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Volume 20

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Published Monthly

July/Aug 2015

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Cover: Award presented to John Pethick at the CARALL conference

# WILDY'S BOOK NEWS

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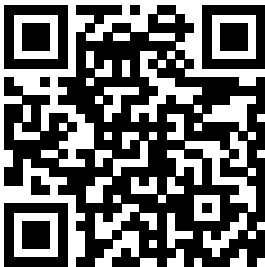
Pictures this month include CARALL which was held in Barbados. Our John Pethick received a special award (see this month's cover).

We also attended the AALL in Philadelphia. This began with a visit to nearby Carlisle and Dickinson Law School. We had a very pleasant lunch with Professors William Butler, Robert Rains of Dickinson Law School and Jean Allain of Queens University Belfast. They took us on a wonderful tour of the area. We then moved on to Philadelphia. It has been a few years since we last attended the AALL. Although smaller than years ago, it was very well run and the exhibition area was always busy.

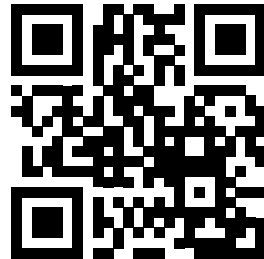
Also this month, I noticed that Informa have purchased Ashgate Publishing. There are not many small independent publishers left. I am happy to note that we are still here and our book *A Short Book of Bad Judges* received a mention as a summer read in *The Times*.

Our new books *Drink and Drug Drive Case Notes* (3rd ed) by PM Callow and *Planning Enforcement* by David Travers QC, Edward Grant and Emmaline Lambert are now published. See pp 35-36 for full descriptions.

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*CARALL in Barbados*



John Pethick being presented with the award by Lynette Isaacs, President of CARALL



CARALL delegates at the Wildy day trip to Saint Nicholas Abbey, Barbados



Matt Regnard with CARALL delegates at the Wildy sponsored day trip to Saint Nicolas Abbey in Barbados



David Berry, with a copy of his book Caribbean Integration Law



*AALL in Philadelphia, Pennsylvania*



Pennsylvania Supreme Court in  
Harrisburg, Penn

Dickinson Law School in Carlisle, Penn

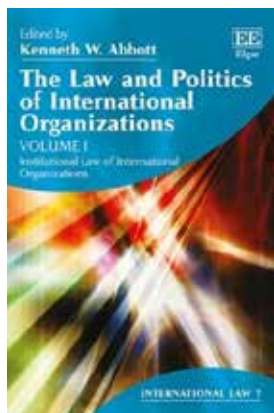


ICLR stand at the AALL in Philadelphia

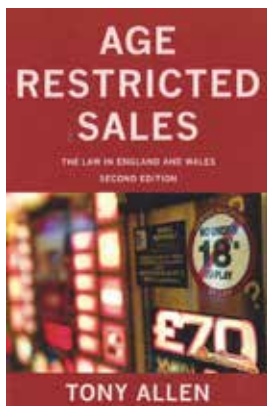


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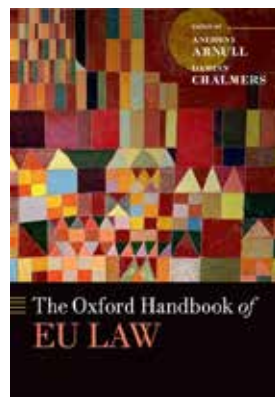
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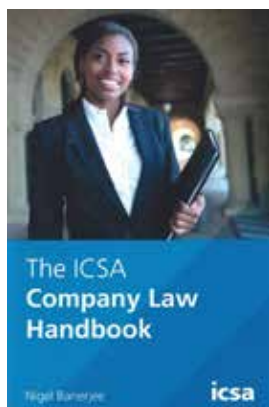
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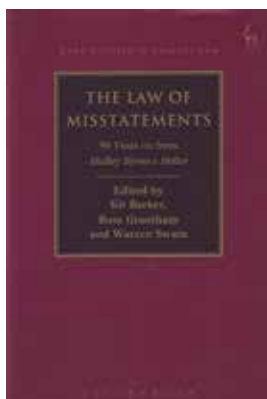
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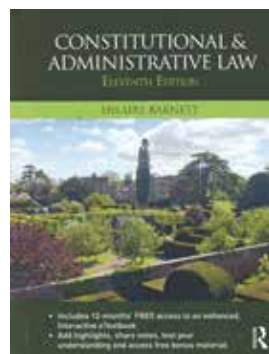
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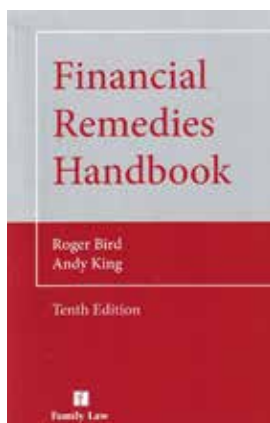
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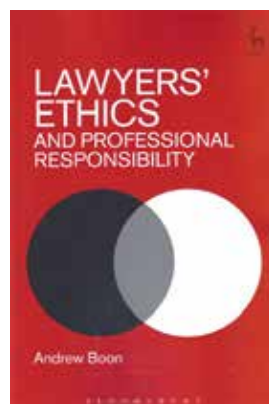
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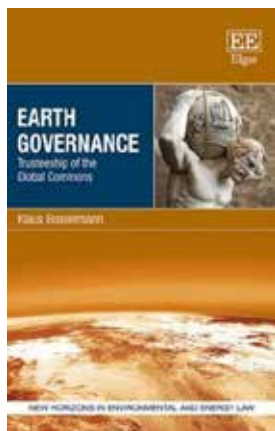


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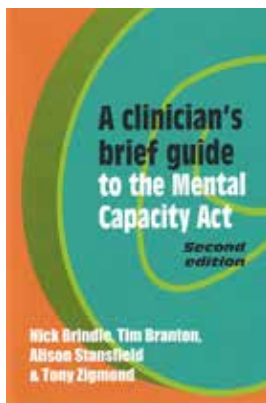


