Short Circuit | Episode 154
Class Action Coupons and a Building for Buddhists

Anthony Sanders 00:07
Hello, and Welcome to *Short Circuit* your podcast on the Federal Courts of Appeals. I'm your host, Anthony Sanders of the Center for Judicial Engagement at the Institute for Justice. We're recording this on Monday, November 23rd, 2020, just before Thanksgiving, but we won't be releasing it until after the holiday. So, I hope all of you had a safe, tasty and fire free turkey day with the right balance of relaxation and labor.

Speaking of labor, it just might be that one of you could end up laboring for us at the Institute for Justice. Are you tired of billable hours? Do you want to litigate the kinds of cases that make you go to law school in the first place? As an aside, this is of course, assuming you made the wrong move of going to law school in the first place and sunk costs and all that. Then good news! IJ is hiring. We're on the lookout for an energetic and entrepreneurial attorney with five to eight years of litigation experience to work on cutting edge constitutional cases, stop government abuses, and champion individual rights. Visit the career section of our website ij.org/jobs to learn more and apply.

But you know who else is doing cutting edge litigation around the country, the Hamilton Lincoln Law Institute and the Center for Class Action Fairness. And we are very pleased to have a special guest with us today. The Institute's founder and director of litigation, Ted Frank, who I'm sure many of you know, as a personality on Twitter. He's also a very accomplished lawyer on his own right, having argued at the United States Supreme Court, and in many other places.

Ted, welcome to *Short Circuit*.

Ted Frank 01:46
It's a privilege to be here. Thanks so much.

Anthony Sanders 01:50
Ted, he's going to be talking about a recent case from the Ninth Circuit involving class action settlements. Also, along with us is an old time favorite IJ attorney, IJ senior attorney and rock climbing champion, Jeff Rose. Jeff, thanks for coming.

Jeff Rowes 02:07
You bet. Thanks for having me again, Anthony.

Anthony Sanders 02:10
Well, first, we're going to hear from Ted about the Ninth Circuit case, then Jeff is going to be talking about one for the 11th circuit on buildings for Buddhists. But very first, because we have Ted as a special guest here. Tell us a bit about what you do at Hamilton Lincoln and the Center for Class Action fairness.

Ted Frank 02:29

Thanks. We started the Center for Class Action Fairness, in 2009, and it's bounced around from organization to organization. In 2019, we created the Hamilton Lincoln Law Institute as an umbrella for it and also to do First Amendment litigation and challenges to regulatory abuses. But the Center for Class Action Fairness, its role is you have these class actions and attorneys ostensibly litigating on behalf of consumers or shareholders against corporations or other defendants, but most of these class actions settle. And the way settlements work is that the attorneys are structuring the settlements so that the settlement pays the attorneys but it doesn't pay their putative clients. And the defendant doesn't care, they just want to get out of the settlement as cheaply as possible. And unless somebody is at these fairness hearings, representing the absent class members, you can have some really abusive settlements getting approved where the attorneys are walking away with millions of dollars in the classes getting a small fraction of that or even nothing. And so, I started the Center for Class Action Fairness in 2009 to, to litigate on these issues, and we've had just tremendous success doing that. We've won some landmark opinions, including several cited in the decision we're discussing today. We've gotten to the Supreme Court, we've won hundreds of millions of dollars for consumers and shareholders. We've now had five different attorneys argue and win in the courts of appeals. It's a really a dream job I've had for the last decade now. And we're, we're, we're making a big difference fighting rent seeking.

Anthony Sanders 04:28
And before we move on, I understand IJ isn't the only organization hiring right now?

Ted Frank 04:33
That's right, we're also hiring. We're looking for an attorney with at least three years of experience. We don't pay what big law does, but you get to work from home, you get to pick your own hours, and we'll throw you in the deep end and you'll get some real responsibility. Like I said, we've had five different attorneys arguing when in the courts of appeals and you'll have immediate first chair opportunities

Anthony Sanders 04:59
Definitely something you don't get it big law. Well tell us a bit about this case *Chambers v. Whirlpool*. It struck me as something we'd want to talk about here, just because the facts were something, I think most people who don't get involved in class action work, it really would seem odd. The class members got some coupons that they probably won't even want to use, and the attorneys got close to $15 million. So, was that too much?

