

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 111 DB 2023

Petitioner :

:

:

v. :

: Attorney Registration No. 200101

LISA ANN JOHNSON, :

Respondent : (Allegheny County)

**OFFICE OF DISCIPLINARY COUNSEL'S BRIEF
OPPOSING RESPONDENT'S EXCEPTIONS**

OFFICE OF DISCIPLINARY COUNSEL

THOMAS J. FARRELL
Chief Disciplinary Counsel

Daniel S. White
Disciplinary Counsel
Atty. ID# 322574

Frick Building, Suite 1300
437 Grant Street
Pittsburgh, PA 15219
(412) 565-3173

TABLE OF CONTENTS

	<u>Page</u>
Table of Authorities	ii
Methods of Citation Used.....	v
I. SHORT STATEMENT OF THE CASE.....	1
II. SUMMARY OF ODC’S BASIC POSITION	3
III. ARGUMENT	3
A. THE STUNNING VOLUME OF RESPONDENT’S DISHONESTY COMPELS HER SUSPENSION	3
B. THE HEARING COMMITTEE REPORT ASSIGNS UNDUE WEIGHT TO RESPONDENT’S EVIDENCE IN MITIGATION .	11
IV. CONCLUSION	12

TABLE OF AUTHORITIES

<u>Cases</u>	<u>Page(s)</u>
<i>Office of Disciplinary Counsel v. Donald A. Bailey</i> , 11 DB 2011 (D. Bd. Rpt. 5/1/2013) (S. Ct. Order 10/2/2013)	4, 10
<i>Office of Disciplinary Counsel v. Cynthia A. Baldwin</i> , 225 A.3d 817 (Pa. 2020)	8
<i>Office of Disciplinary Counsel v. Antoinette M.J. Bentivegna</i> , 88 DB 2005 (D. Bd. Rpt. 11/21/2006) (S. Ct. Order 1/26/2007)	3-4
<i>Office of Disciplinary Counsel v. John T. Grigsby, III</i> , 425 A.2d 730 (Pa. 1981)	3-4
<i>Office of Disciplinary Counsel v. James D. Hayward, Jr.</i> , 123 DB 2009 (D. Bd. Rpt. 9/27/2010) (S. Ct. Order 1/19/2011)	7
<i>Office of Disciplinary Counsel v. Gregory G. Holston</i> , 619 A.2d 1054 (Pa. 1993).....	3
<i>Office of Disciplinary Counsel v. William R. Korey</i> , 130 DB 2022 (D. Bd. Order 9/26/2022)	8-10
<i>Office of Disciplinary Counsel v. Robert J. Murphy</i> , 206 DB 2016 (Pa. 2019)	4, 10
<i>Office of Disciplinary Counsel v. Neil Werner Price</i> , 732 A.2d 599 (Pa. 1999)	4, 10-11
<i>Office of Disciplinary Counsel v. Milton E. Raiford</i> , 687 A.2d 118 (Pa. 1997)	3
<i>Office of Disciplinary Counsel v. Milton E. Raiford</i> , 39 DB 2022 (D. Bd. Order 4/20/2022) (consent discipline)	8
<i>Office of Disciplinary Counsel v. Robert B. Surrick</i> , 749 A.2d 441 (Pa. 2000)	4, 10

*To access an unreported Disciplinary Board Report, go to <http://www.pacourts.us>. Hover the pointer over the Supreme Court heading at the top, and then click on “Opinions and Postings.” From the pull-down box for “Court Type” select Disciplinary Board, then select an appropriate date range according to the year of the case (e.g. 1/01/1995 to Today’s Date), and then enter the Disciplinary Board case number (be sure to use the four-digit year for the case in the Board Docket Number field). Click “Search,” then click on the .pdf link to open the Report.

Rules

Pa.R.D.E. 402(c)..... 1-2

RPC 1.1 1-2, 8

RPC 1.6(a)..... 8

RPC 1.7(a)..... 8

RPC 1.3 1

RPC 3.1 1-2

RPC 3.2 1

RPC 3.3(a)(1) 1-2

RPC 3.4(c)..... 8

RPC 3.5(d)..... 1, 8

RPC 4.1(a)..... 1, 2

RPC 4.4(a)..... 1

RPC 8.2(a)..... 1, 2, 6, 8

RPC 8.4(c)..... 1-2, 8

RPC 8.4(d)..... 1-2, 6, 8

Statutes

42 Pa. C.S. § 8522 7

42 Pa. C.S. § 8542 7

METHODS OF CITATION USED

Numbers and letters in parentheses indicate documents and location as follows:

Ans. ___ indicates a page or pages of the Answer to Petition for Discipline and Request to Be Heard in Mitigation that Respondent filed, through counsel, on September 14, 2023;

H.C. Rpt. at ____ indicates a page or pages of the Report and Recommendation of the Hearing Committee filed on June 10, 2024;

N.T. I _____ indicates a page or pages of the notes of testimony from the disciplinary hearing on January 10, 2024;

N.T. II _____ indicates a page or pages of the notes of testimony from the disciplinary hearing on January 11, 2024;

ODC-_____ at _____ indicates a (numbered) exhibit of the Office of Disciplinary Counsel at Bates stamp pagination;

Respondent-_____ indicates a (numbered) exhibit of Respondent.

R. Brief on Exceptions at ___ indicates a page or pages of the Respondent's Brief as to Exceptions Solely with Respect to the Measure of Discipline that Respondent filed, through counsel, on July 1, 2024; and

R. Brief to H.C. at _____ indicates a page or pages of the Brief and Proposed Findings of Respondent that Respondent filed, through counsel, on April 23, 2024.

I. SHORT STATEMENT OF THE CASE

This matter is before the Hearing Committee as a result of disciplinary proceedings instituted by the Office of Disciplinary Counsel (hereinafter "ODC") by way of a Petition for Discipline filed on August 3, 2023, to No. 111 DB 2023. The Petition charged Respondent with violations of RPC 1.1, RPC 1.3, RPC 3.1, RPC 3.2, RPC 3.3(a)(1), RPC 3.5(d), RPC 4.1(a), RPC 4.4(a), RPC 8.2(a), RPC 8.4(c), RPC 8.4(d) and Pa.R.D.E. 402(c). Respondent, through counsel, filed an Answer to Petition for Discipline and Request to Be Heard in Mitigation on September 14, 2023. The Board Prothonotary appointed Hearing Committee Members Kathleen Patricia Dapper, Esquire, Chair; Phillip Ray Earnest, Esquire; and Elizabeth Farina Collura, Esquire. A prehearing conference was conducted on November 15, 2023, before Designated Member Dapper.

Disciplinary hearings were conducted on January 10, 2024, and January 11, 2024. ODC introduced exhibits ODC-1 through ODC-26, ODC-29 through ODC-53, ODC-55, ODC-56, ODC-59, ODC-61, ODC-64, ODC-66, ODC-72 through ODC-74, ODC-75A, ODC-76 and ODC-77 and presented the testimony of attorney Amy Barrette. N.T. I at 19-144; N.T. II at 312-313, 339. Respondent introduced exhibits Respondent-2 through Respondent-6, Respondent-8, Respondent-10 through Respondent-19,

Respondent-21, Respondent-23, Respondent-27, Respondent-28 and ODC-69, testified on her own behalf and presented the testimony of Tonya Stanley, Donna Gorencel, attorney William Anthony Sala, Jr., attorney Steven Badger, Jane Cleary and attorney Michael Bruzzese. N.T. I at 95, 147-264; N.T. II at 268-404.

ODC filed a Brief to the Hearing Committee on April 2, 2024, asserting that Respondent's myriad factual misrepresentations and frivolous assertions before the Environmental Hearing Board (hereinafter "EHB") warrants a five-year suspension from the Bar of the Commonwealth of Pennsylvania. On April 23, 2024, Respondent, through counsel, filed a Brief and Proposed Findings of Respondent, in which she "asked [the Hearing Committee] to consider preserving [her] license." R. Brief to H.C. at 74.

The Hearing Committee filed its Report on June 10, 2024, concluding that Respondent violated RPC 1.1, RPC 3.1, RPC 3.3(a)(1), RPC 4.1(a), RPC 8.2(a), RPC 8.4(c), RPC 8.4(d) and Pa.R.D.E. 402(c), and recommending a one-year suspension for such misconduct. H.C. Rpt. at 32-33, 43. On July 1, 2024, Respondent filed a Respondent's Brief as to Exceptions Solely with Respect to the Measure of Discipline, requesting that this Honorable Board "revisit Respondent's request for private

discipline.” R. Brief on Exceptions at 6. This Brief is submitted in opposition to Respondent’s Brief on Exceptions.

II. SUMMARY OF ODC’S BASIC POSITION

Respondent’s myriad factual misrepresentations and frivolous assertions before the EHB warrant a suspension from the Bar of the Commonwealth of Pennsylvania for a period of no less than one year.

III. ARGUMENT

A. THE STUNNING VOLUME OF RESPONDENT’S DISHONESTY COMPELS HER SUSPENSION.

“[T]here is no doubt that dishonesty on the part of an attorney establishes his unfitness to continue practicing law.” *Office of Disciplinary Counsel v. John T. Grigsby, III*, 425 A.2d 730, 733 (Pa. 1981). That is particularly so where, as here, such dishonesty is inflicted upon a tribunal or recklessly impugns the integrity of a judge. *Office of Disciplinary Counsel v. Antoinette M.J. Bentivegna*, 88 DB 2005 (D. Bd. Rpt. 11/21/2006) (S. Ct. Order 1/26/2007) at 12-13 (“The position of the Supreme Court of Pennsylvania in cases where an attorney engages in acts of dishonesty which perpetrate a fraud on the court system has been made clear. The appropriate sanction is disbarment.”) (citing *Office of Disciplinary Counsel v. Milton E. Raiford*, 687 A.2d 118 (Pa. 1997); *Office of Disciplinary Counsel v. Gregory G. Holston*, 619 A.2d 1054 (Pa. 1993);

and *Grigsby*, 425 A.2d 730). See also, e.g., *Office of Disciplinary Counsel v. Robert J. Murphy*, 206 DB 2016 (Pa. 2019) (five-year-suspension); *Office of Disciplinary Counsel v. Donald A. Bailey*, 11 DB 2011 (D. Bd. Rpt. 5/1/2013) (S. Ct. Order 10/2/2013) (five-year suspension); *Office of Disciplinary Counsel v. Robert B. Surrick*, 749 A.2d 441, 449 (Pa. 2000) (five-year suspension); *Office of Disciplinary Counsel v. Neil Werner Price*, 732 A.2d 599 (Pa. 1999) (five-year suspension). The Hearing Committee concluded that, ***in five separate filings that Respondent submitted to the EHB***, Respondent made factual misrepresentations, including false and frivolous accusations that impugned the integrity of the EHB and EHB Judge Bernard Labuskes. H.C. Rpt. at 34-35.

In a public filing *to which Respondent replied*, Ans. at ¶ 28; H.C. Rpt. at 14 (¶¶ 59, 61), attorney Michael Braymer, Supervisory Counsel with the Department of Environmental Protection, proclaimed, in no uncertain terms, that Respondent's characterization of his April 2, 2021 email in her April 7, 2021 Appellants' Motion for Summary Judgment was "false," and that this email "do[es] not support Appellants' claims and, in fact, directly contradict[s] those claims." ODC-12 at 000084-000085 ("Appellants' claim that this email was evidence that 'the Department was aware that Cabot uses TEG in its well operations and that TEG was being used at the subject

well sites' ***is false.***") (emphasis supplied). See also H.C. Rpt. at 14 (¶ 59) ("The DEP further stated that Respondent's characterization of Mr. Braymer's April 2, 2021 email was 'False.' (ODC-12).") Despite being "put on notice of this mischaracterization," *Id.* at 34, Respondent thereafter repeated this false claim, verbatim, in both her February 21, 2022 Appellants' Response in Opposition to Intervenor's Motion for Sanctions in the Form of Legal Fees and her May 9, 2022 Landowners' Reply Brief in Opposition to the Joint Motion of the Department of Environmental Protection and Coterra Energy Corporation for Nonsuit. Compare ODC-11 at 000066 (¶ 4) ("The Department advised Appellants and Appellants' counsel on April 2, 2021 for the first time that (a) TEG was being used at the well sites operated by Cabot during the period in question") with ODC-48 at 000421 (same) and ODC-51 at 000497 (¶ 45(E)) (same).

"Respondent further engaged in factual misrepresentations by affirmatively representing to the tribunal in her August 2021 Motion to Extend Discovery that consent order negotiations between the DEP and Coterra were ongoing (ODC-18)." H.C. Rpt. 34-35. Compare ODC-18 at 000119 (¶ 8) with ODC-20 at 000191 (¶ 8) and ODC-21 at 000197 (¶ 8). See also H.C. Rpt. at 16 (¶¶ 71-72) ("There were no ongoing consent order negotiations between Coterra and DEP at that time") (internal citations

omitted) and ODC-76 at 001725 (“This is also perhaps the first indication that Johnson did not intend to act with candor toward the Board because there was no such consent order and agreement in the works. Also, no discovery was ‘continuing.’”).

Respondent “represent[ed] in her February 2022 Motion to Stay that conversations between Coterra, the DEP and the Attorney General’s office ‘will’ take place (ODC-40),” but “[n]o such negotiations or conversations existed.” H.C. Rpt. at 35. See ODC-40 at 000339 (¶ 5). See *also* H.C. Rpt. at 19 (¶¶ 99-100) (“At the time Respondent filed the motion, no conversations were scheduled to take place between Attorney Barrette, the AG’s Office, and/or the EPA”) (internal citation omitted) and ODC-76 at 001712 (“In reality, Johnson subsequently conceded that there were no such ‘conversations’ scheduled and, in fact, none have ever taken place.”) and *Id.* at 001754 (“The claim is reminiscent of Johnson’s earlier untrue claim that a consent order and agreement was being negotiated.”).

“Respondent engaged in further factual misrepresentations, as well as violations of RPC 8.2(a) and RPC 8.4(d) in her unproven attacks upon the integrity of the EHB and Judge Labuskes in the May 9, 2022 opposition to the DEP and Coterra’s Motions for Nonsuits (ODC-51) and May 10, 2022 Demand for the Board’s Removal of Judge Labuskes (ODC-53).” H.C. Rpt.

at 35 (emphasis removed). See ODC-51 at 000501, 000504 (¶¶ 53, 66). See *also* H.C. Rpt. at 25 (¶ 128) (“Respondent’s allegations against Judge Labuskes as set forth within the Landowners Demand for the Board’s Removal of Judge Labuskes were false, and had no basis in law or fact that is not frivolous (See ODC-53).”). Far from being “limited in scope and duration,” as Respondent now contends, R. Brief on Exceptions at 5-6, Respondent impugned the integrity of the EHB and Judge Labuskes in no less than **five** public filings that she submitted over the course of seven months, ODC-48 at 000431 (¶ 42) (“The Board has been nothing but a discriminatory and hostile forum for Landowners and Landowners’ counsel”); ODC-51 at 000501, 000504 (¶¶ 53, 66); ODC-53; ODC-56 at 000613, 000615 (¶¶ 3(a), 4), ODC-64 (December 2021 Notice of Intent to Sue that Respondent sent to then-Governor Thomas Wolf, citing 42 Pa.C.S. § 8522(b)(10) and 42 Pa.C.S. § 8542(b)(9), which allow for the imposition of liability upon Commonwealth parties for negligence resulting in sexual abuse).

“Dishonesty cannot be excused, nor remedied by a public censure or probation,” *Office of Disciplinary Counsel v. James D. Hayward, Jr.*, 123 DB 2009 (D. Bd. Rpt. 9/27/2010) (S. Ct. Order 1/19/2011) at 17, yet this is what Respondent now asks of this Honorable Board, See R. Brief on

Exceptions at 6 (requesting that this Honorable Board “revisit Respondent’s request for private discipline”). In support of this request, Respondent relies predominantly on matters that did not involve allegations of dishonesty. R. Brief on Exceptions at 18-22 (citing *Office of Disciplinary Counsel v. Milton E. Raiford*, 39 DB 2022 (D. Bd. Order 4/20/2022) (consent discipline), *Office of Disciplinary Counsel v. Cynthia A. Baldwin*, 225 A.3d 817 (Pa. 2020) and *Office of Disciplinary Counsel v. William R. Korey*, 130 DB 2022 (D. Bd. Order 9/26/2022)).

Raiford was publicly reprimanded on consent¹ for violations of RPC 1.7(a)(2), RPC 3.4(c), RPC 3.5(d) and RPC 8.4(d). *Raiford*, 39 DB 2022. Respondent’s claim that Raiford’s public reprimand was also imposed for violations of RPC 8.2(a) and RPC 8.4(c)—like her claims regarding Mr. Braymer’s April 2, 2021 email, H.C. Rpt. at 14 (¶ 59)—is simply a mischaracterization. Compare R. Brief on Exceptions at 20 with *Raiford*, 39 DB 2022. Baldwin was publicly reprimanded for violations of RPC 1.1, RPC 1.6(a), RPC 1.7(a) and RPC 8.4(d)—“misconduct [that] did not reflect any dishonesty in the practice of law,” *Baldwin*, 225 A.3d at 856.

Korey was publicly reprimanded for “written and verbal attacks which

¹ As this Honorable Board is aware, Raiford is now facing additional discipline in an unrelated matter. See, generally, *Office of Disciplinary Counsel v. Milton E. Raiford*, 112 DB 2023.

disparaged the integrity of the judiciary.” *Korey*, 130 DB 2022. As the Hearing Committee explained, however, *Korey* is distinguishable because, unlike *Korey*, Respondent’s misconduct was not limited to her false accusations impugning the integrity of the EHB and Judge Labuskes.² H.C. Rpt. at 40 (“We find that Respondent’s conduct here, in attacking the EHB and the Judiciary, ***and in combination with her other violations of professional conduct in this matter***, to be more serious than the conduct in *Gerace*, *Mulvihill* and *Korey*, and warranting of a higher level of discipline than a reprimand.”) (emphasis supplied). See also R. Brief on Exceptions at 5 (“The Hearing Committee took exception to Respondent’s conduct impugning the EHB and Judge Labuskes and found that, *in combination with the other violations* warranted discipline in the form of a one-year suspension.”) (emphasis supplied, internal citation omitted). Indeed, unlike *Korey*, Respondent submitted multiple filings before the EHB that were riddled with factual misrepresentations unrelated to her false accusations impugning the integrity of the EHB and Judge Labuskes. H.C. Rpt. at 34-35 (finding factual misrepresentations in Respondent’s August 2021 Motion to Extend Discovery Period, Respondent’s February 2022 Appellants’ Motion to Stay Proceedings, Respondent’s February 2022 Appellants’

² *Korey* also, unlike Respondent, had practiced law for thirty-four (34) years without prior discipline. *Korey*, 130 DB 2022 at 4.

Response in Opposition to Intervenor’s Motion for Sanctions in the Form of Legal Fees and Respondent’s May 2022 Landowners’ Reply Brief in Opposition to the Joint Motion of the Department of Environmental Protection and Coterra Energy Corporation for Nonsuit). She also, unlike Korey, filed various motions that lacked bases in fact and law that were not frivolous. *Id.* at 12, 34-35 (finding Respondent’s February 2021 Motion to Disqualify Counsel, Respondent’s August 2021 Motion to Extend Discovery Period and Respondent’s February 2022 Appellants’ Motion to Stay Proceedings to be frivolous). She also, unlike Korey, exhibited palpable incompetence. *Id.* at 34 (noting Respondent’s “failure to conduct appropriate discovery and investigation, failure to adequately familiarize herself with the litigation process and EHB rules and procedures, failure to comply with the applicable procedural rules and deadlines, failure to competently submit an adequate Pre-Hearing Memorandum, and failure to adequately respond to the opposing party’s Motions *in Limine*”). When as here—unlike Korey—an attorney falsely impugns the integrity of a judge in combination with other misconduct, the discipline meted out has consistently been a lengthy suspension. *See, e.g., Murphy*, 206 DB 2016 (five-year-suspension); *Bailey*, 11 DB 2011 (five-year suspension); *Surrick*, 749 A.2d 441 (five-year suspension); *Price*, 732 A. 2d 599 (five-year

suspension).

B. THE HEARING COMMITTEE REPORT ASSIGNS UNDUE WEIGHT TO RESPONDENT'S EVIDENCE IN MITIGATION.

The Hearing Committee Report indicates that its recommendation of a suspension far below that imposed on other attorneys who recklessly impugned the integrity of judges in combination with other misconduct was motivated by “Respondent’s acceptance of responsibility, remorse for wrongdoing, and proactive conduct to secure mentorship and assistance to cure her deficiencies in competence.” H.C. Rpt. at 37-38. The Hearing Committee Report accurately recounts that Respondent accepted responsibility for her unbridled incompetence; however, Respondent accepts no responsibility for the most serious misconduct at issue in these proceedings—the dishonesty that permeated her filings with the EHB and her false accusations impugning the integrity of the EHB and Judge Labuskes. *Compare* H.C. Rpt. at 28-29 (¶¶ 151-153) *with* N.T. at 307 (“in no way did either my client or I fabricate, exaggerate, or lie or misrepresent any fact. I strongly deny that.”). *See also* R. Brief to H.C. at 2 (“Her criticism of the judge and the EHB were fact-based”).

The Hearing Committee also credited the testimony of Respondent’s character witnesses, H.C. Rpt. at 31-32 (¶¶ 164-167), despite the fact that

three such character witnesses were unaware that Respondent had been criminally convicted of two counts of endangering the welfare of children, N.T. II at 371, 387, 403. The Hearing Committee determined to credit the testimony of these character witnesses notwithstanding their ignorance of Respondent's criminal history because Respondent should not "bear an eternal scarlet letter of this misdeed and be expected to self-disclose this history to every professional contact she encounters." H.C. Rpt. at 42. These individuals, however, were not random "professional contacts." They were presented *by Respondent* as people who purportedly know her character. The fact that they had no knowledge of Respondent's criminal history demonstrates that their actual knowledge of Respondent's character is limited. The weight assigned to their testimony regarding Respondent's character, therefore, should also be limited.

IV. CONCLUSION

ODC respectfully requests that The Disciplinary Board recommend to the Supreme Court of Pennsylvania that Respondent be suspended from the Bar of the Commonwealth of Pennsylvania for a period of no less than one year.

Respectfully submitted,

OFFICE OF DISCIPLINARY COUNSEL

THOMAS J. FARRELL,
Chief Disciplinary Counsel

A handwritten signature in black ink, appearing to read "D. White", with a stylized flourish at the end.

By: _____
Daniel S. White
Disciplinary Counsel

BEFORE THE DISCIPLINARY BOARD OF THE
SUPREME COURT OF PENNSYLVANIA

OFFICE OF DISCIPLINARY COUNSEL, : No. 111 DB 2023

Petitioner :

:

:

v. :

: Attorney Registration No. 200101

LISA ANN JOHNSON, :

Respondent : (Allegheny County)

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving the foregoing documents upon all parties of record in this proceeding in accordance with the requirements of 204 Pa.C.S. § 89.22 (relating to service by a participant).

Email only as follows:

Kathleen Patricia Dapper, Esquire
Hearing Committee Chair
Burns White Center
48 26th Street
Pittsburgh, PA 15222

kpdapper@burnswhite.com

Elizabeth Farina Collura, Esquire
Hearing Committee Member
Pietragallo Gordon
One Oxford Center, Floor 38
Pittsburgh, PA 15219

ecollura@travelers.com

Phillip Ray Earnest, Esquire
Hearing Committee Member
429 Fourth Avenue, Suite 702
Pittsburgh, PA 15219

pre@pietragallo.com

Bethann R. Lloyd, Esquire
Counsel for Respondent
DiBella Weinheimer
429 Fourth Avenue, Suite 200
Pittsburgh, PA 15219

blloyd@d-wlaw.com

Robert H. Davis, Jr., Esquire
Counsel for Respondent
Davis Law Offices
4900 Janelle Drive
Harrisburg, PA 17112

bobsethics45@gmail.com



Dated: 7/18/24

DANIEL S. WHITE
Disciplinary Counsel
Office of Disciplinary Counsel
District IV Office
Frick Building, Suite 1300
437 Grant Street
Pittsburgh, PA 15219
(412)-565-3173
Attorney Reg. No. 322574

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Office of Disciplinary Counsel

Signature:  _____

Name: Daniel S. White

Attorney No. (if applicable): 322574