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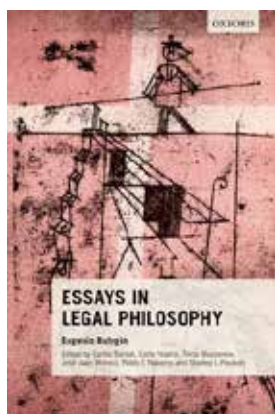
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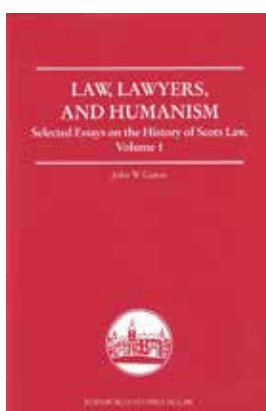
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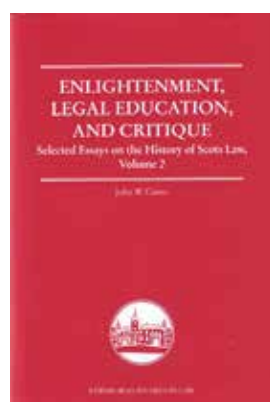
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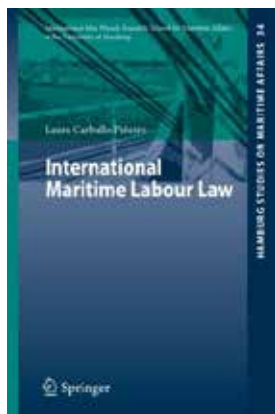
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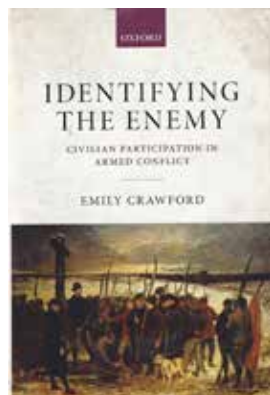
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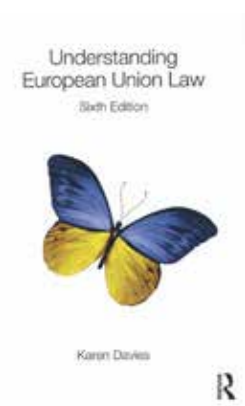
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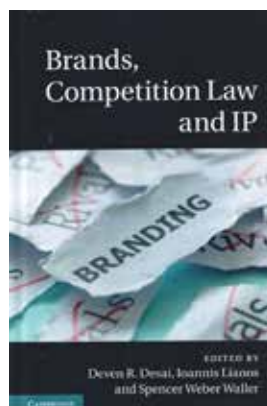
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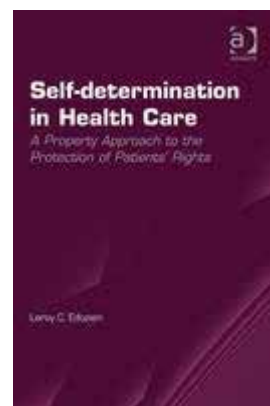
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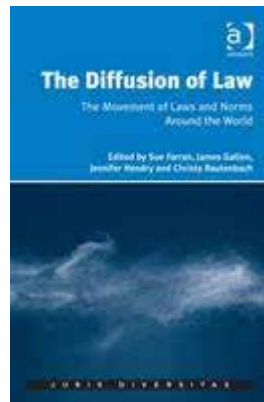
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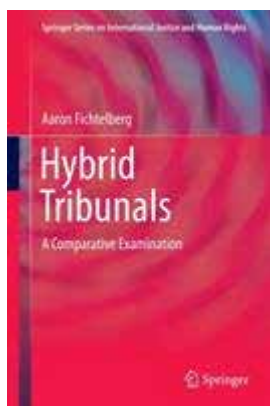
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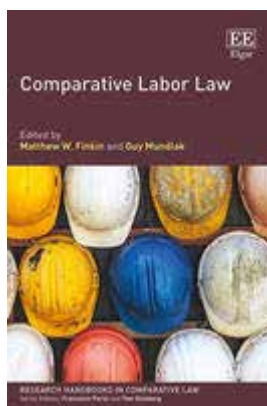
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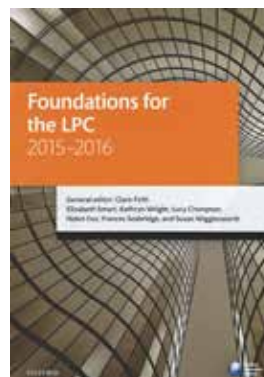
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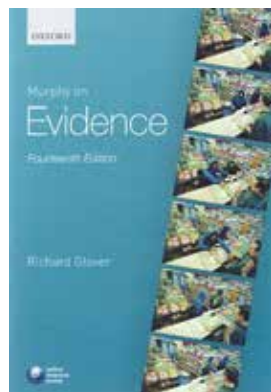
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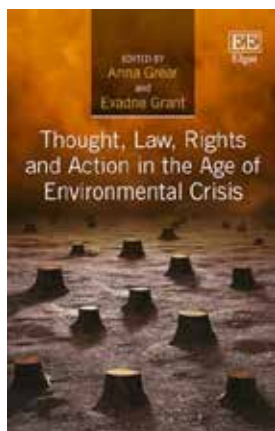
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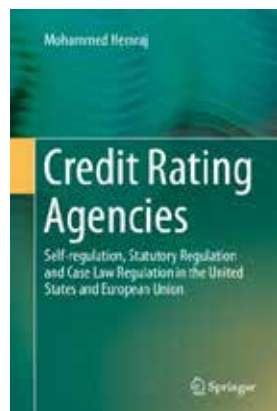
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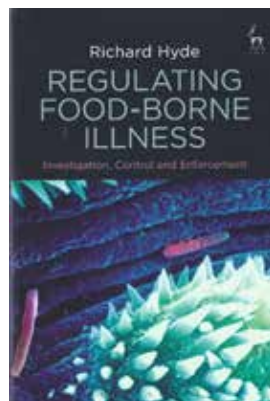
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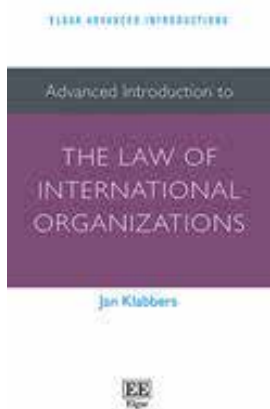
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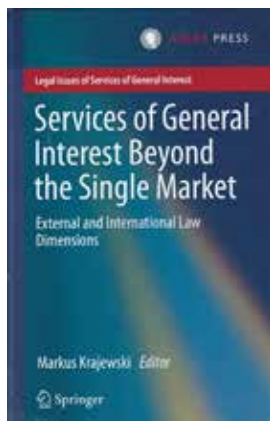