Ted Frank 05:25
I think that's absolutely right. See, what happens is the way settlements work, and they have to be approved, be approved by the court before they can go forward, because they're affecting apps and class members rights. And the way you protect the due process rights of the class members who are, will have a release imposed upon them by the class action settlement, is you give them notice and hearing that's your basic constitutional due process aspect. And at the hearing, the court decides whether or not to approve the settlement. Now, if the attorneys came forward and said, hey, there's a $20 million settlement, and we're taking $15 million for ourselves, the judge would say, wait a second, that sounds kind of upside down. So, what attorneys try to do instead is that they create the illusion of relief to make it look like a much bigger settlement than it is. Normally, the defendant doesn't challenge

that because they want the settlement to be approved. And so, you create the illusion of relief, you make the settlement look much bigger than it is, but it's costing the defendant a small fraction of that amount. And the classic example of this was coupons. You'd issue 100 million dollars of coupons and you tell the court, look, this is a 100 million-dollar settlement. Everybody's getting these great coupons, and, and we've issued 100 million dollars of coupons except the coupons would expire without being used, many class members wouldn't want to use them at all. And so, the typical redemption rate of a coupon settlement was 2% or 3%. So, when they're going into court and saying that's 100-million-dollar settlement, it's really a $2 or $3 million settlement.

So, in 2005, Congress passed the Class Action Fairness Act to address this and many other issues, mostly to create federal jurisdiction over class actions that were otherwise being litigated on a nationwide basis and state court. But Section 1712 of the Class Action Fairness Act was addressed towards coupons and said that if you're going to have a coupon settlement, and the attorneys are going to claim that they should get paid based on the coupons, you can only look at the actual redemption rate of the coupons. And well, in this *Whirlpool* case *Chambers v. Whirlpool*, there is an underlying lawsuit, and it alleged that there is a design defect in these wash in these dishwashers and they alleged breach of warranty. But that they alleged that these dishwashers would overheat and then on rare occasions actually catch fire, and this eventually settled. As it turned out, the overheating only occurs in a small fraction of the 17 million dishwashers subject to the suit, it's only happens in about one in 500 of these dishwashers. But the settlement created a claims process where class members if they filled out a lot of paperwork, they could get a $200 reimbursement for repairs, or if they have replaced their dishwasher $200 to $300 for the replacement. And they'd be entitled to a coupon if they were what they call the rebate on a future dishwasher purchase, if they so wished. And in addition, that there was relief offered for overheating that occurred in the future, that class members could get $100 if their dishwasher overheated in the future. So, as is typical in a class action, less than 1% of the class actually went through the effort of making claims. And then a large percentage of the people who actually made claims didn't fill out the paperwork correctly. So only 5,000 or so class members were actually going to get the $200 of cash. There were lots of coupons being issued, you know, a couple hundred thousand coupons being issued, but Whirlpool estimated that maybe $4 million of coupons would be used. The plaintiffs argued, No, no, no, it's there'll be $116 million of coupons and, and therefore, we're going to ask for $15 million in fees. And you should pay us that because regardless of what federal law says the settlement says that this is going to be litigated under California state law. And that's what the district did, the district court just awarded the $15 million that the attorneys asked for and didn't even try to calculate how much the class would actually get. So, Whirlpool appealed this, and then a handful of class members also appealed the approval of the settlement. Whirlpool, normally in the settlements, part of the agreement includes how much will be paid in fees, but in this case, Whirlpool didn't agree to the fees and, and try to litigate how much they would have to pay an attorney's fees. And they argued that the $15 million in attorneys fees, outstrips the $4 million of value of the classes actually going to get new added up all the cash that they would actually receive and all the likely redemption of the rebates. The plaintiffs tried to argue that don't look at federal law, look at California State law, and, and the Ninth Circuit wasn't having that. And they said no, no federal law preempts state law, and, and here you, you explicitly have a statute that deals with it. So, the attorney said, well, you could still get this $15 million, because we had lodestar $9 million--lodestar is the hourly rates and the number of hours that they billed. And Whirlpool argued in the Ninth Circuit agreed that

you can't just look at lodestar, you have to do a cross check, you have to compare it to what the class actually received, and the district court hadn't done that. If the value was $116 million, then yeah, $15 million is probably okay. But if the value is closer to $4 million, then $15 million is way too much. And, you know, there were certainly other problems with the lodestar, for example, they were doing a lot of document review that, you know, normally is done by attorneys getting paid $40 or $50 an hour and they billed the clock, they billed $375 an hour for that and then sought a multiplier.

