No. 14-20128

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

JUAN RAMON TORRES; EUGENE ROBISON,

Plaintiffs-Appellees,

v.

SGE MANAGEMENT, LLC; STREAM GAS & ELECTRIC, LTD; STREAM SPE GP, LLC; STREAM SPE, LTD; IGNITE HOLDINGS, LTD; ET AL.,

Defendants-Appellants.

On Interlocutory Appeal from the United States District Court for the Southern District of Texas, Houston Division, Case No. 4:09-CV-02056

BRIEF FOR AMICUS CURIAE PUBLIC CITIZEN, INC. IN SUPPORT OF PLAINTIFFS-APPELLEES AND AFFIRMANCE

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May 13, 2016

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CORPORATE DISCLOSURE STATEMENT AND SUPPLEMENTAL CERTIFICATE OF INTERESTED PERSONS

Pursuant to Federal Rule of Appellate Procedure 29(c)(1), the undersigned counsel certifies that amicus curiae Public Citizen, Inc. is a nonprofit, non-stock corporation. It has no parent corporation, and no publicly traded corporation has an ownership interest in it of any kind.

Pursuant to Fifth Circuit Rule 29.2, the undersigned counsel certifies that the following listed persons and entities, in addition to those already listed in the parties' briefs, have an interest in the outcome of this case.

Public Citizen, Inc. – amicus curiae

Public Citizen Litigation Group – law firm for Public Citizen, Inc.

Public Citizen Foundation, Inc. – nonprofit organization of which Public Citizen Litigation Group is a part

Adina H. Rosenbaum – counsel for Public Citizen, Inc.

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Respectfully submitted,

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INTEREST OF AMICUS CURIAE[1]

Public Citizen, Inc., a consumer-advocacy organization with members and supporters nationwide, appears before Congress, administrative agencies, and courts to work for enactment and enforcement of laws protecting consumers, workers, and the general public. Public Citizen often represents consumer interests in litigation, including as amicus curiae in the United States Supreme Court and federal courts of appeals.

Public Citizen believes that class actions are a critically important tool for seeking justice where defendants have engaged in the same or similar unlawful conduct toward many people—investors, consumers, and employees especially—that has resulted in injuries that are large in the aggregate, but are less cost-effective to redress individually. In that situation, class actions offer the best means of achieving both individual and class-wide redress, as well as deterrence of wrongful conduct, while simultaneously serving the interests of defendants in achieving

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[1] All parties have consented to the filing of this brief. No party's counsel authored this brief in whole or in part, and no party or party's counsel made a monetary contribution to fund the preparation or submission of this brief. No person or entity other than Public Citizen made a monetary contribution to the preparation or submission of this brief.

definitive and binding resolution of claims against them on the broadest possible basis consistent with the requirements of due process. Class actions have historically played a vital role in civil rights cases, consumer cases, and, of particular relevance here, fraud cases.

Public Citizen and its attorneys have participated, either as amicus curiae or counsel, in many significant class-action cases, including *Tyson Foods, Inc. v. Bouaphakeo*, 136 S. Ct. 1036 (2016) (co-counsel for respondent), *Smith v. Bayer Corp.*, 564 U.S. 299 (2011) (co-counsel for petitioner), and *Wal-Mart Stores, Inc. v. Dukes*, 564 U.S. 338 (2011) (counsel for amicus).

Public Citizen is filing this brief because it believes that the panel's denial of class certification was based on an unduly narrow view of when common issues predominate and of when proximate cause may be treated as a common issue for purposes of class certification. Public Citizen is concerned that this narrow view will effectively deny victims of pyramid schemes and other fraudulent campaigns the ability to hold the scheme's perpetrators accountable for their actions.

INTRODUCTION AND SUMMARY OF ARGUMENT

This case was brought as a class action under the Racketeer Influenced and Corrupt Organizations Act (RICO) by sellers, known as Independent Associates (IAs), for a retailer. The IAs contend that although the retailer's business was held out to be a legitimate business, it was actually an illegal pyramid scheme. The district court certified a class, and the defendants appealed. Although the defendants contend that their business is legitimate, the essence of their argument is that, even if their business is an illegal pyramid scheme—inherently fraudulent and dependent on an ever-increasing supply of new participants—the hundreds of thousands of people who were victimized by the scheme cannot bring their claims together as a class. The defendants argue that Rule 23's predominance requirement is not satisfied because each class member would have to show that he relied on the representation that the business was *not* an illegal pyramid scheme. Accordingly, the defendants argue, common issues would not predominate over individual ones.

