



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 819
TRENTON, NJ 08625-0819

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHARLES A. RICHMAN
Commissioner

FINAL DECISION

October 27, 2015 Government Records Council Meeting

Michael A. King
Complainant

Complaint No. 2014-156

v.

NJ Department of Corrections
Custodian of Record

At the October 27, 2015 public meeting, the Government Records Council (“Council”) considered the October 20, 2015 Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, finds that:

1. The Custodian complied with the Council’s February 24, 2015, Interim Order because he provided certified confirmation of compliance to the Executive Director in accordance with N.J. Court Rule 1:4-4, and submitted nine (9) copies of the redacted and unredacted RFP Response and Cost Proposals for an *in camera* review within the allotted time to respond.
2. The Custodian lawfully denied access to the redacted portions of the Cost Proposals because they contained proprietary and trade secret information, the disclosure of which shortly after award of the contract could give an unfair advantage to competitors. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-6. Additionally, because the Custodian lawfully denied access to the redacted portions of the record at the time of the request, the Council need not address whether he knowingly and willfully violated OPRA.
3. The Custodian lawfully denied access to the redacted portions of the RFP Response because those portions contained personally identifiable information, and the Complainant failed to certify in his OPRA requests whether he had been convicted of an indictable offense under the laws of New Jersey, any other state, or the United States. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-2.2; N.J.S.A. 47:1A-6. Additionally, because the Custodian lawfully denied access to the redacted portions of the record, the Council need not address whether he knowingly and willfully violated OPRA.

This is the final administrative determination in this matter. Any further review should be pursued in the Appellate Division of the Superior Court of New Jersey within forty-five (45) days. Information about the appeals process can be obtained from the Appellate Division Clerk’s Office, Hughes Justice Complex, 25 W. Market St., PO Box 006, Trenton, NJ 08625-0006. Proper service of submissions pursuant to any appeal is to be made to the Council in care of the



Executive Director at the State of New Jersey Government Records Council, 101 South Broad Street, PO Box 819, Trenton, NJ 08625-0819.

Final Decision Rendered by the
Government Records Council
On The 27th Day of October, 2015

Robin Berg Tabakin, Esq., Chair
Government Records Council

I attest the foregoing is a true and accurate record of the Government Records Council.

Steven Ritardi, Esq., Secretary
Government Records Council

Decision Distribution Date: October 29, 2015

**STATE OF NEW JERSEY
GOVERNMENT RECORDS COUNCIL**

***In Camera* Findings and Recommendations of the Executive Director
October 27, 2015 Council Meeting**

Michael A. King¹
Complainant

GRC Complaint No. 2014-156

v.

NJ Department of Corrections²
Custodial Agency

Records Relevant to Complaint: The Complainant sought the following document, which was allegedly omitted from a previously provided record:

“Attachment AA: Solicitation #1901 (Scope of Work) and Amendments 1, 2, 3, 4, and 5 from section 5 of the STATEWIDE MASTER SERVICE AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR, located on page 2 of 10.”

Custodian of Record: John Falvey

Request Received by Custodian: February 7, 2014; March 21, 2014

Response Made by Custodian: February 10, 2014; February 19, 2014; March 27, 2014

GRC Complaint Received: April 1, 2014

Records Submitted for *In Camera* Examination: Redacted and unredacted copies of records entitled “JPAY Response to RFP 1901” and “JPAY Cost Proposals.”

Background

February 24, 2015 Council Meeting:

At its February 24, 2015, public meeting, the Council considered the February 17, 2015, Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, found that:

1. The Custodian has borne his burden of proof that he did not unlawfully deny access to the record entitled Attachment AA, because he certified, and the record reflects, that no responsive document exists. N.J.S.A. 47:1A-6; Pusterhofer v. N.J. Dep’t of Educ., GRC Complaint No. 2005-49 (July 2005).

¹ No legal representation listed on record.

² No legal representation listed on record.