The Ninth Circuit noted the likelihood that there may have been excessive document review costs. They noted that multipliers generally aren't appropriate that they're there for extraordinary circumstances if you're getting paid on a lodestar basis, and they weren't necessarily appropriate here. And none of the reasons that the plaintiffs gave for a multiplier actually applied because they would already be affected in the lodestar in terms of the number of hours that they put in. So it suggested on remand that they could either be paid based on the number of coupons that were actually redeemed, or if they want to be paid based on lodestar basis, what's called a negative multiplier, it's a bit of a misnomer, but multiplier less than one, to determine what the appropriate fee would be, and that it had to be a cross check against what the class actually received, so that the class was not being over compensated. There, there were a series of objections that the court didn't give a lot of shrift to. The district court overruled them, and the Ninth Circuit wasn't really having it either. One weird aspect of the settlement was that as part of the settlement, one of the class representatives would get $100,000 payment from Whirlpool to buy his anti-Whirlpool website that Whirlpool was apparently aggrieved by. And, you know, a class representative is supposed to have typical claims of the class. And if he's negotiating the side deal, to sell a website to Whirlpool, he's probably got a conflict of interest then.

Anthony Sanders 14:29
I mean, how is that a class thing?

Ted Frank
It's not a class thing at all. And it's, I think, completely inappropriate to be part of the class action settlements or to have a class representative who has that completely separate side deal going. But the Ninth Circuit said you know, maybe that's a problem, but there are 13 other class representatives, so we're not gonna, we're not gonna overrule what that is. There, there is another objector who refused to agree to a deposition and his objection was stricken. And the Ninth Circuit upheld that another objector raised some arguments about the differences being paid to class members with one type of washing machine and class members with another kind of washing machine. They, the court didn't have a problem with, with that either. So, they affirmed the settlement approval, but they remanded on the issue of fees. And in the process of doing that cited, some previous victories we'd won in coupon settlements. One of my favorite cases is the *EasySaver* case. They're the class got $20 coupons for flower delivery. But the coupons which they called E-rebates expired in a year, and they weren't good for the two weeks before Mother's Day, or the three weeks before Christmas, or…

Anthony Sanders 16:05
Sounds like frequent flyer miles to me.

Ted Frank 16:07
Yeah, there all these blackout dates, so you couldn't use them for the two weeks before Valentine's Day. So basically, these, these coupons were never going to get used. And the argument that they made to the court was, oh, Section 1712 only refers to coupons, and these are rebates, so it's okay. And the district court bought that, and we got it reversed by the Ninth Circuit, and then that decision was cited in *Whirlpool*.

But, you know, and we're still dealing with very similar issues. We're, we have another appeal pending in the Ninth Circuit, where the court said, well, these coupons or rebates, so I'm not going to apply the, the Ninth Circuit rules on coupons to them were the federal statutory language on, on coupons to it. So, you know, there, there are lots of settlements out there where the attorneys are getting much, much more than the class. We're arguing one in two weeks from today, in the Ninth Circuit, where the attorneys are getting $7 million in the classes getting less than a million dollars in cash. And you have all these upside-down settlements, despite the fact that courts aren't supposed to be approving them. And we, we step in and try to get kids to do the right thing.

Anthony Sanders 17:29
Jeff, but your, your thoughts?

Jeff Rowes 17:30
Yeah, well, it sounds like on the *EasySaver* case, the only people who are easily saving are the lawyers on both sides, and not the not the folks who are in trouble. You know I'm a constitutional lawyer, and don't focus in this particular area. But one thing that struck me in reading the case and listening to Ted's discussion, is that, you know, we want the law not just to provide good incentives to bad people to conform their behavior, but we also want to make sure that the law isn't providing incentives for good people to do counterproductive things. That's something that we encounter, we want our constitutional rules to be rational that way, we want our statutory rules to be rational. And you know, the great work Ted is doing is making sure that all of these complicated class action rules aren't really just creating incentives for otherwise, you know, ethical and hardworking attorneys to just try to milk the system for their own benefit and leave the consumers and shareholders of companies without the redress that they need or the justice to which they're entitled. So, I think it's very interesting. It's a, you know, fundamental question in law in general. And one of the themes that we discuss here at the Center for Judicial Engagement all the time.