This Court should reject the defendants' argument. To begin with, although a RICO plaintiff must show that the alleged violation

proximately caused his injury, reliance is not the only means of proving causation. Where, as here, the plaintiff alleges that the defendants' business is an illegal pyramid scheme, proof of reliance on the defendants' misrepresentations is not necessary because the scheme is inherently fraudulent and would not have existed at all absent the misrepresentation of legitimacy. The defendants could not have continued to run their scheme if they had openly advertised it as an illegal pyramid scheme, and thus each victim's losses were proximately caused by the deception inherent in the pyramid scheme, regardless of whether he or she subjectively relied on any misrepresentation.

Further, even if reliance on the defendants' representations of legitimacy were required to show causation, that requirement would not defeat class certification here. The predominance inquiry does not require an absence of individualized issues, but the predominance of common issues. Moreover, the Supreme Court's recent decision in *Tyson Foods, Inc. v. Bouaphakeo*, 136 S. Ct. 1036 (2016), demonstrates that if an element of a claim can be demonstrated through proof that gives rise to a class-wide inference, that element does not defeat class certification. Here, the evidence gives rise to a class-wide inference of

reliance because the district court could and did reasonably infer that people who invest in a business rely on representations that the business is a legitimate enterprise—not an illegal pyramid scheme.

ARGUMENT

I. Plaintiffs' RICO injury was caused by the alleged fraud regardless of individual reliance.

The Court's determination of whether common issues predominate in this action must rest on an accurate understanding of the elements of the plaintiffs' claim: "Considering whether 'questions of law or fact common to class members predominate' begins, of course, with the elements of the underlying cause of action." *Erica P. John Fund, Inc. v. Halliburton Co.*, 563 U.S. 804, 809 (2011). Here, the defendants' assertion that individual questions of reliance overwhelm the many common issues presented by the case and thus defeat predominance rests on the misconception that each plaintiff's right to recovery in this case depends on proof of individual reliance on the defendants' misrepresentations.

As this Court is well aware, reliance is not an essential element of a RICO claim. *See Bridge v. Phoenix Bond & Indem. Co.*, 553 U.S. 639, 653-54 (2008)*; Allstate Ins. Co. v. Plambeck*, 802 F.3d 665, 676 (5th Cir.

2015); *St. Germain v. Howard*, 556 F.3d 261, 263 (5th Cir. 2009). Rather, as this Court held in *Allstate*, "[a]n injured party must show that the violation was the but-for and proximate cause of the injury. In cases predicated on mail or wire fraud, *reliance is not necessary*." 802 F.3d at 676 (citation omitted; emphasis added). A plaintiff satisfies the burden of showing causation by establishing that the plaintiff's injury was a "direct" and "foreseeable" result of the fraudulent scheme. *Id.*

Of course, individual reliance is *one* way to prove proximate causation in a RICO case. "Proof that the plaintiff relied on the defendant's misrepresentations may in some cases be sufficient to establish proximate cause, but there is no sound reason to conclude that such proof is always necessary." *Bridge*, 553 U.S. at 659. Proof that a plaintiff was injured as a result of a third party's reliance may also suffice. *See id.* at 657. And although the Supreme Court in *Bridge* suggested that "in most cases," reliance by *someone* might be necessary to causation, *id.* at 658, the Court laid down no such blanket requirement: "Proximate cause … is a flexible concept that does not lend itself to a black-letter rule that will dictate the result in every case." *Id.* at 654 (internal quotation marks and citations omitted). Thus,

this Court has explicitly "reject[ed]" the assertion that "reliance is the only causal mechanism" that can satisfy RICO's proximate cause requirement. *Allstate*, 802 F.3d at 676.