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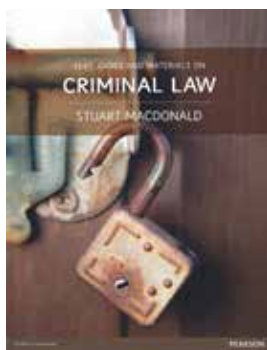
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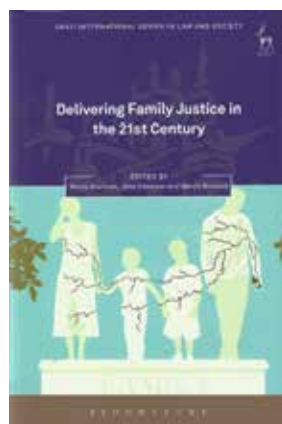
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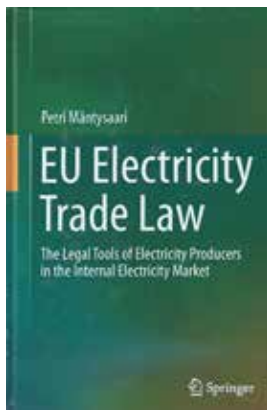
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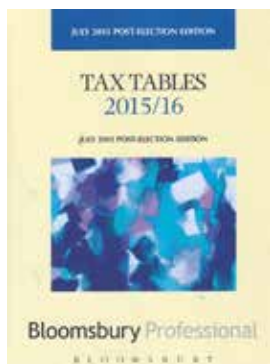
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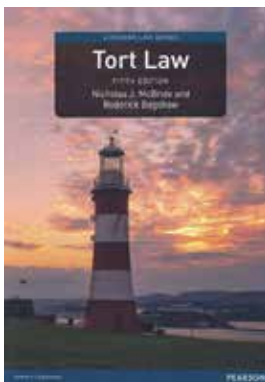
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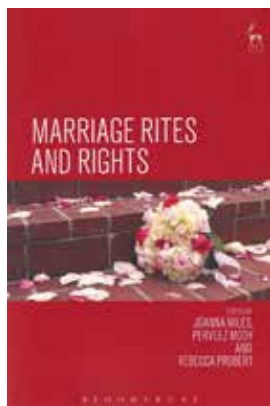
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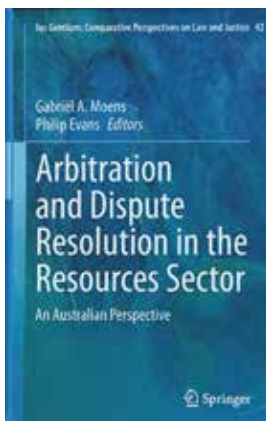
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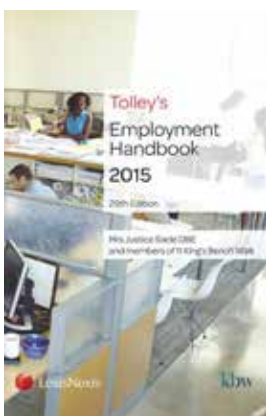
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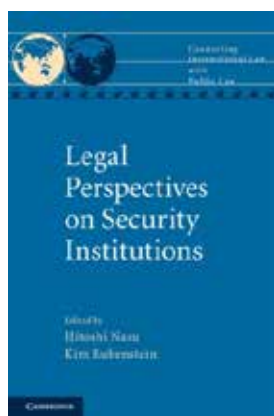
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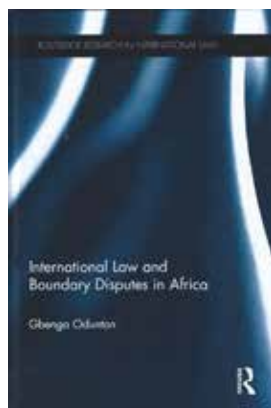
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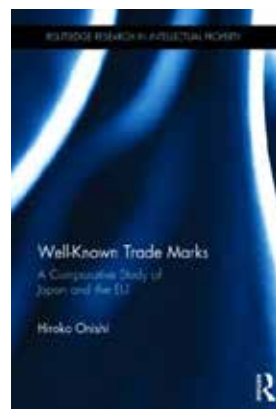
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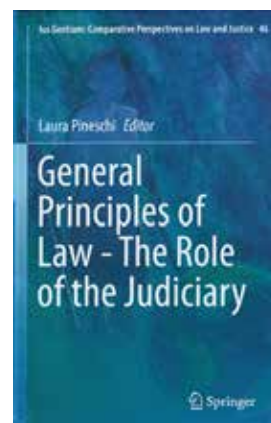
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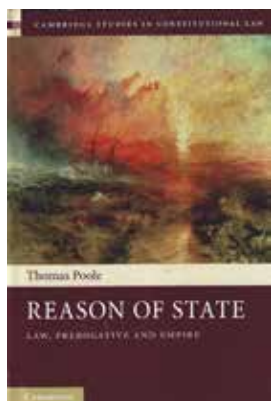
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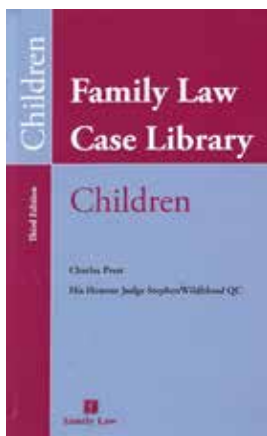
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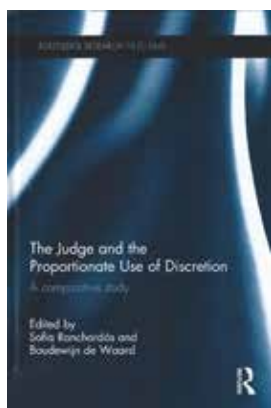
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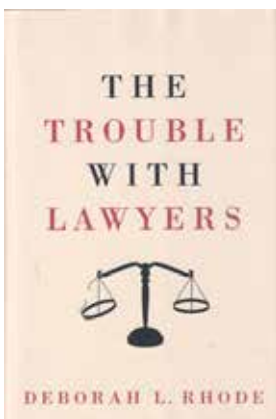
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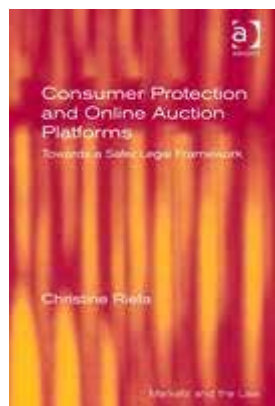
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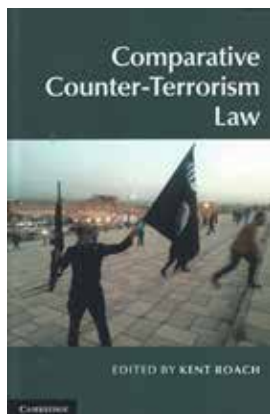


