

SAJEEL MIRZA MANN & SHAH

Barristers, Advocates & Legal Consultants



FIRM PROFILE



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Introduction

We are a law firm operating from our offices in Islamabad, the capital of Pakistan and Karachi, the capital of economic and commercial activity in the country. We practice generally in all areas of law and are often seen advising in major cross-border business transactions. Our lawyers are expert advocates with a number of cases reported in law journals of Pakistan to their credit.

The Legal 500, which analyses the capabilities of law firms across the world, with a comprehensive research programme has also listed us in its directory of recommended law firms in Pakistan. The Legal 500 assesses the strengths of law firms in over 100 jurisdictions and has been pleased to note that “Sajeel Mirza Mann & Shah’s ‘advice has always been found to be on point’ ”.

We have four (4) partners who are in turn assisted by a number of associate lawyers working with the firm. Each lawyer is a specialist in his/her area of practice and brings together experience in different fields of law.



About Sajeel Mirza Mann & Shah

Why Choose our Services

The outstanding talent and individual interests of our lawyers are the essence of our practice.

Our experience at the top end of the mid-market is providing an exceptional stepping stone and spring board for the larger corporate deals for which we are now receiving instructions. Our focus is on building long term, sustainable relationships by understanding our clients and their markets and giving them personalized attention at cost-effective rates.

We do not look to slot our clients into boxes. We tailor multi-faceted teams of specialists to directly reflect our client's needs. We aim to serve our clients by working with them as a business partner in every respect and by addressing their concerns on priority and responding to them without any delays.

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Our Clients

Within a short span of time we have been able to garner a number of illustrious clients who regularly instruct us on a variety of matters making us their one-stop shop for all their legal services requirements.

Our clients include business such as Agha Steel Industries, Martin Dow Limited, K-Electric Limited, Lucky Cement Limited, Goldwind China (the second largest wind energy company in the world), Powerchina Huadong Engineering Corporation, China, Daraz.pk, Dawn Media Group, Dawn Bread Group, Saima Builders & Developers, The Fertilizer Importers Council of Pakistan, MTW Pak Assembling Industries (Pvt.) Limited (Belarus Tractors), Silkbank Limited, The Bank of Punjab, Bank Alfalah Limited, Summit Bank Limited, Pak Libya Holding Company (Pvt.) Limited, the Alternative Energy Development Board of Pakistan, Ten Sports Pakistan, Medisure Pharma, Hilal Foods, Dominos Pakistan, Lucky Motor Corporation, Indus Motors, Dany Technologies, South City Hospital, The World Group, Inbox Business Technologies Limited, Nadeem Textiles Limited, Election Commission of Pakistan, Next Capital Limited, Institute of Financial Management of Pakistan, Air Link Communications etc.

Our Process

At our firm we seek to provide a proactive, quality business-led view to clients' issues and have an ability to respond quickly to all our clients' legal needs and requirements in an efficient and expedient manner. From a strategic perspective, our enviable position as one of country's up and coming law firms, means that we hold a prominent position to service the entrepreneurial nature of the mid-market and the institutional requirements of corporations.

The breadth of knowledge and resources we have developed, place us in a unique position to offer a highly competitive and cost-effective service compared to our competitors without compromising on quality or depth of our advice. Our partners have the specialist abilities in dealing with issues concerning various areas of law.



Partners & Associates

Sajeel Sheryar

LL.B. (Hons.) (UK), LL.M (UK)
Barrister at Law & Advocate Supreme Court

Sajeel Sheryar is the firm's partner based in Islamabad. He has substantial experience of more than ten years in general advisory and consultancy work pertaining to multi-national companies, banks and financial institutions, corporate houses. He practices in all major areas of firm's specializations including project finance and energy, banking, telecommunication, equity and anti-trust laws.

Having remained part of major commercial practices in Pakistan, Sajeel Sheryar developed special expertise in arbitration; mediation and alternate dispute resolution and receives instructions both in contentious and non-contentious matters.

He has advised clients on general corporate matters including incorporation of companies, capital raising, issuance of debt securities, matter relating competition commission etc. Reviewed and drafted commercial agreements such as joint venture, franchise and technical services agreements for multi-nationals including companies operating in power sector, automobiles, telecom and IT industry. Matters currently being handled include;

He has also advised and represented private clients against the banks and financial institutions and has also remained lead counsel for banks in a number of important matters.

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He has also been advising mining companies with drafting and negotiations of concessions agreements, leases, applying for licenses with the regulatory authorities etc.

Sajeel has also advised and represented various regulatory bodies pertaining to their day to day affairs. Authorities include Securities & Exchange Commission of Pakistan, Pakistan Medical & Dental Council, Pakistan Telecommunication Authority, AEDB, PPIB etc.

Qualifications:

- Bar Vocational Course (BVC), Inns of Court School of Law, UK
- LL.M. Commercial Law, University of Bristol, UK
- LL.B. (Hons.), University of London, UK
- Post-Graduate Diploma in Law, City University, London, UK

Memberships:

- The Honorable Society of Lincoln's Inn, UK
- American Bar Association, USA
- Lahore High Court Bar Association, Pakistan
- Islamabad High Court Bar Association, Pakistan
- Islamabad Bar Association, Pakistan
- Supreme Court Bar Association of Pakistan

Sajeel Sheryar practices from the firm's Islamabad office and can be contacted at [**sajeel@smmslegal.com**](mailto:sajeel@smmslegal.com)

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Taimur A. Mirza

BBA (Hons.), MBA, LL.B. (Hons.) (UK),
Barrister at Law & Advocate High Court

Taimur Mirza is the firm's partner based in Karachi. He has more than ten years of experience in contentious and non-contentious legal work in the areas of civil litigation, constitutional law, tax, customs law, company law, telecommunication law, media law, oil & gas law, labour law, electricity laws, antitrust law, tobacco control legislation, mergers and acquisitions, intellectual property law, banking and finance law, international law etc.

The Legal 500, the global directory of the world's top law firms has recently noted that "*Taimur Mirza is 'a thorough professional with in-depth business knowledge'.*" [<https://www.legal500.com/c/pakistan/dispute-resolution>]

He has rendered advice to various corporate businesses in areas of mergers, acquisitions, antitrust/competition law and also international law. He has also rendered advice and opinions of various areas of telecom laws and has extensive experience in telecom law. He has extensive knowledge of all telecom laws, rules and regulations, and policies including the De-Regulation Policy of 2003, Mobile Cellular Policy and the Broadband Policy.

In the past he has also advised pharmaceutical companies in areas of competition law and has obtained premerger approvals from the Competition Commission of Pakistan for various international pharmaceutical companies and their Pakistani subsidiaries such as GlaxoSmithKline, Stiefel, Aspen Global, Bristol-Myers Squibb etc. He has also advised a multinational tobacco company in respect of health warning legislation applicable in Pakistan and also on the law applicable on export of tobacco products to Afghanistan and GCC countries from Pakistan.

He also possesses particular expertise in power and energy and has been involved in various contentious and non-contentious matters pertaining to power projects. Previously he has handled debt rescheduling and restructuring matter through the courts and out of court. He has also handled capital reductions and corporate restructurings. His areas other areas of expertise include Antitrust Law, Labour Law, Tax Law, Mergers & Acquisitions, Company Law, Intellectual Property Law, Civil Litigation etc.

Qualifications:

- Bar Vocational Course (BVC), Inns of Court School of Law, UK
- LL.B. (Hons.), University of London, UK
- Post Graduate Diploma in Professional & Legal Skills, Inns of Court School of Law, UK
- BBA (Hons.), MBA (Institute of Business Administration, Karachi)

Memberships:

- The Honorable Society of Lincoln's Inn, UK
- Sindh High Court Bar Association, Pakistan
- Karachi Bar Association, Pakistan

Taimur Mirza practices from the firm's Karachi office and can be contacted at
taimur.mirza@smmslegal.com

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Chaudhry Hasan Murtaza Mann

LL.M. (King's College London)
Advocate High Court

Hasan Mann is firm's partner and is based in Islamabad. He holds an LL.M. in Commercial Law from the prestigious King's College London. Prior to joining the firm as Partner, Hasan had experience in financial, commercial, constitutional, banking and tax matters in the United Kingdom and Pakistan. In Pakistan he has worked with major commercial practices of the country like Akram Sheikh Law Associates and HaidermotaBNR.

He has a vast experience in contentious and non-contentious matters. His main areas of practice include general legal advisory work on civil and commercial laws of Pakistan including company law, acquisitions (including equity and asset based acquisitions), competition law, regulatory issues (including power, oil & gas, telecommunication, media), banking, international sale of goods, service contracts, franchise and distribution contracts, concession agreements, project finance, privatisation, petroleum laws and undertaking civil, commercial and constitutional litigation before different tribunals and courts including High Courts as well as regulatory authorities. In recent times, he has been involved with the most imperative litigation of the country and has a number of reported judgments to his credit. He has also been involved in legislative drafting.

Reported decisions of the Supreme Court of Pakistan and High Courts of Pakistan in which Hasan has appeared as Counsel and or assisted Senior Counsel include PLD 2013 SC 1, PLD 2013 SC 568, 2013 SCMR 1062, 2013 SCMR 1159, PLD 2013 SC 829, 2013 SCMR 1383, 2013 PLC (CS) 962, PLD 2014 Islamabad 38, 2014 PCrLJ 684 and PLD 2014 Islamabad 123.

On non-contentious side, Hasan has advised clients on a wide range of corporate issues including privatisation projects, joint venture agreements, mergers/acquisitions and other complex commercial transactions as well. Hasan is presently advising numerous companies in relation to setting up wind, solar, and coal based power projects in Pakistan.

Qualifications:

- LL.M. Commercial Law, King's College London

Memberships:

- Punjab Bar Council, Pakistan
- Islamabad High Court Bar Association, Pakistan

Hasan Mann practices from the firm's Islamabad office and can be contacted at hasan@smmslegal.com.

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Ishaq Shah

B.A., LL.B. (Hons.), LL.M. Corporate & Commercial Law, University of London, UK
Advocate High Court

Ishaq is a partner of the firm based in Karachi. Ishaq has vast experience spanning 10 years in corporate matters including banking, corporate finance, Islamic finance, project finance, debt restructuring, real estate matters, sukuk transactions, securitization transactions, issuance of TFCs, demutualization of Karachi Stock Exchange, structured finance transactions, legal audits, takeovers, mergers, de-mergers, commercial paper, shares, etc. Before joining the firm as a partner, Ishaq was a partner at Ahmed & Qazi and head of its corporate practice.

Ishaq also has diversified experience in litigation matters from drafting complaints and pleadings to arguing cases before a number of High Courts of Pakistan. Previously he has been a partner at a leading commercial and corporate law firm of Pakistan.

As regards Ishaq, Chambers and Partners' commentators highlight Ishaq's "*dedication to clients and his commercial approach*" as key strengths. The Legal 500 notes "*In the words of one client, Sajeel Mirza Mann & Shah's 'advice has always been found to be on point'.... Ishaq Shah is a name to note.*"

Qualifications:

- Advocate High Court
- B.A., LL.B. (Hons.)
- Master of Laws (LL.M.) Corporate & Commercial Law, University of London, UK.

Memberships:

- Sindh High Court Bar Association, Pakistan
- Karachi Bar Association, Pakistan
- International Chamber of Commerce

Ishaq Shah practices from the firm's Karachi office and can be contacted at ishaq.shah@smmslegal.com.

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Ali Nawaz Khuhawar

LL.B. (Hons.) (UK),
Barrister at Law & Advocate High Court

Ali is a partner of the firm based in Karachi. He has an experience of 7 years in a wide range of areas of law including Revenue Land matters, Taxation, Contract Law, Employment Law etc. He joined our firm as an associate and quickly rose to the position of a partner.

His experience in litigation matters including handling complicated tax and property related matters and has been involved in drafting and arguing a number of such matter before the High Court of Sindh at Karachi. Previously he has worked at Mohsin Tayebaly & Co., a leading commercial law firm of Pakistan.

Qualifications:

- Advocate High Court
- LL.B. (Hons.)
- Barrister at Law from Lincoln's Inn, London.

Memberships:

- Karachi Bar Association, Pakistan

Ali Nawaz Khuhawar practices from the firm's Karachi office and can be contacted at ali@smmslegal.com.

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Associates:

Karachi:

Noor Fatima Shah, LL.B. (Hons.), Advocate High Court
Sheikh Muhammad Danial, LL.B. (Hons.), Advocate High Court
Danish Ahmed Khan, LL.B. (Hons.), Advocate
Naqqash Siddiqui, LL.B. (Hons.), Advocate
Furqaan Ahmed Khan, LL.B. (Hons.), Advocate
Hiba Imam, LL.B. (Hons.) (UK)
Aleena Burney, LL.B. (Hons.) (UK)

Islamabad:

Saman Mamoon, Barrister at Law & Advocate High Court.
Kainat Khan, LL.B. (Hons.) Advocate
Rida Azam, LL.B. UK, LL.M. (UK), Advocate
Afzal Chaudhry, LL.B. (Hons.)



Our Practice Areas

Projects, Energy & Finance

The Projects, Energy & Finance team advises clients, including state entities, multi-national corporations, investors as well as regulatory bodies, on a broad range of work covering electric utilities, power projects, telecom projects, regulators, generation, transmission and distribution companies, oil and gas matters (upstream and downstream), mining, roads and infra-structures matters, international finance, bank lending and syndications, international joint ventures, infrastructure and capital projects, project finance, international arbitration and dispute resolutions. The work is largely transactional and exclusively adapted for the Pakistan's legal environment.

The team works closely with other departments in the firm on major projects and transactions and integrate as and when necessary. In view of the specialist nature of the work, much of the specialist litigation and dispute resolution which arises is handled by the Project, Energy & Finance team, with assistance, as necessary, from the Litigation and Disputes Resolution Department.

Many of the clients have been long term clients of the partners working with us. This long-term loyalty is a reflection of commitment and the dedication of the team to "getting the job done" in a

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positive, proactive and constructive manner. The team has a very hands-on approach and a tremendous amount of practical experience in driving projects to successful conclusions. They handle deals involving a large number of commodities, and there is a very strong core experience in the area of Power Sector including solar and coal generation. The Power Sector experience of the team stretches from regulation to generation, transmission and distribution, with respect to both traditional and alternative energy.

Company & Commercial

The Company and Commercial Section comprises a multi-disciplinary team which provides commercial solutions for clients across a range of industry sectors, and provides expert legal advice in the often complex and changing area of company law. The Firm advises on all types of domestic and cross-border mergers and acquisitions in the public and private markets. It also advised on corporate finance, including raising capital, flotation and investment management matters. In addition, we have a highly regarded tax team which deals with both personal and corporate tax planning and the mitigation of tax liabilities.

Clients include private equity providers and acquirers, listed companies in a variety of industry sectors, nominated advisers and brokers and small to medium sized trading companies. Our corporate, management and venture capital investor clients seek our advice on stand-alone funding and management buy-outs and buy-ins – the depth of our experience means we are able to offer advice on the overall commerciality and structure of these transactions, as well as recommend and work alongside sponsors and financial advisers.

Litigation & Dispute Resolution

Our Litigation and Dispute Resolution team offers a partner led service that works closely with other sections within the firm to offer commercial and practical solutions for our clients, whether matters are resolved through arbitration, litigation or other means. Whether aggressive or conciliatory, we always ascertain what our client really wants to gain from the dispute and we act accordingly, tailoring our response to their needs.

Our team of litigation lawyers has expertise in prosecuting and defending proceedings before various courts and tribunals in Pakistan. Our lawyers regularly appear before the superior courts of Pakistan and tribunals of the Competition Commission of Pakistan, Federal Board of Revenue, Securities and Exchange Commission of Pakistan, etc.

Our lawyers have acted for companies before the Competition Commission of Pakistan in areas of collusive behaviour and cartelization, abuse of dominant position, deceptive marketing

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practices, prohibited activities and non-compliance of regulatory filings. Our lawyers also have experience in power and energy litigation and have been involved in various contentious matters pertaining to power projects including breach of power purchase agreements, breach of operations and maintenance contracts for power utility companies etc.

In areas of intellectual property rights litigation, we have expertise in prosecuting and defending infringement proceedings before the Pakistani courts.

We also have expertise in recovery of finances cases filed by banks and can file and defend banking recovery cases for our clients. Our lawyers also possess expertise in commercial and general civil litigation in areas including but not limited to labour/employment law, breach of contract, suits for specific relief, company law and tort.

We have dealt with high profile disputes, including large scale corporate and multi-jurisdictional disputes, and a wide range of commercial disputes, finance, professional liability, construction, insurance, property and personal injury cases. The firm has developed special expertise in arbitration and mediation and the partners had been part of major commercial disputes referred for alternative dispute resolution.

Areas of commercial litigation expertise include:

- Banking
- Company
- Power
- Guarantees
- Insolvency and debt recovery
- Civil fraud
- Construction
- Contractual disputes
- Corporate and shareholder disputes
- Cross-border disputes
- Information technology disputes
- Intellectual property including copyright, trademarks, patents and passing off;
- Partnership disputes
- Regulatory Affairs and Administrative Law

Banking

The Banking Section has developed an excellent reputation for their practical and commercial approach, in handling technical and logistically demanding banking matters. The broad spectrum

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of often complex and high value transactions handled reflects the strength and diversity of our lawyers' expertise.

We provide legal advice on bank related transactions and have been instrumental in structuring and syndicating consortium of banks for project financing and securitization.

Private Equity

We advise companies throughout their life cycle on capital raising, from seed capital to subsequent rounds of funding through venture capital and private placings, through public floatation and further fund raising through public sources.

The firm has broad range of relationships with many providers of private equity, both domestically and internationally, and we regularly advise management, corporate and individual vendors, and finance on private equity transactions. Our own network and client base often provides the conduit for introducing vendors and investors looking for a particular type of investment vehicle.

Tax Law

The Tax section draws on a broad working knowledge of the tax sphere, both on domestic and international issues. The team is expert at dealing with corporate tax planning and the mitigation of tax liabilities and regularly advises a broad base of business entities.

The cross-disciplinary nature of our practice groups means we can offer clients a seamless tax service at all levels of their business needs, from corporate reorganization and tax, to looking after the tax requirements of individuals in areas such as: business acquisition and disposal planning; capital gains tax mitigation; inheritance tax planning; income tax and remuneration planning including tax-efficient profit extraction; Sales Tax planning and inward investment planning for non-domiciled and non-Pakistan resident individuals.

We advise a wide spectrum of clients including:

- Banks and financial institutions
- Charities
- Enterprise Investment Schemes, Venture Capital Trusts and listed clients
- Entrepreneurs and owner-managed business
- Pakistan resident non-domiciled
- Non-Pakistan residential individuals.

We offer complete tax advisory services to our clients in respect of all forms of direct and indirect taxes. Our commercial tax specialists assist our clients in tax planning and structuring in order to

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ensure that these clients discharge their tax liability correctly and in full compliance with the applicable tax laws of Pakistan.

We offer representation before all tax authorities of Pakistan regulated by the Federal Bureau of Revenue and the various tribunals and courts dealing with tax disputes and litigation for both international and domestic clients. We have been involved in all major contentious litigation in which various tax laws have been challenged before the Courts of Pakistan. We are at the moment representing clients who have challenged through us, the levy of super tax, infrastructure developments cess, regulatory duty, value addition tax at import stage under Sales Tax Act, 1990, gas infrastructure cess and sales tax on services on property developers, rented properties and restaurants.

Our tax litigation and tax dispute resolution team can offer innovative solutions to resolve contentious tax matters and has successfully represented companies and individuals in tax related contentious matters before the Federal Bureau of Revenue and the various Tax Appellate Tribunals.

We offer complete tax filing solutions including preparation of internal controls for ensuring tax law compliance, preparation of income returns and filing, preparation of sales tax returns and other statutory forms.

Antitrust/Competition Law

We have expertise in Pakistan's competition law and regulatory framework. We offer comprehensive services on issues pertaining to merger control, deceptive marketing practices, prohibited agreements, cartel investigation, abuse of dominant position, market investigation and competition litigation.

We also assist businesses in obtaining premerger approvals and/or exemptions for prohibited activities from the competition law regulator in Pakistan. We possess particular expertise in pharmaceutical mergers, acquisitions, product portfolio divestment and rules of dominant position and its abuse under the competition law regime as applicable to pharmaceutical companies.

We offer advice on competition law compliance including competition law reference guides, competition law compliance audits and on how to prevent competition law issues from arising.

Intellectual Property Law

We offer a complete range of services in respect of patents, trademarks, designs, copyrights, franchising etc. Our intellectual property attorneys can conduct searches for trademarks and

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patents to determine registrability/patentability of proposed trademarks and/or patents. We also assist our clients in the through the entire process of registration of trademarks/copyrights.

We draft, file and prosecute patent applications for our clients. We also have expertise in filing oppositions and defending oppositions of patents. We also offer renewal services for patents and trademarks. We can also assist in protection of intellectual property rights and carry out infringement litigation on their behalf.

Labour/Employment Law

Our lawyers have experience of appearing in and defending proceedings pertaining to a variety of labour law proceedings related to wrongful terminations, labour unions, industrial relations and compliance of labour laws applicable to industrial and commercial establishments.

We offer advice on all aspects of Pakistani labour law and have prepared comprehensive labour law compliance guidelines for our clients operating in various sectors and industries. Our regular clients on labour matters include Lucky Cement Limited, Saima Builders, Dawn Media Group, Dawn Bread Group etc. In 2016 we challenged the applicability of the Federal EOBI legislation in the province of Sindh for one of our clients and were successful in obtaining an injunction against the Federal EOBI restraining it from collecting any contributions from the client.

We offer representation before the Labour Courts across Pakistan, Federal Services Tribunals and the National Industrial Relations Commission.

Mergers & Acquisitions

We possess the necessary skills to assist our clients in all matters pertaining to mergers and acquisitions. Our team of lawyers can advise on the most appropriate transaction structure and can handle the most complex of such transactions.

We are able to assist our clients in all areas of M&A transactions in a wide array of matters including conduct of due diligences, obtaining approvals from the Securities & Exchange Commission of Pakistan, the Competition Commission of Pakistan, the State Bank of Pakistan, transfer of shares etc.

We are also able to advise our clients in matters pertaining to tax consequences, stamp duties and other incidental matters in respect of M&A transactions.

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Telecommunications Law

Our lawyers have extensive experience in all areas of telecommunications law applicable in Pakistan and have appeared on behalf of major telecom operators of Pakistan in various contentious matters before courts and also the sector regulator i.e. the Pakistan Telecommunication Authority. Our lawyers have also advised telecom operators on various telecom related matters.

Property & Conveyancing

We offer comprehensive services in respect of sale and purchase of real property and conveyancing services to our clients. Our real estate lawyers also provide legal services in the areas of tenancy/rent law, prevention against wrongful eviction, eviction of tenants etc. We have acted for clients in property deals worth billions of Rupees in Sindh, Punjab and KPK. One of our recent transactions was conducted in Buner, KPK. We also successfully challenged the acquisition of land by the Federal Government Employees Housing Foundation before the Islamabad High Court. The Islamabad High Court in our case scrapped federal government housing ventures in sectors F-14 and F-15 of the capital, where members of the judiciary, bureaucrats, lawyers and journalists were among the beneficiaries.

Insurance Law

We have extensive experience in advising insurance and takaful companies on various areas of insurance law and representing them before the Securities & Exchange Commission of Pakistan and before various courts and tribunals of Pakistan.

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Contact Us

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