A RICO claim founded on allegations that an enterprise is an illegal pyramid scheme is a paradigmatic case where neither "first-party" nor "third-party" reliance is necessary to a showing of probable cause. As the plaintiffs' brief explains, such a claim does not rest on specific misrepresentations, but on the "inherently fraudulent" nature of a pyramid scheme that is marketed as a legitimate business. *United States v. Gold Unlimited, Inc.*, 177 F.3d 472, 484 (6th Cir. 1999); *Webster v. Omnitrition Int'l, Inc.*, 79 F.3d 776, 781 (9th Cir. 1996). Such schemes involve "inherent deceptiveness" because they hold themselves out as lawful enterprises and fail to disclose the inevitability that the great majority of participants will lose money. *Id.* at 788. As the Federal Trade Commission put it in its influential ruling in *In re Koscot Interplanetary, Inc.*, 86 F.T.C. 1106, 1975 WL 173318 (1975), schemes that meet the criteria defining an illegal pyramid scheme necessarily involve "the inevitably deceptive representation (conveyed by their mere existence)" that participants can recoup their investments. *Id.* at *60.

The fraud inherent in such a scheme causes all the losses suffered by its victims because the fraud is integral to the enterprise. That is, absent the deception, the pyramid scheme would not exist, let alone succeed. Thus, the fraud causes all the losses suffered by the scheme's victims, regardless of whether they relied on any particular understanding of the nature or purposes of the scheme.

The defendants' contrary view rests on the supposition that some class members might have participated even absent the misrepresentation that the enterprise was a lawful business rather than an illegal pyramid scheme. The defendants posit that perhaps those people valued the social benefits of participating, thought they would receive an education comparable to what they would receive if they attended business school (or, perhaps, the school of hard knocks), or indeed wanted to be part of a fraudulent scheme. This argument is fanciful because the scheme would not have existed absent the misrepresentation that it was a lawful business. The defendants *could not* have openly advertised their enterprise as a pyramid scheme in which nearly 90 percent of participants would inevitably lose money. Even if the authorities did not immediately act to shut down such an

avowedly illegal scheme, the Public Utility Commission of Texas would undoubtedly have denied certification as a Retail Electric Provider to a company that openly acknowledged that it was a fraud. Even leaving these points aside, there is no likelihood that *anyone* would participate in an enterprise that *openly billed itself* as an illegal pyramid scheme. Even if the defendants are correct in their cynical assertion that some of their IAs are "people who rationally choose to commit crimes in order to make money," App't's Supp. Br. 46—a proposition for which there is no record evidence—not even a crook signs on to participate in a fraudulent pyramid scheme that bills itself as a fraud. A criminal participates in a scheme that he knows is fraudulent only if he thinks others do not know of the fraud, because making money in such a criminal scheme depends on the existence of unwitting victims.

In short, a pyramid scheme cannot exist without fraudulently concealing its nature. None of the plaintiffs' losses could or would have occurred if the scheme did not exist: All are directly and foreseeably caused by the fraud that is essential to the scheme's existence, irrespective of individual reliance. Because the defendants' argument that class certification was improper rests entirely on the assertion that

questions of individual reliance predominate over common questions, the defendants' argument must be rejected.

II. Rule 23 requires predominance of common questions, not the absence of individual ones.

Even if the plaintiffs' claims required a showing of reliance to establish causation, that requirement would not defeat class certification. Rule 23 "does *not* require a plaintiff seeking class certification to prove that each element of her claim is susceptible to classwide proof." *Amgen Inc. v. Connecticut Ret. Plans & Trust Funds*, 133 S. Ct. 1184, 1196 (2013) (internal quotation marks, citation, and alterations omitted). Rather, the rule requires only that common questions "*predominate* over any questions affecting only individual [class] members." Fed. R. Civ. P. 23(b)(3) (emphasis added).

As the Supreme Court explained earlier this year, "the 'predominance inquiry tests whether proposed classes are sufficiently cohesive to warrant adjudication by representation.'" *Tyson*, 136 S. Ct. at 1045 (quoting *Amchem Prods., Inc. v. Windsor*, 521 U.S. 591, 623 (1997)). "This calls upon courts to give careful scrutiny to the relation between common and individual questions in a case." *Id*. "When 'one or more of the central issues in the action are common to the class and can

be said to predominate, the action may be considered proper under Rule 23(b)(3) even though other important matters will have to be tried separately, such as damages or some affirmative defenses peculiar to some individual class members.'" *Id.* (quoting 7AA C. Wright, A. Miller, & M. Kane, Federal Practice & Procedure § 1778, pp. 123–124 (3d ed. 2005)); *see also*, *e.g.*, *Frey v. First Nat'l Bank Sw.*, 602 F. App'x 164, 170 (5th Cir. 2015) ("[T]he fact that some inquiry into the nature of each account will have to be made does not render that issue predominant over the multiple common issues bearing on First National's liability.").