2. The GRC must therefore conduct an *in camera* review of the records entitled “JPAY Response to RFP 1901” [“RFP Response”] and “JPAY Cost Proposals” [“Cost Proposals”] to determine the validity of the Custodian’s assertion that these records contain personally identifying information and/or trade secrets. See Paff v. NJ Dep’t of Labor, Bd. of Review, 379 N.J. Super. 346 (App. Div. 2005); and N.J.S.A. 47:1A-1.1.
3. **The Custodian must deliver³ to the Council in a sealed envelope nine (9) copies of the requested unredacted records (see paragraph 2 above), nine (9) copies of the redacted records, a document or redaction index⁴, as well as a legal certification from the Custodian, in accordance with N.J. Court Rule 1:4-4,⁵ that the records provided are the records requested by the Council for the *in camera* inspection. Such delivery must be received by the GRC within five (5) business days from receipt of the Council’s Interim Order.**
4. The Council defers analysis of whether the Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances pending the Custodian’s compliance with the Council’s Interim Order.

Procedural History:

On February 25, 2015, the Council distributed its Interim Order to all parties. On February 26, 2015, the Custodian responded to the Council’s Interim Order, submitting nine (9) copies of the redacted and unredacted RFP Response and Cost Proposals, as well as certified confirmation of compliance to the Executive Director.

Analysis

Compliance

At its February 24, 2015, meeting, the Council ordered the Custodian to submit nine (9) copies of the redacted and unredacted records for *in camera* review and to submit certified confirmation of compliance to the Executive Director.⁶ On February 25, 2015, the Council distributed its Interim Order to all parties, providing the Custodian five (5) business days to comply with the terms of said Order. Thus, the Custodian’s response was due by close of business on Wednesday, March 4, 2015.

On February 26, 2015, the first (1st) business day after receipt of the Council’s Order, the Custodian submitted certified confirmation of compliance to the GRC, via regular mail, and nine (9) redacted and unredacted copies of the RFP Response and Cost Proposals.

³ The *in camera* records may be sent by overnight mail, regular mail, or be hand-delivered, at the discretion of the Custodian, as long as they arrive at the GRC office by the deadline.

⁴ The document or redaction index should identify the record and/or each redaction asserted and the lawful basis for the denial.

⁵ "I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment."

⁶ In accordance with N.J. Court Rule 1:4-4.

Therefore, the Custodian complied with the Council's February 24, 2015, Interim Order because he provided certified confirmation of compliance to the Executive Director in accordance with N.J. Court Rule 1:4-4, and submitted nine (9) copies of the redacted and unredacted RFP Response and Cost Proposals for an *in camera* review within the allotted time to respond.

Unlawful Denial of Access

OPRA provides that government records made, maintained, kept on file, or received by a public agency in the course of its official business are subject to public access unless otherwise exempt. N.J.S.A. 47:1A-1.1. A custodian must release all records responsive to an OPRA request "with certain exceptions." N.J.S.A. 47:1A-1. Additionally, OPRA places the burden on a custodian to prove that a denial of access to records is lawful. N.J.S.A. 47:1A-6.

Cost Proposals

OPRA also provides that:

A government record shall not include the following information which is deemed to be confidential . . . trade secrets and proprietary commercial or financial information obtained from any source . . . information which, if disclosed, would give an advantage to competitors or bidders[.]

N.J.S.A. 47:1A-1.1.

The GRC conducted an *in camera* review of the Cost Proposals record and considered the Custodian's arguments within his Statement of Information ("SOI"). The review reveals that the redacted information included the pricing rates and associated costs the company surmised internally when offering their bid for the open contract. Disclosure of such financial information during and shortly after award of the contract could be detrimental to JPay and allow competitors to undercut them in future bidding. The GRC is satisfied that such information is exempt from disclosure under OPRA. *See* N.J.S.A. 47:1A-1.1. However, in his February 25, 2015, certification, the Custodian stated that upon further review of the record, he believed that enough time had passed to alleviate the concerns over trade secrets and unfair competition. Therefore, the Custodian certified that in addition to providing the GRC with copies of the Cost Proposals, he simultaneously provided the records to the Complainant without redactions.

