**The Civil Jury Project’s**

**Guide to Planning a Jury Improvement Lunch**

“Jury Improvement Lunches” were an idea launched by the Civil Jury Project in 2016. The idea is simple: State and Federal judges extend lunch invitations to their recent jurors so that these citizens can discuss their experiences with judges and lawyers. The purpose of the lunch is to honor these jurors, as well as to learn from them how the justice system and jury duty can be improved. The Civil Jury Project has concluded that any effort to save jury trials requires that we treat jury service as a privilege rather than a duty, and that we learn from those who have served how lawyers and judges can improve the quality of civil dispute resolution by juries.

Based on the feedback from those who have attended one of our programs, there is sincere interest in hosting these events periodically all over the country. The Civil Jury Project is currently planning events in Cleveland, San Francisco, Philadelphia, Boston, and Denver. With that said, anyone is free to hold a Jury Improvement Lunch, and the Civil Jury Project need not be involved. To the contrary, we hope that Bar Associations, Jury Consultants, Law Schools, etc. will prepare their own programs around the country, offering Continued Learning Education Credit to those in attendance.

This packet serves as a guide for planning and executing an independent Jury Improvement Lunch. It is organized around five simple steps: (1) sending invitations and booking a venue, (2) additional organizing, (3) setting up the day of the event, (4) registering the attendees, and (5) following-up with attendees. We also include some lessons that we have learned from our experiences hosting these events—specifically what works and what does not work. These lessons should help make your event better and more informative. Finally, a video recording of our most recent lunch in Dallas, Texas can be found [here](https://youtu.be/_xQ9ZKBULSI). It should help you get an idea as to how these events work in practice.

If you have any questions or concerns, please reach out to the Civil Jury Project at [civiljuryproject@law.nyu.edu](mailto:civiljuryproject@law.nyu.edu) and we will do our best to provide assistance.

1. **Organizing a Jury Improvement Lunch**

Step 1: Venue Booking and Invitation

* Identify a venue of adequate size and request:
  + Several tables with chairs
  + A riser in the front of the room where 10 jurors (the panel) will sit behind a table
  + Table number holders
  + A podium with a microphone
  + Five hand-held microphones that the panel can pass around, along with 1 lavalier microphone for the moderator
  + Projector to display sponsors’ logos on-screen during the lunch
  + Two six-foot tables for registration
  + Linens for tables
* Contact the executive director, president, and president elect of these organizations to ask if they will sponsor the lunch:
  + Local Bar Association, ABOTA chapter, Association of Young Lawyers, Trial Lawyers Association, Association of Defense Counsel, Bar Association Labor & Employment Law section, Bar Association Business Litigation Section, Bar Association Trial Skills section, and Bar Association Tort & Insurance Practices section
  + Note: “Sponsor” means notifying and encouraging members to attend and providing assistance at the registration desk.
* Contact local law firms to ask if they will split the cost—or “host”—the lunch
  + Past sponsors have included: Fish & Richardson, Carrington Coleman Sloman & Blumenthal LLP, Lynn Pinker Cox & Hurst, Sayles Werbner Trial Law, Gibson Dunn, McKool Smith, Baron & Budd PC, Turley Law Firm, Frank L. Branson Law, Haynes and Boone LLP, Baker Botts LLP, Vinson & Elkins LLP, Norton Rose Fulbright, Ben Abbott and associates PLLC, and Thompson Knight.
  + If necessary, create and send a weblink for attendees to RSVP and pay.
* To invite judges, send:
  + Juror invitation letter to give to jurors (*See Exhibit 1*)
  + Judge invitation letter to distribute to other judges (*See Exhibit 2*)
    - As jurors begin to RSVP, ask them if they are willing to discuss their experience on a panel in front of the audience. It is best to have roughly 10 jurors on the panel.
* To invite sponsoring organizations, send:
  + Attorney invitation letter to distribute (*See Exhibit 3*)
* To invite host firms, send:
  + Attorney invitation letter to distribute (*See Exhibit 3*)
* To invite Inns of Court, send:
  + Attorney invitation letter to distribute (*See Exhibit 3*)

Step 2: Additional Organizing

* Book a buffet lunch for all attendees
* Book videographer to tape the panel discussion
* Understand process for free juror/judge parking/valet
* Provide publicity for the sponsors and hosts
  + Get logos from sponsors to project on-screen
* Figure out where each juror, judge, and attorney will sit. Distribute attorneys evenly so that no one from the same firm will be sitting at the same table. Have at least 1 juror and 1 judge at each table
* Make nametags for all attendees.
  + For attorneys, type name in black
  + For judges and jurors, type name in red
    - Under judge or juror name, type “Judge” or “Juror” in red
  + On each name tag, put the assigned table number to the bottom right
* Make number tags for each table
* Make panel name plates and put them on stage
* Ask sponsoring organizations if anyone from the organization can volunteer to help at the registration tables.
* Confirm CLE accreditation has been obtained
* Print registration pages
* Print cash receipts in case anyone pays with cash
* Bring highlighters to mark off names on the registration list, something to put cash/check payment in, blank name tags, and extra plastic name tag holders

Step 3: Setting up the Venue

* On each of the tables, place:
  + Table numbers on table number holders
  + CLE cards
  + Pencils/pens for CLE cards
* Set up a raised long table for the panelist discussion at the front of the room, and place name placards of the panelists
* Double check to make sure that:
  + Signs can easily be seen when attendees arrive
  + Sponsors’ logos are projected on screen
  + Microphones work
  + There is a riser at the front of room with a table and 10 chairs
  + The registration volunteers and valet attendants know the process for valet/parking
  + There is at least 1 juror at each table

Step 4: Register the Attendees

* Put name badges in alphabetical order on the registration table
* As each attendee registers, tell him/her to quickly go through the buffet line and to sit at the table number on the nametag.
* Give Jurors:
  + Valet sticker
  + Name tag
  + Juror Questionnaire (*See Exhibit 5*)
* Give Judges:
  + Name tag
  + Valet sticker
* Check to see if attorney has paid in advance. If so, give him/her name tag.
  + If attorney needs to pay, he/she can make the check payable to your organization
* Highlight each name on the registration pages as attendees register.
  + After judges arrive, give the judge registration page to the presenter to announce/recognize judges who attend.
* At the end of lunch, give jurors the honorarium

Step 5: Follow-up

* Send an invoice to each host organization
  + Tell each host to make the check payable to your organization and let the host know where to send the check.

**II. Recommendations for Successful Lunch**

In holding these events around the country, we have learned what works well and what does not work. From this, we offer three chief recommendations:

First, you might have some trouble finding judges willing to extend invitations to their jurors. Indeed, a number of judges with whom we have worked said that while they were enthusiastic about the event, they worried that a judge extending the invitation might be coercive. If you run into this problem, suggest using the jury clerk to pass out invitations. This might alleviate the judge’s concerns.

Second, to make sure that the panel discussion at the front of the room is engaging, it might be worthwhile to call and talk to those jurors who say they are willing to discuss their experiences. During this quick call, try to gauge what type of insights they will be able to provide to the discussion. Moreover, in constructing the panel, try to make sure that the jurors served on juries with different judges. When all of the panelists come from the same judge, the discussion is rather bland. We have also included a list of questions (*Exhibit 4*) that might help provide some structure to your discussion and make the whole event run more smoothly.

Third, it is critical that you wait until after the event concludes to give the jurors their honorarium. Unfortunately, we have learned that some jurors arrive merely to collect the money and leave before the event even starts. We have made this mistake and we urge you to learn from our experience.

**III. Conclusion**

If you decide to hold a Jury Improvement Lunch, please let the Civil Jury Project know! We will be happy to publicize the event through our channels and provide any assistance that we can. In return, we ask that you provide us with the results of the jury questionnaires and any video recordings made of the event. If we are going to save jury trial in this country, we all need work together.

**Exhibit 1: Juror Invitation Letter**

Dear Juror:

Because you have recently completed your service as a juror in a civil trial, the **[Organizer]**, in conjunction with the **[Sponsors and Hosts]**, invites you to be our guest at our Jury Improvement Luncheon to be held at **[Event Details]**. We have invited to this lunch those who have recently served as jurors in state and federal courts in **[Jurisdiction]**, as well as our state and federal judges and attorneys practicing before them. The purpose of this lunch is both to thank you for your service and to learn from you how the justice system and jury duty can be improved based upon your recent and first hand observations. There is obviously no obligation for you to attend, but we would encourage you to do so and to give us your feedback. The lawyers who attend will receive credit for their continuing legal education requirements. And in addition to reimbursing you for your transportation and parking expenses, we will present you with a $100 honorarium for attending.

If you attend the lunch, you can valet park with the hotel valet attendant and we will pay for your parking. Of course, there is no charge for the lunch. Please RSVP by responding to **[Contact Information]**.

Sincerely,

**[Organizer]**

**Exhibit 2: Judge Invitation Letter**

Dear Judge:

As you might know, the Civil Jury Project at NYU School of Law is the only academic center in the country dedicated exclusively to the preservation and improvement of jury trials in civil cases. The organization has been holding Jury Improvement Lunches around the country in which recent jurors are invited to discuss their experience. The goal is to honor those who have served on our juries as well as to learn from them how the experience can be improved.

These events have been a resounding success. For instance, at a recent event in Dallas, Texas, over 100 lawyers, 20 State and Federal judges, and 40 jurors attended. The Civil Jury Project got jurors to attend by asking the judges who preside over jury trials to distribute a letter to jurors explaining that the lunch was being held to honor them and to learn from them how to improve the jury system. Judges and jurors attended as guests. The trial bar paid for their own lunches. Afterwards, the surveyed attendees enthusiastically voided support of repeating these types of events around the country. The Civil Jury Project is thus opening up the process and encouraging organization like **[Organizer]** to hold their own Jury Improvement Lunches around the country.

Accordingly, the **[Organizer]**, along with **[Host and Sponsoring Organizations]**, will be hosting a Jury Improvement Lunch on **[Date]** at **[Location]**. We would love to have your participation. To help, we ask that as you discharge jurors from trials between now and **[Event Date]**, please deliver to them a copy of the attached letter. If you feel comfortable doing so, a better turnout is expected if the letter is retyped on your own letterhead. As you can see, we also are providing the juror with a $100 honorarium for attending. If you would prefer not to be personally involved, perhaps you would consider passing the letter along to the jury clerk.

We sincerely hope you will help us extend the attached invitation and urge your discharged jurors to attend. Please feel free to contact us at **[Phone Number]** if you have any questions and please RSVP if you can attend by emailing **[Contact Person]**.

Sincerely,

**[Organization]**

**Exhibit 3: Lawyer Invitation Letter**

Dear Lawyers,

The **[Organizer]**, in conjunction with the **[Sponsors and Hosts]**, invites you to attend our Jury Improvement Lunch to be held at **[Event Details]**. This lunch will be hosted by over a dozen prominent litigation firms on both sides of the docket. The list is currently in formation. A similar lunch, sponsored by similar organizations and some of the same law firms, was hosted in Houston in May and was so successful that over 100 attendees (including more than 20 judges) agreed it should be repeated quarterly. The State and Federal judges of **[Jurisdiction]** have been extending an invitation to the jurors who have served in civil cases recently. The purpose of the lunch is to learn from these jurors what can be done to improve civil trials.

The judges and jurors will attend as our guests, but we are asking practicing lawyers to pay for their own lunches. We intend to have some type of program, to sit the jurors and judges at each table and to obtain CLE credit for the event. Anyone interested in improving their trial skills will not want to miss this lunch. Having the opportunity to learn directly from jurors what works and what doesn’t is a tremendous opportunity.

Because we have limited space, and because we will assign you tables in order to assure we mix up jurors, judges and lawyers from the same firm, we ask that you make a reservation in advance if you want to attend. You can do so by sending your RSVP to **[Contact Information]**. Please provide your full name, company name, and email address and reference the Jury Improvement Lunch in your email. Also, if it becomes necessary for you to miss the lunch, please email **[Contact Information]**, even if at the last moment, so that we can fill your seat at an assigned table.

Sincerely,

**[Organization]**

**Exhibit 4: Sample Panel Discussion Questions**

1. **Summoning**
   1. It seems that people will say or do just about anything to get out jury duty. How did you feel when summoned? Were you excited? Were you dreading it?
   2. Did you go online and try to identify ways of “getting out” of serving? Did you maybe even consider using any of these “techniques”?
2. **Empaneling**
   1. What were your feelings once you first arrived at the courthouse? Were you curious at all about what was going on? Do you think if the parties had told you a bit more about the case in advance of jury selection that you would have been more interested in serving on the jury?
   2. During jury selection, potential jurors have to answer a number of often difficult and personal questions. What did you think about the lawyers as they were asking you these questions? Do you feel that the judge adequately explained why the lawyers were asking you these questions?
3. **Trial**
   1. Jury instructions are usually not given until the conclusion of the presentation. As a result, jurors may feel lost because they do not know what they should be paying most attention to. Was this your experience? Do you think it would have been easier to assess the case if you were provided instructions beforehand?
   2. Some jurors wish that they could ask questions of the witnesses. Do you think that your comprehension of the case would have increased if you were permitted to submit questions? Or do you think you would have been distracted in trying to develop questions to pose.
   3. Similarly, were your permitted to take notes during the trial? If so, do you think this helped you keep track of the testimony and evidence? Or did you feel distracted by the need to write everything down?
4. **Deliberation**
   1. Jury duty asks our citizens to deliberate with their peers on some of the most difficult issues our society faces. Did you feel the importance of your duty as you were deliberating? Without getting in to details, did you find it difficult to discuss some of these issues with your fellow citizens?
   2. If you served on a civil trial, were you tasked with determining monetary damages? If so, how did you go about calculating them? Were you tempted to “split the baby”?
5. **Post-Service**
   1. How did you feel immediately after serving on the jury? Did you find yourself thinking about the experience a few days later? Overall, would you say it was a positive or negative experience?
   2. One important aspect of jury duty is how it engages ordinary people in our judicial system, and in our society generally. For instance, statistics show that people who serve on juries are more likely to vote. Would you say that your experience increased your feelings of connection to your community? If so, in what way did these feeling express themselves?

**Exhibit 5: Jury Questionnaire**

**JURY IMPROVEMENT LUNCH**

**QUESTIONS FOR EACH JUROR**

***Please complete this at start of lunch and hand to lawyer who is moderating discussion at your table***

1. In the trial in which you served as a juror, did you think that the questioning of witnesses was sufficiently thorough in getting at the important issues? (check one box)

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | | (Definitely Yes)1 | 2 | 3 | 4 | 5 | 6 | 7 (Definitely No) | |  |  |  |

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2. Do you agree or disagree that all the relevant evidence was brought out in the trial?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| (Completely Agree) 1 | 2 | 3 | 4 | 5 | 6 | 7 (Completely Disagree) |

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3. Overall, how easy or difficult was the evidence to understand in the trial?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| (Very easy) 1 | 2 | 3 | 4 | 5 | 6 | 7 (Very difficult) |

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4. How complex was this case?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| (Not Complex At All) 1 | 2 | 3 | 4 | 5 | 6 | 7 (Very Complex) |

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5. Did any expert witnesses testify in the trial? (check one) (If no or don’t know, skip to question 7)

🞎 Yes 🞎 No 🞎 Don’t know

6. If one or more expert witnesses testified in the trial, how easy or difficult was it to understand the expert testimony?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| (Very easy) 1 | 2 | 3 | 4 | 5 | 6 | 7 (Very difficult) |

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7. How easy or difficult was it to understand the judge’s instructions about the law in this case?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| (Very easy) 1 | 2 | 3 | 4 | 5 | 6 | 7 (Very difficult) |

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8. How interesting or boring did you find the plaintiff’s presentation of the evidence?

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| --- | --- | --- | --- | --- | --- | --- |
| (Very Interesting) 1 | 2 | 3 | 4 | 5 | 6 | 7 (Very Boring) |

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9. How interesting or boring did you find the defendant’s presentation of the evidence?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| (Very Interesting) 1 | 2 | 3 | 4 | 5 | 6 | 7 (Very Boring) |

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10. Were you allowed to submit questions to the witnesses during the trial? (If no, skip to question 12)

🞎 Yes 🞎 No

11. If you were allowed to submit questions, did you find this helpful or distracting?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| (Very Helpful) 1 | 2 | 3 | 4 | 5 | 6 | 7 (Very Distracting) |

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12. Was there something about your views or background that you think might have been relevant to whether the parties would want you to be a juror in this case that was never inquired about by the judge or the lawyers before you were selected to be a juror?

13. Did the lawyers in this case not just present arguments to you at the opening and closing stages of the trial, but also during the trial, before or after witnesses took the stand? (If no, skip to question 15)

🞎 Yes 🞎 No

14. Did you find these interim arguments helpful in understanding each side’s case?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| (Very Helpful) 1 | 2 | 3 | 4 | 5 | 6 | 7 (Not Helpful) |

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15. Did the judge in this case give you instructions about the law in this case before the trial began? (If no, skip to question 17)

🞎 Yes 🞎 No

16. Do you think that the judge providing you with information about the law before you heard any witness testimony helped keep you focused on the evidence?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| (Very Helpful) 1 | 2 | 3 | 4 | 5 | 6 | 7 (Not Helpful) |

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17. Were you told whether the judge set a time limit on the trial? (If no, skip to question 19)

🞎 Yes 🞎 No

18. Did you find that having a time limit helped the lawyers in this case move through their arguments more quickly?

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| (Very Helpful) 1 | 2 | 3 | 4 | 5 | 6 | 7 (Not Helpful) |

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19. Many citizens are unfamiliar with the experience of serving on a jury.  Having now experienced the process, would you be willing to share a lesson, a feeling, a story, or an attitude about jury service that might serve to educate or inspire others?  If yes, please do so here.

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20. Have your feelings about the court, the legal system, or the jury system changed after having now served as a juror?

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21. The “voice” of the juror is generally silent throughout the legal process.  What would you like to say to the public or the court about the experience or meaning of being a juror?

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