The question at the core of this case is whether defendants' business is an illegal pyramid scheme. That question is at the heart of every one of the class members' claims, and the evidence showing that defendants' business is an illegal pyramid scheme will be the same for all class members. Litigating the claims in a class action will avoid the need for repeat adjudication of this central question, allowing it to be decided in one stroke. If the plaintiffs cannot prevail on this issue, the "class will fail in its entirely; there will be no remaining individual questions to adjudicate." *Amgen*, 133 S. Ct. at 1196. In contrast, if each class member was required to bring his own individual case, the same

evidence would be introduced and the same arguments made in thousands of cases seriatim. In a case like this, where the inherent legality of defendants' business is at issue, the common question about whether the defendants' business is an illegal pyramid scheme provides cohesion in the class and predominates over any individualized questions.

III. Predominance is supported by a just and reasonable class-wide inference of reliance.

A. The Court can reasonably infer that the class members relied on the misrepresentation that defendants' business was legitimate.

As the Supreme Court's recent decision in *Tyson* demonstrates, courts can rely on class-wide evidence—including class-wide inferences—to show predominance of common questions over individual ones. In *Tyson*, employees of a pork processing plant brought a class action based on the employer's failure to pay them for time spent donning and doffing protective gear. The employer objected to class certification, arguing that because the employees did not all wear identical gear, each employee would have to prove how much time he or she spent putting on and taking off the gear, and individual issues would predominate. 136 S. Ct. at 1046. The Court rejected the

employer's argument, holding that the employees could rely on a representative statistical sample to prove classwide liability to the extent the evidence raised a "just and reasonable inference" of the amount of time the employees spent donning and doffing their gear. *Id.* at 1048 (quoting *Anderson v. Mt. Clemens Pottery Co.*, 328 U.S. 680, 687 (1946)).

Although the class-wide evidence in *Tyson* was an inference that arose from a statistical sample, class-wide evidence can take the form of common-sense "legitimate inferences based on the nature of the alleged misrepresentations at issue." *Klay v. Humana, Inc.*, 382 F.3d 1241, 1259 (11th Cir. 2004). For example, if a life insurance company sells annuities that "do not offer a benefit in relation to their cost, a reasonable inference could be drawn that class members would not have purchased them had they been fully informed about material facts." *Kennedy v. Jackson Nat'l Life Ins. Co.*, 2010 WL 2524360, at *8 (N.D. Cal. June 23, 2010). Likewise, if all of a diet pill manufacturer's promises about its products are untrue, "a trier of fact may fairly infer that a consumer purchasing the product was influenced … by the false-marketing scheme" and infer a causal relationship between the

deceptions and "the purchases of the worthless product." *Lee v. Carter-Reed Co.*, 4 A.3d 561, 580 (N.J. 2010).

Here, even if the plaintiffs' claims required a showing of reliance, the evidence demonstrating that the defendants' business was an illegal pyramid scheme would give rise to a just and reasonable inference that each IA relied on the defendants' misrepresentations that their business was a legitimate venture. In pyramid schemes, the overwhelming majority of people end up losing out. And those that benefit do so only by defrauding their peers. Given this structure, and the overwhelming likelihood that investors will end up on the losing end of the stick, rational economic actors do not knowingly choose to participate in illegal pyramid schemes. As the district court here reasoned, "[t]hat the defendants' business opportunity is allegedly an unlawful pyramid scheme in which the vast majority of participants are sure to lose money[] gives rise to an inference that the only reason the class members paid the $329 sign-up fee (and possibly other fees) is because the true nature of the 'opportunity' was disguised as something it was not." ROA.2266.

At the very least, it can be inferred that a reasonable person investing in a business or otherwise engaging in a business transaction understands the business to be a legitimate enterprise. *See id.* (noting that it can "rationally be assumed (at least without any contravening evidence) that the legality of the [defendants'] program was a bedrock assumption of every class member"); *see also*, *e.g.*, *Minter v. Wells Fargo Bank, N.A.*, 274 F.R.D. 525, 546 (D. Md. 2011) ("[T]he common inference involved in most" RICO cases in which reliance is inferred based on class-wide evidence "is that members of the plaintiff class relied upon the purported legitimacy of the defendant with which they transacted."). In this sense, the inference of reliance is analogous to the implied warranty of merchantability. Like the implied warranty, the inference of reliance rests on the insight that people buy a product or service (or engage in a business transaction) based on implied representations that the thing on which they are spending their money (or the business they are giving it to) is suitable for its ordinary use (or is a legitimate business enterprise). In *McManus v. Fleetwood Enterprises, Inc.*, 320 F.3d. 545 (2003), this Court considered a breach of implied warranty of merchantability claim and other claims stemming

from a company's misrepresentations about the towing capacity of its motor homes. The Court determined that a class could not be certified on the fraudulent concealment, negligent misrepresentation, and breach of express warranty claims because "[r]eliance will vary from plaintiff to plaintiff, depending on the circumstances surrounding the sale." *Id.* at 550. However, the Court held that the a class *could* be certified on the breach of implied warranty of merchantability claim, because the question of whether the motor homes were not fit for their ordinary purpose was a question "whose answer will not vary from plaintiff to plaintiff." *Id.* at 552.

Likewise, here, the district court refused to certify the class on the theory that the IAs relied on defendants' marketing materials because "individualized reliance issues as to the plaintiffs' knowledge, motivations and expectations [would] bear heavily on the proximate cause analysis, rendering 23(b)(3) certification unavailable under that theory." ROA.2265. The court did certify a class, however, on a theory that would not require individualized inquiries as to reliance—that the defendants' scheme was not a legitimate business, but rather an illegal pyramid scheme. This Court should affirm the district court's

conclusion that, because "common sense compels the conclusion that every IA believed they were joining a lawful venture," a "showing that the program was actually a facially illegal pyramid scheme would provide the necessary proximate cause," and individual issues would not predominate. ROA.2266.

B. The possibility that some class members might have participated even if they had known defendants' business was an illegal pyramid scheme does not defeat class certification.

Defendants argue that a class can only be certified if "*nobody would want*" to participate in their scheme without their misrepresentations, "*no matter the circumstances*," and they posit reasons why people might have wanted to participate in their business even knowing it was an illegal pyramid scheme. App't's Supp. Br. 2. But the remote possibility that a few outliers would have been willing to join the defendants' business even if they had known it was an illegal pyramid scheme—and thereby undertake the risks inherent both in being part of an illegal venture *and* in participating in a scheme whose structure is based on the vast majority of people losing money—does not defeat the court's ability to use a class-wide inference of reliance. As the Supreme Court explained in a case in which an inference of reliance

arose under the fraud-on-the-market theory, "that the defendant might attempt to pick off the occasional class member here or there through individualized rebuttal does not cause individual questions to predominate." *Halliburton Co. v. Erica P. John Fund, Inc.*, 134 S. Ct. 2398, 2412 (2014). In such cases, predominance is based on the reasonable inference that "*most* investors" rely on the integrity of the market. *Id*. at 2411 (quoting *Amgen*, 133 S. Ct. at 1192). Likewise, *most* people offered an opportunity to participate in an openly conducted business enterprise undoubtedly rely on the business's representation of legitimacy.[2]

In holding that class-wide proof could be used to establish liability, the Supreme Court in *Tyson* did not discount the possibility that the defendant might have had "individual defenses" for specific class members. 136 S. Ct. at 1047. Nonetheless, it found the inference

[2] Unlike in a fraud-on-the-market securities case, where the inference of reliance depends on proof that investors are participating in an efficient market where prices reflect the information available to the market as a whole, *see Amgen*, 133 S. Ct. at 1192-93, the reasonableness of such an inference in the circumstances here does not depend on factual proof as to special characteristics of the economic setting where the activity occurs. Rather, it would take specific proof (such as that the activity occurred in a black market) to negate the reasonableness of the inference.

that arose from the representative sample to be just and reasonable and a permissible means of establishing the hours that the class members worked. Likewise, here, even crediting the defendants' unlikely scenario that a few outliers would have joined the defendants' business even knowing it was an illegal pyramid scheme, the inference of reliance is just and reasonable and thus a permissible means of establishing reliance on a class-wide basis. And to the extent that some unusual people joined defendants' business knowing it was an illegal pyramid scheme, the defendants are likely to know who was in on the scheme with them and can come forward and present individual defenses as to those people. Those individual defenses will not overwhelm the case and should not defeat predominance for the vast majority of class members for whom reliance is obvious. *See id.* at 1045 ("When one or more of the central issues in the action are common to the class and can be said to predominate, the action may be considered proper under Rule 23(b)(3) even though other important matters will have to be tried separately, such as damages or some affirmative defenses peculiar to some individual class members." (internal quotation marks and citation omitted)); *cf. Mims v. Stewart Title Guar. Co.*, 590 F.3d 298, 308 (5th

Cir. 2009) (explaining that "[c]lass certification is not precluded simply because a class may include persons who have not been injured by the defendant's conduct," where there was sufficient evidence that the jury could infer injury, which the defendant was free to rebut).

In all class actions, a creative defendant intent on opposing class certification could "no doubt ... conjure up fantastic scenarios" to explain why class members would have acted the same way without its misrepresentations. *Amgen*, 133 S. Ct. at 1197. In a class action against the manufacturer of a diet pill that misrepresented its benefits, one could imagine a pill collector who bought the useless diet pill, not because he thought it would make him lose weight, but simply to add to his collection. And in a class action against the purveyor of a worthless annuity, one could imagine an investor who invested in the annuity because she liked its name, not because of any representations about how it would perform. *See also id.* (hypothesizing a "superstitious investor who sells her securities" not based on material information but "based on a CEO's statement that a black cat crossed the CEO's path that morning"). But these remote possibilities only underscore how bizarre it would be to hold that individual issues predominate in these

class actions and to deny certification based on a few unusual people. "[C]onjectural 'individualized questions of reliance,' which are 'far more imaginative than real[,] ... do not undermine class cohesion and thus cannot be said to predominate for purposes of Rule 23(b)(3).'" *In re U.S. Foodservice Inc. Pricing Litig.*, 729 F.3d 108, 122 (2d Cir. 2013) (quoting *Amgen*, 133 S. Ct. at 1197).

At the very least, if the logical inference of reliance did not apply to enough people that class certification could be defeated, one would expect the defendants to offer evidence that those people exist. Here, the defendants posit creative reasons why people might have become IAs without regard to the scheme's illegality (such as that participating in a pyramid scheme might be an educational experience or a good way to meet people and interact with friends and family members), but they have not submitted evidence of class members who knew or suspected the business was an illegal pyramid scheme but who nonetheless signed up.

"The policy at the very core of the class action mechanism is to overcome the problem that small recoveries do not provide the incentive for any individual to bring a solo action prosecuting his or her rights."

Amchem, 521 U.S. at 617 (citation omitted). In such circumstances, if the plaintiffs cannot aggregate their claims, defendants who injure large numbers of people will be able to avoid accountability for their actions. That problem is presented here, where although the class members spent hundreds of dollars to join the defendants' illegal scheme, given the costs of litigation, few if any will be able to pursue relief on their own.

If the plaintiffs are correct that the defendants' business is an illegal pyramid scheme, the defendants should not be able to evade liability based on the remote possibility that some unusual people might have been willing to join their venture even had they known the truth. The handful of people (assuming any) who may be in that situation do not defeat the cohesiveness of the class of people victimized by defendants' illegal conduct. The Court should rely on common sense and logic to infer that class members relied on the misrepresentations that defendants' business was legitimate and should affirm the district court's determination that common issues predominate over individual ones here.

CONCLUSION

For the foregoing reasons, this Court should affirm the district court's order.

Respectfully submitted,

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May 13, 2016

CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(a)(7)(C), I certify that the foregoing brief is proportionately-spaced, has a type-face of 14 points, and, as calculated by my word processing software (Microsoft Word 2010), contains 4,466 words, less than half the number of words permitted by the Court for the parties' briefs.

/s/ Adina H. Rosenbaum
Adina H. Rosenbaum

CERTIFICATE OF SERVICE

I hereby certify that this brief has been served through the Court's ECF system on counsel for all parties required to be served on May 13, 2016.

/s/ Adina H. Rosenbaum
Adina H. Rosenbaum