The Custodian lawfully denied access to the redacted portions of the Cost Proposals because they contained proprietary and trade secret information, the disclosure of which shortly after reward of the contract could give an unfair advantage to competitors. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-6. Additionally, because the Custodian lawfully denied access to the redacted portions of the record at the time of the request, the Council need not address whether he knowingly and willfully violated OPRA.

RFP Response

OPRA exempts certain personally identifiable information from disclosure in a request for public records: “that portion of any document which discloses the social security number, credit card number, unlisted telephone number or driver license number of any person[.]” N.J.S.A. 47:1A-1.1.

The restriction of disclosure of personal information is even greater when the requestor is a convicted person:

Notwithstanding the provisions of [OPRA] or the provisions of any other law to the contrary, where it shall appear that a person who is convicted of any indictable offense under the laws of this State, any other state or the United States is seeking government records containing personal information pertaining to the person's victim or the victim's family, including but not limited to a victim's home address, home telephone number, work or school address, work telephone number, social security account number, medical history or any other identifying information, the right of access provided for in [OPRA] shall be denied.

N.J.S.A. 47:1A-2.2

The evidence in the record demonstrates that the Complainant is an incarcerated individual, as his listed address is at East Jersey State Prison. The evidence in the record also reveals that the Complainant failed to certify in his February 7 and March 21, 2014, OPRA requests whether he has or has not been convicted of an indictable offense under the laws of New Jersey, any other state, or the United States. In the instant matter, such certification is required before access can be granted to records containing personal information. N.J.S.A. 47:1A-2.2; N.J.S.A. 2C:28-3. The Custodian's index indicated that the redacted portions of the RFP Response were résumé and contact information for eight (8) JPay employees. The redacted information included work telephone numbers and addresses. Since the Complainant failed to certify whether he has or has not been convicted of an indictable offense, the GRC is satisfied that the Custodian properly redacted the personal information contained in the record.

The Custodian lawfully denied access to the redacted portions of the RFP Response because those portions contained personally identifiable information, and the Complainant failed to certify in his OPRA requests whether he had been convicted of an indictable offense under the laws of New Jersey, any other state, or the United States. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-2.2; N.J.S.A. 47:1A-6. Additionally, because the Custodian lawfully denied access to the redacted portions of the record, the Council need not address whether he knowingly and willfully violated OPRA.

Conclusions and Recommendations

The Executive Director respectfully recommends the Council find that:

1. The Custodian complied with the Council's February 24, 2015, Interim Order

because he provided certified confirmation of compliance to the Executive Director in accordance with N.J. Court Rule 1:4-4, and submitted nine (9) copies of the redacted and unredacted RFP Response and Cost Proposals for an *in camera* review within the allotted time to respond.

2. The Custodian lawfully denied access to the redacted portions of the Cost Proposals because they contained proprietary and trade secret information, the disclosure of which shortly after award of the contract could give an unfair advantage to competitors. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-6. Additionally, because the Custodian lawfully denied access to the redacted portions of the record at the time of the request, the Council need not address whether he knowingly and willfully violated OPRA.
3. The Custodian lawfully denied access to the redacted portions of the RFP Response because those portions contained personally identifiable information, and the Complainant failed to certify in his OPRA requests whether he had been convicted of an indictable offense under the laws of New Jersey, any other state, or the United States. N.J.S.A. 47:1A-1.1; N.J.S.A. 47:1A-2.2; N.J.S.A. 47:1A-6. Additionally, because the Custodian lawfully denied access to the redacted portions of the record, the Council need not address whether he knowingly and willfully violated OPRA.

Prepared By: Samuel A. Rosado
Staff Attorney

Reviewed By: Joseph D. Glover
Executive Director

October 20, 2015



State of New Jersey
GOVERNMENT RECORDS COUNCIL

101 SOUTH BROAD STREET
PO BOX 819
TRENTON, NJ 08625-0819

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

RICHARD E. CONSTABLE, III
Commissioner

INTERIM ORDER

February 24, 2015 Government Records Council Meeting

Michael A. King
Complainant

Complaint No. 2014-156

v.