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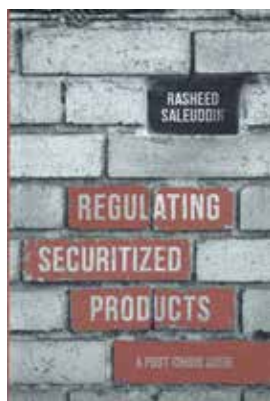
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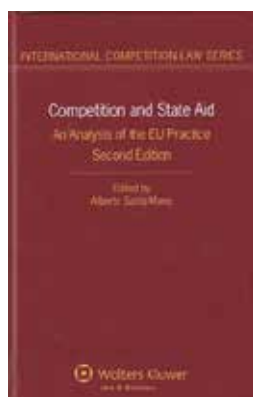
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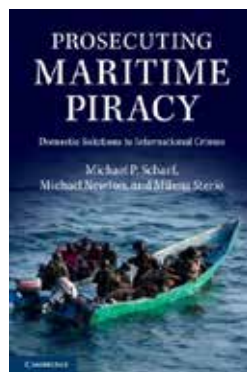
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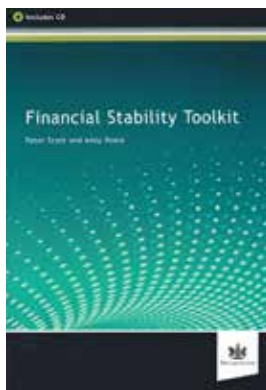
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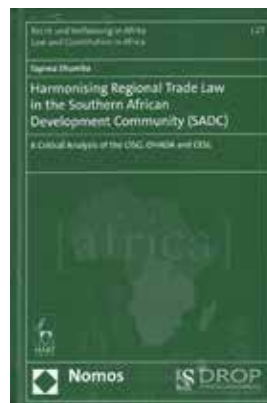
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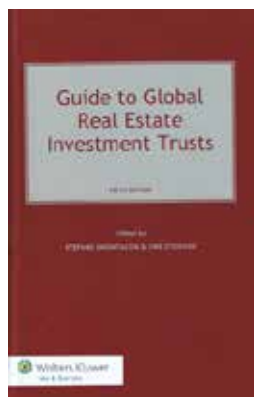
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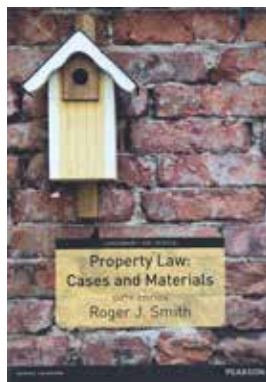
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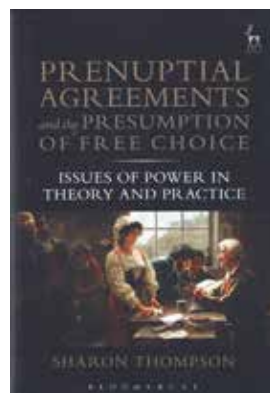
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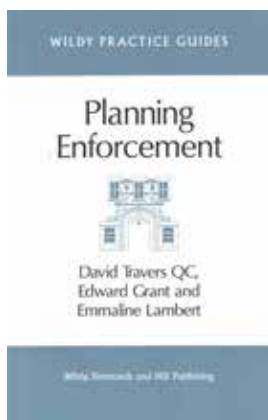
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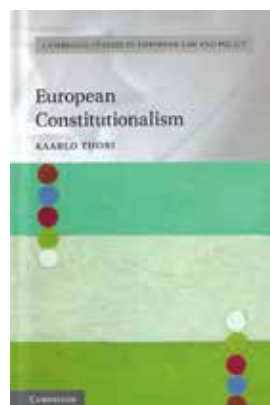
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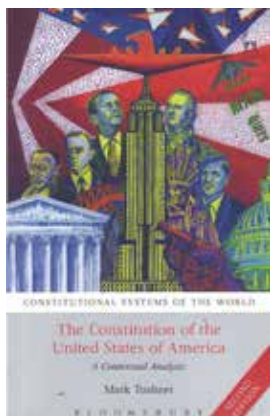
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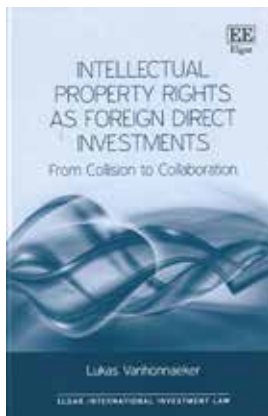
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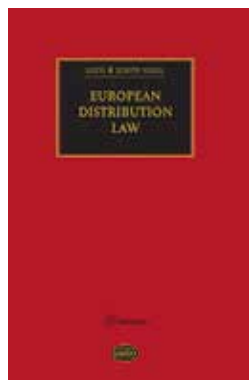
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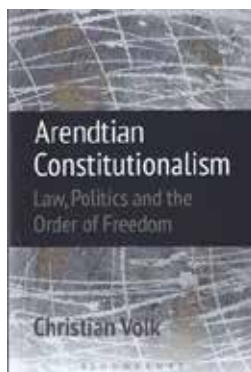
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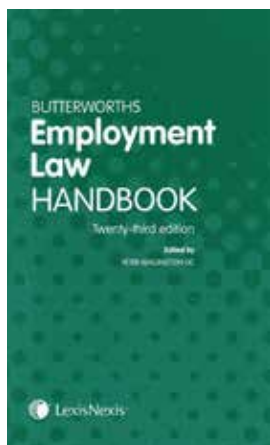
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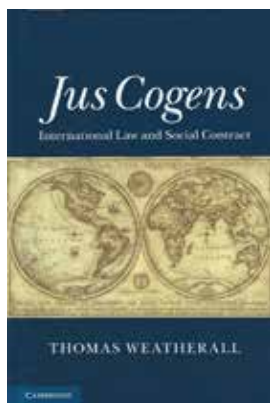
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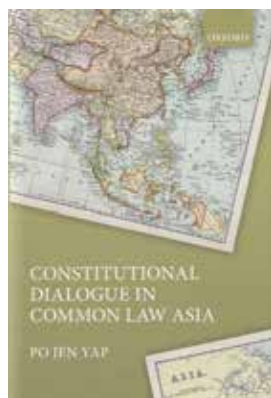
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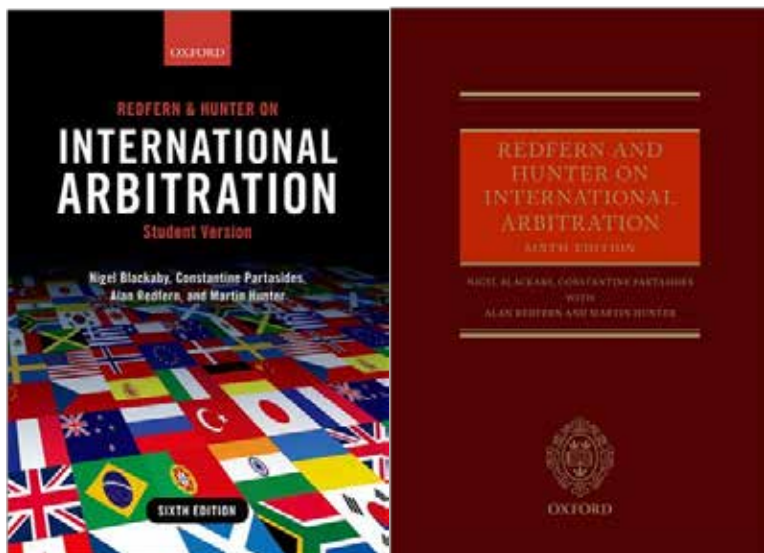
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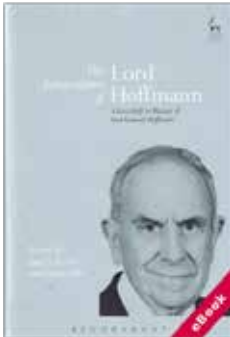


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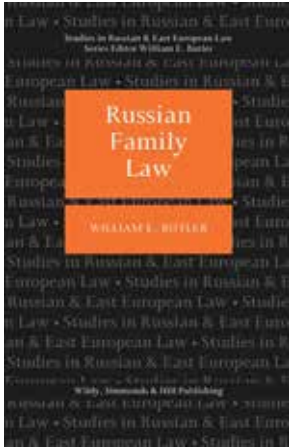
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***RUSSIAN FAMILY LAW***

William E Butler

*Studies in Russian & East European Law Series*

Price: £65.00  
ISBN: 9780854901623  
Extent: 416 pp  
Binding: Hardback

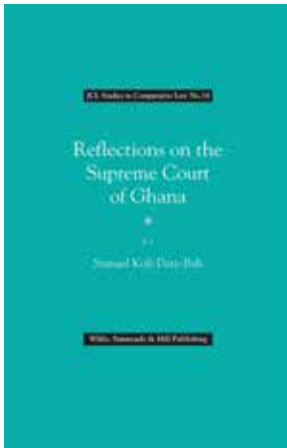
The most comprehensive introduction in English to the historical background and contemporary state of Russian family law, with extensive reference to judicial practice in Russian courts and in the European Court of Human Rights involving Russian parties. A historical introduction to Russian family law is followed by an account of the general provisions on family relations, the sources of Russian family law, the regulation of marriage, divorce, invalidity, personal rights and duties of spouses, marital property (including the marriage contract), rights and duties of parents and children, alimony, adoption, and other variants of caring for children left without parents. The study closes with a discussion of private international legal aspects of family relations, including the recognition and dissolution of foreign marriages, personal rights and duties of spouses, alimony, adoption, the application of foreign law, and the 1980 Hague Abduction Convention. The full text of the Family Code is appended in the author's translation.

William E. Butler is The John Edward Fowler Distinguished Professor of Law and International Affairs, Pennsylvania State University; Emeritus Professor of Comparative Law in the University of London (University College London); Foreign Member, National Academy of Sciences of Ukraine and National Academy of Legal Sciences of Ukraine; Associate, International Academy of Comparative Law.

# ***REFLECTIONS ON THE SUPREME COURT OF GHANA***

Samuel Kofi Date-Bah

*JCL Studies in Comparative Law No. 14*



Price: £65.00  
ISBN: 9780854901562  
Extent: 290 pp  
Binding: Hardback

The book is intended to be a contribution to comparative knowledge on what a final and constitutional court's role and significance are to governance in a developing country. It provides a recently retired judge's insights into the substantive work and function of the Supreme Court in Ghanaian society and Ghana's legal and political system.

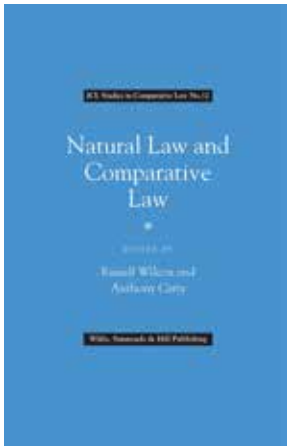
The book throws light on the role played by the Supreme Court in the development of Ghanaian law and the laying of the foundation for Ghana's constitutional democracy. The establishment of a constitutional democracy in Ghana has been an important factor in the nation's development and the Supreme Court has had an important role to play in this process. It will also be invaluable to both academic and practising lawyers, as well as at non-lawyers interested in the function and operations of the Supreme Court. The study of the Supreme Courts of emerging democracies should be given some emphasis in comparative law. It is hoped that the material contained in this book will contribute to the facilitation of such emphasis.

Justice Date-Bah was a member of the Supreme Court of Ghana from 2003 to 2013. Prior to that he was a Special Adviser (Legal) at the Commonwealth Secretariat in London. He had earlier been a law Professor at the Universities of Ghana, Nairobi and Calabar (Nigeria), with visiting appointments at Lincoln College, Oxford and the Yale Law School. He was educated at the University of Ghana, the Yale Law School and the London School of Economics. He was elected a Fellow of the Ghana Academy of Arts and Sciences in 2000. He is also a member of the International Academy of Commercial and Consumer Law and was a member of the UNIDROIT Working Group which formulated the UNIDROIT Principles of International Commercial Contracts. He has published extensively on Ghanaian law and international commercial law. Since retiring from the bench, he has continued to be Chairman of the Ghana Law Reform Commission, the Council of the University of Ghana and the Data Protection Commission of Ghana.

## *NATURAL LAW AND COMPARATIVE LAW*

Russell Wilcox and Anthony Carty (editors)

*JCL Studies in Comparative Law No. 12*



Price: £65.00  
ISBN: 9780854901548  
Extent: 414 pp  
Binding: Hardback

It has been a major contention of classical natural law theory that the arguments it makes, because rooted in a robust account of human nature, are of universal applicability. A somewhat less well explored dimension is the extent to which it can admit of, and indeed support, the great variations in human cultures, life-ways and patterns of social ordering. Despite this fact, however, there is much to suggest that it is possessed of theoretical resources uniquely well adapted to maintaining a balance between unity and diversity in each of these areas. In consequence, although the disciplines of natural law and comparative law have long tended to be treated as essentially immiscible, there is much to suggest that this may not be the whole story and that an exploration of how they can be brought together holds out the promise of making real theoretical advances in each. It is in this spirit that the present volume collects together essays from a variety of scholars with interests in various aspects of classical natural law theory and comparative legal studies as a way of beginning what the editors hope will become a fruitful and, in time, much wider conversation.

# Planning Enforcement



David Travers QC,  
Edward Grant and  
Emmaline Lambert

Wilby, Teasdale and Hill Publishing

## **PLANNING ENFORCEMENT**

*A Wilby Practice Guide*

David Travers QC  
Edward Grant  
Emmaline Lambert

Price    £       32.50  
ISBN:       9780854901166  
Extent:     239pp  
Binding:    Paperback

This book is a comprehensive and practical guide to planning enforcement. Planning enforcement is often seen as a minefield that straddles planning and criminal law. This book provides a thorough guide helpful to Local Authorities and private sector practitioners on matters ranging from the decision to issue a notice through to proceedings under the Proceeds of Crime Act 2002 as well as dealing with the appeal system.

Planning Enforcement sets out the very detailed technical complexities of enforcement through an easy-to-follow structure. The book draws together the statutory framework, case law and guidance. The authors intend the book to serve as a practical reference and include useful examples of Notices and appeal forms. Topics covered include:

- Content and issue of an Enforcement Notice
- Validity and nullity
- Grounds of Appeal
- Inquiry Procedure
- Listed Building Enforcement Notice
- Consequences of failure to comply including criminal prosecution and injunctive proceedings

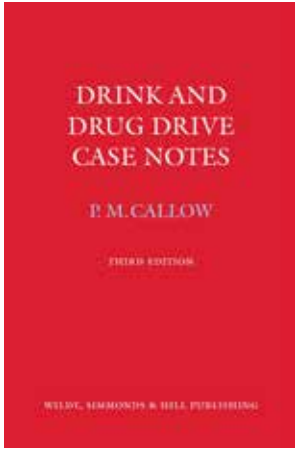
Planning Enforcement takes into account the ever-changing landscapes of planning law and guidance, including the Localism Act and the National Planning Policy Framework.

The authors are practising barristers from 6 Pump Court and practise Planning, Public Law and Regulatory work. David Travers QC is also Visiting Professor in the Business Accountability and Responsibility Centre at Newport Business School. Emmaline Lambert and Edward Grant both have extensive planning practices and are regularly instructed by developers, third parties and local authorities to advise and appear on their behalf at Planning Inquiries. They have significant experience in enforcement matters including public inquiries and both prosecuting and defending enforcement offences and in the use of injunctions to remedy breaches of planning control.

## ***DRINK AND DRUG DRIVE CASE NOTES***

P M Callow

Price: £69.00  
ISBN: 9780854901685  
Extent: 691pp  
Binding: Hardback



Many thousands of people are prosecuted each year for drink and drug driving offences. The legislation favours the prosecution in a number of ways, for example, by requiring those under investigation to give evidence against themselves in the form of specimens of breath, blood or urine,

but also affords certain safeguards to suspects. The conviction rate is exceptionally high, and the provisions have given rise to a wealth of case law.

*Drink and Drug Drive Case Notes* comprises summaries of the many cases on drink driving, and the fewer cases on drug driving, which have come before the High Court, the Court of Appeal, the House of Lords and, in one instance, the Supreme Court. Over six hundred judgments are summarised. Each note is presented as a short statement of the facts of the case, the question(s) put to the appeal court and an extract from the judgment. The notes are intended to provide a broad outline of the trends in the case law and as starting points for readers seeking guidance on particular issues.

This third edition includes notes of some seventy-five cases decided since the second edition was published. Themes running through the new cases include the interpretation of the provisions on reasonable cause to believe that the breath analysis device has not produced a reliable indication of the suspect's breath alcohol level, and on the application of the Criminal Procedure Rules to proceedings for drink and drug driving. At the time of publication, the so-called "statutory option" has just been removed, and section 5A of the Road Traffic Act 1988, creating new offences of driving, attempting to drive, and in charge, with a concentration of a specified controlled drug above a specified limit, has come into force. The offences are framed in much the same terms of the excess alcohol offences, but testing will be by the analysis of blood or urine only. While much of the case law concerning drink-driving will be relevant, the new provisions will no doubt give rise to their own body of case law in due time.

*Drink and Drug Drive Case Notes* was first published, as *Drink Drive Case Notes*, as a product of collaboration between Lion Laboratories – the manufacturers of much of the breath-testing equipment used in the UK and throughout the world – and the author. This expanded and updated edition of *Drink and Drug Drive Case Notes* will prove a useful reference for police, prosecutors, defenders and legal advisers.

"As a reference guide, this is an extremely helpful addition to a legal adviser's kitbag."

*The Justices' Clerk*, of the first edition

"[A]n extremely useful complement to any standard text book on drink driving matters. I would commend it not only to defence lawyers but also to those who prosecute in this area of law."

*Solicitors Journal*, of the second edition

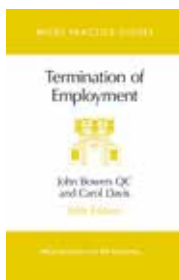


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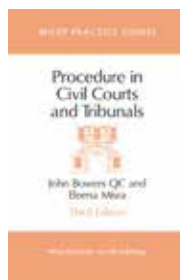
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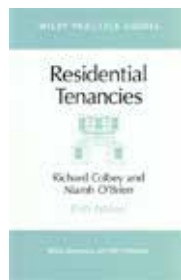
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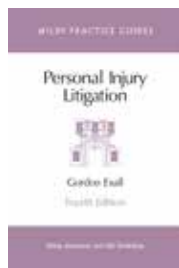
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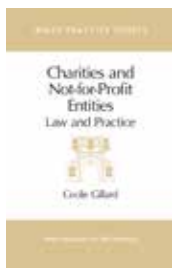
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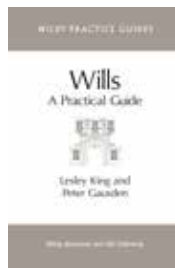
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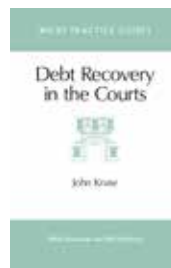
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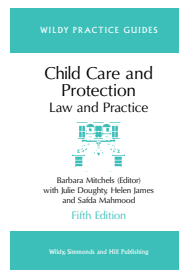
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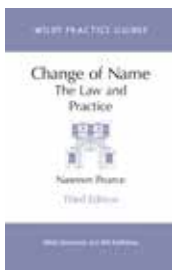
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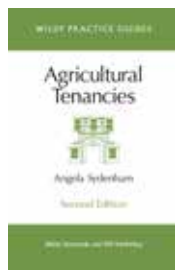
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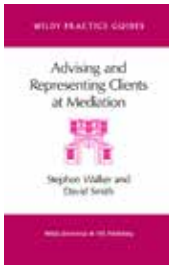
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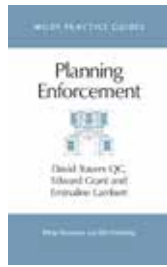
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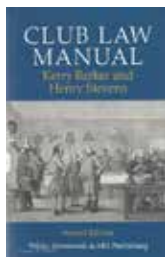
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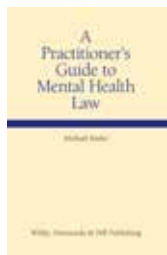
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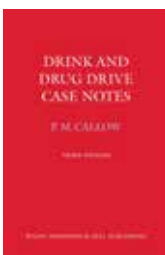
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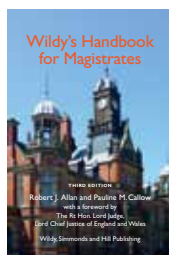
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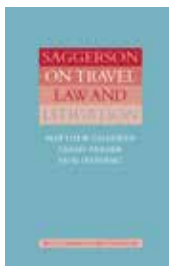
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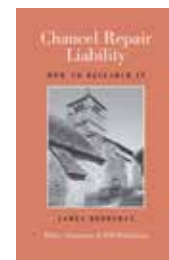
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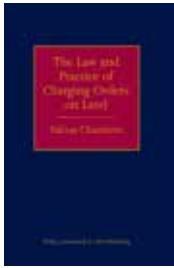
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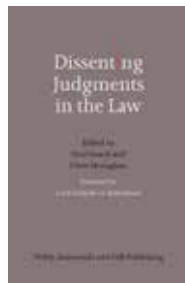
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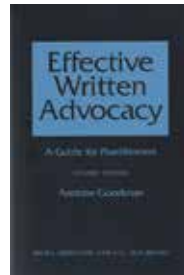
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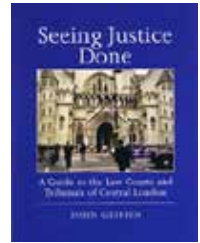
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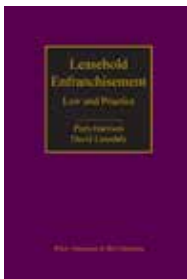
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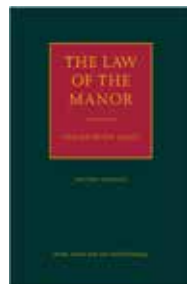
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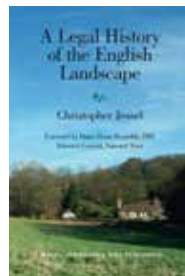
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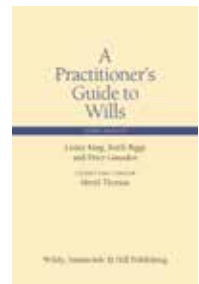
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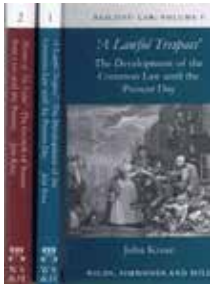
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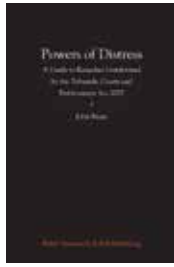
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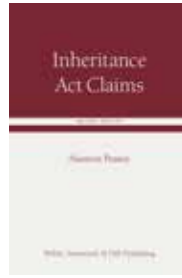
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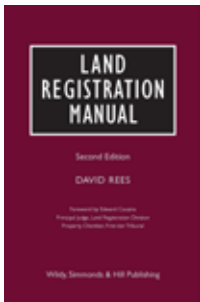
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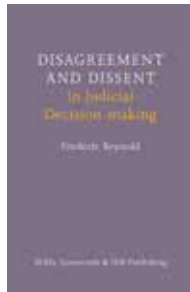
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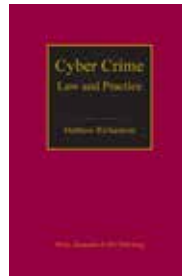
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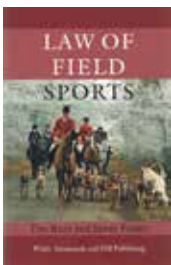
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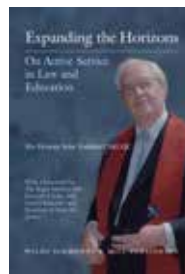
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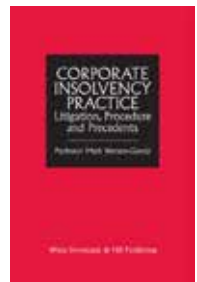
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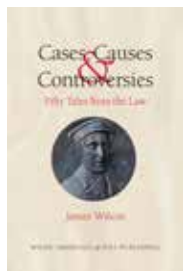


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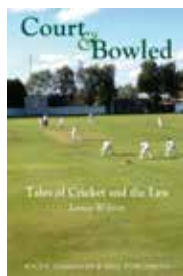




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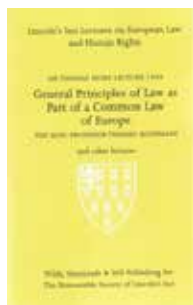


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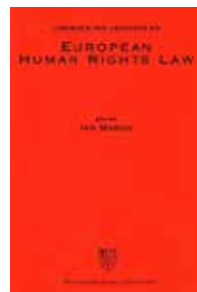
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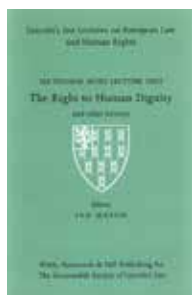
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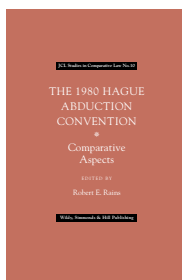
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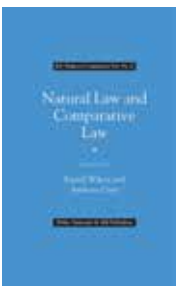
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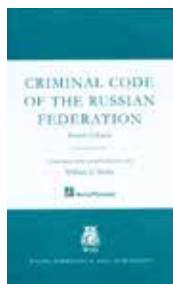
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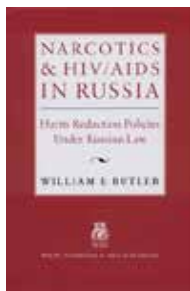
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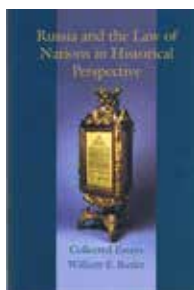
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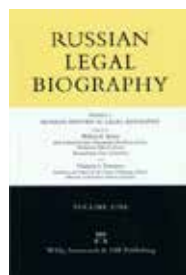
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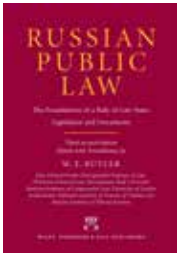
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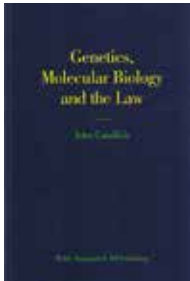
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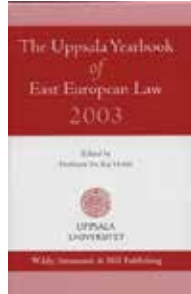
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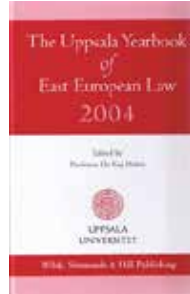
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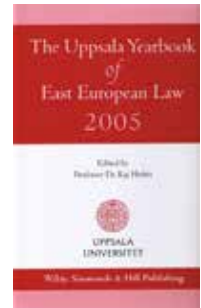
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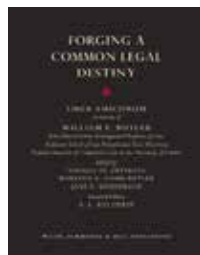
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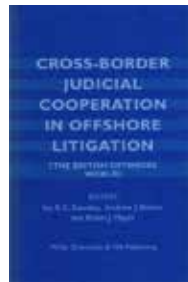
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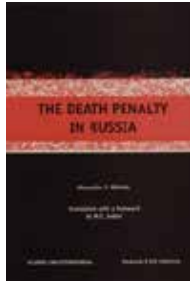
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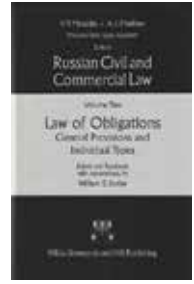
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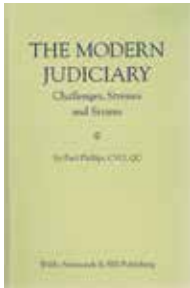
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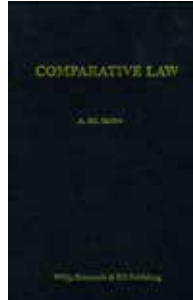
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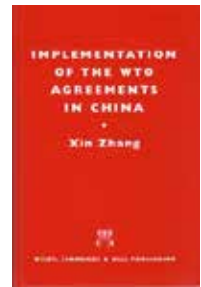
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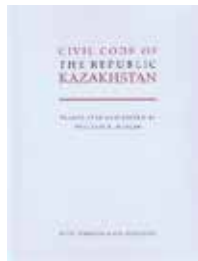


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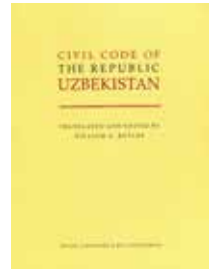
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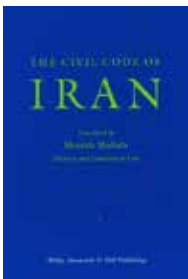
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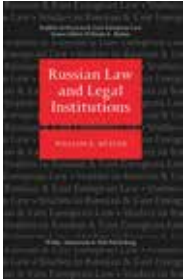
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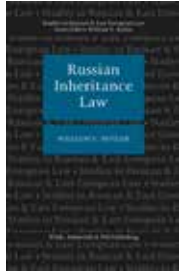
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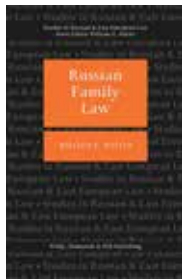
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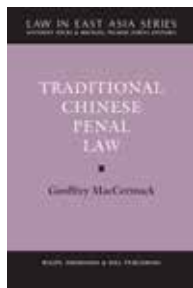
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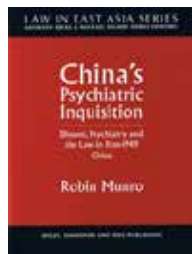
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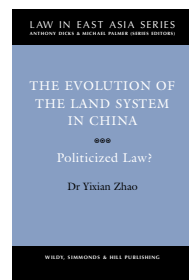
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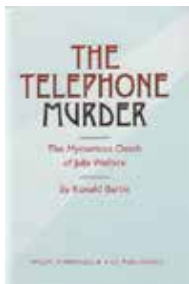


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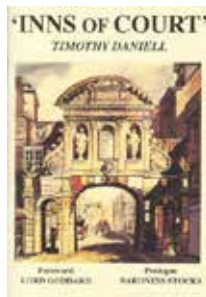
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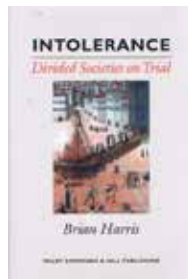
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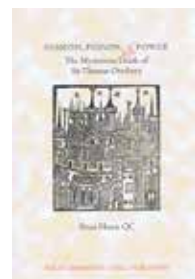
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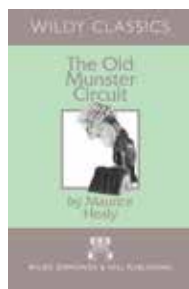
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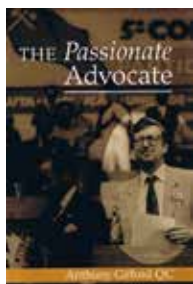


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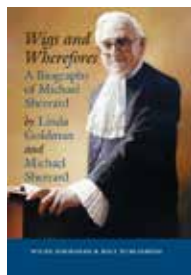
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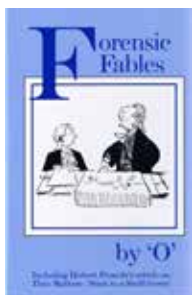
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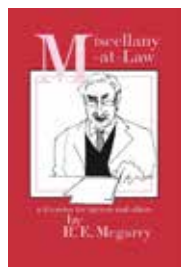
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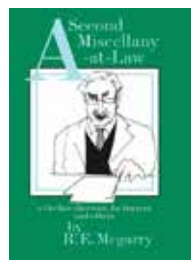
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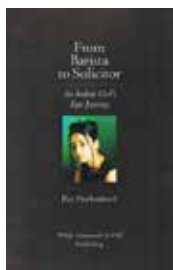
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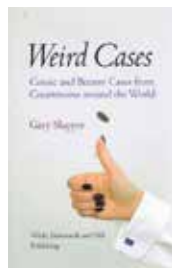
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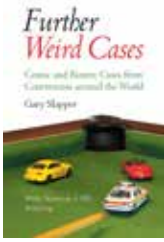
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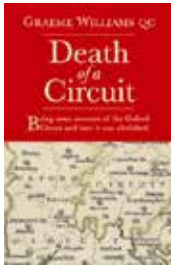
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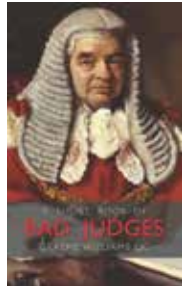
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