Anthony Sanders 18:46
And one question is, so this was more of federal courts, listener, question for you, Ted, is the my understanding is this Federal Act allows cases like this to be in federal court, because it's basically a diversity jurisdiction case, but it changes the usual rule of diversity that there isn't complete diversity. And how does, how does that exactly work? Like, you know, how could someone engineer a lawsuit to, to not be able to go into federal court? Would they really have to have completely everyone including the defendant from the same state or just how does that function?

Ted Frank 19:26

Well, there were multiple ways, there are multiple problems. Normally, diversity jurisdiction is $75,001 or over $75,000, and everybody is from different states. And in the class action the argument would be, well, wait a second, we're bringing this on behalf of the class representative, and we've picked a class representative from the same state as the defendant. So, then you don't have complete diversity, even though it's, it's a 50 state national class action, we're bringing this cause of action in. And also, the, the class representative's claim isn't worth $75,000 by himself, so even though this is a suit for tens of millions of dollars, it doesn't meet the amount in controversy requirement. So, class actions were getting that affected nationwide commerce, were getting kicked out of federal court, and were being brought in what were called magnet jurisdictions. So, Madison County, Illinois was essentially dictating consumer law for the other 50 states and they were approving, it was a very lawyer friendly jurisdiction. They would certify classes that didn't really meet the Rule 23 standards; they would subject defendants to really expensive discovery so that the defendants would settle, rather than have to go through those expenses, and then would approve settlements where the lawyers got all the money and the class would get nothing. So recognizing that problem, 20 years ago or so, there was a movement to get Congress to create federal jurisdiction or use its commerce powers to, to provide federal jurisdiction for these things and get rid of the loopholes that took these class actions out of federal court and into state courts that weren't that, that were more interested in winning money for the local attorneys than doing what was best for the citizens of the 50 states. And I think that's been all in all a good thing, and it passed by a bipartisan margin in 2005, one of the, I think, last bipartisan statutes that ever passed. And you can see in Section 1711, there, there's a whole notes section about all the problems that they hope to be solving with the statute, and it did solve many of them. I don't think we could do what we were doing if we couldn't be doing this in federal court--trying to litigate these things in state court would be much more difficult.

Anthony Sanders 22:25
Well, one other thing that is very difficult, is to get approvals from your local zoning board. So, we'll shift gears here from class actions to something very, very different, but also very, very complicated under federal jurisdiction, and that is the RLUIPA claims in federal court. And so Jeff, tell us about what the Buddhists of Mobile, Alabama wanted to do in federal court.

Jeff Rowes 23:00
All right, so this is a fascinating case that whose legal questions raise what are fundamentally philosophical questions. And so the basic facts are a Buddhist denomination, one that is native to Thailand, had had come to Mobile, Mobile, Alabama, and they wanted to, they purchased a home in a residential district to use as a meditation center as a place to allow visiting Buddhist monks to stay overnight, and to host lectures. Now, the two interesting philosophical questions that this case raises is one: what is a real religion for the purposes of constitutional and statutory protections for religious exercise? And number two: what does it mean for the government to intend to discriminate? If all of the government's constituents want the government to discriminate, and the government actually rejects the zoning permit, can the opposition of the community be imputed to the government? So those questions were in play when the Buddhists went before the Planning and Zoning Commission and sought permission to operate this residence operate their Buddhist meditation center in this residential home.

And one of the first questions they had to deal with is what is a real religion? And this isn't real, in the sense are the supernatural claims of religion a) true and the supernatural claims of religion b) false. But rather, is this a religion or is this just a philosophical belief system? Courts have been clear, that only sincerely held religious beliefs are entitled to constitutional and statutory protections as opposed to somebody who might be an atheist with a set of non-theistic spiritual views that are analogous to the sorts of things that religion regards as important. Those atheistic views, don't get the protection of the religion clauses or federal statutory protections for religion.

Anthony Sanders 25:04
Right, so if you're the Church of French Existentialism, you're not going to win under this this act.

Jeff Rowes 25:10
Right, exactly. And, and so the thing about the Buddhist is that they came and you know, if the listeners understand generally about Buddhism, the meditative practices in the various schools of Buddhism, including the Thai Buddhism at issue in this case, those meditation practices are regarded as benefit spiritually beneficial to everyone, and spiritually beneficial, regardless of your own religious framework. And so, when the Thai Buddhists were advertising, they were saying, you don't have to affirm our religious beliefs, or you don't have to renounce your religious beliefs, this is open to everyone. And so, one of the questions is whether or not this was in fact, a real religion as opposed to something analogous to a secular meditation center, like maybe a yoga studio or something. And so the 11th Circuit looked at the facts and said, yes, indeed, there are real religious customs and ceremonies observed that the meditative practices here are integral to the Thai version of Buddhism, and that what this is, is a nondenominational or non-sectarian meditative practice that embraces a variety of religious views. So, it answered that question.

Now the, the Buddhists brought their claim primarily under RLUIPA, and that's a federal statute that stands for the Religious Land Use and Institutionalized Persons Act, which is a mouthful. But in a nutshell, RLUIPA sought to solve a problem that the Supreme Court created as far as Congress was concerned, in a 1988 decision called *Smith v. Employment Division*. And in nutshell, in *Smith*, there were two men who were private drug rehabilitation counselors, they were also members of the Native American church and in their private spiritual time, their personal time, they ingested the hallucinogen peyote as part of Native American religious rituals. Well, their boss at the drug rehabilitation clinic found out and fired them. They sought unemployment from Oregon, Oregon said no, because you were fired for misconduct, it's illegal to take hallucinogens. And Smith eventually, so Smith said that that discriminated against them on the basis of religion, because up to the Supreme Court, the Supreme Court says, look, if you have a law of general applicability, the fact that that is a problem for you because of your religious beliefs doesn't mean you get a free pass to ignore the law. So, if somebody had a sincere religious belief that they're allowed to execute heretics, that doesn't mean the statutes against homicide are inapplicable as to you. Now, the problem that Congress perceived is that there was a lot of sincere religious belief then that wasn't going to be protected by the by the courts under the religion clauses of the US Constitution. So, they passed a statute that basically says, if not everything, but if the decisions of prison officials and the decisions of local land use officials like zoning officials, for example, in deciding where you can and can't have a church, if those decisions substantially burden religion, then they are subject to strict scrutiny. In other words, the, you know, the government, the

government is almost certainly going to lose if it's factually true that their decision is burdening religion. And in the case of the in the case of the Buddhists here, they went in front of the Planning Commission trying to get their zoning permit, and it was a very heated hearing. And members of the public spoke out passionately insisting that this was a Christian neighborhood, and it was a Christian community and they didn't want any Buddhists. In other words, there was a clear desire by the majority to discriminate against the religious minority. And then the Planning Commission voted to deny the permit.

And so that raises the second philosophical question, which is, when you have a government entity that is ostensibly representing the constituents and the constituents plainly want the government to discriminate in an unconstitutional and illegal way, and then the government, then the government actually denies the permit, can you impute that discriminatory sentiment to the government body? The 11th Circuit in this case said no, they said that there wasn't enough evidence to allow them to infer that the government acted for unlawful means based on the, the insistence of their constituents who attended the hearing and otherwise, expressed their views. One of the interesting, so I'm not really sure what evidence they could have gotten. I suppose that what the Court is implying is that you should depose each member of the of the deciding board and make sure you and figure out what their individual reasons were. Although as a practical matter, it's sometimes difficult to depose board members and to depose them on, on those sorts of matters. But the, the other issue that I thought it struck me is that I don't think that we would have, we would accept the 11th Circuit's failure to find the inference of discrimination if this were in another context. For example, if an African American family decided that they, they wanted, they needed a zoning variance to add a disabled bathroom to their home, and all the members of the community came out and said, we don't want African Americans in our neighborhood, we don't want them to get this variance. We don't want to do anything that would make life easier for African Americans, because this is a white community, and then the zoning permit was denied. I don't think that there's a federal court in America that would believe that you needed additional evidence to find out whether or not the, the government decision maker was acting in bad faith. So, I think that the intent to discriminate portion is perhaps dubious, but at any rate, they're remanding, the 11th Circuit remanded the case in order for the substantial burden question to be reevaluated. The district court had, had done a substantial burden analysis, but the 11th Circuit believed that it hadn't done it under quite the right standard, so that case is going back down. And so, it's going to be round two, for the, for the Buddhists, maybe round three, if you consider remand to be the third round.

Anthony Sanders 31:26
Ted, your thoughts.

Ted Frank 31:29
Sounds like you'd have a fun case there. Seems very straightforward to me, and I don't see how you don't win that, but there's always a coin flip aspect to some of these things.

Anthony Sanders 31:44
Yeah. And I wonder if part of the reason that the, the court didn't go into that as much, Jeff, the, the purpose or the intent of the of the board was because they did have some fairly harsh words for the district court on the, on the substantial burden analysis, and it seems to be hinting that they're going to

say that, that there is a substantial burden in this case. And they distinguish some other cases that that that might have gone the other way, because the question is always, well, you do you need to completely outlaw a religion in order to have it be a substantial burden. And it's clear, you don't have to go that far. And it seems like the district court basically had said that.

Jeff Rowes 32:29
Right. And so, what the, you know, the what the district court, so the standard under RLUIPA at the statutory standard is there must be a substantial burden, which the district court read to mean complete and total prohibition. And the 11th Circuit said, no, we never said that, you actually got to go back and see if it's substantial or not. And the thing that was interesting about this is that it touches on a theme that pervades the *Short Circuit* podcast and IJ litigation and constitutional litigation in general, which is, you often feel as though you're bumping up against an unwritten rule of constitutional or statutory interpretation, which is that the government is supposed to win. And so, you read statutory terms like substantial burden to be complete, total incomplete prohibition, because that makes it easier for the government to win. And, and I say this about the district court because there was also an Alabama constitutional claim, and the Alabama constitutional claim related to their Religious Freedom Amendment to the state constitution. And that amendment adopted RLUIPA almost word for word, but instead of requiring a substantial burden, it required a mere burden. In other words, there's no adjective attached to burden.

Anthony Sanders 33:45
But it still imposes strict scrutiny.

Jeff Rowes 33:47
Right, which is, which is amazing for the for the folks who get its protection, but the district court in interpreting that provision, even though it didn't say substantial, read the term substantial into that. And because it had already concluded that substantial burden means total and complete prohibition. The lower court is looking at this Alabama language, which is significantly more protective than the federal language, and basically saying if they haven't completely prohibited your religion, this amendment doesn't apply to you. And it's exactly that kind of kind of casual, almost offhand gutting of constitutional and statutory protections for individual rights that we see over and over again, and that we are repeatedly challenging here at IJ.

Anthony Sanders 34:32
Yeah, I think if, if, if anyone is listening, and I hope there's a few of you are interested in state constitutional law, like, like I often talk about at the Center for Judicial Engagement, just read the last section of this opinion, which, as always, both of the opinions will be available on our website for you to for you to link to. You know, the court basically says, look, there's this language in the state constitution. It's never been interpreted in, in a substantial way by Alabama court so they didn't really have any state law to draw from. They couldn't even for technical reasons, they couldn't even certify it to the Alabama Supreme Court. So, they said, look, okay, we got the text, the text does not have the word substantial, therefore, it doesn't mean substantial. And if you want, I think, a kind of a refreshing read an originalist in, in a sense read, because there's no prior case law for it to worry about, it's just

reading the text, or a textualist read of constitutional language. I this is a really good example and it's what would happen if a court actually takes the constitutional text seriously.

Jeff Rowes 35:40
Right. And, and, you know, the other thing that strikes you about the Alabama Constitution is that it obviously doesn't make distinctions among different kinds of religion like in other words, well, you get full religious protection if you're Christian, but you don't get any if you're another kind of religion, that would violate the First Amendment plainly. But you know that this is exactly why courts have to enforce the language of the Constitution's themselves and they can't write in exceptions, like this really only applies to Christians. Just as in *the Plessy v. Ferguson*, well, the equal protection really doesn't quite apply the way you think it is. And the Court, and the 11th Circuit here was saying you have to take the language seriously. It is as broadly protective as the plain language states, and you can't read it narrowly, under this implicit rule that the government always wins, which is a way to smuggle in all kinds of illegitimate discriminatory intent.

Anthony Sanders 36:39
Well, I think I can't say any better than, than Jeff did, just did. So, I'm going to thank him. I'm going to especially thank Ted, our special guest and for talking about Hamilton Lincoln Law Institute. Remember they're hiring but remember, IJ is hiring too, so are you good applicants out there have, have more than one choice in the public interest world, of course, many more than one this day and age. And so, I'd like to thank everyone for joining us, and that you had a happy Thanksgiving and reminding you all to get engaged.