NJ Department of Corrections
Custodian of Record

At the February 24, 2015 public meeting, the Government Records Council ("Council") considered the February 17, 2015 Findings and Recommendations of the Executive Director and all related documentation submitted by the parties. The Council voted unanimously to adopt the entirety of said findings and recommendations. The Council, therefore, finds that:

1. The Custodian has borne his burden of proof that he did not unlawfully deny access to the record entitled Attachment AA, because he certified, and the record reflects, that no responsive document exists. N.J.S.A. 47:1A-6; Pusterhofer v. N.J. Dep't of Educ., GRC Complaint No. 2005-49 (July 2005).
2. The GRC must therefore conduct an *in camera* review of the records entitled "JPAY Response to RFP 1901" and "JPAY Cost Proposals" to determine the validity of the Custodian's assertion that these records contain personally identifying information and/or trade secrets. See Paff v. NJ Dep't of Labor, Bd. of Review, 379 N.J. Super. 346 (App. Div. 2005); and N.J.S.A. 47:1A-1.1.
3. **The Custodian must deliver¹ to the Council in a sealed envelope nine (9) copies of the requested unredacted records (see paragraph 2 above), nine (9) copies of the redacted records, a document or redaction index², as well as a legal certification from the Custodian, in accordance with N.J. Court Rule 1:4-4,³ that the records provided are the records requested by the Council for the *in camera* inspection. Such delivery must be received by the GRC within five (5) business days from receipt of the Council's Interim Order.**

¹ The *in camera* records may be sent by overnight mail, regular mail, or be hand-delivered, at the discretion of the Custodian, as long as they arrive at the GRC office by the deadline.

² The document or redaction index should identify the record and/or each redaction asserted and the lawful basis for the denial.

³ "I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment."

4. The Council defers analysis of whether the Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances pending the Custodian's compliance with the Council's Interim Order.

Interim Order Rendered by the
Government Records Council
On The 24th Day of February, 2015

Robin Berg Tabakin, Esq., Chair
Government Records Council

I attest the foregoing is a true and accurate record of the Government Records Council.

Steven Ritardi, Esq., Secretary
Government Records Council

Decision Distribution Date: February 25, 2015

**STATE OF NEW JERSEY
GOVERNMENT RECORDS COUNCIL**

**Findings and Recommendations of the Executive Director
February 24, 2015 Council Meeting**

Michael A. King¹
Complainant

GRC Complaint No. 2014-156

v.

NJ Department of Corrections²
Custodial Agency

Records Relevant to Complaint: The Complainant sought the following document, which was allegedly omitted from a previously provided record:

“Attachment AA: Solicitation #1901 (Scope of Work) and Amendments 1, 2, 3, 4, and 5 from section 5 of the STATEWIDE MASTER SERVICE AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR, located on page 2 of 10.”

Custodian of Record: John Falvey

Request Received by Custodian: February 7, 2014; March 21, 2014

Response Made by Custodian: February 10, 2014; February 19, 2014; March 27, 2014

GRC Complaint Received: April 1, 2014

Background³

Request and Response:

On February 1, 2014, the Complainant submitted an Open Public Records Act (“OPRA”) request to the Custodian seeking the following record:⁴

1. “A copy of the contract between JPAY Corporation . . . and the New Jersey Department of Corrections . . . to provide business and other services to New Jersey inmates.”

On February 10, 2014, one (1) business day later, the Custodian responded in writing, producing a responsive record comprising thirty-two (32) pages. The Custodian also charged \$1.60 for copying costs, which must be paid before the record is delivered. On February 19,

¹ No legal representation listed on record.

² No legal representation listed on record.

³ The parties may have submitted additional correspondence or made additional statements/assertions in the submissions identified herein. However, the Council includes in the Findings and Recommendations of the Executive Director the submissions necessary and relevant for the adjudication of this complaint.

