the exchange and experiences and the sharing of best practices. The meeting is open and inclusive, - all participants with relevant expertise and experience are welcome. Participants at the 2008 International Forum on Online Dispute Resolution would enrich the debate by bringing their experience.

I wish you all a good and fruitful meeting and hope to see many of you in Hyderabad.



Markus Kummer  
Executive Coordinator  
IGF Secretariat



## **Opening Ceremony**

*June 18, 2008, Victoria Marriott Inner Harbour*

9:00 a.m. Marriott Ballroom

### **Ceremony Participants**

His Excellency, President Jose Ramos Horta (video address)

Sgt. Herb Wayne

Mr. Greg Sam

Dr. Angelo Belcastro

Mr. Bill Knight

Mr. Ethan Katsh

Mr. Frank Fowle

### **Special Welcome to NCTDR Fellows**

Mr. Daniel Rainey

Mr. Colin Rule

Mr. Sanjana Hattotuwa

Mr. Ayo Kusamotu

Dr. Mohamed S. Abdel Wahab

Mr. Jeff Aresty

### **Special Welcome to CIDA Guests**

Ambassador Patricia Durrant

Ms. Jacqueline A. Morris

Dr. Xue Hong

Ms. Juliana de Oliveira Marcal

Ms. Joana dos Santos Camoes

Ms. Xie Changqing

Ms. Yeo Yee Ling

Mr. Ayo Kusamotu

Mr. Sanjana Hattotuwa

Dr. Mohamed S. Abdel Wahab

Mr. Tumaini Anthony Minja

Mr. Sher Shah Khan

Mr. Cui Xinmin

Ms. Chittu Nagarajan

Mr. Timothy Sze

**HONoured HOSTS,  
PARTNERS,  
BENEFACTORS AND  
SPONSORS**



The International Forum on Online Dispute Resolution sincerely thanks the Canadian International Development Agency (CIDA) for presenting 22 Forum attendees with travel grants. Nations such as East Timor, Pakistan, Trinidad and Tobago, Egypt, Nigeria, Tanzania, The People's Republic of China, and others, are represented at this Forum as a result of this significant contribution by and partnership with the CIDA.

The Forum also recognizes and congratulates the CIDA Travel Grant recipients. Welcome, and please enjoy the conference!



Canadian International Development Agency



The Government of British Columbia, The Office of the Premier, its Chief Information Officer, the Protocol Office, and its various Ministries and Agencies have been key supporters of the event.



Thank you for the warm welcome, British Columbia!



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THE  LAW

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FOUNDATION

---

OF BRITISH COLUMBIA

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The Law Foundation of British Columbia is a non-profit foundation created by legislation in 1969 to receive and distribute the interest on clients' funds held in lawyers' pooled trust accounts maintained in financial institutions.

The Legal Profession Act directs the Law Foundation to distribute these funds in five areas:

- \* legal education;
- \* legal research;
- \* legal aid;
- \* law reform; and
- \* law libraries.





The Office of the Ombudsman, Internet Corporation for Assigned Names and Numbers (ICANN), is acting as the key member of the local organizing committee, and Frank Fowlie, ICANN Ombudsman ([www.icannombudsman.org](http://www.icannombudsman.org)) is the Forum Chair.





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### General Description

Lester B. Pearson College of the Pacific stands as a memorial to the life and work of the late Canadian Prime Minister and Nobel Peace Prize laureate, Lester B. Pearson. The College promotes the cause of international understanding by creating an environment in which students from many countries and cultures are brought together to study and to serve the community.

### Aims

The aims of Pearson College: To provide an education, in the total sense, which will produce involved, active, educated citizens, whose attitudes of understanding and service will be a force against bigotry and hatred between peoples. To provide a practical demonstration that international education works and that it can build bridges of understanding between peoples.

### Location

Pearson College is located on the west coast of Canada on the shores of Pedder Bay, 29 km west of the city of Victoria, British Columbia. Clustered on the wooded shores of the bay, the cedar buildings on the College campus provide an ideal environment for the purpose, aims and philosophy of the institution.



### The Full Scholarship Policy

Lester B. Pearson felt strongly that Pearson College should "be open to all students with ability, regardless of financial means, religious belief or race." The Full Scholarship Policy was formally established by the Board of Trustees at the very beginning as one of the basic tenets of the College. As a result, all students are selected in open competition in their home countries and all students attend the College on full scholarship. Students selected are awarded a scholarship that covers their tuition, room and board. The value of this scholarship is over \$30,000 per annum.

**For further information or to make a donation, please contact:**

**Lester B. Pearson  
College of the Pacific**  
650 Pearson College Drive  
Victoria, British Columbia,  
Canada V9C 4H7  
[admin@pearsoncollege.ca](mailto:admin@pearsoncollege.ca)  
Telephone: (250) 391-2411  
Fax: (250) 391-2412



THANK YOU  CAMOSUN COLLEGE FOR  
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**CAMOSUN COLLEGE Contact Info:**

Lansdowne campus  
3100 Foul Bay Rd, Victoria BC, V8P 5J2

Interurban campus  
4461 Interurban Rd, Victoria BC, V9E 2C1

**Phone:** 250-370-3000

**Toll free:** 1-877-554-7555

**Email:** [info@camosun.bc.ca](mailto:info@camosun.bc.ca)

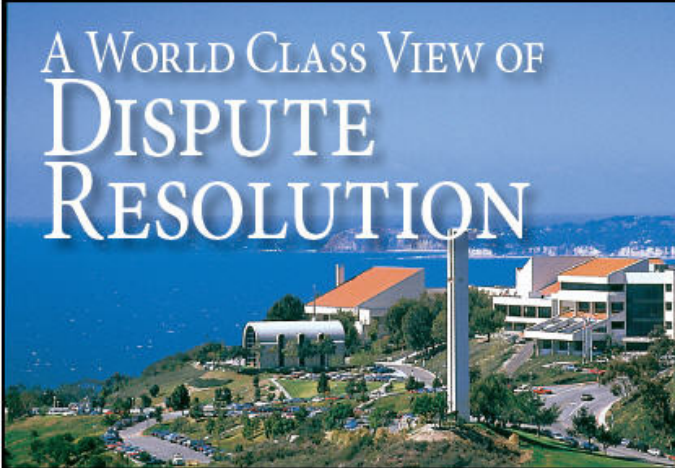
<http://camosun.ca>



Founded in 1962, the CRDP is the University of Montreal's oldest research centre. Furthermore, with its 15 researchers, 31 associate researchers and 28 collaborators, it constitutes the largest legal research institute in Canada. CRDP researchers essentially work on forms of contemporary law, the conditions in which they emerge and relations with other forms of normativity and social regulation. This research is centered towards three specific areas: Law and new social relations; law, and information and communications technologies; and Law, biotechnology and community.

...Over the years, CRDP researchers and their associates have been responsible for some of the most important legal breakthroughs in such fields as aboriginal law, genetics and online dispute resolution. Regarding the later, the CRDP's Cybertribunal and eResolution projects were among the first ODR platforms available on the Web and revolutionized the field of online arbitration. The software developed by CRDP researchers for these projects is still being used today, most notably by the European Commission's ECODIR consumer dispute resolution platform.

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Pepperdine University's Straus Institute for Dispute Resolution provides professional training and academic programs in dispute resolution including a Master of Laws in Dispute Resolution (LLM) for law candidates and a Masters in Dispute Resolution (MDR) and Certificate in Dispute Resolution for non-law candidates. Straus has long been considered to have one of the best, most comprehensive ADR programs in the United States, complemented by the AAA Library, the world's largest collection of conflict resolution resources. Law and graduate students, as well as mid-career professionals study in various areas including mediation, negotiation, arbitration, international dispute resolution, and peacemaking.



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INNER HARBOUR

## Harbour



A Partner and Host of the 7<sup>TH</sup> International Forum on Online Dispute Resolution, June 18-19, 2008.  
We hope you enjoy your stay and the conference.

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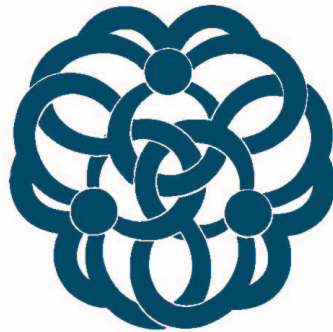
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**Mediate.com**

The Forum participants offer thanks  
to **Action Travel**  
for providing impeccable travel services for this event.



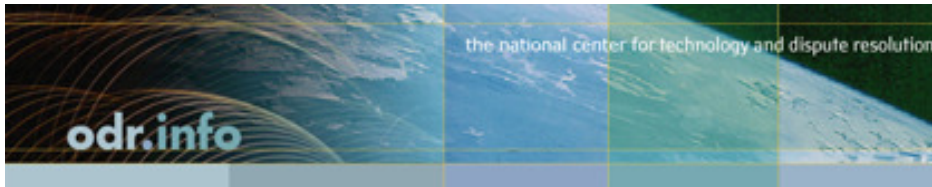
### Action Travel Contact Information:

6970 No. 3 Road, Richmond, B.C., Canada, V6Y 2C5  
Tel: 604.278.8286 Toll Free: 800.457.3363 Fax: 604.278.1629  
eMail: [action@travelplusbc.com](mailto:action@travelplusbc.com)  
Hours of Service: Monday to Friday, 9 AM to 5:30 PM Pacific Time

*A special note of thanks goes out to **Joy Reynolds** of Action Travel, who worked tirelessly to accommodate various travel needs of the Forum delegates.*







The National Centre for Technology and Dispute Resolution (NCTDR) at the University of Massachusetts, Amherst is the world's leading academic institution for the advancement of ODR research. The Fellows of the NCTDR act as the key civil society organization for the administration of the International Forum on Online Dispute Resolution.

### The National Center for Technology and Dispute Resolution

106 Gordon Hall  
University of Massachusetts  
418 No. Pleasant Street  
Amherst, MA 01002-1735

#### **Mission**

The Center exists to support and sustain the development of information technology applications, institutional resources, and theoretical and applied knowledge for better understanding and managing conflict. The Internet is global and thus conflict management resources and expertise can be delivered from anywhere asynchronously. We are only at the beginning of understanding how individuals separated by great physical, cultural, or technological distances can utilize resources and expertise virtually.

The Center views cyberspace is an increasingly significant part of our personal and professional lives. Cyberspace is not a harmonious place, and the Center is dedicated to understanding the nature and origins of online conflict and of appropriate responses to it. In addition, we conceive of the online environment as a "place" where increasingly powerful tools will be available for working to find solutions to many forms of offline/online conflict, whether they are public or private, whether they involve commercial transactions or other social relationships, and whether they are international or domestic.

Recognizing all NCTDR Fellows...[odr.info](http://odr.info)

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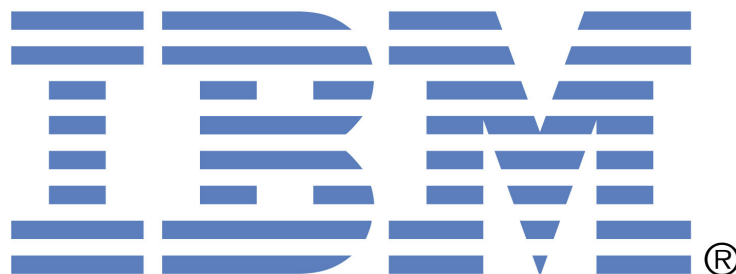
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HKIAC was established in 1985 to assist disputing parties to solve their disputes by arbitration and by other means of dispute resolution. It was established by a group of the leading business and professional people in Hong Kong to be the focus for Asia of dispute resolution. It has been generously funded by the business community and by the Hong Kong Government but it is totally independent of both and it is financially self sufficient.

For further information relating to dispute resolution in Hong Kong please contact:

**Christopher To**, Secretary-General or  
**Primrose Law**, Deputy Secretary-General  
Hong Kong International Arbitration Centre  
38th Floor Two Exchange Square  
8 Connaught Place  
Hong Kong S.A.R.  
China  
Telephone: (852) 2525-2381  
Fax: (852) 2524-2171

Email: [adr@hkiac.org](mailto:adr@hkiac.org)

[www.hkiac.org](http://www.hkiac.org)





# Information and Communications Technology for Crisis Management

**ICT4Peace aims to enhance the performance of the international community in crisis management through the application of Information and Communications Technology (ICT) – technologies that can facilitate effective and sustained communication between communities and stakeholders involved in crisis management.**

We understand crisis management as civilian and/or military intervention in a crisis that may be a violent or non-violent with the intention of preventing a further escalation of the crisis and facilitating its resolution. This definition covers peace mediation and peace-keeping activities of the international community. In bridging the fragmentation within and between various organizations and actors during different phases of crises, ICT4Peace aims to facilitate holistic, cohesive and collaborative mechanisms directly in line with Paragraph 36 of the WSIS Tunis Commitment:

*"36. We value the potential of ICTs to promote peace and to prevent conflict which, inter alia, negatively affects*

*achieving development goals. ICTs can be used for identifying conflict situations through early-warning systems preventing conflicts, promoting their peaceful resolution, supporting humanitarian action, including protection of civilians in armed conflicts, facilitating peacekeeping missions, and assisting post conflict peace-building and reconstruction."*

The Foundation aims to enhance the performance of the international community in crisis management through improved interagency collaboration and interoperability supported by ICT tools. In order to achieve the forgoing, ICT4Peace intends to:

- raise awareness about the contribution and potential of ICT in crisis management
- foster exchange of best practices in the field of ICT for crisis management
- contribute to the establishment of broad principles derived from operational best practices, help integrate them into UN processes and make ICT part of UN evaluation exercises.

The ICT4Peace Foundation was appointed partner and leader of the community of practice for ICT4Peace of the UN DESA Global Alliance for ICT and Development (GAID).

Our seminal publication *Information and Communication Technology for Peace: The role of ICT in preventing, responding to and recovering from conflict* is available on our website.

The Foundation was invited by the UN Chief Information Technology Officer in 2008 to conduct a high-level stocktaking exercise of best practices in information management during crisis response. Together with the UNDP and the Cairo Center on Crisis Prevention and Peace Keeping for Africa (CCCPA), we are also designing training modules we propose to be developed for training institutions for peace keepers and peace builders in Africa and elsewhere. We are also part of the UN Peacebuilding Support Office Community of Practice on ICT4Peace.

**Visit**

**[www.ict4peace.org](http://www.ict4peace.org)**

See the range of ICT tools and mechanisms used for crisis management on our ICT4Peace Inventorisation Wiki

<http://inventory.ict4peace.org>



## About CIRA

The Canadian Internet Registration Authority (CIRA) is the not-for-profit, member-driven organization that manages Canada's dot-ca (.ca) domain name registry, develops and implements policies that support Canada's Internet community, and represents the dot-ca registry internationally. CIRA processes over 300 million requests per day to connect Internet users with over one million dot-ca Internet addresses.



Government of Canada  
Gouvernement du Canada

Canada



THANK YOU, CANADA!



Department of Justice  
Canada

Ministère de la Justice  
Canada

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*Everything should be made as simple as possible, but not simpler.*

Albert Einstein

**Peaceful. Collaborative. Intelligent.**



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