⁴ The Complainant sought other records in his February 7, 2014 OPRA request, but they are not at issue in this matter.

2014, the Custodian sent correspondence to the Complainant, acknowledging receipt of payment for the copying costs and attached the responsive document therein.

On February 25, 2014, the Complainant sent a letter to the Custodian, claiming that the above-mentioned record (“Attachment AA”) was missing from the responsive document referenced by the Custodian on February 10, 2014.

The Custodian replied to the Complainant on March 27, 2014, stating that the requested record could not be located. However, the Custodian produced other records claimed to be related to the Complainant’s request, but with redactions made pursuant to N.J.S.A. 47:1A-1.1.

Denial of Access Complaint:

On April 1, 2014, the Complainant filed a Denial of Access Complaint with the Government Records Council (“GRC”). The Complainant asserted that Attachment AA is missing from the responsive document the Custodian located and made available on February 10, 2014.

Statement of Information:

On May 1, 2014, the Custodian filed a Statement of Information (“SOI”). The Custodian certified that he received the Complainant’s OPRA request on February 7, 2014, and responded on February 10, 2014, informing the Complainant that a responsive document had been located.

Upon receipt of the Complainant’s February 25, 2014 letter, the Custodian certified that he reached out to a representative from the Department of Corrections’ (“DOC”) Office of Financial Management to locate a record related to the contractual agreement entitled “Attachment AA.” The Custodian certified that he was informed that the DOC was not in possession of any such record. Rather, the Custodian certified that other records pertaining to the DOC and JPAY contractual agreement were located and made available to the Complainant:

1. Nevada Purchasing Division RFP 1901 (81 pages)
2. JPAY Response to RFP 1901 (83 pages)
3. JPAY Cost Proposals (5 pages)

The Custodian stated that partial redactions were made to these documents, with justifications based on privacy interests, competitors and bidders’ information, and trade secrets and proprietary information pursuant to N.J.S.A. 47:1A-1.1.

Additional Information

On May 1, 2014, the Complainant submitted a letter in writing to the GRC, disputing the redactions made to the additional responsive records provided by the Custodian. The Complainant argued that once a contract has been finalized and executed by the State of New Jersey, it should be released to the requestor in its entirety. On May 9, 2014, the Complainant

submitted another letter to the GRC elaborating and expanding upon his opposition to the Custodian's redactions.

Analysis

Unlawful Denial of Access

OPRA provides that government records made, maintained, kept on file, or received by a public agency in the course of its official business are subject to public access unless otherwise exempt. N.J.S.A. 47:1A-1.1. A custodian must release all records responsive to an OPRA request "with certain exceptions." N.J.S.A. 47:1A-1. Additionally, OPRA places the burden on a custodian to prove that a denial of access to records is lawful pursuant to N.J.S.A. 47:1A-6.

Attachment AA

The Council has previously found that, where a custodian certified that no responsive records exist, no unlawful denial of access occurred. See Pusterhofer v. N.J. Dep't of Educ., GRC Complaint No. 2005-49 (July 2005). Here, the Complainant claimed that Attachment AA was missing from the responsive record previously provided to him by the Custodian. However, the Custodian certified that no documents matching the Complainant's exact description of Attachment AA could be found. Additionally, the Complainant failed to provide any evidence to rebut the Custodian's certification.

The Custodian has borne his burden of proof that he did not unlawfully deny access to the record entitled Attachment AA, because he certified, and the record reflects, that no responsive document exists. N.J.S.A. 47:1A-6; See Pusterhofer, GRC No. 2005-49.

JPAY Response to RFP 1901 & JPAY Cost Proposals

In Paff v. NJ Dep't of Labor, Bd. of Review, 379 N.J. Super. 346 (App. Div. 2005), the complainant appealed a final decision of the GRC⁵ in which the GRC dismissed the complaint by accepting the custodian's legal conclusion for the denial of access without further review. The court stated that:

OPRA contemplates the GRC's meaningful review of the basis for an agency's decision to withhold government records . . . When the GRC decides to proceed with an investigation and hearing, the custodian may present evidence and argument, but the GRC is not required to accept as adequate whatever the agency offers.

Id. at 354.

The court also stated that:

[t]he statute also contemplates the GRC's *in camera* review of the records that an

⁵ Paff v. NJ Dep't of Labor, Bd. of Review, GRC Complaint No. 2003-128 (October 2005).

agency asserts are protected when such review is necessary to a determination of the validity of a claimed exemption. Although OPRA subjects the GRC to the provisions of the ‘Open Public Meetings Act,’ N.J.S.A. 10:4-6 to -21, it also provides that the GRC ‘may go into closed session during that portion of any proceeding during which the contents of a contested record would be disclosed.’ N.J.S.A. 47:1A-7f. This provision would be unnecessary if the Legislature did not intend to permit *in camera* review.

Id. at 355.

Further, the court stated that:

[w]e hold only that the GRC has and should exercise its discretion to conduct *in camera* review when necessary to resolution of the appeal . . . There is no reason for concern about unauthorized disclosure of exempt documents or privileged information as a result of *in camera* review by the GRC. The GRC’s obligation to maintain confidentiality and avoid disclosure of exempt material is implicit in N.J.S.A. 47:1A-7f, which provides for closed meeting when necessary to avoid disclosure before resolution of a contested claim of exemption.

Id.

Here, the Custodian certified that he provided three (3) additional records related to the contract, in lieu of being able to locate Attachment AA. Of those records, the Custodian certified in his SOI that the JPAY Response to RFP 1901 and JPAY Cost Proposals were redacted under the privacy interests and trade secrets exemptions under OPRA. N.J.S.A. 47:1A-1.1.

The GRC must therefore conduct an *in camera* review of the records entitled “JPAY Response to RFP 1901” and “JPAY Cost Proposals” to determine the validity of the Custodian’s assertion that these records contain personally identifying information and/or trade secrets. *See Paff*, 379 N.J. Super. at 346; and N.J.S.A. 47:1A-1.1.

Knowing & Willful

The Council defers analysis of whether the Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances pending the Custodian’s compliance with the Council’s Interim Order.

Conclusions and Recommendations

The Executive Director respectfully recommends the Council find that:

1. The Custodian has borne his burden of proof that he did not unlawfully deny access to the record entitled Attachment AA, because he certified, and the record reflects, that no responsive document exists. N.J.S.A. 47:1A-6; Pusterhofer v. N.J. Dep’t of Educ., GRC Complaint No. 2005-49 (July 2005).

2. The GRC must therefore conduct an *in camera* review of the records entitled “JPAY Response to RFP 1901” and “JPAY Cost Proposals” to determine the validity of the Custodian’s assertion that these records contain personally identifying information and/or trade secrets. *See Paff v. NJ Dep’t of Labor, Bd. of Review*, 379 N.J. Super. 346 (App. Div. 2005); and N.J.S.A. 47:1A-1.1.
3. **The Custodian must deliver⁶ to the Council in a sealed envelope nine (9) copies of the requested unredacted records (see paragraph 2 above), nine (9) copies of the redacted records, a document or redaction index⁷, as well as a legal certification from the Custodian, in accordance with N.J. Court Rule 1:4-4,⁸ that the records provided are the records requested by the Council for the *in camera* inspection. Such delivery must be received by the GRC within five (5) business days from receipt of the Council’s Interim Order.**
4. The Council defers analysis of whether the Custodian knowingly and willfully violated OPRA and unreasonably denied access under the totality of the circumstances pending the Custodian’s compliance with the Council’s Interim Order.

Prepared By: Samuel A. Rosado
Staff Attorney

Approved By: Dawn R. SanFilippo
Deputy Executive Director

February 17, 2015

⁶ The *in camera* records may be sent by overnight mail, regular mail, or be hand-delivered, at the discretion of the Custodian, as long as they arrive at the GRC office by the deadline.

⁷ The document or redaction index should identify the record and/or each redaction asserted and the lawful basis for the denial.

⁸ "I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment."